I wish, firstly, as we approach the end of what has been for many members of our community a difficult and challenging year, to acknowledge and extend a heartfelt thankyou, on my own behalf and on behalf of the Winnunga Board, to every single member of the Winnunga team for your outstanding and unceasing contribution to the welfare of our community.

Winnunga is of central importance to the wellbeing of the Aboriginal and Torres Strait Islander community of Canberra and the region, and your dedication to meeting the health and associated needs of our community is fundamental to our success.

The COVID-19 pandemic has disproportionately affected the local Aboriginal community and has had a major impact on Winnunga’s operations over the last two years. I am conscious of the major additional strain which COVID-19 has imposed on every member of our staff and I am truly grateful for the professional, good natured and willing way in which each of you has responded to the challenges we have faced. I cannot thank you enough.

I also wish to extend to each of you and to all our clients and the broader Aboriginal community my best wishes for Christmas and the holiday season. It certainly has been a trying year and I do hope that each of you have an opportunity to share time with your family, loved ones and friends.

I acknowledge too that Christmas and the holiday season also presents challenges for many in our community - if you require support or assistance please know that I and all of us here at Winnunga are here for you.

As I reflect on the year now drawing to a close I think of the enormous difference which having taken possession of our purpose built new building has made to our capacity to meet the health and wellbeing needs of the Aboriginal community. I acknowledge again the tri-partisan support we received from the three main political parties in agreeing to meet this priority and thank them for bringing this long held dream of our community to fruition.

I am hopeful that over time the new facility will enable us to expand the range of services we provide in order to seek to close some of the appalling gaps in services and life outcomes which Aboriginal and/or Torres Strait Islander peoples in Canberra experience.
Data across the full spectrum of life outcomes being achieved by Aboriginal and/or Torres Strait Islander residents of Canberra consistently reveal that the relative degree of disadvantage experienced by Aboriginal peoples in Canberra when compared to non-Aboriginal peoples is worsening. I cannot, in fact, think of a single data set developed in the last year in which the outcomes being achieved by Aboriginal peoples have improved when compared to or measured against those of non-Aboriginal people.

That Canberra, the national capital of Australia, one of the most privileged cities and prosperous communities in the world and purportedly the most “progressive”, also has the worst outcomes in Australia in relation to the degrees of disadvantage and inequality experienced by Aboriginal peoples who live here, raises some worrying questions, not least whether our elevated opinion of ourselves as caring, compassionate and progressive is justified.

Winnunga’s AGM was held on 19 November 2021. The meeting went well and despite the challenges brought about by COVID-19, we had good participation of members at the meeting. Phillip Miller our regular auditor was unable to attend, however a senior person, Bill Allen from Vincents Audit Pty Ltd attended the meeting in Phillip’s place. Bill Allen who is not familiar with Winnunga processes, commended Winnunga on our financial management. Well done to Rachel and the finance team!

Furthermore, I am pleased to report Winnunga recently completed its 5th cycle of accreditation. This assessment was conducted according to the requirements of the QIC Health and Community Services Standards 7th Ed Accreditation Program, and we passed each of the standards with flying colours. In fact, not only did we pass, the independent assessors acknowledged the high quality of work, processes and policies staff adhere to each day, and had no further recommendations for us to adopt. A big thank you to Rose, Winnunga’s Accreditation Manager for her organisation and coordination, and to all the staff who were involved in the reviewing and updating of our Policies and Procedures in line with the QIP Accreditation Standards.

I am so proud of all the Winnunga staff who have always done over and above what is required in their duty statements (lucky we have other duties as required in the duty statements because we have all done plenty of that over the past couple of years with the fires, smoke, hail and then COVID-19). A special thanks also for our team at AMC you were not forgotten in all this and you all need to be congratulated for the work you do on the inside for our mob.

Thank you, thank you, thank you team Winnunga, from a very happy and super proud CEO.
Aboriginal Hero and Great Australian - Dalaithngu

Julie Tongs has paid tribute to Dalaithngu following his death, at the relatively young age of 68. Julie said that news of Dalaithngu’s passing was received by the Aboriginal community with the deepest imaginable regret and sadness.

She said within the Aboriginal communities across the whole of Australia he was one of the most highly respected and loved of all Aboriginal peoples. He was, she said, rightly considered to be a true Australian treasure.

Dalaithngu was born and raised in Arnhem land. He first came to notice outside his immediate community through his skill as a dancer. It was through his skill as a dancer that he came to the notice of a film maker who as a consequence offered him a role in the film Walkabout.

His performance in that film led to national and international acclaim not just for his dancing but as an actor. He was subsequently cast in Storm Boy which was followed, over time by around another 20 films including the classics The Last Wave, Crocodile Dundee, The Tracker, Rabbit-Proof Fence, Ten Canoes and Charlies Country.

Dalaithngu was one of Australia’s best actors. He received many awards, notably including for best actor, including for The Tracker, which was distributed world wide to great acclaim.

Dalaithngu was also honoured with an award under the Order of Australia. Despite his fame and wealth Dalaithngu never lost his connection with his heritage, his country and his people.

