

Answers to the  
Lead Poisoning / Sniffing  
Problem  
Galiwin'ku June 2017

A Report for East Arnhem Mediation Service  
2017

# BACKGROUND AND BRIEF TO CONSULTANT

The Northern Territory Government became directly involved in the avgas sniffing issue from early May 2017 at the request of some local service providers. Media reports followed the beginning of Government intervention. Before this stage a few service providers and companies had been directly involved in the issue. Likewise, East Arnhem Mediation had been involved by supporting a community response to the situation by Galiwin'ku Makarra Dhuni (Makarr Dhuni). Makarr Dhuni is a clan based, local independent law and order body, affiliated with Yolŋu Nations Assembly, and currently has a strong working relationship with the police stationed at Galiwin'ku. They have had impact in various issues throughout the community including court advocacy, issues like gambling, and emergency response work around cyclone Lam. The group began work around avgas sniffing issue from September 2016.

In the initial emergency phase Makarr Dhuni recognised the gap in the Community Patrol service between 12am and dawn as the first issue of response. Secondly, they had identified an issue with older 'ring leaders' engaging children into the problem. More assessment was then being undertaken to unravel the more longer-term needs of the community to 'unroot' the issue.

To meet the need of the Makarr Dhuni's first issue of response, the group established a nighttime foot patrol between 12am and dawn, stationed at the airport boundary. They conducted these patrols during the months of September and October 2016, and then in January and February 2017. The Makarr Dhuni provided this service for free, with some resourcing from EAM. The presence of the foot patrol during these periods was effective in reducing and disrupting break-ins at the airport and of aeroplanes. The foot patrol was however limited by factors such as ongoing availability of volunteers and hours of available coverage; and area they were able to scan and intervene in relation to.<sup>1</sup>

In November 2016, and mid-December 2016 through January 2017, Community Night Patrol hours were extended, and Patrol staff rostered for airport surveillance. The Makarr Dhuni foot patrol liaised with Night Patrol staff to best support surveillance arrangements. When airport surveillance was further resourced, break-ins at the airport and of aeroplanes ceased.

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<sup>1</sup> For example, the foot patrol was required (by airport regulations) to remain outside the airport fencing. This affected capacity to see and monitor planes parked behind the airport building facility, and it was discovered that these planes could be accessed by children without detection from the volunteers' boundary location.

EAM funding ceased at the end of March 2017, leading also to the extraordinary limiting of the capacity of Makarr Dhuni. As a result Makarr Dhuni could no longer continue the foot patrols nor respond to the more delicate problem of the 'ring leaders.' The group could continue to unravel long-term needs but they lacked the capacity to action their determinations or record their insights in an accessible way.

When EAM received some further interim funding at the end of May 2017, the avgas issue had already escalated. NT government had by that time intervened, hiring an out of town security agency to work during the 12am and dawn period, and they had rolled out a medical response to the lead poisoning associated with the avgas sniffing.

To consolidate government responses EAM identified the need for consultation with the community to empower what Makarr Dhuni had intended - the unraveling of the longer-term needs of the community to 'unroot' the issue.

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# GLOSSARY

**Balanda:** comes from the word “Hollander”, from the Yolŋu contacts with people from former Dutch colonies in Asia; and is used to refer to European or English- speaking “Western” person or people.

**Bäpurru:** the paternal clan.

**Djunggaya:** traditional police, master of ceremonies, lawyer, public servant.

**Likan** in this document refers to the surname group, the group within the wider bäpurru clan following a particular sire line. And in traditional use likan refers to a title name to do with identity and land ownership.

**Mägaya:** peace, tranquillity and protection; for all clan members.

**Maḍayin** [ma – day – in]: The underlined d is the d sound made with the tongue curled back in the mouth. It is not easy to translate Maḍayin into English as English does not seem to have a word like Maḍayin. The closest to it is when we say, “The Westminster system of law”. “The Westminster system of law” includes all the laws, legal processes and practices of the Westminster system.

The Maḍayin is the name for the Yolŋu complete system of law including all the laws, legal processes and practices, plus legal objects, law chambers and the places that have been proclaimed through the processes of Maḍayin law. Even animal or fish production sites can be called a Maḍayin wärja – Maḍayin place/home.

**Wamut** is the skin name that Yolŋu people have given Richard Trudgen. Most Yolŋu know him as Wamut Richard rather than as Richard Trudgen.

**Wirrmuryun:** a dizzy drunk feeling.

**Raypirri** is the discipline of mind, body and soul.

**Rom waṯaŋu walala:** Rom - means Law or cultural way, waṯaŋu - denotes ownership, walala – means they (3 or more). The larger group of interconnecting clans that have a right under Maḍayin law to monitor, protect and to discipline or pass judgement on an offender if necessary.

**Yolŋu:** means human or humans, person or people. It also now means an Aboriginal person or people from northeast Arnhem Land.

**Yolŋu Matha:** a group of languages spoken in north-east Arnhem Land. Most Yolŋu know many of these languages. In general, Yolŋu Matha is the people’s language.

# EXECUTIVE SUMMARY

## The Consultation

East Arnhem Mediation (EAM), a program delivered by Sunrise Alliance Ltd and funded through the Australian Attorney General's Department (2011-2014) and the Department of Prime Minister and Cabinet (2014-2017), commissioned Richard Trudgen, Why Warriors Pty Ltd, to undertake a field study to investigate an outbreak of avgas sniffing on Galiwin'ku. It involved a desk study research phase and then an on-the-ground education focused dialectical consultation around the phenomenon, to understand why it is happening and to identify resources to support local solutions.

## Summary

This report documents the root causes of the avgas sniffing outbreak. There are many complex issues at play. At the heart of it, the genuine voice of Yolŋu people is not being heard and the delivery of fundamental information into the hands of Yolŋu citizens has been grossly inadequate. This has caused a break down in parental authority and law and order, damaging children's health and safety.

The main factors causing Yolŋu children to sniff were found to be:

- No one knew what lead and lead poisoning meant or its effects on the body.
- They are lawless – not respecting family authority or Balanda law.
- Young sniffers want to get high and drunk.
- Anger against Balanda and the 'them and us' kickback.

Key Parental Factors are:

- Yolŋu belief that the 'government' has stopped them disciplining their children. There is confusion around the English phrase 'stop abusing your children' and 'mandatory reporting'. Parents are confused and angry about discipline rights and too frightened or paralysed to discipline their children for fear of state based repercussions.
- There is a focus on recreation, as against good loving parental care.
- Some adults are preoccupied with card games.
- Homebrew alcohol is causing violence and disruption for families and children.

The underlying factors are:

- Break down in law and order, through the non-recognition of the Madayin system of Law and ignorance of Balanda legal system.

- Yolŋu are fearful of getting enmeshed in the unknown contemporary NT legal system around Territory Families and the seemingly subjective parenting standards they use.
- Yolŋu are angry with Balanda.

Furthermore, there is no baseline measure for lead levels in the community that could be impacting on child behaviour, such as anger and domestic violence.

When problems occur on Aboriginal communities a large amount of state resources to seemingly “solve” the problems are usually put into technical infrastructure. It seems most people mistake ‘community’ as being the actual infrastructure itself. But without people, we have ghost towns, not communities. The people are the most important stakeholders with the greatest ability to determine real outcomes to any problem.

With this in mind the recommendations address ways of empowering communities and giving parents agency to resolve their own social problems.

