

Tabled by: Julie Arthur  
At: Mant Isa  
Date: 6/9/2022  
Signature: do



## Cloncurry Justice Association Inc.

Parliament Hearing – Blue Card Mt. Isa  
6<sup>th</sup> September 2022 at 11.45am – 12.10pm  
Cloncurry Justice Association Inc.

### Introduction

I would like to acknowledge my cultural Heritage, I am a Kalkadoon woman, and I pay my respect to my ancestors of this land both past and present.

Mrs Julie Arthur, I am the manager of Cloncurry Justice Association Inc. since March 2020. Our organisation was established in January 2005 from a community movement to address social issues and community relationships in Cloncurry. To be employed in our organisation you are required to obtain a Blue Card and a Police Check.

I would like to respectfully quote Minister Wyatt (June 2020), he connects First Nations peoples Incarceration rates to Health, education, and employment. Aboriginal people face an exceedingly harsh climate in the Australian labour market. They have lower employment rates, lower participation rates, and massively higher unemployment rates than non-Aboriginal people.

Therefore, today I would like to present statistical information that demonstrates the struggle and the complexities of First Nations people's struggle to obtain a Blue Card. I believe there are other impacting factors that are gathered over our lifetime that strongly impact on procuring a Blue Card, therefore, in my discussion I will include these elements in regards to First Nations people's:

- ✓ Child Protection and Early Childhood Trauma
- ✓ Education
- ✓ Employment
- ✓ Justice Safety

### Child Protection and Early Childhood Trauma

If we compare First Nations People with their white-Australian counterparts in Child Protection and Early Childhood Trauma we find our first contributing factor that starts our inherit struggle, First Nations children are over-represented in child protection and out-of-home care, based on poverty, assimilation policies, intergenerational trauma, discrimination and forced child removals which all contribute to the over-representation of our children in care.

The removal of our children does not protect them from harm and neglect, in most cases it puts them into a more dangerous position where they are exposed to sexual,



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emotional, and physical abuse, as well as neglect, and a loss of Cultural Identity. This happens due to isolation from family, friends, and extended family. (Report: Australian Institute of Health and Welfare)

Queensland stats represent that the following is true

Indigenous per 1,000 children is 23.9%, non-Indigenous per 1,000 children is 3.2, all children per 1,000 children 5.1 the ratio Indigenous /Non-Indigenous is 7.5. Consequently, the statistical facts represented and revealed that while First Nations children accounted for 7 per cent of the total population of 10 to 17-year-olds in Queensland, they made up 45 per cent of young offenders in 2018-19. (Published: January 2020 by Child Protection and Aboriginal and Torres Strait Islander Children)

First Nations children are 24 times as likely as non-Indigenous youth to be in youth detention and over 53% of all young people in detention were First Nations youth. This is before and during childhood and adolescence. My question is how angry, disappointed, and distressed our First Nations youth between 10-17 years? This group are already suicidal, self-harming and offending, they are surviving in isolation of their family and community support. If these children turn their lives around and wish to obtain a Blue Card for employment, what are their chances? Their chance at a better future is being crippled.

### Education for First Nations Children

First Nations children of Australia have had negative experiences at school, and many have endured high levels of discrimination (Hayes et al 2009). This has also been highlighted by the international national community UNC on the Rights of the Child that the Australian Federal Government has neglected the rights of First Nations children in Australia.

First Nations children are facing disempowerment of self at very early ages due to the education system letting them down and before that Child Safety removing them from their family, their culture, and their community. These children and young people are isolated from their lifestyles, they are operating without any support systems, and it is proven that Literacy and Numeracy levels are strongly connected to Domestic Family Violence.

These are the contributing factors that impede First Nations people in successfully obtaining a Blue Card.

So let's look at Employment, what is their pathway to gaining social independence?



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### Employment for First nations People

Employment lies at the heart of socioeconomic opportunities, it provides direct economic benefits to individuals and families, it also provides financial security, socially mobility and the ability to access higher standards of living.

The benefit of working is associated with better physical and mental health, as well as social inclusion that improves developmental outcomes for the children of employed persons. Employment also provides people with a sense of social contribution and a place in their community.

Financial stress levels are social determinants of health, the quality of food eaten, housing, physical exercise, social participation, and health care; not to mention disposable income.

First Nations people are consistently earning lower than average incomes from employment and live on low incomes payments, which negatively impacts their health, quality of food, housing, physical exercise, social participation, and health care opportunities.

**Welfare** such as Centrelink does not offer the resources necessary to maintain high levels of health, happiness, and stability, nor does it afford a person the ability to support themselves, their families, and their communities.