Julie Tongs said that Dalaithngu was unique and that through his presence, personality and skill as an actor he became a major force in drawing attention to the continuing impact of colonisation on and realities of life for Aboriginal peoples in Australia.

Julie said she hoped, in light of Dalaithngu’s standing and achievement’s, that the Australian Government would commit to an appropriate memorial to his life.

Fact: Dalaithngu was probably born in 1953, although he states in the 2021 documentary about his life, ‘My Name is Gulpilil’, that he did not know how old he was. Local missionaries recorded his birth on 1 July 1953, based on “guesswork”.
The Guardian, Christopher Knaus and Lorena Allam, 26 November 2021

The woman, a sexual assault survivor with serious health problems, alleges her human rights were breached by the forced search

An Aboriginal woman sexual assault survivor with a serious heart condition who was forcibly strip-searched by a team of prison officers is suing the Australian Capital Territory government for breaching her human rights, arguing that her treatment was degrading and humiliating and amounted to torture.

The woman, who cannot be named, had just been denied permission to attend her grandmother’s funeral and moved to the crisis support unit of the Alexander Maconochie Centre, when a team of prison staff, one of whom allegedly had a knife, decided to forcibly strip search her, according to a statement of claim filed in the ACT supreme court.

Before they entered the cell, the woman was lying on her bed in a “calm state”, according to the court documents. The 37-year-old Ngunnawal woman has a pacemaker and a collapsed lung. She screamed for help, told the officers she was having pains in her chest, and warned she couldn’t breathe, according to the court documents.

One officer asked colleagues “who’s got the knife?”, before saying to the woman, according to a transcript contained in court documents: “If you comply, I’ll get them [your clothes] off you and we’ll get this over and done with.” The knife was intended to be used to cut off her clothes, according to court documents.

CCTV vision of the strip-search was allegedly watched live in the jail’s operation room.

The detainee also has borderline personality disorder and is a sexual assault survivor. She had been on remand at the Alexander Maconochie Centre, a facility that is supposed to be human rights compliant, for six months when the incident took place.

No medical advice was sought about whether the strip search was safe, given her medical condition, or appropriate, court documents allege. There was also no medical assessment of the woman prior to the strip search. A team of 12 prison officers were either in or near the cell during the search, including two males who were in “the immediate vicinity” of the woman, according to both court documents and a separate independent report on the incident. Other inmates in the unit could hear what was happening.
The court documents allege the search was triggered by an officer who said she had seen the woman with her “hands in her crotch area”. The officers found nothing on the woman. The court documents say the officers realised after the search she was having her period.

The woman outlined her version of events in a letter seen by Guardian Australia earlier this year.

“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 ... as well as the grief and despair, disappointment of not being able to attend my grandmother’s funeral,” she wrote.

In early January, she was told her grandmother had died and the funeral was being held in a week’s time. The woman said she asked permission to attend and “completed paperwork” to make the request official.

The day before the funeral, she was told that “due to logistics” the request was denied, which caused her to become “very upset”. She said prison staff moved her to the Crisis Support Unit, or CSU, “because they fear for my safety and mental health”.

Earlier this year, the ACT’s Inspector of Correctional Services (ICS) released a report finding there was a lawful basis for the search, but that it was “not a last resort as required” by the territory’s Corrections Management Act and that it did not comply with the territory’s Human Rights Act.

It reviewed footage showing the woman telling officers she “cannot breathe” at various times while detained.

“During the use of force there are up to 12 staff in the immediate vicinity, some at times enter the cell, and others stay by the door or in the corridor outside the cell,” the report said.

It found the two men involved were not directly watching the strip search but were in the vicinity.

The case now launched by the woman, through her lawyers Ken Cush and Associates, alleges that the strip search violated the ACT’s Human Rights Act.

It alleges the search breached her right to be protected from “torture and cruel, inhuman or degrading treatment” and her right to be afforded “humane treatment when deprived of liberty”.

The case also alleges her treatment by the prison, particularly the decision to refuse her request to attend her grandmother’s funeral, denied her cultural and other rights afforded to “Aboriginal and Torres Strait Islander peoples and other minorities”.

Winnunga Nimmityjah Aboriginal health centre CEO Julie Tongs said authorities needed to be held accountable for their treatment of the detainee.

“Somebody needs to be accountable. [Name removed] was held accountable for what she did and went to prison. Yet, institutions can be the perpetrators and get away with it,” she said.
Tongs said the ICS report was damning, outlining failures that needed urgent attention.

“There were so many failures and breaches of the Human Rights Act and the corrections act. And yet, nothing changes. Nothing happens. One of the recommendations was for another body scanning machine. Why didn’t they have body scanning machines already? They should be installed. They should be there. But it just seems like it’s an everyday practice to strip search women and men coming in and going out of the jail. I just don’t get it.”

Tongs said the woman has been traumatised by her experience. “We’re providing all support we can from Winnunga and she’s got family as well, but people just don’t take seriously enough what’s happening here in the ACT in the prison, and that’s why we need a royal commission.

