



Speech by

**Hon. J. FOURAS**

**MEMBER FOR ASHGROVE**

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**COMMUNITY SERVICES LEGISLATION AMENDMENT BILL  
INDIGENOUS COMMUNITIES LIQUOR LICENCES BILL**

**Hon. J. FOURAS** (Ashgrove—ALP) (9.51 p.m.): I am pleased to rise to support the Community Services Legislation Amendment Bill and the Indigenous Communities Liquor Licences Bill. It is desirable that this debate be cognate—that is, these bills should be taken together because they are complementary pieces of legislation. The bills were an endeavour to facilitate a partnership with indigenous communities to tackle the associated problems of alcohol abuse and violence through a number of reforms. These reforms include transferring liquor licences from councils to community management board canteens, providing for the declaration of restricted areas, and by strengthening, expanding and providing legislative power to community justice groups. The most important legislative power given to community justice groups is that of declaring dry places within community areas.

I lived and worked in Murgon between 1962 and 1966. I was starkly aware of the problems that alcohol created in that community, but never was that more underlined to me than when I was involved as a senior consultant on the homeless children inquiry. A number of indigenous women from areas like Broome, Darwin and Alice Springs came to the hearing and were literally crying about the pressures they were under and their daily trauma to try to find the energy to help family members who were alcoholics, but more so to look after the children of those family members by supplying food and to care for them, because their parents would take their social security cheques to the pub and could not look after their children. There was nothing more stark for me than that.

The statistics show that, although a smaller proportion of indigenous people consume alcohol, those who do drink do so to a harmful extent. There is no doubt that there are undeniable outcomes of alcohol abuse. We have all heard about violence, injury and poor health. Studies indicate that indigenous people in Cape York consume about four times more alcohol than the national average—four times more than any other community drinks. The outcome is that alcohol related deaths are more than 20 times the general Queensland rate. The Cape York Justice Study starkly catalogues the harms from excessive alcohol consumption. The study found that levels of violence continue in an upward trend, hospital rates due to injury and poisoning are three to four times higher than for Queensland as a whole and, as I stated earlier, then there is the violence, abuse and neglect of children which can predispose children to fears for their safety and lead to behaviour problems later in their lives. It should be noted that nearly half the population in Cape York are children. We also have to note that when people drink excessively their participation in the work force is comparatively much lower than any other group.

I was in Murgon when the laws were changed from indigenous people not having the right to drink to having the right to drink. Before that they would buy sly grog at a much higher price, but when they got the right to drink the price of grog decreased and they consumed more. Paydays were horrific in Murgon, because heavy drinking was followed by brawls and self-harm. I remember one Melbourne Cup when a horse with an Aboriginal name was running. It was 33 to one and it won. What a disaster that proved to be for the town when they all collected their winnings, because there was chaos for the rest of the week—absolute chaos. The Beattie government has a choice of self-regulation or prohibition. There is no other choice. Doing nothing is not a choice, and the cries of paternalism that we hear from the Aboriginal Coordinating Council are just trite.

I was distressed to read the Aboriginal Coordinating Council's press release of 30 August 2002 where the legislation before the House tonight was described by it as 'draconian'. I will read some excerpts from that press release. It states—

Proposed amendments ... are an intrusion on the authority of democratically elected Community Councils.

...

Mr Hudson said while the ACC remained committed to improving quality of life on communities and agreed for the need to reform, it had grave concerns about the speed with which the new laws were being enacted.

I found it extremely concerning that three communities, including Kowanyama and Hope Vale, which have expressed these concerns, are prepared to take the government to court over the matter. Where have these people been while this chaos has been happening to their communities? I totally support the Cape York Justice Study, which concludes that alcohol consumption and its consequences have severely compromised the capacity of community councils to exercise self-management and self-determination. Bandaids solutions can no longer be sustained.

I am very impressed by Noel Pearson. I have noted that he has spoken about the issue of the Fitzgerald report and what he would do about it. He notes quite unequivocally that government policy and programs aimed at improving matters such as unemployment have had no real impact on the abuse epidemic because it is the latter that needs to be tackled immediately. Pearson favours strategies relying on concepts of prohibition or limitation of supply, and I think that what we are trying to do to date is to limit supply. Pearson, in coming to this conclusion, has come to understand that the social and cultural pressures to drink in Cape York are very strong and believes that addiction is a problem in itself. It is not unemployment and historical factors; it is addiction that is the problem.

Supporting Noel Pearson and his analysis does not mean that I deny historical factors of assimilation, the collapsing of employment in the cattle industry and the impact of cash-in-the-hand welfare payments—examples of what I noted in Murgon on paydays. In criticising this legislation, the ACC has come up with no viable alternatives to the strategies which this legislation addresses by seeking to control supply and availability of alcohol, in particular sly grog. As well as controlling supply, this legislation seeks to control demand through education and by the development of a community culture of intolerance to excessive alcohol consumption. We have to change the culture. We have to get the communities working together and helping each other to understand that it is not tolerable to have a level of consumption of alcohol that is four times the Australian average and to suggest that that is a culture that cannot be changed.

I will conclude by fully supporting the expanded role of the community justice groups. The press release from the Aboriginal consultative councils which I mentioned earlier implies that indigenous communities will not be able to work with all three separate pieces of legislation they will have to deal with and the decision-making structures that will be imposed on them, one of which is answerable to the people and two of which are answerable to the minister. The community justice groups provide a means for the communities to plan and implement effective strategies to address local law-and-order issues. The CJGs have been operating since 1993; however, they have operated without legislative protection and support. A range of functions will now be recognised by law. One of these functions, which I totally support, will be the power to declare dry places. Moreover, community justice groups will now be able to make recommendations to the minister about matters such as opening hours and declarations of restricted areas and prescribed amounts of alcohol permitted in them. It is very sad to read the criticism by Aboriginal consultative council chair, Thomas Hudson, branding this positive attempt to solve a serious problem as draconian as well as branding the new powers of community justice groups as unworkable. He is wrong, wrong, wrong on all counts.

As I said at the beginning of this speech, the bills before the House today attempt to facilitate a partnership approach. How could some Aboriginal consultative councils say in a press release—

The enactment of these laws will reduce our image to one of a draconian society.

I am concerned about the level of self-interest in the Aboriginal consultative councils, in particular the three that have been mentioned in this press release. I have long understood that self-interest has to be removed from the equation if we are to find the common good. Socrates said that the more self-interested we are, the less likely we are to reach decisions that will impact on us in a good way. I therefore plead, implore and urge the three Aboriginal consultative councils that are seeking to use the courts to throw out these bills to face the music and fully cooperate with this legislation.

These Aboriginal consultative councils in opposition should not think liberty is doing what you want to do. It is more than that; it is also power to choose things and change them. That is the fundamental issue. I will repeat that. When we talk about freedoms and the right to make choices, we should also understand that among those choices is the power to choose things that will actually make some changes to the horrific sequence of alcoholism and abuse. I have seen that abuse in the neglect of children who are on the streets chroming and who end up in juvenile courts and in correction centres. We have to break that cycle.

I commend the minister for this piece of legislation which requires this partnership with indigenous communities to make it work. We need to have some level of goodwill. Aldous Huxley once said that we have the extraordinary capacity as people to do extraordinary things. All we require is a level of intelligence and a level of cooperation and goodwill, and I ask people in the Aboriginal communities to look intelligently at what has been presented to them and to find that they have the goodwill to cooperate. With that I hope we can change this unacceptable cycle of alcoholism and violence. I commend the bill to the House.