



## **Cape York Narrative**

**July 2014**

# Legal and political status of Indigenous peoples (i)

*Right from the beginning, s 51 (xxvi) of the Constitution was deliberately drafted to allow for the discrimination against Indigenous people and s 25 disqualified Indigenous from being counted as persons<sup>1</sup>*

**1939** *The Aboriginals Preservation and Protection Act (Qld) gave the Director of Native Affairs legal guardianship over every Aboriginal child under 21. Aboriginal people had no authority to decide where to live, where to work or who to marry; Government had the power to remove Aboriginal people to reserves and this did not change until 1965*

**1984** *The Community Services (Aborigines) Act 1984 (Qld) creates a system of community level land trusts for former missions or reserves to be owned and administered by Indigenous people, called a 'Deed of Grant in Trust' (DOGIT).*

**1992** *Mabo v Qld decision that recognises Aboriginal law and custom as a source of law...the Meriam people have a right of possession, occupation, use and enjoyment of the Murray Islands under a communal native title.*

**1897** *The Aboriginals Protection and Restriction of the Sale of Opium Act (Qld) effectively controls the life of Indigenous people. Indigenous people are removed from their homelands. More than 7000 Aboriginal people were removed to 64 missions and reserves established throughout Queensland between 1898 and 1939.*

**1965** *Introduction of equal wages.*

**1967** *A national referendum resulted in changes to the constitution that granted Indigenous Australians full citizenship and the right to vote.*

**Since 1986** *fifteen communities have received a DOGIT: Cherbourg, Doomadgee, Hopevale, Injinoo, Kowanyama, Lockhart River, Mapoon, Napranum, New Mapoon, Palm Island, Pormpuraaw, Umagico, Woorabinda, Wujal Wujal and Yarrabah. 3.2% of Queensland is DOGIT land of the original traditional lands once occupied by Aboriginal people and Torres Strait Islanders.*

1. The Constitution was drafted at a series of conventions held during the 1890s and attended by representatives of the colonies.

# Legal and political status of Indigenous peoples (ii)

---

## Prior to 1960s

**Discriminatory policy forcibly removed Indigenous people from their land**

**However, strong and stable Indigenous communities still existed with people living and working on country**

**Wages typically consisted of tea and sugar**

## End of formal discrimination

Introduction of equal wages in 1965 resulted in Aboriginal stock workers losing employment

Equal Citizenship in 1967 carried the right to enter pubs and drink alcohol

Cape York missions become DOGIT communities. Last mission closed in 1987 (Wujal Wujal)