“[Name removed], she’s having good and bad days, and she will for the rest of her life. But you know, the end of the day, she did nothing wrong. They were the perpetrators and they need to be held accountable.”

“She comes from a strong Aboriginal family and with strong cultural values and for her that would be devastating. And particularly for her not being able to go to their grandmother’s funeral. How did they think she was going to react? Why couldn’t they de-escalate the situation? But to traumatised the way they did is absolutely disgusting.”

The ACT government said it could not comment on the matter while it was before the courts.

**Definition of Torture**

“...Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person . . . for purposes such as obtaining from him information or a confession, punishing him for an act he has committed, or intimidating or coercing him. Such pain or suffering is inflicted by, or at the instigation of, or with the consent or acquiescence of, a public official or other person acting in an official capacity.”

—U.N. Convention Against Torture
The application by an Aboriginal woman, in the ACT Supreme Court, alleging that the ACT Government and named ACT Government officials had while she was detained in the AMC, breached her human rights, under sections 10 (1), 19 (1), 19 (3) and 27 (2) of the Human Rights Act 2004 represents a massive challenge to the ACT Government’s credibility and reputation according to Winnunga AHCS CEO Ms Julie Tongs.

The seriousness of the allegations levied against the Government is exemplified by the claimed breach, in this case, of the right guaranteed by section 10 (1) of the Human Rights Act, namely ‘to not be tortured or punished in a cruel, inhuman or degrading way.’

This section of the ACT Human Rights Act is, of course, modelled on the Universal Declaration of Human Rights, the Geneva Conventions of 1949 and the United Nations Convention Against Torture. There would, almost certainly, have been a strong view within the ACT community at the time the Human Rights Act was being drafted that a provision guarding against torture and inhumane treatment, in a facility managed by the ACT Government in a sophisticated and progressive city such as Canberra, was surely superfluous.

But here we are, in Canberra, not Guantanamo Bay, Abu Garib, Afghanistan, Belarus, Myanmar or some other tin-pot dictatorship, with Canberra’s most respected law firm, Ken Cush and Associates, filing an application in the ACT Supreme Court alleging that the ACT Government, through the Justice and Community Safety Directorate:

i. Treated the Plaintiff in a cruel, inhuman or degrading way;

ii. Treated the plaintiff without humanity or with respect for her inherent dignity whilst deprived of liberty; and

iii. Tortured the Plaintiff.

The events which led to this action being initiated were, consistent with the operating procedures in place at the AMC, recorded on video.

Julie Tongs, in company with a large cohort of respected and senior leaders of the Aboriginal community, has been calling on the ACT Government to commission a Royal Commission into all aspects of the treatment of Aboriginal peoples in Canberra.

Julie has said she believes the treatment in the AMC of the Aboriginal woman at the centre of this action, exemplified by the allegation that her treatment may constitute ‘torture’ cements the case for a Royal Commission. Julie said she was mindful that it was only after the public release of video footage of the treatment of detainees in the Don Dale facility in the Northern Territory that the Commonwealth Government accepted that a Royal Commission into those issues was demanded.
She believes, however, that it would be not only ironic, but deeply regrettable if the ACT Government, or for that matter the Commonwealth, was forced, on the basis of video footage from the AMC (which it is understood is even more confronting and upsetting than that taken at the Don Dale Centre), to commission a Royal Commission into all aspects of the operation of the ACT justice system which impact disproportionately on Aboriginal and/or Torres Strait Islander peoples.

Regardless of the ultimate catalyst or basis for a decision to hold a Royal Commission in the ACT it remains, in the view of a significant group of the most highly respected and senior Aboriginal leaders in the ACT, a matter of highest priority.

Fact: For the September 2021 quarter the Aboriginal and Torres Strait Islander imprisonment rate nationally was 2,394 persons per 100,000. For the ACT the rate was 1,801, up 2% from the previous quarter (source abs.gov.au).
Labor-Greens Governing Agreement Status Report Raises Serious Questions

The preamble to the latest status report issued jointly by the Chief Minister, Andrew Barr on behalf of the Labor Party and the Attorney-General, Shane Rattenbury on behalf of the Greens Party, includes the following claims:

‘Progress has been made to deliver projects outlined in the Agreement. This has included protecting and securing local jobs, maintaining Canberra’s natural environment, reducing inequality and poverty, providing dignified housing and enhancing integrity and transparency in Government.’

The self-congratulatory status report provides no supporting data for these claims. A rudimentary fact check, however, reveals that all of these claims are, to say the least, highly problematic. In order the claims made are:

‘Protecting and securing local jobs’
The ABS reported in mid-November, i.e., in the week before the Labor and Greens leaders boasted about protecting and securing local jobs, that the unemployment rate in Canberra had grown dramatically over the last few months to 6.1%, and is now the highest in Australia. An increase in the unemployment rate was indeed to be expected in view of the lockdowns following the outbreak of the delta variant of COVID-19. However, the ACT was not unique in that regard. By comparison, the unemployment rate in greater Sydney and greater Melbourne is 5.7% and 5.6% respectively.

