Winnunga News

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CEO Update

As advised in the April edition of the Winnunga News I formally conveyed to the ACT Government on 22 April 2021 a unanimous resolution of a meeting of a number of acknowledged leaders of the local Aboriginal community, which I had convened at the urging of the Government on 15 April 2021, to the effect that the most effective and best prospect for identifying and responding to the over-representation of Aboriginal peoples in the ACT in touch with the criminal justice system or incarcerated, is by means of a Royal Commission.



ABORIGINAL HEALTH & COMMUNITY SERVICES

I was pleased to accept an invitation from Attorney-General Mr Shane Rattenbury and Minister for Aboriginal and Torres Strait Islander Affairs, Ms Rachel Stephen-Smith to meet with them on 20 May to discuss the resolution and the question of a formal

inquiry into the overrepresentation of Aboriginal peoples in the ACT justice system, including in prison.

Following that meeting the Ministers wrote to me, on 28 May 2021 and acknowledged the importance of an inquiry into this issue and agreed that the range of issues incorporated in the draft terms of reference prepared by Ken Cush and Associates on behalf of the Aboriginal community, needed to be addressed.

They did, however, advise me that they had 'some reservations' about a Royal Commission style inquiry, and indicated that they wished to give the matter further consideration.

In this regard the Ministers noted:

'A Royal Commission style inquiry may take years to hand down its recommendations, which are reasonably likely to mirror those of previous inquiries and reviews.'

'In addition, a Royal Commission style inquiry represents a significant expense for a small jurisdiction like the ACT. We acknowledge that enabling open inquiry into the causes and impacts of overrepresentation in the justice system and addressing these issues will inevitably demand the allocation of significant resources. However, directing resources to a lengthy and legalistic process may not be the most effective use of resources, especially given the number of existing recommendations before the Government, many of which are yet to be implemented.'

Personally I do not accept the legitimacy of either of these claimed reservations about the desirability of a Royal Commission style inquiry into issues of such fundamental

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'...the price it puts on black lives, or an Aboriginal child's right to education or to live in safety with his or her family or to not live in poverty.'

and central importance to the Aboriginal community. In raising the question of cost as a potentially disqualifying factor the Government is inviting a response which demands of it an indication, for example, of the price it puts on black lives, or an Aboriginal child's right to education or to live in safety with his or her family or to not live in poverty. What price is the Government prepared to put, say, on the right of Aboriginal peoples to equality or the right to live free of racism and discrimination.

As an expression of the Government's funding priorities how would the cost of a Royal Commission as envisaged by the Aboriginal community compare with, say, the cost of the light rail?

As for the expressed concern about the fact that a myriad of existing recommendations relevant to the issues of concern to the Aboriginal community are yet to be implemented and that a Royal Commission may slow their implementation even further surely begs the question why have they not been implemented. A question a Royal Commission would be well placed to answer even if the Government were to find the answer unpalatable.

As I have noted above I am pleased and grateful that Mr Rattenbury and Ms Stephen-Smith have indicated their and the Government's preparedness to consider a Royal Commission into the over representation of Aboriginal peoples in the justice system albeit they have also advised that they have reservations about that form of inquiry.

While I am, of course, happy to negotiate with the Ministers about the Terms of Reference for an inquiry, I remain committed, as do the senior leaders of the Aboriginal community that unanimously endorsed the resolution at the meeting of 15 April 2021, to a Royal Commission and I have no intention of wavering from that position.



Fact: A royal commission is a major ad-hoc formal public inquiry into a defined issue in some monarchies.

'...wondering if the 'successful negotiations' which led to the detainees becoming *'compliant* with directions' occurred before or after the detainees were pepper sprayed.'

When Is a Riot Not a Riot?

In the April edition of the Winnunga News, Julie Tongs CEO of Winnunga AHCS concluded an article about the report of the Inspector of Corrections, Mr Neil McAllister, into the major riot at the AMC on 10 and 11 November 2020 with the following cautionary words:

'Julie Tongs said her main concern with the lack of attention to or deeper understanding (in the report) of the reasons for the riot is that without an understanding of why it occurred it is harder if not impossible for ACT Corrections to respond in a way that ensures it not happen again.'

'Without wishing to appear cynical or fatalistic she has absolutely no doubt that if there are not serious changes in the operation of the AMC there will almost certainly be further riots.'

