


Not relevant



623 POLICING IN REMOTE INDIGENOUS COMMUNITIES (Paul Holloway) - NOTED

Not relevant



623



CABINET NOTE

CN MPOL 06/008

TO: THE PREMIER FOR CABINET TO NOTE

RE: POLICING IN REMOTE INDIGENOUS COMMUNITIES

1. PROPOSAL

South Australia to participate in a review of policing levels in Indigenous Communities.

2. BACKGROUND

2.1 On 26 June 2006, the Federal Government convened an intergovernmental summit on violence and Child Abuse in Indigenous Communities in Canberra led by the Minister for Families, Community Service and Indigenous Affairs, Hon Mal Brough.

2.2 The Federal Government sought agreement from the States and Territories on an integrated package which had at its core 'Safe Children and Safe Communities'. The matters which it considered necessary to address towards achieving that outcome were:

- Proactive framework
- Adequate policing
- Effective Criminal Justice System
- Adequate substance control
- Complementary measures

2.3 South Australia was represented by the Hon Jay Weatherill, Minister for Families and Communities, Minister for Aboriginal Affairs and Reconciliation.

3. DISCUSSION

3.1 The Federal Government's Commitment:

- Amend Commonwealth legislation to ensure one law for all Australians
- Commission independent assessment of the adequacy of policing in remote areas

- Ensure government funding only goes to organisation led by fit and proper persons
- Invest up to \$130million - subject to States and Territories showing a real commitment.

3.2 A focus of attention for the Federal Government was the adequacy of police services to remote Indigenous Communities.

3.3 ENFORCEMENT

States / Territories	Australian Government
<ul style="list-style-type: none"> ➤ Adequate levels of police ➤ Key role in National Intelligence Unit ➤ Take the lead on strike teams in Old, NT, WA, SA, NSW ➤ Follow – up all notifications ➤ Joint commitment to Senior Indigenous Women's Network 	<ul style="list-style-type: none"> ➤ Independent assessment of policing levels ➤ Up to \$40m capital for police stations/houses in very remote Australia ➤ 26 AFP officers committed to the National Intelligence Unit and Strike Team.

3.4 Determinations in response to the Federal Government proposals:

- South Australia has provided interim advice of its willingness to participate in an 'Independent assessment of policing levels' Mr John Valentin, former Deputy Commissioner with the Northern Territory Police Service has been engaged by the Federal Government to undertake the review. (Terms of reference attached)
- The creation of joint State and Australia Federal Police (AF) Strike Teams to investigate violence and sexual abuse in Indigenous Communities was rejected by each State and Territory. A subsequent offer was made to attach two AFP Officers to the South Australia Police (SAPOL) to jointly investigate sexual offending in Indigenous Communities. Advice of acceptance of the offer has been provided, subject to agreement of a willingness of the AFP to join SAPOL in the establishment of a Child and Family Investigation Unit on the APY Lands. A response has not been received from the Federal Government.
- A National Intelligence Unit within the Australian Crime Commission has been initiated. Two South Australia Police Officers are seconded to the Unit.

3.5 SAPOL has a significant presence in the remote communities of the APY Lands in the north west as well as at Yalata in the west. It has accepted its leadership role in improving not only its own services to the communities but also encouraging the commitment of others.

- 3.6 In May 2006, Commissioner Hyde provided advice of the intention to increase the establishment of the APY Lands by four positions to provide the commitment of Child and Family investigators and Project Officers to work with communities.
- 3.7 Costs related to infrastructure including police stations and dwelling are prohibitive. The Federal Office of Indigenous and Policy Coordination has engaged in preliminary discussion with the Executive Director, Aboriginal Affairs and Reconciliation on infrastructure requirements considered necessary to enhance current policing services to Lands communities as well as providing for the increased establishment.
- 3.8 South Australia may be able to access additional Federal funding as a consequence of evidence offered of its commitment to providing for the development and sustainability of communities by increasing the level of safety and security for the Lands residents.
- 3.9 SAPOL has prepared the attached advice of its current and proposed commitment to remote Indigenous Communities. Comment is also offered on other considerations that have the potential to influence change within remote communities.

4. RECOMMENDATIONS

It is recommended that Cabinet:

- 4.1 Note the commitment of South Australia to participate in the Federal Assessment of Policing in Indigenous Communities.
- 4.2 Note that it is intended to provide the advice prepared by SAPOL to the Auditor appointed by the Federal Government.



Paul Holloway

Leader of the Government in the Legislative Council

Minister for Police

Minister for Mineral Resources Development

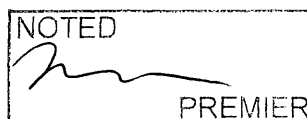
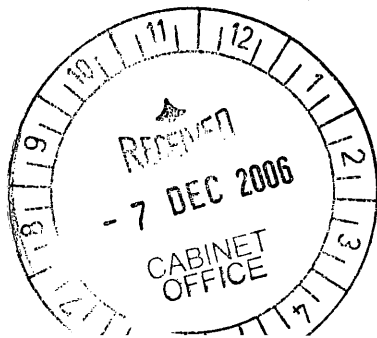
Minister for Urban Development and Planning

In Cabinet

Date:

6/12/06

11 DEC 2006



SOUTH AUSTRALIA POLICE BRIEFING PAPER

Policing in Indigenous Communities - Audit by Australian Government

SUBJECT: Council of Australian Government
Intergovernmental Summit on Violence and Child Abuse

REFERENCE: South Australia Police – PCO 2007 / 000902

On 26 June 2006, the Federal Government convened in Canberra an intergovernmental summit on Violence and Child Abuse in Indigenous Communities. The Federal Government sought agreement from the States and Territories on an integrated package which had at its core 'Safe Children and Safe Communities'. The matters which it considered necessary to address towards achieving that outcome included:

- Adequate policing.
- Effective Criminal Justice System.