To the extent that the ACT job market has shown some resilience over the last year or so it is almost entirely a consequence of increased Commonwealth expenditure and an associated increase in employment in the Commonwealth Public Service and has had virtually nothing to do with the ACT Government.

As for the ACT Government’s initiatives, a recent Select Committee inquiry, with Labor and Greens membership, is reported to have recommended a full review of the rollout of the government’s business support program, which came under criticism for long delays as well as its inadequacy. While any such review, if undertaken by the Government, is unlikely to assess the impacts on business and employment, it is reasonable to conclude that deficiencies in the program have contributed to the increase in unemployment rate.

‘Maintaining Canberra’s natural environment’
The 2021-22 budget reveals, explicitly, that three areas of funding that the Labor and Greens Parties have cut are social protection, housing and community amenities and environmental protection. Environmental protection has, in fact, been cut over the forward estimates from $311.579 million in 2020-21 to $173.779 million in 2024-25 or, in other words by a massive $128 million which represents a 13.6% decrease per annum on average over the four years of budget and forward estimates period. Hardly conducive, one would think, to ‘maintaining the natural environment’.

‘Reducing inequality and poverty’
Earlier this year, both the Labor and the Greens members in the Legislative Assembly voted down a motion from the opposition for an inquiry into poverty in the ACT. In early November, three weeks prior to the release of the Governing Agreement Status Report, two of the most significant and high-profile charities in
Canberra, namely the Snow Foundation and Hands Across Canberra reported, consistent with a raft of earlier reports from ACTCOSS, that there has been a marked increase in poverty and hardship in Canberra and that the inequality gap is, as a consequence, widening.

Despite the clear increase in poverty and inequality in Canberra, the 2021-22 budget reveals that the Labor and Greens Parties have nevertheless forecast a significant reduction in funding for social protection over the forward estimates from $556.884 million in 2021-22 to $490.833 million in 2024-25 or, in other words a cut of 4.1% every year on average over the forward estimates period.

The Aboriginal community is the single largest socio-economically disadvantaged group in the ACT. A range of data from the ABS, Productivity Commission and AIHW not only shows that Aboriginal people in the ACT have relatively poorer outcomes and access to services compared to the non-Aboriginal people in the ACT, but also in comparison to the Aboriginal peoples nationally. Further, in some areas, there have been deteriorating trends, for example, children at risk of social and emotional difficulties, educational scores, and proportion of children with low birthweights.

Aboriginal people’s access to services - something that is directly under the Government’s control - is relatively poorer. The AIHW reports show relatively fewer Aboriginal people are seen within clinically recommended times compared to non-Aboriginal people, and this has been consistently the case in the ACT over the entire term of the previous Governing Agreement from 2016-17 to 2019-20. Similarly, 90th percentile waiting times for elective surgery for Aboriginal people were 18% longer than the non-Aboriginal people in the ACT.

Data and reports for 2020-21 are yet to be published, however, if the previous Governing Agreements over the last two terms are any guide, little improvement if at all is expected over the last year when the Status Report is claiming success in reducing inequality.
A major factor in the increase in poverty and the widening of the gap in equality is the ACT Government’s land supply and housing policies which have resulted in the ACT having the second highest median house prices in Australia, the smallest number of houses available for rent and as a consequence the highest rents in Australia.

The ACT Government has also, over the last decade, dramatically reduced the number of public houses in Canberra despite a large increase in population and has emasculated the community housing sector. The waiting time for a public house in the ACT is close to four years. In 2017, there were 882 greatest need households added to the waiting list for public housing. In 2020, this had almost doubled to 1,576 households.

Canberra residents without private health insurance not infrequently wait years for an appointment to see a specialist in the public health system. Highlighting the ACT Government’s lack of concern about the state of housing in Canberra, the 2021-22 budget reveals that the budget for Housing and Community Amenities is to be cut from $103.675 million in 2021-22 to $84.680 million in 2024-25 or by 6.5% on average in each of the year over the forward estimates.

According to an ACTCOSS estimate the ACT has a shortfall of over 3,000 social housing dwellings, and at least 1,600 people experiencing homelessness each day. Given this shortfall, Government’s performance over the previous term of the Governing Agreement, and the cut in the funding for services over the coming years, it is difficult to see how the Government could substantiate any improvement in this Status Report.

The failure of the ACT Government, as the monopoly supplier of land for housing in the ACT, to ensure a sufficient supply of land to meet the housing needs and preferences of Canberra residents in the bottom two income quintiles, while at the same time selling off and not replacing large tranches of public housing has, almost certainly, generated the largest expansion in the inequality gap in Canberra since the Great Depression if not since the ACT was created.

States and Territories, with the exception of Victoria, Western Australia and the ACT, have State Owned and Managed Indigenous Housing Program (SOMIH). The ACT, however, is unique in Australia in neither having SOMIH nor Aboriginal controlled community housing. In fact, the Victorian government has provided a major boost to Aboriginal controlled community through an agreement to transfer housing assets worth $500 million (an estimated 1,500 properties) to Aboriginal Housing Victoria (AHV) to own, manage and develop on behalf of the state.