It was therefore of no surprise to Julie Tongs that on 12 May 2021 there was indeed another riot, involving 28 detainees at the AMC.

The Justice and Community Safety Directorate (JACS) and Minister for Corrections went to great pains, however, to avoid use of the word 'riot'. In initial responses to the affray the JACS spokesperson advised:

'Corrections officers acted quickly and professionally to resolve the incident. Officers successfully negotiated with the detainees and the matter was resolved when detainees became compliant with directions.'

The JACS spokesperson did not, apparently, think it relevant to mention that prior to the 'incident' being successfully resolved through 'negotiations' that Corrections officers had resorted to the use of capsicum spray.

Julie Tongs said she couldn't help wondering if the 'successful negotiations' which led to the detainees becoming 'compliant with directions' occurred before or after the detainees were pepper sprayed. She said while she accepted that a handy dose of pepper spray to the face was one way of ensuring the successful conclusion of

negotiations she struggled to understand how it was consistent with the ethos of a human rights compliant and rehabilitation focussed prison.



Fact: A prison riot is an act of concerted defiance or disorder by a group of prisoners against the prison administrators, prison officers, or other groups of prisoners in attempt to force change or express a grievance.

'Julie has asked the Government to treat the restoration of visiting rights at the prison as a matter of the highest priority.'

When Is a Riot Not a Riot? (cont'd)

The omission might be explained, of course, if one thought that the Government was desperate to avoid having to admit to a second riot at the AMC in the space of six months.

Julie Tongs said advice relayed to her from detainees in the AMC was that the major cause of the frustration among detainees that contributed to this second riot was the management of family and personal visits at the AMC. Julie has asked the Government to treat the restoration of visiting rights at the prison as a matter of the highest priority.

Julie said she had also heard from some detainees that one reason they supported the riot was in the hope they would be transferred to a prison (any prison) in NSW just to escape the tedium and sole destroying atmosphere that they are forced to endure in the AMC.

Below is an extraction from the ACT Government's HUMAN RIGHTS PRINCIPLES FOR ACT CORRECTIONAL CENTRES Booklet.

THE IMPORTANCE OF HUMAN RIGHTS PRINCIPLES

The observance of human rights is integral to good correctional centre management and the



most effective and safest way of managing correctional centres. What this approach underlines is that the concept of human rights should not simply be another subject to be added to the training curriculum, but must be embedded in all aspects of good prison management.

The ACT Government's commitment to ensuring respect for human rights is entrenched in the Human Rights Act, which states that human rights are required for Canberrans to 'live lives of dignity and value'. This applies to all parts of our Territory, including correctional centres.

The Human Rights Act incorporates international human rights obligations into our local law. It provides, as a starting point, that everyone has the right to liberty and that no one may be arbitrarily arrested or detained. People may not be deprived of liberty except in accordance with the law, and anyone in detention is entitled to be treated with humanity and with respect for their inherent human dignity. Detainees also retain all of the other human rights recognised in the Human Rights Act while in detention and these may only be limited in accordance with that Act.

For a copy of the ACT Government's HUMAN RIGHTS PRINCIPLES FOR ACT CORRECTIONAL CENTRES, Justice and Community Safety Directorate, January 2019, go to:

https://www.ics.act.gov.au/__data/assets/pdf_file/0005/1317236/ACT-Human-Rights-Principles-in-the-AMC-booklet.PDF

Only a Royal Commission Will Sort Out Prison Crisis

By CityNews, 11 May 2021

Indigenous leader JULIE TONGS writes that we have to face the awful truth, the worst-performing government in Australia, when it comes to locking up Aboriginal peoples, is the ACT government. And enough is enough.

FOR years, I have been advocating loudly and regularly about the disgraceful over-representation of Aboriginal and Torres Strait Islander peoples in prison or otherwise involved with the ACT criminal justice system.



Julie Tongs

As painful as it is to have to face the awful truth, the worst-performing government in Australia, when it comes to locking up Aboriginal peoples, is the ACT government.

The latest data on indigenous incarceration in the ACT reflects the depth of the crisis, in fact an ever worsening and festering crisis, in the nature and extent of the over-representation of Aboriginal peoples in the justice system.

It was because of this that in July I wrote, in despair, to the then Attorney-General, Gordon Ramsay, and the Minister for Aboriginal and Torres Strait Islander Affairs, Rachel Stephen-Smith.