## **Key Recommendations**

To solve problems like this the Yolŋu community needs to be empowered with real information, answering the questions they have, so they can find long-term solutions. They also need the confidence and authority to act.

### **Recommendation 1**

Government facilitate access to fundamental mainstream information, delivered in language Yolŋu Matha.

### **Recommendation 2**

Support a good cross-cultural mediation service.

### **Recommendation 3**

Resource a cross-cultural community development team.

### **Recommendation 4**

Test underlying lead levels in the community and across the region.

### **Recommendation 5**

Teachers and other Balanda<sup>2</sup> professionals must learn Yolŋu Matha, receive cultural competence training in community and have access to linguistic and cultural advice.

### **Recommendation 6**

Australian and Northern Territory Governments need to work towards the recognition of traditional Maḍayin law systems.

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<sup>2</sup> Balanda: Balanda comes from the word “Hollander”, from the Yolŋu contacts with people from former Dutch colonies in Asia; and is used to refer to European or English-speaking “Western” person or people.

# THE CONSULTATION METHODOLOGY

In May - June 2017, Richard Trudgen of Why Warriors P/L (WW) was engaged by Sunrise Alliance Ltd who manage the East Arnhem Mediation project<sup>3</sup> to facilitate a four-week consultation process. Richard was engaged as a facilitator because of his extended experience in Community Education and Community Development within the East Arnhem Land area. He also speaks and hears Yolŋu Matha. He, in turn, engaged clan relevant Yolŋu facilitators from Galiwin'ku to work with him.

The work involved four weeks on the ground at Galiwin'ku to work with Yolŋu families around the avgas, lead poisoning and general sniffing issue/s causing concern to the Galiwin'ku and Yolŋu community and the government authorities. The brief from EAM was to:

- ascertain a clearer account of root causes of these issues from a first-hand community perspective,
- help inform a community led response; and to
- undertake community education around these issues to enable dialectical consultation.

All conversations during the project happened in a mixture of English and Yolŋu Matha<sup>4</sup>. Education sessions were all in Yolŋu Matha. Most statements from Yolŋu people within the report were in Yolŋu Matha but are recorded here in English using a full meaning based translation method<sup>5</sup>. A set of educational materials were developed around 'stories' to stimulate the dialogue about lead and lead poisoning: See Appendix 1.

The consultation process was in two parts:

- Research and preparation - a week was spent:
  - undertaking desktop research;
  - making phone inquiries to locate key people;
  - research on lead poisoning; and
  - developing education material and the story line to facilitate dialogue on the subject.
- Field work in Galiwin'ku - arrived Friday, 26 May 2017 and remained until Friday 23<sup>rd</sup> June 2017 engaged in field work.

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<sup>3</sup> The East Arnhem Mediation (EAM) project, based in Galiwin'ku, is administered by Sunrise Alliance Ltd and funded by the federal Department of Prime Minister and Cabinet.

<sup>4</sup> Yolŋu Matha is a group of languages spoken in north-east Arnhem Land. Most Yolŋu know many of these languages. In general Yolŋu Matha is the people's language.

<sup>5</sup> Meaning based translation takes the full meaning of what is said in one language and tries to write the same full meaning in the other language, rather than just literally translating word for word.



During the field work phase:

- 245 Yolŋu were engaged in the program. Sessions involved dialogue in one to one education sessions with clan leaders, at other times in husband and wife or small family groups and with a few larger groups.
- Around 300 copies of the supporting educational material were handed out during the education sessions.

It was hoped to get the education material to many more of the adults of the approximately 2000 Yolŋu population, to get good peer support to the new information. But due to deaths and a number of funerals plus critical illness of a key Yolŋu colleague, it became impossible.

After consultation with Makarr Dhuni representatives and other Yolŋu leaders, it was decided that the project should first try and work with, and through, the clan leaders. There are about 15 different Bāpurru clans living at Galiwin'ku. This approach was followed because it is the correct social mechanism where full acceptance of the information can occur without creating division across a multi clan community. More importantly, if the traditional social, political leaders in a community have the knowledge needed, then any social action eventuating will have their support, providing legitimacy, allowing acceptance by the community and allowing real social change to occur. Over the 4 weeks, education sessions were delivered to 23 separate clan leaders on an individual basis.

The reach may have been limited. However, a number of the above leaders have used the information and the educational materials left with them, to tell other members within their groups. It is difficult to ascertain how many people may have benefitted.

Many Yolŋu people, both community mums and dads and professionals, received substantial information. In return, a very good picture of many of the underlying issues was obtained. Some of these issues were totally new and took some hard work to really understand where the people were coming from. A great deal was learned from the exercise.

This report represents a firsthand account, often in Yolŋu community members' own words (translated into English), about their views of this problem and solutions<sup>6</sup>

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<sup>6</sup> "Many wonder why we do not hear more from Yolŋu and other traditional Aboriginal people directly. Writing any cross-culture cross-language story is extremely difficult. You have to constantly deal with language, worldview and syntax differences. At times I sit here racking my brain as to how to make something that is full and rich in one language come through the same in the other language. It becomes more difficult if you have to write into the language that is not your first language, as writing in English would be for Yolŋu people." – *Richard Trudgen*

# FINDINGS

## **Level of understanding about lead in the community**

Right across the whole of the Yolŋu population, there is probably little or no knowledge around the issues of lead and lead poisoning. In Galiwin'ku community there was no such knowledge. There is also a lack of knowledge of the brain damage that can occur in relation to an observed fad of self-strangulation creating oxygen starvation to the brain. In fact, not one Yolŋu person in the community involved in the project consultation had any real understanding of the physical damage that can occur from lead poisoning or oxygen starvation.

Yolŋu reported that this dangerous choking, sniffing fad came through from Groote Island to Yirrkala and then spread along the coast. The Yolŋu parents did not have the fundamental information about why it is dangerous nor did they believe they had the authority to stop it.

Only one member of the community knew what the English word "lead" was; she was a retired clan elder. She connected the English word "lead" to lätuŋ - the Yolŋu Matha word for lead sinkers. It was the Macassan traders who traded lätuŋ lead sinkers into Australia in the last century. Three other community members had some general knowledge as 2 had been involved in making lead sinkers out of old lead batteries in the "mission days". However, they did not pick up the connection between the English word 'lead' and their word 'lätuŋ' until I used the English term 'lead sinkers'. Neither really understood that it could be poisonous until well into the education session when one said 'now I remember the missionaries telling us that it was dangerous'. One asked where lead came from as it had been a question he had always had since they made the lead sinker in the mission days. The third person with some knowledge had been involved in a campaign to get rid of lead shot for shotgun cartridges, which most Yolŋu call goose bullets, in the stores across Arnhem Land. However again he had no real understanding of lead poisoning.

This demonstrates that there is no general understanding of the history of lead poisoning that most Balanda have.

Parents of children involved in the avgas sniffing said that the information that they were originally given and shown in a video gave them no real medical information. They said the material just "preached" about how sniffing will make you sick. None of the information actually told them how lead will make someone sick.

People were shocked that after all the conversations they have had with Balanda to talk about these issues, they had learnt virtually nothing except a few confusing English words. Without underlying fundamental information how can social change

occur? And more importantly, this lack of knowledge has left their children exposed to these dangers. One parent showed a poster she had been given saying, "It is mayali'mirru", that is, meaningless. No one knew that children will absorb lead 5 times faster than adults or that lead in avgas can penetrate through the skin.