Fact: ‘The parties say the parliamentary and governing agreement will focus on sustainable economic development, closing the gap for First Nations people, providing more affordable housing and a rapid transition to zero net emissions’ (a quote from The Canberra Times, 2 November 2020).
The Governing Agreement under clause B.1.vii commits the Parties to: ‘In close partnership with the community and the Aboriginal and Torres Strait Islander Elected Body, support the establishment of an Aboriginal and Torres Strait Islander controlled community housing provider.’ Notably, this is the only clause in the whole agreement that includes the word ‘Aboriginal’. The Status Report advises that this is under progress. However, to date, no consultation has occurred with Winnunga, the largest and the oldest Aboriginal controlled service in the Territory. It would nevertheless be unrealistic to expect that the ACT Government would follow the path of the Victorian Government.

It goes without saying that these negative outcomes and failings disproportionately impact the Aboriginal and Torres Strait Islander community and for the most senior representatives of the ACT Labor Party and the Greens Party in the ACT to stand up and claim that they have made progress in reducing poverty and inequality, securing local jobs and providing dignified housing when tens of thousands of people, a disproportionate number of whom are Aboriginal are living in poverty, thousands of people are unemployed and either homeless, living in housing of an unacceptable standard or on interminably long waiting lists for public housing is simply not only not true it is insulting, offensive and deeply hurtful.

‘Enhancing integrity and transparency in Government’
See above.

Fact: The Status Report can be found at:
Julie Tongs has, with the arrival of the new Omicron variant of COVID-19 in the ACT, again raised concerns about the wisdom of the decision of the ACT Minister for Health and the Chief Health Officer to exclude prison officers employed at the AMC from the list of ACT Government staff who may have contact with vulnerable members of the community from the requirement to be vaccinated against COVID-19.

The decision taken by the ACT Government to not mandate vaccinations for prison staff at the AMC is at odds with the decision taken by the NSW Government, at the urging of the union representing prison officers in NSW, to mandate vaccinations for all staff working in NSW prisons.

While the ACT Government continues to refuse to reveal how many anti-vaxxers are employed in the prison, on the spurious and frankly laughable grounds that to do so would involve a breach of privacy, it is understood that upwards of 30 staff may have been excused from the need to vaccinate.

Julie Tongs says it is beyond understanding that the ACT Government has mandated vaccinations for schoolteachers and a full range of health care workers but bizarrely refuses to do the same for prison staff.

The decision to permit anti-vaxxers into the AMC is so inconsistent with the decision taken in relation to a raft of other front-line workers, that Julie said it is imperative the Government provide a full explanation of its reasoning for doing so.

Julie said she has made a written request of ACT Health for all documents related to the decision to exclude prison staff from the requirement to be vaccinated and because ACT Health had failed to acknowledge let alone respond to that request, she has also lodged an FOI request which has also not as yet attracted a response.

Fact: Between 8 June 2021 and 7 December 2021 there have been 1,872 confirmed cases of COVID-19 in the ACT (source: https://www.covid19.act.gov.au/).
Aboriginal Health in Aboriginal Hands

Fix The System First or It’s Just A Political Stunt

City News, Opinion, 16 November 2021

JULIE TONGS, CEO of Winnunga Nimmityjah Aboriginal Health and Community Services, is all for raising the age of criminal responsibility from 10 to 14, but says that first the ACT government needs to fix the problems with the present system.

AT the request of the ACT government a review has been undertaken of the service system and implementation requirements for raising the minimum age of criminal responsibility in the ACT from 10 to 14.

The review, headed by emeritus professor Morag McArthur has delivered a comprehensive report that has outlined in detail major gaps in the current service system relevant to the meeting of children’s needs as well as implementation issues and alternative models for meeting the needs of 10- to 13-year-old children likely to be affected by a rise in the age of criminal responsibility.

It is reasonable to assume that had these gaps and shortcomings not existed then, likely, many of the 10- to 13-year-old Canberra children who have over the years been held in detention, may never have come into contact with the criminal justice system.

The gaps identified by the review include:

- A lack of co-ordination and integration across the service system, including limited information sharing; lack of capacity to work with children with multiple needs; limited specialised and generalist programs, service delivery modes that are inflexible; barriers to navigating the system; limited understanding of child-specific familial and cultural needs; and long waiting lists for specialised services.

- Stakeholder consultations revealed that demand outstrips the availability of services. Almost all stakeholders raised the difficulty of accessing mental health and alcohol and other drug services, identifying long waiting lists or narrow eligibility criteria as some of the main reasons.

- One of the major concerns identified was that children aged 10-13 are commonly not eligible for a range of services in the ACT. This is particularly true for children under 12. They are too young to access many of the adolescent services and too unwell or complex for early intervention services, but not complex enough to access specialised services. They may also have comorbidities (eg disability and/or AOD or trauma) that exclude them from key mental health services.

- There are a range of workforce capability issues, including the structure of funding arrangements and tendering in the community services sector. There are also significant workforce shortages in key areas, such as allied health professionals available to support children with trauma experience and mental health challenges.