When announcing the review of policing levels in Indigenous Communities, the Federal Minister for Indigenous Affairs identified that the first priority for review was to be Central Australia and the North-West of South Australia.

This report provides information on the South Australia Police (SAPOL) commitment to the Anangu Pitjantjatjara (APY) Lands in the Far North as well as to Yalata in the State's Far West. Though separate communities, many hundreds of kilometres apart, the issues for the communities and challenges for police are identical.

RELEVANT POINTS:

SAPOL has accepted its leadership role in improving not only its own service to the people of the APY Lands but also encouraging the commitment of others.

Anangu Pitjantjatjara Yankunytjatjara Lands

The APY Lands cover an area of 93,379 square kilometres in the North West of South Australia (SA), adjoining the Northern Territory (NT) and Western Australia (WA). The APY Lands are part of the Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara (NPY) Lands, home to 11 communities and 70 outstations, which extend some 350,000 square kilometres across the borders of SA, the NT and WA.

The total indigenous NPY population is estimated to be 5,000 to 6,000 people, with 2,184 of these recorded on the APY Lands in the 2001 census.

Attachment A - Map APY Lands

Attachment B - Demographics of APY Lands/Yalata

SAPOL seeks to create an environment within remote Indigenous Communities which recognises:

- The need to provide for the development and sustainability of communities by increasing the level of safety and security for people who live and work on the Lands.
- That safety and security on the Lands equates to the proper and timely application of the laws of the land and maintenance of order.
- Safety and security underpins all the other services provided in the Lands.
- That irrespective of distance and isolation, like all other communities, those within the APY Lands can rightfully expect a policing service of no lesser standard than that provided elsewhere in the State.

APY LANDS TASK FORCE

On 15 March 2004, the Hon Kevin Foley, Deputy Premier, announced the appointment of a Coordinator of State Government Services, the suspension of the Tier One Committee and the establishment of a Task Force to develop models for effective delivery of services to the APY Lands, and the monitoring and evaluation of such services.

The APY Lands Task Force established by State Cabinet was positioned within the Department of Premier and Cabinet, headed by the Executive Director, Aboriginal Affairs and Reconciliation.

The Task Force developed a two year strategic plan identifying six strategic objectives:

- Increase safety in all communities on the APY Lands.
- Improve health and welfare services in all communities on the APY Lands.
- Improve coordination of Government services in the APY Lands.
- Improve employment education and training outcomes.
- Improve infrastructure related to essential services in the APY Lands.
- Develop effective governance model for the APY Lands.

SAPOL was represented on the Task Force by the Deputy Commissioner. In 2005, the APY Lands Task Force was dissolved and replaced with the Aboriginal Task Force. SAPOL has sought to offer every assistance to the work of DPC and the Task Forces enjoying an excellent working relationship with Aboriginal Affairs and Reconciliation within DPC.

Prior to the establishment of the Task Force, SAPOL's action in identifying its long term strategy for the APY Lands had been followed by a funding application to Government to provide for an increased number of personnel to accommodate the immediate, interim and long term strategy. In addition to those operating costs, SAPOL sought and was allocated funding for the establishment of new dwellings and for refurbishment of existing police stations.

POLICE ESTABLISHMENT

APY Lands

From March 2004, and continuing until December 2005, SAPOL had a permanent presence on the Lands of seven fully sworn members: one Inspector and four Constables/Senior Constables, who flew in on a weekly basis, as well as two Constables/Senior Constables from Maria. The eight officers resided at Umuwa, Amata and Murputja, from where they travelled to home lands and communities within their geographic area of responsibility assisted by Community Constables.

The Inspector was charged with responsibility for ensuring that there was an emphasis on high-visibility uniform policing, accommodating both proactive and reactive functions to meet emerging operational needs, and most particularly, the implementation of crime reduction strategies, by liaising and working with other agencies. Five Inspectors experienced in working with Aboriginal Communities undertook the weekly rotation until January 2005, when a single Inspector was seconded to the Lands to implement SAPOL's Service Delivery Model, replacing the weekly rotation. Consistent with intention, the Inspector was withdrawn in January 2006, with the creation and filling of a new position of Officer in Charge, APY Lands at the rank of Senior Sergeant.

From August 2004, SAPOL separately funded the placement of an additional Sergeant and Senior Constable on the Lands as Project Officers to manage Community Programs. The placement reflected the service and overall leadership role assumed by SAPOL. In 2006, the contribution that the initiative provided was recognised when both officers were granted special leave from SAPOL to take up temporary positions as Project Officers with Aboriginal Affairs and Reconciliation, Department of Premier and Cabinet on the APY Lands.