In my letter I said, among other things: "As you would be aware the ACT has the highest rate of increase in the incarceration of Aboriginal men and women in Australia and the highest rate of indigenous incarceration in Australia.

"In fact, in the last eight years there has been a 279 per cent increase in Aboriginal incarceration and the Minister for Corrections has advised that 90 per cent of Aboriginal detainees in the AMC have a prior conviction.

"It is clear that the policies and procedures purportedly in place in the ACT to address the disproportionate level of contact of Aboriginal peoples with the different arms of the justice system, whether it be the police, courts, prison, throughcare, community corrections or parole are quite simply failing to address the disproportionate levels of Indigenous incarceration."

I concluded my letter by asking the ACT government to "initiate a detailed, comprehensive and independent inquiry into the effectiveness of all arms of the justice system in their contact with and response to members of the Aboriginal and Torres Strait Islander community".

To their credit, the now Attorney-General, Shane Rattenbury, and the Minister for Aboriginal and Torres Strait Islander Affairs, Ms Rachel Stephen-Smith, in company with the Minister for Corrections, Mick Gentleman and Minister for Justice Health, Emma Davidson, convened, on March 24, a roundtable meeting involving a wide range of representatives of the Aboriginal and Torres Strait Islander community.

Only a Royal Commission Will Sort Out Prison Crisis (cont'd)

The meeting was to discuss, among other things, the desired form of a commitment which the ACT government had given in response to my letter to "a holistic review of the overrepresentation of Aboriginal and Torres Strait Islander people in the justice system, led by the Aboriginal and Torres Strait Islander community".

The ministers went on to reiterate the government's commitment to ensuring that the Aboriginal community would lead the work and further advised that: "We are seeking your expertise and guidance on how the government can facilitate the Aboriginal and Torres Strait Islander community to lead a comprehensive review of these issues."

At the roundtable I insisted that we had reached crisis point and that a piecemeal approach was not feasible, would not be effective and that only a Royal Commission-style inquiry would suffice.

The roundtable ultimately resolved that I should convene a follow up meeting with a view, as requested by Ministers Rattenbury, Stephen-Smith, Gentleman and Davidson to formalising the Aboriginal community's preferred option for identifying and addressing the multiple issues impacting on the over-representation of Aboriginal peoples in the ACT with the justice system.

I convened such a meeting on April 15 attended by 16 senior Aboriginal and Torres Strait Islander community leaders. It was addressed by Senator Pat Dodson and Prof Larissa Behrendt, who then also engaged in the ensuing discussion.

The meeting debated the issues before agreeing, unanimously, to the following resolution:

"That the government be advised that it is the view of the Aboriginal community of the ACT that the most effective and best prospect for identifying and responding to the over-representation of Aboriginal and Torres Strait Islander people in the ACT, in touch with the justice system or incarcerated, is by means of a formal Commission of Inquiry in accordance with the Royal Commission Act 1991." The resolution was referred to ministers for endorsement in late April.

It was also decided at the meeting that draft terms of reference for the inquiry be developed, in consultation with and under the guidance of legal advisers Ken Cush and Associates.

The draft terms of reference, which will focus on the multiple factors that lead to Aboriginal people coming into contact with the justice system and those which contribute to the Australia high recidivism rate of Aboriginal peoples in the ACT, are well advanced and once cleared by senior community leaders will be referred to the government.

I am accordingly looking forward to the government's early endorsement, consistent with its many undertakings to support the community's preferred model of inquiry, of a Royal Commission into the over-representation of Aboriginal and Torres Strait Islander peoples in the ACT justice system and imprisonment in the AMC.

Julie Tongs is the CEO of Winnunga Nimmityjah Aboriginal Health and Community Services.

Poor Housing and Homelessness Disproportionately Impacts Aboriginal Community

'...deeply
concerning to
learn of the
range of issues
which the
Official Visitor
for
Homelessness,
Mr Simon
Rosenberg
included in his
first report as
Official Visitor
to the Minister
for Housing

Services and

Ms Rebecca

Vassarotti.'

Homelessness

The draft Terms of Reference for a Royal Commission into the disproportionate levels of contact which Aboriginal peoples in the ACT have with the justice system and are incarcerated, which were prepared by the group of senior Aboriginal leaders on behalf of the Aboriginal community, specifically reference housing needs of Aboriginal residents of the ACT being included in the inquiry.