## **The immediate factors causing Yolŋu children to sniff**

### **NO KNOWLEDGE OF LEAD POISONING OR ITS EFFECTS ON THE BODY**

As explained above. With no knowledge amongst the Yolŋu adults of the real dangers of lead and lead poisoning, they had no reason to be more motivated to bring things under control. Once they had the information in their language, they were full of concern and anger that they had not been informed.

### **CHILDREN HAVE NO RESPECT FOR ANY AUTHORITY: LAWLESSNESS**

There were lots of unsupervised children on the streets most nights right up until dawn. Many members of the Yolŋu community expressed real concerns at hearing so many young people on the streets all night. Many say that they listen to the children's conversation at night and it just makes them feel so terrible. Children are doing what they like. Along with general breaking and entering, the vandalism of property and equipment is rife. Threats to parents and family members are commonplace. From May [2017](#), media has reported the phenomenon of break-ins to planes at the airport and avgas sniffing adding to this repertoire of dangerous and antisocial behaviours. Anecdotally it was reported that there is only 30% attendance at school compared to 60% some years ago. For reasons to be explained later many parents report being bullied and threatened by their children as well as lacking any influence or authority over their behaviour.

It was said by a number of parents during conversation that their children were recruited by member/s of their extended family. Everyone loves being in a group. If these gang 'leaders' are not closed down, they will continue to take every opportunity they can to recruit younger extended family members into their gang. This means they will get minors out of bed, as it seems they were, to help them do their night time activities. This is why some very young children became involved in the avgas activities. They were recruited into having some 'fun'. Some real community work needs to be done with some of these key participants and their families. The real driving factors for these initiators need to be discovered. Then the affected families together with their wider clan group need empowerment to bring these potential gang-style leaders under control.

It was said by at least three parents that their young children were recruited by members of the extended family when key adults/parents were away for a period of

time. One father had taken his daughter to hospital and was away for a couple of weeks. When he came back, he found his son had been involved in the avgas sniffing.

Night patrol and police also seem to be powerless to intervene with children on the streets particularly late at night. As the night patrol and the police moved around the community the children on the streets would just fade away and then return after the night patrol or police moved past. Night patrol closes at midnight, far earlier than the children.

As many community members raised the concerns that they had of so many children and some young adults being on the streets all night, the idea of a night time curfew for children was raised. Participants had never heard of this concept before except one couple, who do a lot of helping out with the law court and recognised that some court orders have curfews placed within them for individuals. They also had not heard that it could be applied to a whole community. When the curfew was explained – i.e. Police pick up children out on the street after a certain time, take them home, wake up their parents, and leave the children with them until morning when a meeting could be held to find out why the children were out by themselves - no real enthusiasm for it was expressed. No one felt that a system that gives more power to the NT police would work because of all the communication problems that seem to happen all the time.

What participants offered instead, was that their djungaya (traditional law officers/police) from different bäpurru clans should be on the streets taking the children home to their separate families. But they worried that if they did this, they could be in trouble with the NT police, because just as NT police carry a weapon, traditional djungaya police also carry weapons in the form of a maṅal/woomera and a spear, sometimes just a maṅal/woomera like a “British Bobby”. The authority between the police and the djungaya would have to be sorted first.

#### **DESIRE OF YOUNG TO GET DRUNK AND HIGH**

During the four weeks in Galiwin'ku and after conversations with many hundreds of community members only one mentioned that young people sniff because they are hungry for food. All, including the sniffers spoken to when asked, “Why do young people sniff?”, said, “Walal djäl wirrmuryun - walal (they as a group) djäl (desire or want) Wirrmuryun (a dizzy drunk feeling). This was the response that came from parents, young people and sniffers alike. A few Yolḷu are so used to the habit of wanting the Wirrmuryun (a dizzy drunk feeling) that they will choke themselves with their thumb and first finger, their shirt or a piece of cord<sup>7</sup> as they walk around. Some were doing it in broad daylight.

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<sup>7</sup> There is some suggestion that some suicides might be choking episodes gone too far.

Why the young people might want to be drunk are varied and wide. Some could be hungry others are feeling that they are born on the wrong side of the cultural divide and experiencing a deep depression and hopelessness. Some explanations are offered in Cheap Drunk<sup>8</sup> and the underlying social and cultural factors are explored further in that report.

### **KICK BACK AGAINST BALANDA**

There is a lot of anger at Balanda about the destruction, Yolŋu believe, that Balanda have brought to their children and way of life. This anger is also being picked up by their children.

Consequently, a great deal of the antisocial behaviour is directed towards Balanda organisations through break-ins, damage to plant and equipment by young people. Other Yolŋu are simply demoralised through paternalistic treatment. Many Yolŋu parents and leaders also raised issues of the racist attitude of Balanda. Due to the Intervention, Yolŋu do not have the right of control of entry permits over the main communities anymore. There is little they can do with Balanda with bad attitudes toward them whereas in the past they could force such individuals to leave.

Two racist episodes on Galiwin'ku during the project were witnessed. In both instances, Balanda staff of service organisations were treating and speaking to Yolŋu adults as if they were children. This treatment feeds into the feeling of hopelessness and anger which is now transferring onto children and is a probable cause of the antisocial behaviour: many children are on the street destroying things, to 'get back at Balanda'.

The Royal Commission into Juvenile Detention is reaching its final stages.<sup>9</sup> Many of the inhumane actions that were acted out against these juveniles in the justice system, are similar to the underlying racist issues reported on and observed during this consultation, leading to young Aboriginal people getting into trouble and ending up locked up.

Yolŋu see such racism as affecting their training and employment opportunities too. One person asked, "Why is it that despite turning up to training every day, some spending many months in training, when they get a job they only last 4 or 5 days?". A younger Yolŋu man who was helping find leaders around the community responded, "It is the racist attitude of the Balanda staff and how they talk to

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<sup>8</sup> <http://www.whywarriors.com.au/2017/05/cheap-drunk-petrol-sniffing-can-be-beaten-oct-16/>

<sup>9</sup> Why Warriors' submission can be downloaded at:  
<http://www.whywarriors.com.au/2017/03/breaking-of-a-people/>

Yolŋu”.<sup>10</sup> He went on to name and point out the Balanda that are considered racist in the community.

When the Balanda do not learn the local language, nor are trained in Cultural Competency and don't know how to communicate cross culturally, then we are wasting massive resources in only training the Yolŋu. This just further alienates them. Training, in this case, needs to be for both groups; Yolŋu and Balanda.

Children across the community are openly saying when asked why some young people are breaking in and vandalising equipment and buildings around the community “We hate Balanda because Balanda hate us”.

The social gap between Yolŋu and Balanda is growing ever wider, and this is not good for the future of the NT community. It's a form of structural violence that has to be challenged to stop young Territorian lives being wasted. This case study is a typical example of such an interaction.