SAPOL continues to have eight fully sworn officers positioned on the APY Lands (five positions filled in November 2006). The remaining three positions wait the completion of new housing (December 2006), in the interim four officers are flown to the area on a weekly basis.

SAPOL has a total of 25 police positions allocated to the APY Lands and Marla, the positioning of officers being aligned to the communities they serve;

- Four officers residing at Murputja police Amata and communities to the west.
- Four officers residing at Umuwa police Ernabella and Fregon.
- Six officers/1 Clerical Assistant at Maria Police, Indulkana, Mimili and Mintabie.
- Ten Community Constable positions across the Lands.

Attachment C – SAPOL personnel disposition APY Lands

Management Structure

The permanent management structure for officers resident/operating on the APY Lands is:

- Officer in Charge, Senior Sergeant.
- Two Sergeants positioned one each at Umuwa and Murputja.
- Senior Constable 1st Class. Three positions at Murputja and two at Umuwa.

The permanent policing structure for officers resident at Maria and operating at Maria and on the eastern side of the APY Lands is:

- Officer in Charge, Sergeant.
- Field Intelligence Officer, Senior Constable First Class.
- Constable/Senior Constables. Four positions.
- Administrative Officer (civilian).

Proposed increases in establishment

In May 2006, SAPOL provided advice to DPC of its intention to develop additional investigation capacity focused on sexual abuse and violence on the APY Lands. This will involve committing two additional specialists in investigations of sexual abuse and other forms of violence. The deployment of the additional officers is subject to the provision of residential accommodation which is currently non-existent.

SAPOL is also examining the opportunity to further increase its capacity and effectiveness by:

- Identifying the opportunity to apply salary from some unfilled Community Constable positions to employ Aboriginal women to assist the work of the Child and Family Investigators.

- Positioning two fully sworn officers onto the Lands to take a leadership role identifying and progressing community focussed initiatives to interdict in the cycle of offending.

While the 4 positions are funded (SA Government commitment to Recruit 400 over four years) the actual deployment of the additional officers on the Lands is subject to the provision of funding for necessary residential accommodation.

YALATA

SAPOL opened a police station at Yalata in 1990, with an establishment of one Senior Constable and one Community Constable. The establishment at Yalata was increased in 2005, to two fully sworn officers and two Community Constables. The officers are supported by two officers from Penong as well as the larger station of Ceduna. Establishment numbers at Yalata are considered adequate to need.

TRADITIONAL COMMUNITY CONSTABLES

The role of Traditional (Anangu) Community Constables was intended and still is to preserve the peace in Indigenous Communities by:

- Providing the first line of policing within the limitations of each Community Constable's minute of appointment and current level of competency.
- Intervening in the early stages of incidents before they escalate.
- Providing a presence in the community and at community gatherings.
- Utilising problem solving approaches which take account of the interplay of cultural factors, including kinship obligations, operating in any particular situation.

The role of Traditional Community Constables is a difficult one, obligations of tradition and kinship can receive priority influencing the incumbent to withdraw from involvement in matters or to take sides based on family ties. However SAPOL will continue to support the current Community Constables to improve services.

It is imperative for the community to have trust, faith and confidence in the honesty and integrity of SAPOL as an organisation and in its employees, including Community Constables who exercise similar authorities to fully sworn officers.

SAPOL is regularly petitioned to relax its position on integrity issues relevant to applicants. While each application is considered on its own merit, SAPOL continues to maintain its position that Community Constables must be subject to the same standards of integrity as sworn officers in order to maintain the consent and support of the community they serve. To do otherwise, or to apply different standards of integrity would be detrimental and on the basis of past experience, harmful to SAPOL.

SAPOL has a position of Community Constable Coordinator at the rank of Senior Sergeant within Human Resources Management Branch. This officer maintains regular contact with the Officer in Charge Lands, Community Constables and residents of the Lands. As potential applicants are identified they are approached and assistance is provided in the submission of an application. In addition to the regular contact, the Coordinator also makes recruiting visits to the APY Lands.

RESOURCING CONSIDERATIONS

The success of the permanent policing strategy on the Lands is reliant upon the ability to attract appropriately qualified officers as it is for the endeavours of all other involved agencies. Parallel with dwellings coming on line, new establishment positions on the Lands are advertised. While the first five vacancies were filled there was little interest with few applicants. In August 2006, a new Sergeant position was advertised resulting in a single applicant.

Three of the eight positions on the APY Lands are Sergeant (2) and Senior Sergeant (1) which have minimum two year tenure. The remaining positions (5) are at the rank of Senior Constable 1st Class. These positions have a minimum tenure of 12 months. Each of the three current Senior Constables has indicated an intention to leave their Lands positions at the completion of the minimum 12 months.

The inability to attract personnel is associated with but not limited to:

- Remoteness and harshness of the environment
- Inability to separate employment from personal life
- Absence of employment opportunities for spouses
- Absence of adequate educational facilities
- Absence of adequate health services
- Increased cost of living
- No career advantage

While the authority exists to enforce transfers, the ability has not been used in respect to filling these positions, nor is it expected that it would be.