- More is required to develop a trauma informed workforce.

- A range of stakeholders identified the need for safe accommodation for children. They emphasised that this need will be intensified with the change to the age of criminal responsibility. Key aspects of remedying the lack of safe and secure accommodation include crisis accommodation and a secure therapeutic facility for children in need of mental health treatment and who are at risk of harming themselves or others.
Fix The System First or It’s Just A Political Stunt (cont’d)

The review also reported that there is a lack of integration across the range of complex and interlinked issues children face and the evidence from stakeholders was of a service system that was siloed and where information sharing was a problem.

Of relevance to the Aboriginal and Torres Strait Islander community the review declared, considering the significant overrepresentation of Aboriginal and Torres Strait Islander children in the youth justice system and experiencing the ongoing impacts of colonisation, dispossession and alienation from indigenous culture that Aboriginal and Torres Strait Islander people must be strongly involved in the alternative response when the age of criminal responsibility is raised.

While I strongly support the proposal to raise the age of criminal responsibility, I would be most concerned if the government moved to implement the change in age in advance of a detailed and fully funded commitment to address all the gaps and weaknesses in the service system identified by Prof McArthur and the review team. It will also be vital that all recommendations of the Our Booris Our Way review are fully implemented.

Many of the identified gaps are clearly a result of a lack of adequate funding and therefore insufficient capacity in both the government and community service systems to appropriately meet the needs of children at risk and their families.

Therefore, the government must, as recommended by the review, consult with all relevant service providers about the resources and capacity they will require in order to close the gaps and address the other issues identified by the review.

If these pre-conditions are not met, then I would not reile from advice I have relayed to the Attorney-General Shane Rattenbury and Minister for Families and Community Services Rachel Stephen-Smith that, in my opinion, raising the age of criminal responsibility, by itself, is likely to do no more than delay for a few years an at-risk Aboriginal child’s entry into juvenile detention.

In which case, I advised, the reform will, with justification, be seen as having been little more than a cheap political stunt.

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

Fact: The Our Booris, Our Way Review made 28 recommendations and eight sub-recommendations (totalling 36 recommendations) to government, iteratively over a two-year period with the final report presented to government in December 2019.
I Write While My Children Steal Cars and Rob Houses...

The Guardian, by Thomas Mayor, 28 November 2021

I write while my children steal cars and rob houses: the awful human cost of racist stereotypes

Contrary to claims of failed responsibility of Indigenous parents, we in fact are calling for greater responsibility. We want to change this country for the better.

As I write this article, my children are stealing cars and robbing houses, I suppose. I am an Indigenous father – so, doesn’t that tell you everything you need to know about me as a parent, and about my children’s capacity to understand right from wrong?

I know you sense the sarcasm in this. Well, a great, great majority of Australians would. But there is a certain type of person I am implicating here. The type who have an ignorance so deeply ingrained, that it is a wonder they haven’t wandered off into the dark recesses of our colonial history and followed each other off the edge of a cliff. Shouldn’t they be extinct?

An article celebrating an infamous Bill Leak cartoon – the one which depicts an Indigenous father unable to remember his child’s name – sparked me to respond to those with this mindset. I suggest you don’t bother reading any of these articles – don’t give them the benefit of a click. But I will summarise: A journalist, hiding behind a rotting façade of caring about Indigenous children, argued that the statistics of Indigenous over-representation in prisons are caused by “Indigenous parents [who] routinely abandon their responsibilities and do little to instil in their children respect for our laws and the property of others”. According to this privileged white man, “While [Indigenous parents] march up and down the street waving flags, their children are stealing cars, robbing houses and being hauled off to the watch-house”.

The harm that racist comments and cartoons cause is never felt by those who make them. It is not white males, nor their children, who are creepily shadowed by security as they shop. They don’t feel the suspicious glances that a First Nations father feels when he hugs his child, as if he is not a protector of the child, but as if the child needs protection from him. They would never have felt that thick and heavy fear that we feel, when we imagine what may well happen to our children should they step into the path of a cop who has nodded in agreement at a cartoon in a major paper, and believes that all Black kids, thanks to all Black parents, carry a greater criminal intent in our DNA.

Racist stereotypes have an awful human cost.

The fact that Indigenous people die around eight years younger than other Australians says more about how little regard our political system has for my people, than it does about our genetics. And the fact that Indigenous people are proportionately the most incarcerated people on the planet says more about our powerlessness as a people to hold the nations law and policymakers to account, than it does about my children’s capacity to understand right from wrong.
It really is as the Uluru Statement so eloquently and powerfully says:

_Proportionately, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are aliened from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness._

And how can you argue with that, unless you believe we are less than human – unless you are racist?

I had to think hard about if I bite back by writing this article. Why give the likes of Leak and others any attention, I wondered. Should I ignore it and focus on the positives rather than the negatives?

I concluded there should be a response. The stereotype must be defeated; not so much by changing the ignoramus’ mind, but by changing the country so the ignoramus is forced closer to that cliff.

And so it is to the pen, the ink, the keyboard we go, more and more Indigenous writers who are fighting fire with fire. We are the authors of who we are. Not old white men.

