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Lessons from Palm Island

By Noel Pearson

The Weekend Australian



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Last week the deputy coroner of Queensland found that an Aboriginal Australian, Mulrunji Cameron Doomadgee, died of injuries inflicted on him by a police officer, Chris Hurley, at the Palm Island police station.

Reading the deputy coroner's report this week, I was overcome by a deep sense of sorrow for the people and place of Palm Island. I have relatives for whom Palm Island became their involuntary home because of the long history of removals of indigenous people from their traditional homes across Queensland to this foreboding prison camp.

From my earliest childhood I knew of Palm Island as the dreaded destination of my people. I knew of Palm Island before I knew of the existence of Sydney or Brisbane. There is likely not one Aboriginal family in Queensland who does not have relatives who ended up on Palm Island. Palm Island today is the concentrated legacy of all of the sins of the historical treatment of indigenous people in Queensland.

Premier Peter Beattie is the head of the institution - the government of Queensland - that administered a history of both malign and benign but incompetent policies. Beattie is therefore responsible for the present state and future of Palm Island. In eight years the Beattie Government has not done one credible thing to ensure a better life for the children of Palm Island, the future Doomadgees.

Last week, Beattie supported the outrageous decision of the police commissioner not to stand Hurley down while possible criminal charges were considered by the Director of Public Prosecutions. Some say Beattie's overriding concern for his electoral hide makes Queensland once again like Australia's Alabama or Mississippi of yesteryear; but I believe former Nationals premier Joh Bjelke-Petersen, former police minister Russ Hinze and even former police commissioner Terence Lewis would have stood Hurley down.

The questions about this custodial death are not racial; they concern confidence in the administration of justice. This case should not and need not be about race. It is Beattie and the police commissioner, driven by an alarming police union, who have turned this into a question of race.

The Townsville Bulletin editorial of 30 September showed the leadership Beattie has failed to show.

It said: "It is difficult to accept Queensland Police Commissioner Bob Atkinson's decision to keep Senior Sergeant Chris Hurley on duty, desk-bound or not, after such an adverse finding from a coronial inquest. A coroner has found that Hurley caused the death of another man. There was no ambiguity in those findings." The editorial then makes its most salient point: "The community has an expectation that police officers are beyond reproach and if we are to give any credence to the promise by the police hierarchy that this case will be played out until justice is served, Hurley must be stood down immediately."

Townsville's leading newspaper has more faith than the state's Premier in the decency of the people of this northern city and in their ability to take a commonsense expression of the issues involved in the Doomadgee case. I believe the ordinary Townsvillean would wish a better future for the people of Palm Island; but the way in which the issues are presented to them and the incompetence of government responses to the problems faced by the indigenous community, cause confusion and defensiveness.

Many whitefellas in Townsville will be defensive about the role of the ordinary members of the police force who commit themselves to working for the safety and protection of indigenous community members. Indeed, Hurley on that fatal morning had been involved in assisting indigenous women from the island, one of whom had to be evacuated to Townsville as a result of violence inflicted by an indigenous man.

In believing that Hurley must be held to account for his actions in the Doomadgee case and that Beattie

and Atkinson have done wrong by the people of Queensland, I do not believe that this constitutes a slur against the dedication and honest work of the thousands of ordinary members of the police. The men and women at the front line suffer from incompetent policy on the part of leaders who are managing indigenous dysfunction from year to year with no interest in finding lasting solutions.

We are into the fourth term of a Beattie Government and indigenous affairs remains a policy disgrace. None of the government responses to the riots at Palm Island gives me any confidence that the situation is going to change for the better.

A serious reform agenda for indigenous communities would include: welfare reform, including reform of passive welfare payments (a commonwealth responsibility) and reform of passive service delivery (a state responsibility). It would include housing reform with a decisive move away from the public housing model to some form of home ownership. It would include land reform to enable home ownership and land tenures to facilitate business enterprise.

It would include education reform and a facing up to the fact that state schools are supplying substandard education to indigenous students.

It would include aggressive public health strategies – tobacco, hygiene, nutrition, exercise – to match efforts in improving access to primary health services. It would include governance reform and addressing the question of funding for local government functions in communities where councils are without a rate base to fund their responsibilities.