The unique circumstances of the positions requires a specific response. There is seemingly no alternative available that does not require the creation of special conditions of employment to attract applicants in sufficient number and qualification to enable selection on merit. Temporary arrangements are fiscally expensive and largely inefficient in that temporary members have no ownership of problems or outcomes. Conditions related hereunder apply to fully sworn officers living and working in aboriginal communities.

Incentive for recruitment of fully sworn personnel to Indigenous Lands.

In 2004, SAPOL created special conditions of employment under the *South Australia Police Enterprise Agreement 2004*, enabling negotiable packages to be available to sworn members on the Lands. Conditions include:

- Rent free housing.
- Up to \$100 reimbursement of disconnection and reconnection of utility services, and mail redirection, upon initial relocation.
- Up to \$1,200 per annum reimbursement of storage expenses for furniture, household effects and vehicles.
- Up to \$4,000 per annum of water and electricity usage paid by SAPOL.
- Up to \$1,200 payment of freight of foodstuffs.
- \$3,000 remote allowance, paid at completion of each service year.
- Up to \$5,000 available as the negotiable component of the package.
- **Guaranteed return to the metropolitan Local Service Area (LSA) of the member's choice at completion of tenure.**

As a gesture of goodwill members are additionally provided with:

- Facilitation of travel per police aircraft to Adelaide (subject to seating) for rostered days off. This involves taking accumulated days off which sees them absent for eight days after each 28 day period on the Lands.

- When vehicles require servicing members convey the vehicles to Yulara where they are permitted to take days off if they so choose.
- When seating is available, the police aircraft is used to carry family members to the APY Lands to facilitate visits.
- Satellite television receivers are installed in each of the dwellings.

Members permanently stationed on the APY Lands are remunerated under Clause 14 of the Police Officer's Award, receiving a 32% loading on their base wage in lieu of recall and overtime.

In October 2006, rostering arrangements were amended to permit members to work for 14 consecutive days prior to four days off. The arrangement permits joined up days off providing time to leave the Lands.

All officers who took up the initial five positions did so without families joining them. In October the first member with his family took up a position.

SAPOL INFRASTRUCTURE:

APY Lands Police Stations

Police stations at Indulkana, Fregon, Mimili and Pipalyatjara were refurbished in 2005. The concept for the remaining stations at Amata and Ernabella was to place modular cell units next to existing police sheds and refurbish the sheds for office accommodation. It was subsequently identified that the sheds contained asbestos making it more effective to provide new transportable buildings inclusive of cells rather than undertake remedial work. The police station at Amata will proceed but additional funding is needed for the Ernabella Station.

Yalata Police Station

The Police Station sited within the Yalata Community does not provide adequate accommodation for SAPOL's requirements in consideration of its overall condition, size, amenity or prisoner welfare. SAPOL would seek to replace the current structure with a new police station that would enhance the policing service to communities at Yalata and Oak Valley as well as increasing the visibility, presence and policing service on the Eyre Highway in the States Far West.

Custody facilities

Police stations on the APY Lands and Yalata have cell facilities constructed in the 1980's, pre 1991 Royal Commission into Aboriginal Deaths in Custody. The cells were decommissioned in 2005, requiring prisoners to be transferred immediately off of the Lands to Maria post arrest. New police stations at Amata and Ernabella have been designed to include appropriate custodial facilities.

Dwellings

SAPOL has not required its members to reside permanently within communities with the police dwellings being at Umuwa, the administrative centre of the Lands or Murputja, a school community again remote from any community. Members are universal in their opposition to residing permanently within communities knowing that they would have little opportunity for respite from their duties. SAPOL owns a dwelling in the principal community of Amata which it uses as overnight accommodation.

SAPOL is required under Government policy to secure dwellings through the Department of Administrative and Information Services (DAIS). Ownership of dwellings remains with DAIS with SAPOL leasing under a 20+ year lease arrangement. In total SAPOL have a total of 10 dwellings on the APY Lands consisting of a mixture of two and three bedroom duplexes as well as individual dwellings. The last four of those dwellings will be commissioned at Murputja in December 2006. Two of the four dwellings owned by SAPOL are used for temporary quarters and as offices.

SAPOL has dwellings adequate to current requirements at both Yalata and the APY Lands. The introduction of a further 4 officers onto the APY Lands requires supplementary funding.

Offices/Administration

The Officer in Charge, APY Lands and four officers use a dwelling at Umuwa for administration and office purposes. The size and layout of the building does not suit this purpose, particularly when the building is also being used as relief residential accommodation. The addition of four officers into Umuwa (Child and Family Investigators and Project Workers) will demand the provision of additional office accommodation.

The four refurbished Police Stations offer suitable office facilities for limited opening. These facilities were not intended, nor is there a demand for extended opening hours.

SAPOL has flagged the benefits of co-location of Government agencies in a single multi agency administrative centre to maximise the demand on resources and enhance the joined up approach that is required. SAPOL is not funded for an Administrative Centre in its own right or for co-location with other Agencies.

Courts

Courts are convened within a number of communities (dependant upon cause lists) every six weeks. Magistrates on circuit from Port Augusta convene court in community halls. The proposed police stations at Ernabella and Amata include a multi purpose room intended to be the home of the principal courts.