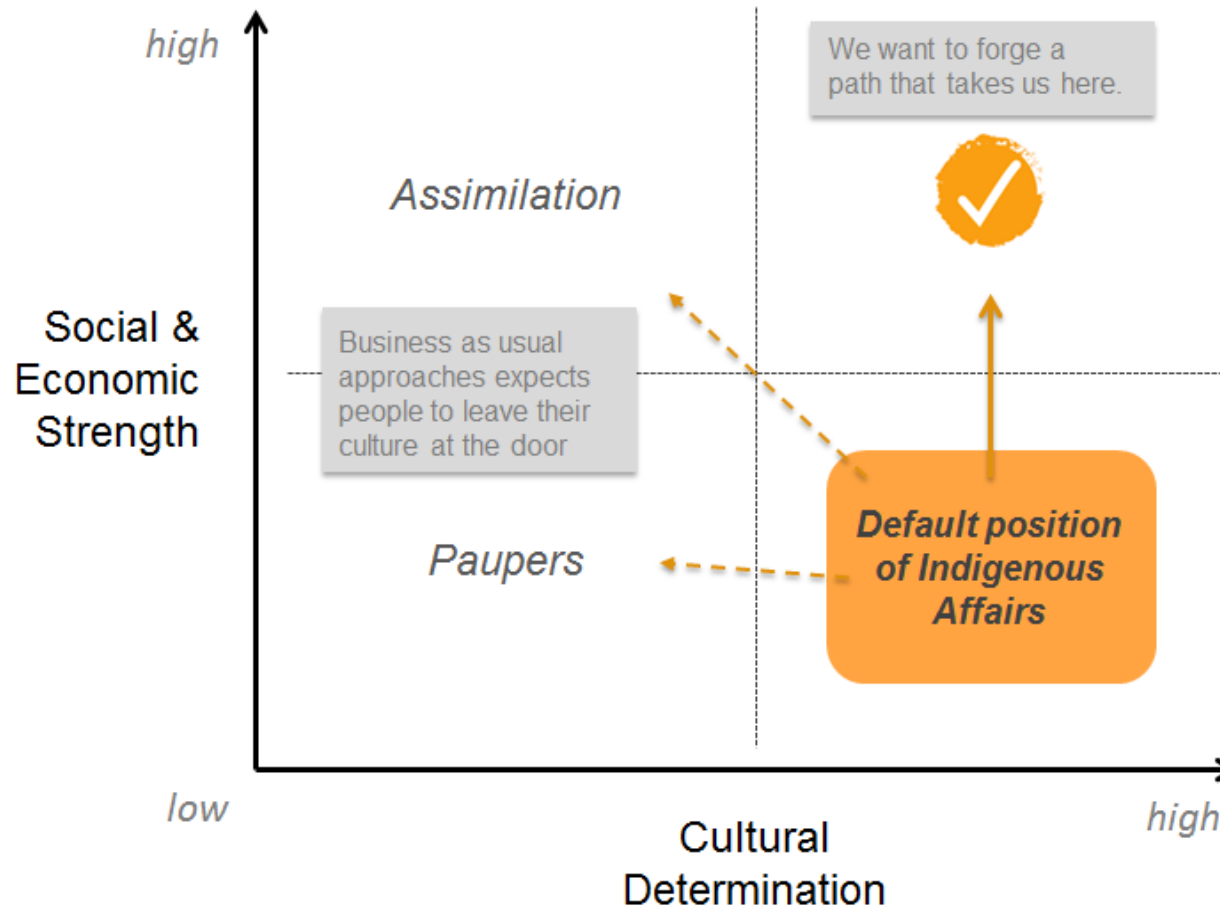
## The last 40 years

**Passive welfare increasingly displaces responsibility from Indigenous people**

**Indicators suggest collapse of social norms**

- 50-80% of Cape York Indigenous people drink at harmful levels
- Infant mortality rates 2-3 times that of non-Indigenous Australians
- In 2002, 18% of adults had completed year 12
- Life expectancy of 59 years for males and 65 years for females is about 17 years lower than those of non-Indigenous Australians