There are only two areas where the Beattie Government has introduced genuine reform. First, it adopted the concept of negotiation tables as an interface between communities and the plethora of government agencies with which they deal. These tables are led by a government champion, who is a chief executive of a Queensland government department. Negotiation tables represent a leap forward in co-ordination of services to communities.

The second genuine reform has been the measures to reduce the supply of alcohol in indigenous communities through alcohol management plans. In those communities where such plans have substantially reduced access to alcohol the benefits are obvious. But the alcohol management plans suffered from incompetent implementation. The bureaucrats had no strategy for building community support for the restrictions, either initially or through time.

All other reforms depend on the success of policies that deal with the addiction epidemics in indigenous communities: grog, drugs and gambling. Which brings me to the question raised by the coronial report on the death at Palm Island: how do we deal with drunkenness?

While I share criticisms of the state Government and police commissioner in relation to their response to the death of Doomadgee, I part ways with conventional progressive ideas about social policies. Progressive thinking is only half right when it comes to finding solutions to social problems in Aboriginal communities. It is right about the need for increased government expenditure on Aboriginal health and education programs.

But the Left is wrong to discount the restoration of social norms as a necessary co-requisite for successful development programs. The Left is generally averse to the notion of consciously upheld social norms as a driver of social progress. The dominant theory in Left thinking is that social dysfunction is a consequence of poverty and that social order will be restored when governments remove socioeconomic disadvantage.

Since the Royal Commission into Aboriginal Deaths in Custody, the prevailing wisdom has been that since dysfunction is only a symptom, the progressive and humane policy is to decriminalise drunkenness and divert intoxicated people. The problem is that the usual diversion is to a home, where there are children and sober people who then often are subjected to the abuse and violence of the intoxicated person. Or intoxicated people are diverted to a night shelter if there is such a facility in the community. These shelters provide a free bed and breakfast for their clients, who are then fresh and ready to undertake the next round of binge drinking. And the commonwealth Government then provides unconditional income support for the drinking to continue.

The royal commission's recommendations about decriminalising public drunkenness and using arrest only as a last resort is an expression of the left-liberal inability to understand that lack of social norms is not only a consequence of Aboriginal disadvantage; it is also a cause.

The coronial report on the circumstances of Doomadgee's death is commendable for its clarity. Unfortunately, the coroner's concluding recommendations about diversionary centres and community patrols amount only to a reiteration of conventional thinking. In Cape York Peninsula I am talking with community leaders about a reform strategy for social order. Our strategy is aimed at modifying the policy of unconditional welfare support services by introducing these two principles:

- Rebuilding intolerance of norm-breaking.
- A new method of policing based on community ownership of zero tolerance.

Community intolerance of destructive behaviour can be expressed through officially recognised bodies of respected community members that have certain powers vested in them: powers to intervene when social dysfunction threatens the wellbeing and future prospects of children.

Initial interventions may take the form of recommendations that people who commit, for example, drink-related offences attend support programs. If necessary, offenders then may be ordered into income management or rehabilitation.

Policing in indigenous communities today is mostly a mopping-up service after serious offences have been committed. Smaller offences are ignored, which then leads to more serious offending. If you don't deal with drunkenness, then you have the situation that Hurley faced on the morning of Doomadgee's death: an intoxicated Aboriginal man having assaulted an Aboriginal woman who had to be evacuated to Townsville hospital.

I advocate zero-tolerance policing, but there is a fine line between the right policy (zero tolerance) and the wrong policy (harassment and victimisation). This will require close trust and co-operation between community elders and leaders who want a better life for their people and the police. With trust and co-operation, a zero-tolerance approach to confronting antisocial behaviour can lead to the rebuilding of social and cultural norms in the community. Without trust and co-operation, zero-tolerance approaches are likely to degenerate into harassment.

If we do what the prevailing progressive opinion says, then our only focus will be on the behaviour of the police, and we do not deal with the behaviour of intoxicated community members who wreak violence on their families and destroy prospects for their children. A policeman causing the death of a person in custody is an outrage that needs to be answered; drunks who cause injury and death of fellow community members is equally an outrage that needs to be answered.

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