SAPOL was requested in October 2006, by DPC to identify outstanding infrastructure requirements on the APY Lands and at Yalata. Advice on desired infrastructure was:

- Replacement Police Stations with custody facilities at Amata (funded by the State) as well as Ernabella and Yalata
- Residential accommodation for four positions at Umuwa
- Administration/office facilities at Umuwa and Murputja.
- Vehicle/equipment compounds at Umuwa and Murputja

POLICE SERVICE DELIVERY

Response times to calls for assistance

While police seek to respond to calls for help as soon as possible response times are influenced by the need to prioritise responding to the most urgent calls first. There is no higher priority than community safety. The time taken to respond is influenced by:

- Geographic spread of communities in an area 1/5th the size of South Australia, commitment of police to tasks at a particular time demands prioritisation of work to address the most urgent. While exceptional circumstances may dictate otherwise, calls for assistance in situations of violence take precedence.
- Number and location where police are deployed. SAPOL believes that it has committed an adequate number of officers to provide a meaningful and appropriate level of service.
- Police have physically positioned personnel to enable a response from fully sworn officers within 90 minutes to any community within the APY Lands irrespective of location. In the vast majority of cases police will arrive earlier, there is an absolute understanding of the need for promptness.

Community Support/Accessibility to Police

Officers on the APY Lands are charged with responsibility for establishing a meaningful relationship with each of the local communities. Fully sworn officers are assigned a liaison role with particular communities. There is an expectation that police will visit the communities on a daily basis and in addition to attending to response matters, will liaise with community leaders. Programs that SAPOL has or is committing to include:

- **PY Media Program**

Police have an involvement in a weekly radio program broadcast throughout the APY Lands on local APY radio, offering advice and information on police related issues. An example of the success of the radio program was the response to a number of injury road crashes on the Lands where victims were not wearing seatbelts. Police used the radio program to educate the Lands Community on road safety issues. During the enforcement stage it was broadcast how many people had been caught and fined. Within a very short timeframe there was improved general compliance with wearing seatbelts on the Lands.

- **Community Safety Committees**

Initiated by SAPOL in each major community, they are designed to encourage Anangu people to work with SAPOL to find solutions to crime and disorder issues. Officers stationed on the Lands have been assigned responsibility for individual communities. These committees provide an excellent opportunity for the Community to voice its concerns and to assist police in making things better.

While considered an essential strategy officers experience difficulty organising Community attendance, participation will continue to be encouraged.

- **Blue Light Discos**

A cornerstone of community relations on the APY Lands. A **Blue Light Disco** trailer, complete with sound equipment, has been provided for this purpose and regular. Well attended discos continue to be held throughout the Lands communities. On occasion SAPOL has used these events to encourage activity by the community such as requiring attendees to produce a bag of garbage as a condition of entry.

SAPOL negotiated the attendance of Australian Football League Indigenous players at a number of **Blue Light** events over a week in 2005. In 2006, it hosted an Aboriginal football team at the Police Academy during their attendance at an AFL fixture in Adelaide.

- **Bicycle Programs**

A bicycle program was introduced in 2005, within the Fregon Community in partnership with the Fregon Community and School with bicycles sourced by SAPOL. The bicycle program aimed to reduce juvenile crime in the Community as well as reducing truancy from school. SAPOL provided the bicycles with its officers building a bicycle track.

- **Night Patrols**

In 2004, SAPOL was requested by Family and Community Services (SA) to seek funding for Night Patrols from the APY Lands Task Force. The Task Force approved the funding application to compliment Federal funding for Night Patrols within two communities.

SAPOL sought to maximise the opportunity through negotiation with communities, identification of protocols, organising and delivery training and securing resources for Indulkana, Mimili, Ernabella and Amata.

The program was intended to employ community members in patrolling their communities at night, or times of need to influence and manage behaviour that constituted a problem for the community and to help protect community members.

Communities who were receiving Commonwealth funding made no application for the continuation of funding past the end of the 2005/2006 fiscal year. The absence of such applications and the shared view that the model was not working resulted in the programs suspension. A new model is currently being proposed with a possible trial at Indulkana.

OFFENDER SPECIFIC OPERATIONS:

Operation Midrealm (Intelligence)

In 2004, Operation Midrealm was established to provide a coordinated approach to targeting illicit drug use and organised distribution throughout the NPY Lands. SAPOL was the author of the overarching 'Intelligence Management Plan' with a requirement of each jurisdiction to formulate their own Tactical Order to support the Management Plan.

NTPOL committed to a Central Intelligence Desk from Alice Springs. SAPOL created a position of Field Intelligence Officer (FIO) at Maria providing a focus for Midrealm as well as servicing its own needs.

In November 2005, the Office of Indigenous Policy, Coordination, Department of Immigration and Multicultural and Indigenous Affairs (Federal) provided advice to SAPOL that it had allocated funding (\$500k) to assist Northern Territory, Western Australia and South Australia Police to 'crackdown' on the illicit trafficking of petrol and other illegal substances in the cross boarder region of central Australia. SAPOL received \$80k from the initiative. The Federal Government has indicated an intention to continue funding in 2007.