As with so many measures of disadvantage Aboriginal and Torres Strait Islander peoples in the ACT fare poorly in any comparison of any aspect of housing, whether it be in relation to home ownership, homelessness or the adequacy, standard or suitability of the housing they occupy.

It is axiomatic that any inquiry into the reasons for the over-representation of Aboriginal peoples in contact with the justice system must include a detailed audit of a range of social issues including housing and homelessness.

It was, therefore, coincidental and indeed deeply concerning to learn of the range of issues which the Official Visitor for Homelessness, Mr Simon Rosenberg included in his first report as Official Visitor to the Minister for Housing Services and Homelessness Ms Rebecca Vassarotti.

Mr Rosenberg has advised community representatives that the range of serious concerns which he reported to the Minister included:

- 1. The long wait for public housing.
- 2. The need for increased cross-sector work in for example disability, mental health and AOD.
- 3. Multiple complaints that service users are frustrated because of the number of women who cannot get custody of their children because of the length of the public housing waiting list.
- 4. Concerns that people with alcohol and other drug dependency who are evicted from rehabilitation services because, for example, of a relapse become homeless.



Fact: The ACT Official Visitor Scheme provides independent oversight of services for people in government institutions and community facilities who are dependent on service providers.

'Julie said she implored Minister Vassarotti to take control of Housing ACT and put an end to this unceasing attack on the poor.'

Poor Housing and Homelessness Disproportionately Impacts Aboriginal Community (cont'd)

It is understood the current wait time for allocation of priority ie urgent public housing, is twelve months and for those not eligible for priority consideration it is four years.

Julie Tongs said she was deeply distressed to learn there are women in Canberra, many of whom she has no doubt are Aboriginal, who have been separated from their children and while eligible to be reunited are prevented from resuming custody because there is simply no available public housing for them to access. She said this is both shameless and cruel.

Ms Tongs said she had been calling on the ACT Government repeatedly over the last five to six years to facilitate the establishment of an Aboriginal housing corporation and an Indigenous specific housing policy to no avail.

She said rather than responding to the needs of all Canberrans, Aboriginal or otherwise, dependent on public housing support the ACT Government had instead, in the decade from 2010 to 2020, during which period Canberra's population grew by 63,395 people, actually reduced the number of units of public housing by a total of 78. Julie said the social housing sector had fared little better with the ACT Government imposing savage cuts on, in particular, CHC Community Housing to the point it is barely able to function.

Julie said she implored Minister Vassarotti to take control of Housing ACT and put an end to this unceasing attack on the poor.



Minister Rebecca Vassarotti

Fact: Data on homelessness from the 2016 Census, showed there were 1,596 homeless people in the ACT.

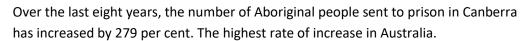
No Outcry Against Canberra's Shameful 'Obscenity'

City News 26 May 2021, By Jon Stanhope

"An Aboriginal person in Canberra is 19.4 times more likely to be sent to prison than a non-Aboriginal person. The highest rate ratio in Australia. Without argument, this is more than a disgrace – it is obscene," writes columnist JON STANHOPE.

OVER the last eight years, the number of Aboriginal people sent to prison in Australia has increased by just over 50 per cent.

Without argument, this is a national disgrace.



Of the Aboriginal people currently in prison in Canberra, 90 per cent have served a prior sentence of imprisonment. It is the highest recidivism rate in Australia.

Without argument, this is more than a disgrace – it is obscene.

It is an obscenity that we, as a community, have calmly taken in our stride. There have been none of the usual public indicators of concern let alone outrage; no letters to the editor or harrying calls to talkback radio. No ABC television special investigative report. No motion of censure or of no confidence moved in the Legislative Assembly. No public inquiry. No picket outside the prison, police stations or the courts. No mass rally or demonstration outside the Legislative Assembly. In fact, no rally or demonstration anywhere.

The only reaction from Canberrans has, I fear, been a stifled yawn as we turn the pages of the paper or change the television channel to avoid the tedium of being confronted by the occasional short cryptic report touching on the reality of indigenous disadvantage in Canberra, our home.