*While staying on community, my accommodation was very close to a construction site where contractors were working every day. One Saturday afternoon I was shocked to the core with one of the contractors screaming foul abuse at the top of his voice using all the F and C words he could string together. I understood from the language that he was using that he was directing his rant at a group of young Yolŋu. “F... little C... get the F... out of here”, repeated over and over again. I raced over to see what was happening. When I arrived, there was a group of young Yolŋu children standing back about 50 yards from the contractor just looking at him. I called them over in language and asked them what happened. They said they had gone into the yard and started climbing up on one of the heaps of sand. Then the Balanda started swearing madly at them. The children now realised that they were wrong to go in but said, “Why does he have to talk to us like that?”.*

*Next day I noticed the windscreen on the loader that this contractor drove back and forwards each day to the site was broken. Tit for tat: hate like this, being allowed to grow, can never be any good for any community. We can do things differently. It does not have to be like this.*

## **Parental Factors**

When the main stakeholders, the adults of a community, have little or no knowledge of lead and lead poisoning then how can they practice 'good' parental care and stop children from doing such dangerous things? In fact, when the 'lead' and 'lead

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<sup>10</sup> “I also believe that the problem is two sided. One is the fact that Balanda staff are not trained even though they are employed by Yolŋu organisations and two because Yolŋu are currently economically illiterate and have very unreal ideas about what to expect in the work place. If people believe that money can just be printed by the government, then they are not going to respond like Balanda workers in the workplace that have a more realistic understanding of contemporary economics.”

– Richard Trudgen

poisoning' story was delivered to Yolŋu adults I constantly received the response, "If Balanda had this information why haven't they told us about it"? A few even suggested that, "Maybe Balanda want us to die out so that they can take our land".

This is an extremely dangerous situation for the community to be in and the situation is exacerbated by the issues of parental authority.

### **Confusion and anger around discipline rights**

There is massive confusion and anger among Yolŋu parents around their rights to physically discipline their children. After almost every education session with Yolŋu in one to one or family groups, the Yolŋu would inevitably raise the discipline issue. These concerns never came up in the larger groups where many different clans were present and where Yolŋu find it difficult to talk about issues like these in public type community meetings.

Sometimes, when the people understood for the first time, the very real damage that lead poisoning and petrol sniffing did to their children, some parents expressed deep anger at Balanda, and at times, that anger was directed at the consultation personnel.

At first, it appeared that anger was just because they had not been told the clear story, but it was much deeper than this. It could also be understood as a natural part of the grieving process at the damage done to their children. A number of men, and sometimes their wives, got so emotional and upset that they got up and left the session, others when they understood the gravity of the situation became withdrawn. Some of these education sessions occurred with some of the lead affected children coming in and out of the meeting, showing clear effects of the changed behaviour: not able to sit still, lack of concentration, etc. It was at these times that some of the men would make very strong statements about how Balanda and the government had stopped them disciplining their children and had created the mess and brain damaged their children. On the one hand, they were grateful to have the right information, but on the other hand, they would immediately place the blame for the situation at the feet of the government for taking away their right to discipline their children. This issue was further explored as the project progressed.

One clan leader provides a compelling explanation of how he sees the impact of the Intervention on Yolŋu relations with Government.

"Wamut<sup>11</sup> the intervention has destroyed everything. Government has come and put us in this big yard. They call us community, but we are not community; there are many different bāpurru clans living together here. We know how to work with each other clan to clan. Well, in the past we did, but it is very hard now with all the

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<sup>11</sup> Wamut is the skin name that Yolŋu people have given Richard Trudgen. Most Yolŋu know him as Wamut Richard rather than as Richard Trudgen.

confusion. Because the government does not recognise our Madayin law<sup>12</sup> and legal systems the control has been taken away from us. So now we are fighting each other all the time with no one knowing who is in charge. The Balanda government made this mess. They now have all the authority but when there is a big problem the Balanda come to us to sort it out. How can we do that when they have destroyed all our authority?”

He went on, “Another thing. The Balanda came and stopped us disciplining our children; they said we can’t hit them anymore to discipline them. Even the children are telling us that if we hit them, they can call the police. They have turned the children into bosses over their own parents, and they wonder why we now have all these problems. Every time the government comes they just make more mess on top of more mess. Now we are just so confused about so many things. What are our rights now? We don’t know we are just treated like children or some rubbish.”

He finished by saying, ‘In the old days my father disciplined me because he loved me. That’s why I never touched drugs and went straight to work when I finished school. Why can’t we love our own children, so they will be good people too? What right has the government got to destroy our people this way?’”

The consultation then set about asking this big question; How had Yolŋu come to the conclusion that the government had stopped them from disciplining their children?

In short, it seems that the communication that has occurred between English-speaking mainstream Australians (Balanda) and Yolŋu at Galiwin’ku over the last 10 years (since the Federal Intervention in 2007) has resulted in massive confusion for Yolŋu people.

The main confusion here is around what rights the people have to discipline their own children. This has left Yolŋu parents in a paralysed state when it comes to them being able to discipline their own children. And it seems this has become one of the main underlying reasons why sniffing, vandalism and break and enters have been so prominent.

One Yolŋu leader said, “This is a real fear. Yolŋu parents like myself are frightened to discipline our own children (since the 2007 Federal Intervention). Even if our children are doing something real bad like petrol sniffing or stealing someone else’s property I feel powerless to do anything. This is not only a problem here at Galiwin’ku, Wamut. Yolŋu people across Arnhem Land and even other Aboriginal people right down into Central Australia are confused as to know how far they can go in disciplining their

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<sup>12</sup> Madayin [ma – day – in]. The underlined d is the d sound made with the tongue curled back in the mouth. See glossary for meaning.



own children without being carted away and put in jail”.<sup>13</sup>

The different interplaying issues that are causing this confusion seem to be:

- what Yolŋu believe the Federal Intervention said to them;
- no knowledge of NT parents’ rights to discipline under the NT Criminal Code;
- what the school or other visiting groups of Balanda seem to be telling the children;
- what the Ochre Card really means;
- mandatory reporting by the clinic and other Balanda staff; and
- the NT Families’ interventions and the responsible parenting standards that are being applied to different cases.

Let’s see if it is possible to unpack this jumbled mess.

Many parents said that after the 2007 Federal Intervention they were told time and time again that they could no longer discipline their children. However, when asked what were the *English phrases* that the Balanda used, that led them to this conclusion, no one could remember.

This is not unusual due to the fact that most Yolŋu are thinking in their first language Yolŋu Matha, so they will find it very hard to hang onto English words or phrases. What they remember is what they interpreted into Yolŋu Matha from the particular conversation/s they heard and their conversation with other community Balanda as to what was being said to them in English. This is what they said:

“The Balanda came and stopped us disciplining our children, they said we can’t hit them anymore to discipline them.”

“The intervention has destroyed everything”.

Some community members even said, “Mal Brough (the then Minister of Indigenous Affairs) has created this mess in our community”.

Some third-party stories tell how Yolŋu are:

“Frightened to say no to their very young children or teenage children when they want to go out at night, because the parents believe they have not got the right to stop them anymore”.

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<sup>13</sup> We can see here that Aboriginal people right across Northern Territory have been comparing notes about how things like the intervention have affected their community and individual rights. It’s a sign of just how bad intercultural communication is when Aboriginal people right across the Territory are discussing these issues and yet English speaking mainstream Australians in all levels of government and private life don’t even know these conversations are occurring, or the content of them.

And,

“We are powerless to discipline our children because the Balanda told us that we could not do it anymore.”

It was also said that some Yolŋu parents were taking their children to the police station to get the police to discipline them, to stop the child sniffing petrol.

After more questions to find out what they had heard to make them believe that they could not discipline their children, no real answers came. However, it was clear, that this had not always been the case. One man explained it this way:

“Like in the past, Wamut, if children got involved in petrol sniffing or damaged a plane the mother would straightaway know how to discipline that child. We have very clear traditional processes of what to do. But now they are frightened because we were told that if we hit our children, it would be reported to the police. And as you know we do not like getting involved with the police because things get all mixed up. We know that Balanda have all these laws, but we don't know them. We don't know how far we can go to discipline our own children or what will happen to us if we do?”