Domestic Violence Intervention

Operation Kungka Pungkuntja Wiya, (Don't Hit Women) is an ongoing domestic violence operation on the APY Lands. Domestic violence is a priority and close liaison occurs between the NPY Women's Council and Nanampa Health in order to combat this issue. There is always a positive and affirmative police response to reports of domestic violence, along with support for victims from the NPY Women's Council.

The only service available to women is through the APY Women's Council based in Alice Springs. Whilst particularly active on the APY Lands, there is no APY Lands based service to women. An obstacle for police is the unwillingness for victims to give evidence for cultural reasons or fear of reprisal. This has led to matters being dismissed or a reduction in the charge against the offender at the point of conviction.

While there is a recognition that a significant proportion of offending is not reported by victims, it is believed that the extent of this offending is significantly less than that purportedly occurring in communities in other jurisdictions. Irrespective that a prosecution may not follow, police continually confront suspected perpetrators and visit victims. This process reinforces to the offender the consequences of such violence and offers support to victims.

SAPOL announced in May 2006, its intention to develop an additional investigation capacity focused on sexual abuse and child and family violence in the APY Lands. Positioning Child and Family Investigators at Umuwa is considered the most effective way to provide expertise not currently immediately available to the most remote and largest Indigenous communities in the State.

National Intelligence Unit

A National Intelligence Unit for tracking sexual abuse and violence in Aboriginal communities was agreed to by State and Federal Governments in July 2006. This is being supported by SAPOL through the secondment of two police officers to a task force established and managed by the Australian Crime Commission (ACC).

Cross Border Justice Project

The Cross Border Justice Project is developing legislation and operational capacity to enable police in WA, NT and SA to police across the entire NPY Aboriginal Lands without restrictions of State boundaries, along with the ability for corresponding judicial processes. A memorandum of understanding has been developed between the three parties, to be supported by operational protocols.

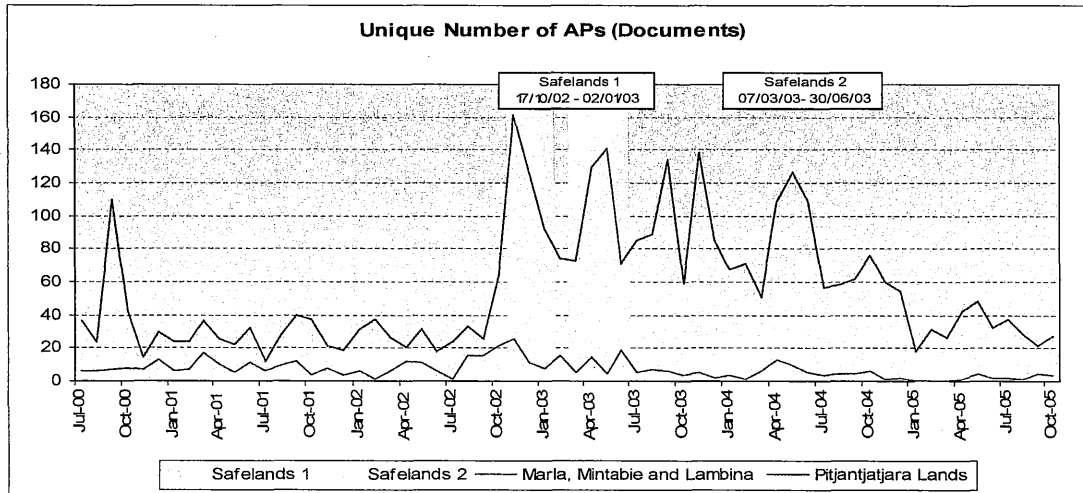
Whilst SAPOL has continued to support most aspects of this project, SAPOL's stated commitment does not extend to joint policing facilities like those currently operating at Kintore (NT) and soon to operate at Warakurna (WA). The primary obligation on SAPOL is the provision of an appropriate policing service to its own communities.

While the extended operation capacity will act as deterrence to those who take flight across borders to escape apprehension, violence is largely localised offending. Domestic Violence Restraining Orders can currently be registered and enforced in other jurisdictions.

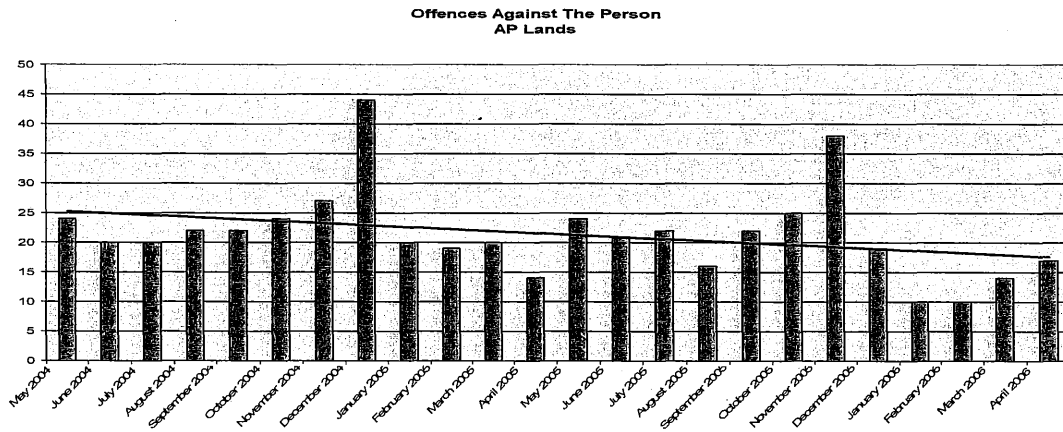
Attachment D – Proposed boundary of cross border arrangement