This is one of the reasons 12 First Nations men wrote a book with me, _Dear Son – Letters and reflections from First Nations fathers and sons_. We wrote it, partly in response to publications like Bill Leak’s racist cartoon, but also because of the awful legacies of the Northern Territory Intervention, and the crap we were taught about our First Nations forefathers in school – that our forefathers were savages while the white students forefathers were our discoverers and saviours. _Dear Son_ celebrates Indigenous fatherhood through letters and poems. We express love for ourselves and our families in a beautiful act of defiance.

The key factor is that contrary to claims of failed responsibility by Indigenous parents, we in fact are calling for greater responsibility. We march the streets and fly our flags, we protest because we love our children. We are calling to change this country for the better – we want a referendum for a constitutionally enshrined Indigenous voice, so we may hold parliament accountable for failing to meet their responsibility – to keep all Australians equally safe.

_Thomas Mayor is a Kaurareg Aboriginal and Kalkalgal, Erubamle Torres Strait Islander. He is the Indigenous officer of the Maritime Union of Australia and the author of _Dear Son – Letters and reflections from First Nations fathers and sons_. He tweets @tommayor11_
Experience Of An AMC Prisoner

As a prisoner, it can be frustrating to hear hotel and home quarantine, or lockdown conditions being described as "prison like" by those exposed to them for finite, and often incredibly short periods. Frustrating, yes, but also worthy of exploring.

Less than two years into the pandemic, and we (the Australian community) have already accepted that Covid-19 and the associated restrictions have negatively impacted Australia’s collective psychological wellbeing. Rather than go about our daily lives, we were forced to find ways to occupy our time while at home. Alcohol sales increased, waste water sampling recorded increased levels of recreational drugs, streaming services saw an increased uptake, as did online gaming. We utilised social media to stay connected, and the internet more broadly became the way we interacted with the world.

Despite all this, we’ve seen an increased demand for mental health services, and a wide acceptance that this has not been easy. After less than two years, Australia has had enough.

I ask you to imagine how you think Australia would have coped without any of the above ways in which to stay connected and occupied?

No internet, no social media, no games, no phone, nothing but countless hours locked inside with no ways in which to pass the time? How much worse would the mental health be of those subjected to these conditions?

Does this sound terrible and unrealistic? Well, it’s not. This is the experience of an AMC prisoner. Not just during the Covid-19 pandemic, but often for years on end.

Unlike many prisons, Covid-19 did not have a significant impact on the daily operations of AMC, at least not directly...What did happen though, was AMC staff began to see prisoner entitlements as privileges, and laws as suggestions.

For example, AMC prisoners once had an entitlement to one hour of exercise per day, access to education, and access to some form of news service each day. This is no longer the case with 24-hour lock downs now permitted for weeks on end, education access allowed to be removed as a punishment, and solitary confinement practices that include the total deprivation of a range of entitlements. The restrictions that were put in place in the name of the Covid-19 pandemic caused a shift in the way the guards viewed their obligation to comply with legislation and in their view, has given them permission to deviate from minimum standards as they see fit.
Experience Of An AMC Prisoner (cont’d)

The examples of this are too long to list but I will draw attention to the AU-N riot as this was sparked by a prison guard imposing a collective and informal punishment upon an entire unit (an unlawful practice, which in this case was withholding scheduled tobacco purchases). Of greatest concern to prisoners was not that this occurred, but that the ACT inspector of Correctional Services (ICS) indicated their support for this practice.

It does not take much familiarity with the conduct of prison guards to know how dangerous this support for collective and informal punishments has the potential to be.

AMC is currently operating with three entire units out of action, forcing the remaining prisoners to be jammed in to remaining units, exacerbating overcrowding in the already crowded prison. We have senior staff who consider a shift towards rehabilitation akin to "opening Pandora’s Box" asking "where does it end?", a Management Team who consider human rights laws "polite suggestions" and rehabilitative initiatives optional, and prison guards who think that goading self-harming prisoners into "doing a better job than last time" when slashing open their veins, is appropriate conduct. Is this why the Productivity Commission’s research paper "Australia’s prison dilemma" recently crowned the ACT as having the most expensive and worst performing prison system in the country?

I have no interest in eliciting sympathy from the reader as relying on public sympathies for prisoners is a recipe for disappointment. What I am asking is for you, the reader, to use your new-found experience into the deprivation of liberty to question the way in which we treat our prisoners. Not for the prisoner's sake of course, but for the sake of the community into which we release them. If a few weeks of restrictions on movement have resulted in widespread negative outcomes for members of the Australian public, should we really be surprised when a prisoner's mental health suffers from years of exposure to conditions significantly more onerous?

The ACT has the worst recidivism rates in the country and we are spending more money per prisoner than any other jurisdiction. The woeful conditions and daily cruelties that ACT prisoners are being exposed to is happening in the name of the ACT community. There will be no "own motion" reform. We cannot rely on AMC guards, those who have made their careers facilitating the suffering of others, to change of their own accord. The ACT Government needs to step in and this can only happen if there is the support of the ACT community. We, as a community, need to shift how we view the purpose of imprisonment to one of rehabilitation and restoration and then demand that our government act in a way conducive to these outcomes. The alternative is we keep doing what we're doing and we keep getting what we've got: a prison system that perpetuates the cycle of crime and tarnishes the ACT community by its practices.