Finally, one leader said, “It came from the Balanda in the Intervention coming and telling the communities that they ‘have to stop abusing children’. That the abuse of children is against the law and if anyone abuses children and the police find out they will be arrested.” He went on to say, “This has affected the petrol sniffing on the communities because the parents feel powerless. They believe if they hit their children for sniffing or doing break and entries that they (the parents) will be reported to the police and they will be arrested and put in jail”. Others said, “The children are all carrying mobile phones at night time as a threat against their parents. If their parents threaten them or touch them, then they will call the police.”

It is against the traditional Maḍayin law for Yolŋu children to be abused. Sexual abuse of minors was an unthinkable thought before the 2007 intervention. The only sexual abuse that did occur back then was same age rape, among teenagers. That often occurred because the offender believed “it was the Balanda way”.<sup>14</sup> Older community leaders were horrified by it, but Yolŋu believed the police would protect the offenders.<sup>15</sup>

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<sup>14</sup> “I was told about these incidents by members of the community in which they had occurred. It was explained to me that concern about these incidents led the relevant community to request that the then Little Children are Sacred Commission attend as part of their consultation process.” – *Richard Trudgen*

<sup>15</sup> “I did a number of radio programs on this subject to overcome the abuse that was happening at the time from young offenders. Interesting also is the fact that not one case of child sexual abuse came before the then Little Children are Sacred Commission in north east Arnhem Land except the reports in Gove that talked about ‘white miners’ and taxi drivers involved in sexual abuse of underage

During the intervention federal public servants, federal police, the army, NT public servants and NT police came into communities with different groups holding public meetings with the community and telling them that “they had to stop *abusing* their children”. Yolŋu had real trouble making any sense out of these meetings.

The English word ‘abuse’ is still not well understood across Arnhem Land even today. When I checked during the education sessions, only a few Yolŋu had much of an understanding of it. People were searching around for an interpretation as to what these Balanda were telling them to stop doing. It seems that the conclusion they came to was that they were being told to stop disciplining their own children.

It seems that the Yolŋu children also got the same message from the same meeting or from other sources like school. Some said, “They (the intervention Balanda) have turned the children into bosses over their own mothers and fathers, and now they wonder why we now have all these problems”. “Our children have been told that they can report their parent to the police for physically disciplining them”. “We cannot even tell our children to help us (around the house) without them saying that we can’t force them to do anything now”.

To further complicate this situation, people are not clear about their rights under Northern Territory law. As part of the consultation research, the officer in charge at the local police station was asked to provide advice on this. The Police provided the following information on the clear rights of parents that apply as follows:

### **Northern Territory of Australia Criminal Code Act**

As in force at 12 April 2017

#### **Division 2 Presumptions**

##### **11 Power to impose domestic discipline**

A person who may justifiably apply force to a child for the purposes of discipline, management or control may delegate that power either expressly or by implication to another person who has the custody or control of the child either temporarily or permanently and, where that other person is a school teacher of the child, it shall be presumed that the power has been delegated unless it is expressly withheld.

#### **Division 3 Justification**

##### **27 Circumstances in which force not being such force as is likely to cause death or serious harm is justified**

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Yolŋu girls. These incidents were put before the Board of Inquiry at a meeting held in Nhulunbuy. See page 64 of the report. [http://www.inquirysaac.nt.gov.au/pdf/bipacsa\\_final\\_report.pdf](http://www.inquirysaac.nt.gov.au/pdf/bipacsa_final_report.pdf) " - Richard Trudgen

In the circumstances following, the application of force is justified provided it is not unnecessary force and it is not intended and is not such as is likely to cause death or serious harm:

(p) in the case of a parent or guardian of a child, or a person in the place of such parent or guardian, to discipline, manage or control such child;

Copies of the Act were provided in educational sessions to update Yolŋu parents every time it came up after that. Others from earlier sessions were updated.

Of those involved in the project, two Yolŋu families had heard this situation from the latest officer in charge at Galiwin'ku. Other parents had no idea of their rights. However, many of these parents responded by saying, "This is good but what happens if the clinic reports us to the police? They seem to be doing this."

When this came up, the topic of *Mandatory Reporting* needed to be explained.

What came out of these conversations is that most of the people had little real idea that all NT citizens were required to report if they "reasonably believe a child has been harmed or exploited". Most were surprised that the *Care and Protection of Children Act 2007* even existed. They were also shocked to find out that the Act had existed since 2007 and no one has told them about it.

Most had held the belief that the clinic or the principal at the school were reporting cases 'just to get them in trouble' or 'because these people had authority (the autocratic rule) like superintendents (under the strict Welfare Act) in the mission days'. One leader put it this way, "It seems Balanda are watching us to see if we do something wrong and then they report us".

Again, this leader had no idea that 'Balanda' had a law<sup>16</sup> that was there to 'protect' children. He saw it as unthinkable that Balanda would have such laws as he saw Balanda as lawless and, from where he stood, only Yolŋu had good laws to protect children.

However, many parents still could not see a clear way into the future to restore their authority. Despite their rights under the Northern Territory Criminal Code, many Yolŋu said things like, "What if somebody reports us for child abuse when we are just disciplining our own children. Then the police or Territory Families<sup>17</sup> get involved. Will we have any chance of a fair go?"

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<sup>16</sup> "I use the term 'Balanda' had a law or 'Balanda law' because this is how Yolŋu see and talk about Australian contemporary law. They have assented to their own law through a ceremonial process but do not understand contemporary Australian law or see themselves as responsible under it. It might grieve many Balanda to know that the majority of Yolŋu still believe that their lands are under a state of occupation." – *Richard Trudgen*

<sup>17</sup> Most Yolŋu did not refer to the Department of Territory Families but just referred to them as the government mob, or sometimes Welfare mob, other times just as Balanda.

When it comes to cross-cultural communication a lot of intercultural subjective standards come into play, like what are considered as good parenting standards. Yolŋu expressed that they might be just disciplining their children but if this is reported they could then face a situation where they are now being assessed for other things like their parenting standards. Those assessing them are usually mainstream Balanda, using a mainstream dominant culture European standard, not a standard of their Yolŋu peers holding Yolŋu norms. Add to this, the massive cross-cultural and language communications issues that come into play.

Due to past experience, they have little trust that they will receive a fair hearing. Many expressed real levels of fear, that any intervention from what they call 'Balanda law' would end up badly for them, their families and more importantly their children.

As an example of this intercultural mismatch and confusion about rights: In preparing to carry out this consultation, consultation personnel were advised by government representatives to tell parents in the community that they would not be reported for abuse of their children, under the mandatory reporting requirements, if they brought their children into the clinic for lead testing. As none of the parents had any knowledge of lead poisoning or the brain damage that could occur due to sniffing, none of the Yolŋu spoken to considered for a moment they would be reported for taking the children to the clinic. However, they are extremely concerned, and frightened, that if they discipline their children they will be reported and they will lose control of the situation in the English confusion.

There also seemed to be a lot of confusion around the real meaning of the Ochre Card. A lot of Yolŋu who work with children at the school and other places have to get Ochre Cards. During this process, they have been told that they cannot abuse children and so on. In conversation with two Yolŋu who had Ochre Cards they believe that this also means that they, as Ochre Card holders, cannot physically discipline their own children.