IMPACT OF IMPROVED POLICE SERVICES

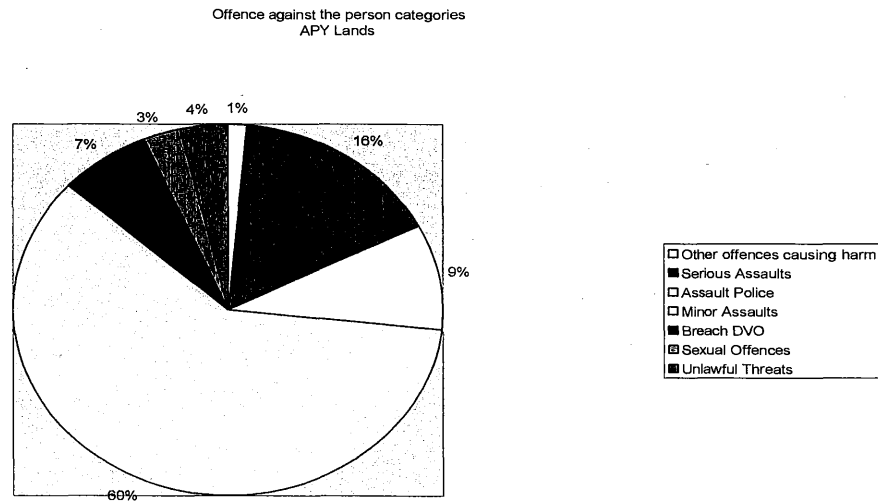
The impact of increased police commitment to the APY Lands since 2002, is to some degree reflected in the number of apprehensions reports submitted for offences detected on the APY Lands. Clearly, from the inception of Safe Lands in October 2002, the rate of apprehensions rose markedly, tapering off more recently as the additional police presence begins to impact on offending behaviour. This is particularly true for traffic and public order offences.



The incidence of offending against the person on the APY Lands has generally been trending downwards in the past two years.



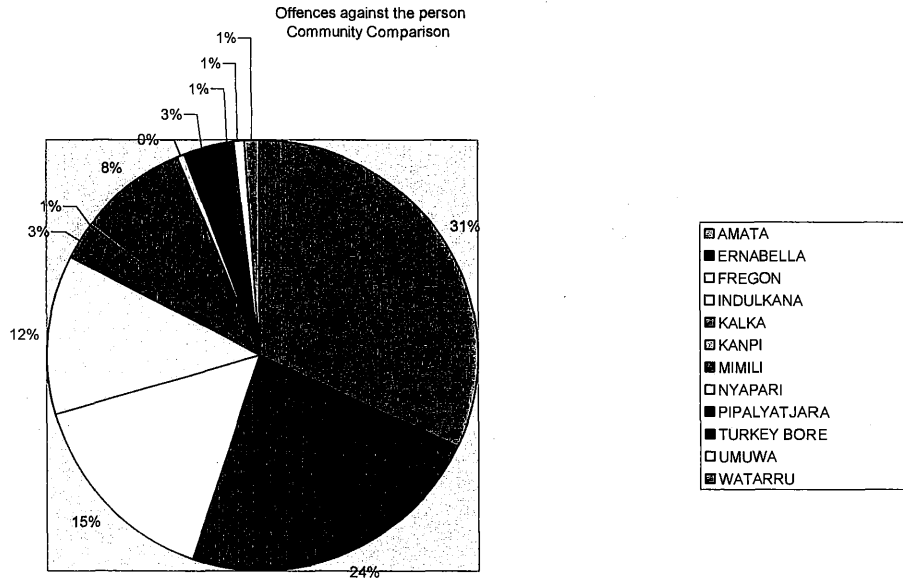
Break down of the offence categories listed above for the relevant period for the entire APY Lands for the period 15 May 2004 to 15 May 2006.



The ratio of minor assaults (60%) and Serious Assaults (16%) is consistent with the incidence of this type of offending across communities within the Far North Local Service Area

(Minor Assault 64%, Serious Assault 16%) for the same period.

Comparison of communities.



A break down of offence categories for the main communities indicates that offending is consistent with minor assaults being the largest offence category with serious assaults the second highest in each community.

VICTIMOLOGY

Minor Assault

Of the reported offences, 73% of victims were female. 29% of victims were aged 20-29 years. This was by far the largest group with the next group being the 30-39 years group accounting for 16%. Assaults on children under 10 accounted for 4% of offences or 14 matters. Only 5% of minor assaults were committed by strangers. 42% of offences were committed by partners/spouses, 27% by acquaintances and 18% by a relative.

Serious Assaults

54% of victims were females.