# Where do we want to get to?

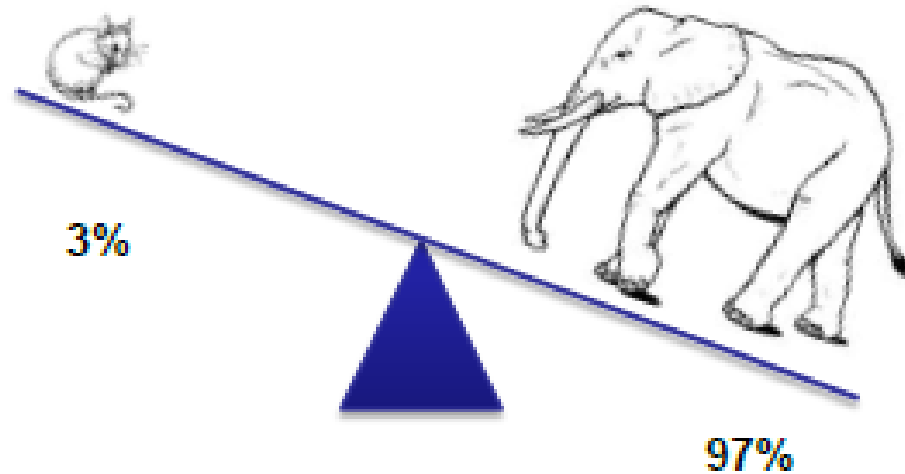


# It is all about politics and power (i)

---

**Indigenous Australians are confronted  
by the scale of our minority status**

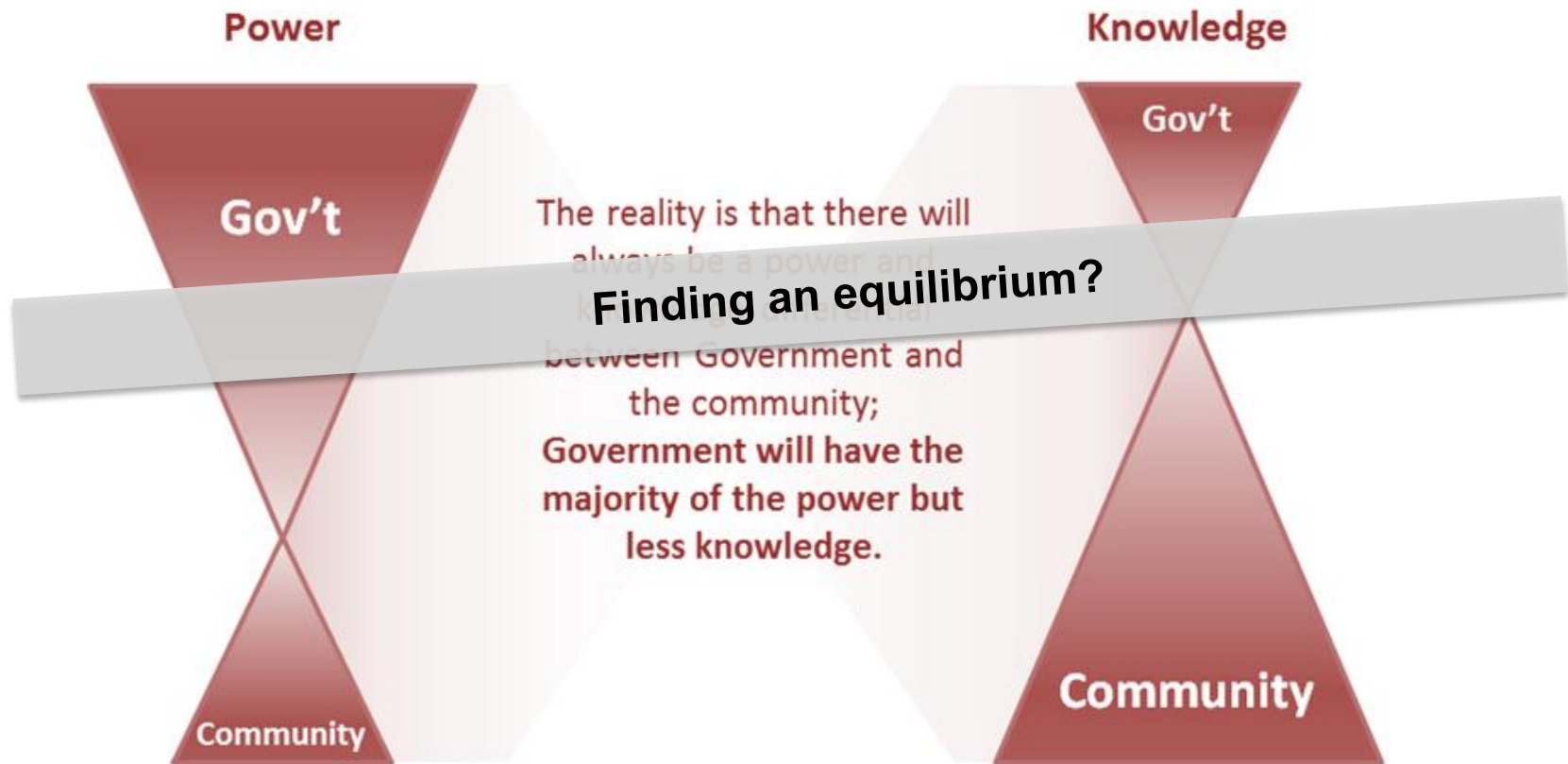
---



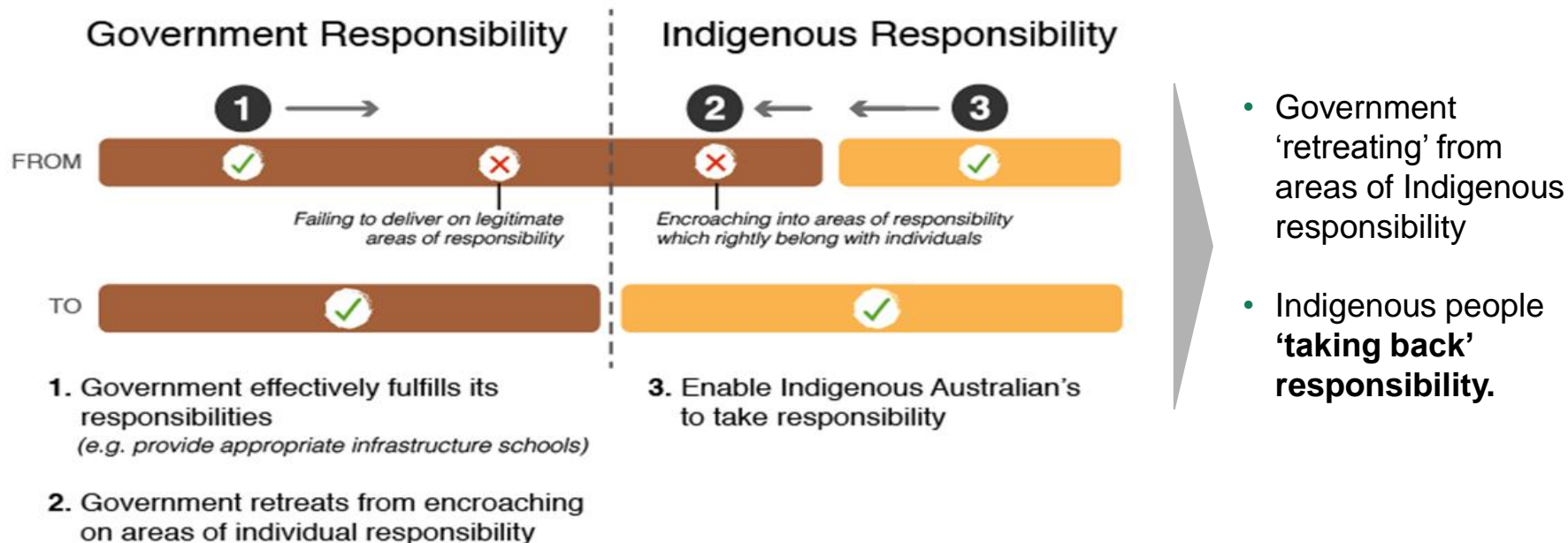
**We need to shift the  
fulcrum to enable a  
balance between the  
3% Mouse and the  
97% Elephant**

## It is all about Politics and Power (ii)

---



## 4. The Necessary Structural Shifts in Responsibility (ii)



These shifts should not imply an abandonment of the field by government, and Indigenous peoples being left to their own devices.

Rather the aim is to get the relationship right between government and Indigenous peoples.

We seek an equal partnership between governments and Indigenous peoples.

Government will need to play an enabling role for Indigenous peoples to take back responsibility, shifting from the role of director/leader to that of enabler/partner.

## 2. How did Empowered Communities come about?

---

The Indigenous leaders of eight Empowered Communities signed up to drive reform at the last Garma festival in August 2013.

At the last election, both major parties promised to support the development of major reforms to reshape the way government works with Indigenous citizens.

The design process for reform is happening now.

- The reforms will be based on 'opting-in'.
- We want to get Cape York leaders on board so that we can all drive social, economic and cultural prosperity for the Cape.

### Eight Empowered Communities regions

---





## 2. How did Empowered Communities come about? (ii)

---

We have been working to achieve similar outcomes in the Cape through welfare reform. But too often **progress has been made difficult by government** with challenges for local people like:

- **slow processes** and no urgency for making positive change;
- too much **red-tape** and bureaucracy;
- **duplication** and lack of coordination;
- **funding arrangements** which are short-term, ad hoc and uncertain;
- **government failing to deliver** and local people unable to hold government to account;
- **too little local control** and too many decisions being made about the lives of local Indigenous people by bureaucrats in Canberra and Brisbane; and
- **too many meetings, consultations and plans, with too few outcomes.**

These challenges have been experienced by many Indigenous communities, creating a **common cause for change**. Empowered Communities has been initiated to achieve this change and is led by Indigenous leaders from across the country – including leadership from Cape York.

# Empowered Communities process: Now and going forward

**We are here**



## Formation Phase

Leaders from eight regions across Australia formed the Empowered Communities leadership group. Bipartisan support for the project was given at the Garma Festival 2013.

## Design Phase

The Empowered Communities Taskforce has been established to work with the Empowered Communities leadership group to design model options for consideration by Government by the end of 2014.

## Decision Phase

Model options will be submitted to Government for consideration.

## Implementation

Once a decision is made on the model to take forward, implementation planning for the model will commence.

2013

2014