It is an accepted political truism, as evident in the ACT as anywhere, that there are no votes in prison reform or in being seen to care about the welfare of people caught up in the criminal justice system.

If anyone doubts that I invite them to reflect on our and the ACT government's nonchalant indifference to the state of the Alexander Maconochie Centre and to the rate at which we in Canberra lock up Aboriginal people and ignore their needs.

I have recently been especially agitated about the state of the justice system in the ACT. My agitation has been heightened by the insight I have from working in an Aboriginal community-controlled organisation, namely Winnunga Nimmityjah Aboriginal Health and Community Service.

I have, through my employment at Winnunga been privileged to work alongside its CEO, the indomitable Julie Tongs, an outstanding and fearless leader of the local Aboriginal community and have met and come to know clients with criminal records and a history of detention in the AMC.

As I have mentioned previously, one such person is Julianne Williams, who was the subject of the now infamous forceful strip search in front of men, both prison officers and inmates, in the AMC.



Jon Stanhope

No Outcry Against Canberra's Shameful 'Obscenity' (cont'd)

I have known Julianne for a number of years and we have over time become friends. I met her recently for a coffee and a chat. We talked about her ordeal in being forcibly strip searched as well as more broadly about the reality of detention in the AMC. Julianne has written an open letter about her ordeal. This is part of what she wrote:

Julianne has written an open letter about her ordeal. This is part of what she wrote: "On arriving at the Crisis Support Unit, I was placed in a cell where everything can be seen. There were also five to seven men housed in the unit who can see everything that occurs. Whilst I was laying on the bed, four female officers, two male officers, two male nurses and five male detainees had a full view.

All officers and nurses enter my cell to strip me naked to check I had nothing on me – for my safety I'm told. The female officers were in full squad gear while the rest were there to watch. The intention was to remove all my clothing by cutting my clothes clean off.

At this time I was menstruating heavily due to all the blood-thinning medication I take.

Here I ask you to remember that I am a rape victim. So you can only imagine the horror, the screams, the degrading feeling, the absolute fear and shame I was experiencing."

The details of Julianne's ordeal, while she was in the care and under the control of the ACT government and its officers, has been widely reported.

No resident of the ACT, who takes an interest in local news, would not be aware of the salient details of the way she was treated. Julianne also lives with a range of very serious medical conditions, which were also revealed in media reports about her strip search.

In our recent conversation I asked Julianne whether she was surprised or disappointed by the apparent lack of local interest in or concern about the treatment which she endured at the hands of the ACT government, in our names.

I told Julianne that I had not seen, since the media reported her treatment, a single letter to the editor, an editorial or opinion piece, any in-depth television exposure, calls for a rally in front of the Legislative Assembly or indeed anywhere, or any expression of anger or outrage at her treatment other than by me and Julie Tongs.

I drew Julianne's attention to the understandable anger in Canberra and across Australia and the massive outpouring of support which Brittany Higgins justifiably received following the appalling ordeal she had suffered, also in Canberra, and asked whether the contrasting responses to the two incidents had occurred to her and her reaction to that.

Julianne looked at me, smiled ruefully, and said: "Jon, I am an Aboriginal woman with a criminal record, do you seriously think anyone other than my people would care about anything that was done to me?"

'...I am an
Aboriginal
woman with
a criminal
record, do you
seriously
think anyone
other than my
people would
care about
anything that
was done to
me?'

Fact: The ACT Corrections Management (Searching) Policy 2010 can be found at www.legislation.act.gov.au

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'Vaccination is a safe and effective way of preventing people from becoming sick with COVID-19.'

COVID-19 Update

Winnunga is now offering eligible clients aged 16-49 the Pfizer (Comiranty) COVID-19 vaccination. The AstraZeneca COVID-19 vaccine is still available for people aged 50 and over.

COVID-19 (Coronavirus) remains an ever present threat in Australia, as demonstrated by ongoing outbreaks.

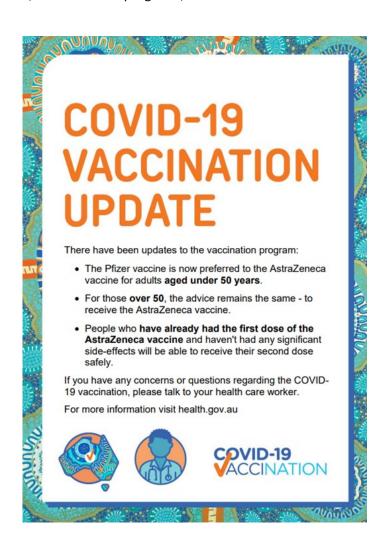
Vaccination is a safe and effective way of preventing people from becoming sick with COVID-19. Although COVID-19 vaccination is not compulsory, it is strongly recommended.