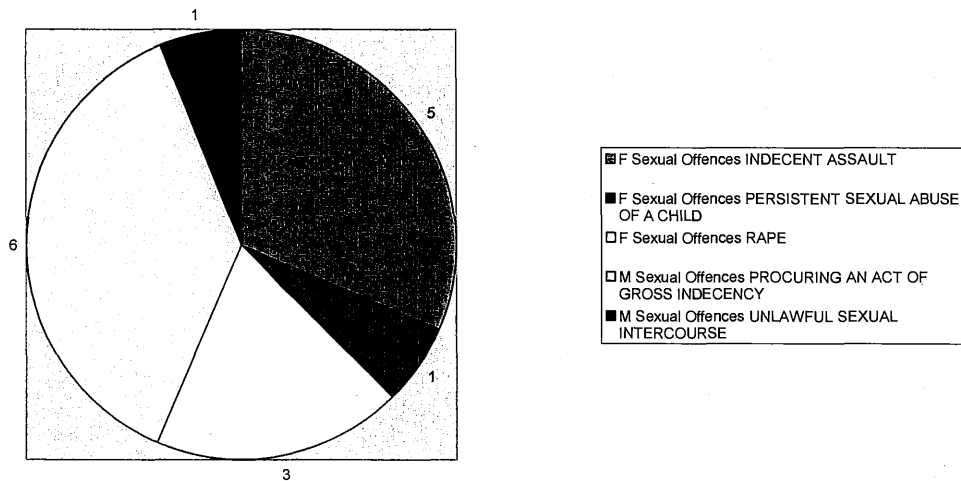
Females aged between 20-29 and 30-39 years were the largest victims groups with 20% and 19% respectively.

Males of the same age groups made up the next largest groups with 14% and 13% respectively. There were no victims under 10.

3% of serious assaults were committed by strangers. 37% were committed by partner/spouses, 34% were committed by acquaintances and 19% by relatives.

Sexual Offences

56% of victims were female (from a total of 16 offences). 1 child aged 1½ was the victim of an indecent assault by her father. All male victims were aged between 10 and 15 years. A break down of offences is depicted as follows:

Sexual Offences
APY Lands

81% were committed by an acquaintance, 13% were committed by a relative and 6% were committed by a partner or spouse. No offences were committed by strangers. Overall, intra family relationships account for 58% of offending.

Impact of Substance Abuse

The following percentages relate to offences where liquor or drugs has been considered a factor in offending

- Liquor 24%
- Drugs 2%
- Petrol 17%
- Nil 29%
- Unknown 28%

Given that 28% is recorded as 'unknown', the potential for a substance to be a factor is 71%. By comparison the potential for a substance to be a factor (in minor assaults only) in Port Augusta for the same period is 76%.

Clear up rates

The clear-up rate for APY Lands offences is high with 73% cleared by arrest. A further 7.6% were cleared by either *No Action* or *File*. All apprehensions were by way of arrest rather than report which confirms a firm stance by police against serious offending on the APY Lands.

ISSUES FOR CONSIDERATION

Living conditions

SAPOL employees reside in excellent new residences at either Umuwa or Murputja outside of communities. Umuwa is an isolated settlement some 180 road kilometres (unsealed) west of the Stuart Highway. It is an administrative centre and a place where government employees reside, it has no Indigenous residents and is not in any sense a town having no commerce, recreation or sports facilities.

Alcohol is prohibited in Umuwa as it is elsewhere on the APY Lands with the exception of the mining community of Mintabie.

The absence of facilities that would be expected in any community results in SAPOL employees often continuing to work beyond the hours for which they are remunerated in the absence of having anything else to do with the exception of watching television.

There has been an understandable reluctance to introduce infrastructure into Umuwa other than that which was essential in consideration of the needs of Indigenous communities. Ideally Umuwa should be regarded for what it is and residents provided with access to modest amenities and services of the type expected by residents of communities in all other places. The provision of suitable services will assist to attract and retain dedicated workers to the Lands.

POLICE INFRASTRUCTURE

SAPOL's escalating commitment to the APY Lands and Yalata has involved significant additional expenditure. Fiscal integrity has steered the provision of infrastructure equal to but not excessive to immediate requirement.

Current stations are essentially lined metal sheds and while the facilities are adequate in the four smaller communities, there is a need for policing to demonstrate its presence and commitment with police stations equivalent to need in the larger communities of Amata, Pukatja and Yalata.

SAPOL has previously offered the view that Office / Administration facilities could accommodate other agencies capitalising on expenditure and provide a joined up service delivery approach.

DOMESTIC VIOLENCE

Violence within families is clearly a significant issue within all communities requiring a joined up response from Agencies. Often the cycle of offending is only broken by arresting the offender and removing him from the community, leaving the victim exposed to violence or retaliation for speaking out. Alternately the victim does not want police intervention other than assistance in escaping from the violence. Both circumstances require suitable accommodation remote from the community where the offending has occurred. Ideally secure Women's Shelters should be established in a number of the major communities to provide respite and safety for victims without requiring them to be moved to locations with which they are not familiar and where they will have no family support.

Attachments:

- A *Map of the Anangu Pitjantjatjara Yankunytjatjara Lands*
- B *Demographics of APY Lands and Yalata*
- C *Personnel deployment Anangu Pitjantjatjara Yankunytjatjara Lands and Maria*
- D *Map showing geographic borders of proposed cross border arrangements*