It also seemed that these conversations around the rules for engagement with children at school has influenced the wider community's understanding around the right of parents to discipline their children. It seems that the children have been told that their parents could not hit them, and if they did, they could report them to the police. It may have occurred when general rights and stranger danger type conversations occurred. It is clear that this is an understanding widely held by parents and children alike.

As with the language problem that most Yolŋu are having with the English being used in these conversations, anything could come out of these English driven conversations. Some may say, "But we have Yolŋu teaching assistants in on these conversations". But these assistants, like many other Yolŋu in their community, are

also struggling with these contemporary legal complexities, English terms and phrases that no one has made clear to them.

As mentioned, there was a lot of anger at Balanda about the destruction, Yolŋu believe has occurred, to their children and their way of life.

Over the last 100 years, there have been many things that Yolŋu are upset with Balanda about. To name a few -

- the complete collapse of their traditional economic system when the South Australian government stopped their international trade in 1906,
- causing them to move from their home estates and onto mission stations as economic refugees;
- through government closing down their very effective Housing Associations where they were building their own housing;
- the closing down of bilingual education;
- the Federal Intervention in 2007; and then
- the loss of their local councils.

Since the Intervention in 2007, the Balanda population has doubled in their communities, and they are feeling more overpowered and lost than ever before. They see the battle for control over their children as the greatest battle and the last wave of oppression. One leader said in relation to Balanda reporting them, "Is this the stolen generation all over again, Wamut"? There is clear confusion and mistrust here.

Just as contemporary Australian government States and Territories see it as their right and responsibility to protect the children within their jurisdiction, Yolŋu Bāpurru clans have for over 40,000 plus years seen it as their right and responsibility to protect their children. This is to both protect them and make sure they are brought up in a way where they become productive, lawful citizens.

One of the primary allegiances or core values of Yolŋu society is raypirri. Raypirri is the discipline of mind, body and soul. Yolŋu place raypirri as central to their cultural way of life. Many of their ceremonial processes that are very important in raising children are based around raypirri. Now it is seen as though Balanda have taken control over this central feature of their way of life. Some said, "Even the missionaries did not do this"!

Yolŋu have their own way of regulating their children which are not readily understood by Balanda and Balanda institutions. Yolŋu child monitoring and disciplining rights are shared with a much wider group, then just the parents, called the Rom waŋanju walala (RWW).<sup>18</sup>

This larger group of interconnecting bāpurru clans have a right under Maḍayin law to monitor, protect and to discipline or pass judgement on offenders if necessary. The group includes relatives from the father's bāpurru clan including the paternal

grandparents, the mother's clan (neighbouring clan) including her brother, referred to as uncle, and the Mări – the mothers- mothers- or grandparents on the mother's side (three clans away). Plus Gutharra (women's daughter's child, grandchildren) three clans in the opposite direction. This wide group has responsibilities under Maḍayin law to protect, monitor and also discipline individual Yolŋu.

This group called the RWW are centred on the Likan (the group representing a particular Sire line). In the case of disciplining children, it is this wider RWW group that has the monitoring and caring responsibility oversight. If a child needs special disciplining action, then this group would have to be consulted.

If a child is neglected or abused in some way, then it is this RWW group that can step in and take responsibility for the child. This will usually be done by the mări - grandparents on the mother's side. They can legally, according to Maḍayin Law, take custody of the child and the parents would have little say over it. In fact, the mări grandparents of the child can put a guykthun<sup>19</sup> traditional protective order over a child if necessary to stop the 'abuser' coming near the child. The wider RWW group can be consulted at any stage.

At the moment, the *Care and Protection of Children Act 2007*, leading to mandatory reporting, and the role of Territory Families is clearly seen by Yolŋu as usurping the right of the RWW. As one mother said, "It's as though Balanda have no sense of law at all when they come and take our children off us."

Yolŋu consider it very wrong for, "Complete strangers [to] come and say they're going to take care of our children when they don't even know them. These children are from our Likan (our own flesh and blood)." Some of these 'extraction' of children for the "safety of the child" are seen as extreme acts of violence by Yolŋu.

The example recorded here was not verified, but the fact that it was told illustrates the depth of feeling, fear and pain that is felt about this matter.

One such case told during the consultation was about a Yolŋu mări, grandmother on the mother's side, who had a child taken forcibly from her arms leaving her in tears as the child screamed at her for help. This occurred after the grandmother had

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<sup>18</sup> Rom waṭaṅu walala – Rom- Law, waṭaṅu- denotes ownership, walala- they (3 or more).

<sup>19</sup> Proclaim an important big clan name over an area, thing or person to be protected, creating a sanction at law over that area, thing or person.

stepped in to monitor and care for the child according to her traditional legal responsibilities. The Yolŋu said that there was no clear explanation of why the child was taken. They appeared to have no knowledge or understanding of mandatory reporting system.

Situations like this are seen as much more violent than what normally might be the case because it is seen as Balanda acting aggressively towards Yolŋu. The people involved in the particular situation are coming from two different cultures, speaking different languages and reacting to two different legal systems, neither understanding fully the role and responsibility of the other. There is a clear mismatch here that is leading to a lot of anger and as Yolŋu believe, irreparable damage to their children.

This cannot be overstated: there is deep anger around this subject because of the great damage that Yolŋu see being done to their children. They wish that Balanda would accept their Maḍayin law systems. Now with NT police located on their lands<sup>20</sup> they feel they have no authority and are fearful that they are being watched by Balanda to “get them in trouble” under Balanda Law. This fear and anger is not just held by the adults but is being transferred to the children. There are signs the children are hitting back against the “Balanda” system. This kickback at what is seen as the “Balanda system” is evident right across the Northern Territory. Unless we squarely face up to what is happening here, we will be filling a lot of juvenile detention centres and jails in the future. Despite this, there is hope in finding real solutions to this issue.

### **Recreation as a substitute for loving parental care**

Some Yolŋu parents are now convinced that it is someone else’s job to look after their children. The following are different comments made that demonstrate the reliance on services to, look after and entertain their children. There is a belief that antisocial behaviour is only a result of boredom.

“It will be good when the recreation hall is built so Red Cross can give the children fruit salad and entertain them”.

“They are building a recreation hall, swimming pool and tennis court to stop the children getting into trouble.”

“What our children need is loving parents that will sit down with their children around a fire and tell them stories.”

“They are building a big new recreation hall and talking of building swimming pools and tennis courts and other things. All these things are just making children want more, more and more. But there is something missing. What is missing?”

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<sup>20</sup> Galiwin’ku did not have a full time police station until 2008



Raypirri discipline. They are not being disciplined, so they will not turn into good adults. Next thing when they have children they will want the government to look after their children for them so they can just go and do what they want.”

## **Gambling**

On the other side of things, a percentage of parents seemed far more interested in card playing than looking after their children. And there seemed to be no penalty for children not attending school. Many other adults could not understand how the government went from being very strict, if children did not go to school they would lose their government payments to what it is now, to no controls, so it seems. This is what Yolŋu said about this.

“Why isn’t the government doing something about this? They play cards all day and into the night, and their children do not go to school. Many of these parents have no money for food and do not look after their children.”

It was said that school attendance rates were running at only about 30% for Galiwin’ku, although this figure has not been verified. This is a deterioration on past year’s attendance rates; around 60%. Many Yolŋu children were at home on school days when education sessions were held around the community.

Some people had issues with the school. In one case, an uncle spoke to me about where his nephew ‘just does not learn anything at school because it is all in English’. His nephew sat with us as he spoke. ‘It makes him feel as though he is stupid’. ‘We need our own school where our children can learn in Yolŋu Matha’.