If you are an Aboriginal and/or Torres Strait Islander person who has not accessed Winnunga previously, please contact us as we can still give you a COVID-19 vaccination at our service.

Please call reception on (02) 6284 6222 to book your vaccination. If you are unsure of your eligibility you will be able to talk to one of our nurses.

More information on COVID-19 vaccinations:

For the latest advice and updates from the Department of Health, visit: https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines



'It is really important to keep doing COVID tests even if case numbers are low.
Outbreaks in other states have shown how easily COVID can spread...'

COVID-19 Update (cont'd)

The Winnunga AHCS Respiratory Clinic is still operating. The Respiratory Clinic has a separate entrance. Anyone who has a fever, cough, sore throat, runny nose, shortness of breath or sudden loss of taste or smell should go to this entrance. Nurses may direct you to the Respiratory Clinic after screening when you arrive. You will be asked to wear a mask while waiting at the Respiratory Clinic.

Please get tested if you have symptoms:

It is really important to keep doing COVID tests even if case numbers are low. Outbreaks in other states have shown how easily COVID can spread, and the earlier we detect any cases the safer our community will be. If you or your children have a fever, cough, sore throat, runny nose, shortness of breath or sudden loss of taste or smell please attend the Respiratory Clinic for testing.

Telephone consultations:

Winnunga AHCS doctors can still do telephone consultations. To organise a telephone consultation please call Winnunga AHCS on 6284 6222.

Social distancing and hand washing:

Please maintain social distancing while attending Winnunga AHCS. Please do not gather in groups while waiting for services. Please use the hand sanitiser provided while waiting at Winnunga AHCS, before entering the clinic and on your way out.

More information on COVID-19:

As the COVID-19 situation evolves Winnunga AHCS will inform clients and the community of any further changes to our service through our Facebook page, Instagram, our website and by email.

For the latest ACT advice and resources go to ACT Health: www.health.act.gov.au/novelcoronavirus

For the latest national advice, information and resources, go to www.health.gov.au The National Coronavirus Health Information Line is 1800 020 080. It operates 24 hours a day, seven days a week. If you require translating or interpreting services, call 131 450.





Gugan Gulwan School Holiday Program

Gugan Gulwan July school holiday program is now open for applications.

Week 1 (28 June-2 July) is for children aged 8-11 years.
Program Coordinator for Week 1 is Budda Connors
Budda's email is Budda@gugan-gulwan.com.au

Week 2 (5-8 July) is for children aged 12-16 years. Program Coordinator for Week 2 is Kayla Seden Kayla's email is Kayla@gugan-gulwan.com.au

Please note Gugan Gulwan will be closed on Friday 9 July and the program will not operate.

Applications close on 15 June.

For more information and or to get an application form please contact Kayla or Budda via email or alternatively call 6296 8900 and ask to speak with them.

'It works with its clients through a range of programs that go well beyond the services provided by most youth centres.'



Gugan Gulwan Youth Aboriginal Corporation



Gugan Gulwan is an Aboriginal youth centre located in the ACT suburb of Wanniassa. It works with its clients through a range of programs that go well beyond the services provided by most youth centres.

Gugan Gulwan Youth Aboriginal Corporation (Gugan Gulwan) was established and Incorporated under the Aboriginal Councils Act 1976 on 17 August 1992. It was created to support young Aboriginal and Torres Strait Islander people and their families in the ACT and surrounding regions to thrive and succeed.

Fact: To learn more about Gugan Gulwan please go to

https://gugan-gulwan.com.au/

Staff Profile



Name: Connor Williams

Position: Medical Reception

Who's your mob?
Wellington and Condobolin mob

Where's your country? Ngunnawal country

Who is your favourite singer/band? Youngn lipz

What is your favourite song? Spaceship









What do you do on the weekends? Play footy

What is your favourite food? KFC

What do you like most about working at Winnunga?
Talking to the clients

My Favourite pet?
Dog

What is your pet hate? Nothing