It is commonly said that if you want to know a nation, look inside its prisons. Applying this to the ACT paints a depressing picture of who we are as a community.

Fact: ACT Corrective Services is committed to meeting the objectives of the ‘healthy prison’ concept under the four pillars of ‘Safety’, ‘Respect and Dignity’, ‘Purposeful Activity’ and ‘Rehabilitation and Release Planning’ (source: https://correctiveservices.act.gov.au/).
COVID-19 Update

All Aboriginal and/or Torres Strait Islander peoples aged 12 years and over are eligible for free COVID-19 vaccinations

Winnunga is now administering 3rd doses and booster doses to those who are eligible

There is ongoing community transmission of COVID-19 in the ACT. Although the ACT is out of lockdown, it is important to keep practising COVID-safe behaviours such as hand hygiene, social distancing and use of the CBR Check-In app. Please come forward for testing if you have symptoms or you are exposed to COVID-19.

Please follow ACT Health directions if you are a close or casual contact

Residents of Canberra and surrounding regions are encouraged to regularly check the list of exposure sites and follow the directions for testing and isolation. A list of current exposure sites can be found at: COVID-19 exposure locations in the ACT - COVID-19

Requirements for testing and isolation differ for close, casual and Omicron contacts. More information can be found at: Information for close contacts - COVID-19 and Information for casual contacts - COVID-19 and information for Omicron contacts.

Attending Winnunga and telephone consultations

Please maintain social distancing while attending Winnunga. Please do not gather in groups while waiting for services. Please use the hand sanitiser provided before entering the clinic, while waiting in the clinic and on your way out. You will also be required to wear a surgical mask while visiting Winnunga.

If you do not need to attend Winnunga in person our doctors can do telephone consultations. To organise a telephone consultation please call Winnunga on 6284 6222.

Winnunga Respiratory Clinic
The Respiratory Clinic is located in the old Winnunga building. Anyone who has a fever, cough, sore throat, runny nose, shortness of breath or sudden loss of taste or smell should go directly to this entrance. If you require testing because of recent exposure to COVID-19, please also present directly to the Respiratory Clinic.

Temperature, symptom and exposure screening is in place for all clients presenting to the main Winnunga entrance and you will be redirected to the Respiratory Clinic if you have symptoms or have been in an exposure location.

Please get tested immediately if you have a fever or any respiratory symptoms
In view of the current ACT outbreak and other outbreaks across the country, it is important to come forward for COVID-19 testing if you are unwell. If you or your children have a fever, cough, sore throat, runny nose, shortness of breath, headache or sudden loss of taste or smell please attend the Respiratory Clinic for testing.
COVID-19 Vaccinations
Vaccination is a safe and effective way of preventing yourself, Elders and family members from becoming sick with COVID-19. Although COVID-19 vaccinations are not compulsory, they are strongly recommended.

Everyone aged 12 years and over is now eligible to receive a free COVID-19 vaccination at Winnunga.

If you have been infected with COVID-19, it is safe for you to receive COVID-19 vaccinations once you have made a full recovery.

A 3rd dose is now recommended for people who are severely immunocompromised. The 3rd dose can be administered 2-5 months after the 2nd dose.

Booster doses are now recommended for everyone aged 18 and over.

Booster doses should be administered 5 months after your 2nd COVID-19 vaccine dose.

Please call reception on (02) 6284 6222 to book your vaccination. If you are unsure about getting vaccinated, we encourage you to discuss this with one of our healthcare workers. If you are unsure about your eligibility for a 3rd dose or booster dose, you can also discuss this with a healthcare worker.

If you are in quarantine you cannot attend Winnunga for a vaccination – please rebook your appointment for when you are out of quarantine.

More information on COVID-19 vaccinations
For the latest advice and updates from the Department of Health, visit:

We are a Pfizer and AstraZeneca COVID-19 vaccination clinic
Winnunga AHCS will be closed this year over the Christmas and New Year period

Closing: 2pm on 24 December 2021
Opening: 9am on Tuesday 4 January 2022

Please ensure you have all your prescriptions and other known health/wellbeing matters seen to before 2pm on 24 December 2021
Staff Profile

What is your favourite song?
Better in Blak.

What do you do on the weekends?
Depending, as soon as football season begins that’s pretty much our weekends, otherwise spent with family and friends.

What is your favourite food?
Italian.

What do you like most about working at Winnunga?
The team and being able to work with my community.

My Favourite pet?
Dogs.

What is your pet hate?
Rude people.

Name: Wendy Brookman
Position: TIS Coordinator
Who’s your mob?
Butchulla
Where’s your country?
K’gari (Fraser Island) but I was born and raised on Ngunnawal Country.
Who is your favourite singer/band?
I don’t really have a favourite band or singer.

We’re on the web!