Other people spoke of children being bullied at school. They felt it was because the teacher did not understand their language and so they did not know what was being said in class and because there are many different bāpurru clan groups, it was hard for some of the minority groups.

We were told that the bilingual program is starting again in a small way.<sup>21</sup>

## **Homebrew**

Homebrew was another issue that was raised during the consultation. Over the consultation period, 3 education sessions were disturbed by adults drunk on home brew. One education session was interrupted due to an argument over marijuana.

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<sup>21</sup> Note: The Galiwin’ku school, Shepherdson college, does not fulfil the basics of a step model bilingual school, which itself is a basic form of Bilingual education. The basic tenet of team teaching, with the language of instruction being Yolŋu Matha, is not fulfilled. Perhaps this is why community members discussed the school like this.

Community members have expressed concern about the level of paranoia that some marijuana smokers are displaying. Some family members find it difficult living with them and want to move house.

However, the concerns expressed over homebrew were much more concerning. Alcohol from homebrew leads to verbal and physical violence creating extreme domestic stress affecting adults and children alike within the home. This also leads to stress across the whole community when drunks open up old troubles that have been healed and take it upon themselves to start new inter-clan feuds.

The stress is not only there when the drunk/s are under the influence but the psychological stress experienced by children and nondrinking adults when they know a new batch is brewing.<sup>22</sup> It was reported that children display disturbed sleep patterns.

Homebrew drunks are disturbing funerals, as was reported, leading to greater levels of grief and feelings of hopelessness. Under traditional law, these drunks, troublemakers at a funeral, should be dealt with using reasonable force. However, the traditional djungaya police feel they can't carry out their role for fear of being arrested under Balanda Law for assault. So the lawlessness just breeds.

Again there is a lot of confusion about this subject. Many Yolŋu just see it as yeast that they are drinking, and it is called yeast. No member of the community spoken to understood how alcohol was made and so found it hard to draw the connection between homebrew and alcohol. However, they knew that "yeast", when left for three or four days, makes a very powerful drink and affects the drinker just like alcohol does.

It is said by some that the police always turn up too late after the drunks started real trouble, even when they have been called earlier when the drinkers were just starting to get drunk.

Community members said that police should be doing more to stop homebrew because it makes people drunk and causes so much trouble, just like alcohol. However, it seems again the conversation is getting confused due to lack of knowledge around fundamental mainstream information like what is homebrew and how alcohol is made, and the status of homebrew in relation to the declared Dry Area.

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The family and community violence from homebrew alcohol has to be feeding into the desire of young people wanting to get high on whatever they can get their

<sup>22</sup> The homebrew formula, given to consultation personnel while on community, consists of red and orange cordial mixed with the yeast, golden syrup and vegemite. The mixture is covered and left for 2, 3 or 4 days depending on the strength required.

hands on. One leader expressed, "When the young people experience fear and shame seeing their father or uncle drunk and causing so much trouble they also just want to get drunk".

Another leader said his grandson was sniffing avgas because his mother was drinking and not looking after him. He had stepped in and is now taking care of the child.

## **Baseline lead levels unknown**

Many community members raised the concern after receiving the education as to what are the underlying lead levels across the community. This is a real unknown.

After doing the research on this project and listening to Yolŋu, there is deep concern that the underlying lead levels right across the Yolŋu communities might be far higher than anybody can imagine. For example, lead paints used in Galiwin'ku before lead paint was banned in 1978, could be as dangerous here as in some of the major cities of America, where the high lead levels in young children are being obtained by living in housing where old lead paint was the only lead source.<sup>23</sup> The number of old houses that existed in Galiwin'ku over the last 15 to 20 years that had old lead paint in them was significant. Some children from the current cohort of children with high lead levels, play in them constantly for many years while they also destroyed them, producing a high level of lead paint dust. The children in this age range could have raised lead levels due to this exposure.

ABC News on Thursday the 6th July 2017 stated that, "They have done 178 test and 154 are elevated. ... The NT has the highest levels of lead detected in blood of anywhere in the developed world, NT Centre for Disease Control acting director Charles Douglas said."<sup>24</sup>

We know that we are dealing with lead from the sniffing of avgas, however, the very high level of lead could also be from very high underlying lead levels from other sources. If so, then there could be a much bigger group of children that are suffering due to lead poisoning. This has ramifications for kidney disease and behavioural problems at home and in the school environment.

Large amounts magpie geese, also making up the diet of many people, could also add to high lead content in the blood.

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<sup>23</sup> <http://www.aljazeera.com/indepth/features/2016/08/lead-poisoning-silent-epidemic-160828150706164.html>

<https://www.scientificamerican.com/article/thousands-of-u-s-areas-afflicted-with-lead-poisoning-beyond-flints/>

<sup>24</sup> <http://www.abc.net.au/news/2017-07-06/higher-blood-lead-levels-for-nt-kids-sniffing-fuel/8676550>

ABC news on May 30, 2016, reported that in some other Aboriginal communities in central Australia, young children had high lead levels just from chewing lead shot in meat or from the geese.<sup>25</sup>

Lead shot is not sold in the stores of Arnhem Land anymore, but with over thirty years of lead shot being fired into billabongs, the chances are that magpie geese are eating the lead shot along with the rush reeds corms.

When mentioned in the education session that geese could be contaminated, two Yolŋu people in different education sessions said that they had 'stopped sucking the bone marrow from geese bones because it tasted monukmirr (poisonous) just like lätuŋ (lead) and they had spat it out'. They first experienced this at least five or six years ago.

In season, geese are traded across the region, so lead testing would have to be done across the region to find if they could also be a contamination source.

How do we know if the background lead levels are not elevated from these other sources? Wider baseline testing is needed to fully understand the extent of this problem and its long term health impacts.

## **Underlying fundamental factors**

Having listened to the conversations through the consultation, it is apparent that there are some underlying factors influencing children's behaviour and the adult responses to it.

In meeting and talking with traditional leaders it was surprising to find them so disorganised, disempowered and very confused as to any way forward. This was in contrast to the author's historical experience with Galiwin'ku. In fact, this group could be described as demoralised. We have seen above some of the reasons why they might feel this way, but the non-recognition of their original Australian Maḍayin system of law was the issue they raised the most in the separate sessions with clan leaders over the 4 weeks. Many have lost all hope of being able to return to a state where, from their point of view, they have a real rule of law in their community that they can relate to and where they can experience what they call the real big māgaya<sup>26</sup> peace that they once knew in the past.

And this is where we seem to run into a real problem. Most Balanda reading this will be of the opinion that the original Australians, like Yolŋu, never had a complete system of law that can be understood and recognised. Others will say when we are

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<sup>25</sup> [https://www.youtube.com/watch?v=NYgN\\_b1VLOE](https://www.youtube.com/watch?v=NYgN_b1VLOE)

<sup>26</sup> Māgaya - peace, tranquillity and protection; for all clan members.

talking about traditional Yolŋu law we should never look for parallels between their political/legal system and western legal systems.

This represents a sad commentary on the lack of academic endeavour in this area. It seems OK to find and recognise parallels between legal systems all over the world but when it comes to the first Australians, like Yolŋu, we fall back on the position established by the original settlers and the British at the beginning of colonisation 'that they had no clear definable system of law'.

This mainstream Australian blindness is key to creating the legal and social disaster we now see unfolding in Yolŋu communities in 2017. It is their Madayin system of law that has kept the peace for them for thousands of years.