The acquisition of a Blue Card to gain employment is extremely difficult with a history of child protection, childhood trauma, lack of education, and lack of employment opportunities. Not to mention the justice safety is horrendous with our First Nations people, we are 'targeted by Police' regardless of our community standing, our commitment or our engagement with community, these qualities only bring us into focus of the Police.

### Justice Safety

As the manager of Cloncurry Justice Association Inc. I have personally experienced the local policing in Cloncurry. As an MMG mine site employee I was never noticed by the police, I drove my husband's 4WD and my VRX Lancer around Cloncurry without any trouble. It wasn't until I sat in this position as the manager that I experienced the red and blue flashing lights, I was told I had no authority or association to drive my husband's 4WD.

I have lost employees due to police sitting outside our Night Patrol Officers place of residency at all hours, being Breathalyzed at 8 o'clock in the morning for Drunk



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Driving as they took children to school and no ability to obtain a Blue Card due to DD.

I lost a second employee at Christmas; he was having a drink with family and friends got up to go home and fell and hit his head, the ambulance was called, the police also attended, and he was handcuffed taken to the hospital by the police. The police visited the resident whose home this situation took place at 8/9 times to get a statement, this resident, who is community elder, refused to give that statement as he repeatedly told them that no domestic violence incidents occurred. The police were trying to establish Bodily Harm and Assault against this Night Patrol Officer employed by Cloncurry Justice Association Inc.

This Night Patrol Officer was put on a Police Protection Order which allowed the police to attend his place of residency to establish his whereabouts at any time night or day.

This person has left Cloncurry and will not work with our organisation due to Police harassment.

The third incident with a Night Patrol Officer occurred after an incident developed in the community where the Night Patrol Officer acted in support of the Police. On the Sunday Night Patrol Shift this officer protected a non-Indigenous man being beaten by a large group of First Nations men, on the Monday the Sargent-In-Charge visited my office to let me know that he was considering pressing charges of 'Obstructing Police'.

A 41-year-old man who holds an Executive Position in Government as an Aboriginal Practice Advisor is still addressing a 23-year-old incident that happened when he was 18 years old. A person threw a bottle of beer at his head, he responded as an 18-year-old and punched the person who threw the bottle of beer. These charges still follow him today for him to explain. There should be a timeframe where these charges no longer exist.

A community member contacts the Cloncurry Police regarding rude text messages she was receiving from a family member. The police attended the community members residence for the text messages and then inquired about the whereabouts of her son, the community member has informed the officers that her son was asleep in his bedroom. The police then forced their way into her residence against her will and without a warrant, storming into the bedroom of this young man and waking him up. They then place a Police Protection Order on him which then forbids him from staying in his mother's home, effectively making him homeless.



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## In conclusion

These incidents are where community member are 'targeted by police' that I have presented to you demonstrate the impact that policing has on qualifying to obtain a Blue Card for our First Nations people, I would like to make a couple of points regarding the Blue Card. I would not like this card to be known by any other name other than Blue Card but to be identified with the First Nations flags as opposed to being called an "Ochre Card."

To work in any industry today every organisation requests employees to sign consent forms for Blue Card and police checks whether you are working with children or not.

Secondly, I would question the length of time this application would take to be finalised.

## TIMELINES - Working with Children (Indigenous Communities) Amendment Bill 2021

### **s231C Notifying community justice group:**

The **5 days** to send the application to the Community Justice Group (is within a reasonable timeframe). **Pg 5 line 5**

### **s231 E (1) Giving community justice group information about application**

Within **21 days** after the community area application is made, the Chief Executive must give the community justice group for each community area to which the application relates a written notice containing all information the Chief executives considers is relevant to deciding the application. **Pg 8 line 25 This timeframe is too long**

### **s231F (1) Community justice group may (1) recommend issue of restricted working with children clearance**

A community justice group for a community area that is given a notice under section 231E may, within **8 weeks** after receiving the notice, recommend to the chief executive the issuing to the application of a restricted working with children clearance for the community area. **Page 9 line 25 This timeframe is too long**

In total we are looking at 16 weeks or 4 months to manage an outcome for an applicant. Most First Nations people are applying for a Blue Card as they are completing their application for employment to address the criteria of the position. Application usually has a 6-week period, and some are less than the 6 weeks.



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### Inclusion

Do we want to place our children at risk in our communities? NO, do we want to employ First Nations people? YES, with this statistical data that shapes our lives there are many First Nations people who are **not** eligible to obtain a Blue Card where these stats have touched our lives. This impedes our First Nations people to obtain employment.

When it comes to 'working with children', community people will be working with other Blue Card Holders, therefore they should be able to work under supervision of a Blue Card Holder.

I strongly recommend that the Honorable Robbie Katter be successful in supporting our First Nations communities, this will provide First Nations people the opportunity to become financially and respectfully contributing to our community, providing a second chance.