It is well known that to have good development among any group of people they need 'a security of tenure and a rule of law'. Yolŋu believe they have neither. And if that is their belief, no matter how Balanda may feel about it, that is how they feel. Even when Yolŋu see clear parallels between their system and Federal or NT law systems no one will listen to them. Every time they want to talk about recognition of their law in the domain of legal people, the Balanda respondents want to talk about 'lore' that exists in the domain of anthropologists. When will there ever be a team of legal people who can sit down with Yolŋu and test out their position? We are on the edge of losing some of the last remaining original Australian law systems and in doing so will destine the Yolŋu communities to the same state of lawlessness that exists in far too many Aboriginal communities right across Australia where nobody's property is safe.

At Galiwin'ku, one young leader when discussing this impasse of Balanda not being able to recognise their law, recalled when John Howard came to the community, and he was shown their equivalent Njorra' Parliament. The young leader said, "Surely he understood that". However, the petition John Howard was handed, mounted on a bark painting, ended up in the presents section of the federal parliament, even though the letter mounted on it requested a dialogue between the Yolŋu parliament/s and the Federal Parliament. The petition was never answered. This seems to be how it always is. Mainstream Australia seems to believe that if we just continue to ignore it will go away. But it will not. Communities will devolve into lawlessness. More of their people will fill NT detention centres and jails, and the development on their communities will continue to stall.

Another issue raised by one of the traditional leaders is another example of how this legal mismatch places law officers, on both sides of this unresolved legal mess, in a very difficult place. The elder said, "The police are making it very hard for us by

coming in and arresting someone at the funeral site”.<sup>27</sup> He went on saying, “As you know if someone does that they are breaking the law because everyone that is there is in a special protected legal area. And our guards there should have challenged them and stopped them, by force if necessary. In days gone by they would have been killed if necessary for breaking that legal sanctuary.”

While the consultation was running in Galiwin’ku, there were three funerals happening. The clans involved in the funerals had set up three separate Njorra’ parliaments. These chambers of law, like most chambers of laws, have special rules/laws as to how they operate, who has the right to enter and how others have to be invited in through a legal process.

There was one Yolŋu man from Galiwin’ku who now lives on Goulburn Island, about half way between Galiwin’ku and Darwin. He was there because he did time in jail in Darwin for the manslaughter of someone in Galiwin’ku. The Balanda law had stepped in, tried him and then placed him in jail for a period of time. As a result, the Yolŋu never got a chance to work through their Maḍayin system of law to have the case resolved. So according to Yolŋu law, the man was still guilty and should be punished. The matter is now reconciled, but before it was reconciled, he could not come back home to see his relatives in Galiwin’ku for many years. The only time he would visit was when there was a funeral, and one of the Njorra’ parliaments was proclaimed and erected, or the clan/s dilly bag/s were placed out on a stand, creating a chamber of law. In these circumstances, none of the aggrieved family could move to have him arrested under their law because while any of the Njorra’ parliaments were open, he was protected by them.

When the police come into a funeral to arrest someone it is a clear violation of that person’s clan rights but also a major violation of the sanctuary that the Yolŋu system of law provides. As the leader said, “This makes our Maḍayin system look so weak. The young people just look at it and say there is no law anymore. Our law is the only real law they know; they don’t know the Balanda law, so now they think we live in a time of lawlessness. It also makes other Yolŋu so angry against the Balanda system. But we feel powerless. What can we do?”

As noted this situation was reference to a situation that occurred some time ago and was given by the leader as an example of the problems between the two systems of law that still exists. It points to a systemic failure where the Balanda in the NT have not come to grips with the fact that Aboriginal people have been here well before the current European “democratic” legal systems arrived. When there were few Balanda in Arnhem Land, Yolŋu just got on with things keeping the peace and protecting people’s rights by applying their own law through their own legal systems.

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<sup>27</sup>It is understood this was referred to as an example of an issue that had occurred in the past. A specific or recent incident of this in Galiwin’ku was not mentioned or referred to when checked.

Now with so many Balanda and police present all the time that is impossible. Sadly, there is not even the recognition that there is another system of law in play. Until there is a clear recognition, at law, police need special training to be able to work within this dual system of Australian law.

It has just been announced that the Northern Territory government has launched a new [Aboriginal Justice Unit](#) to ensure better outcomes for Indigenous offenders. Until this issue, recognition of Maḍayin law is dealt with; there will not be any better outcomes for Yolŋu offenders. There will be just more of the same. As in any unresolved situation surely sitting down with these elders could not be too hard in an attempt to find some real working solutions.

These leaders along with their community lack good access to contemporary information. They are more confused about what is going on in the world than they have ever been. When people do not have access to good fundamental knowledge and information, it is hard to understand what is happening around you and to stay on top of things.

# KEY RECOMMENDATIONS

## **Introduction to recommendations**

When problems occur on Aboriginal communities a large amount of resources to seemingly “solve” the problems are usually put into technical infrastructure or external intervention. It seems most people mistake ‘community’ as being the actual infrastructure itself. But without people, we have ghost towns, not communities. This report demonstrates that real community is the people, they are the most important stakeholders with the greatest ability to determine real outcomes to any problem. Sadly, this aspect of community is usually overlooked and poorly resourced.

Poorly resourced, the ‘people community’ will become a problem. It will degenerate into a community of lawlessness and dysfunctionality showing all the symptoms of high morbidity and mortality rates, high levels of unemployment and imprisonment, and low levels of contemporary education and training attainment. A picture of the many, under resourced, Yolŋu communities today.

Some will suggest that resourcing the people community means employing more of the Yolŋu people themselves into mainstream positions, that is, employ more teaching assistants, police aids and health workers. But we forget that there is an actual community of people, a society, which is not dependent upon the number of Yolŋu people employed in contemporary services. A society that lives and operates in its own social, economic, legal and political structures as they have for thousands of years. In fact, if the underlying traditional community is resourced more, then more Yolŋu people will be employed in contemporary jobs than they now are because they will have the full support and encouragement of their real sustaining underlying human community.

The empowerment of the traditional human community of people needs to come first. To do otherwise is to put the cart before the horse; a picture of frustration and confusion.

We are talking about one of the oldest surviving cultures on earth. So some of the Yolŋu traditional structures must have some sustaining value despite what the mainstream Australian stereotype view says of it.

It does not matter how much of the traditional structures are still in place, or how damaged they might be, the people still are a vibrant community with the ability to respond if real human type capacity is built into their contemporary experience. The most fundamental human type capacity is the access to good information. Information is power, they say! The lack of access to good information is the reason for disempowered communities we see at the moment. These human communities



need information that helps them understand and know what is happening in the world around them in real time.

They need to be able to know, “read”, and understand how the world around them operates. This requires access to fundamental underlying information around a whole range of subjects. History shows that Yolŋu are capable of developing and sustaining relationships with other groups on their lands. Where the relationship between Yolŋu people and their Macassan traders, who once visited and stayed with them every year, stretch back at least 400 years, the relationship between Yolŋu and Balanda is less than 80 years.

The Macassan and Yolŋu relationship was built on trade. Whereas the first 40 years of relationship between Balanda and Yolŋu was around some trade, the main relationship was around a strong autocratic controlling relationship of Balanda over Yolŋu, as in Mission Stations. The second 40 years of relationship has been primarily one of a tertiary service relationship between mainstream Australia and Yolŋu people. Yolŋu will also say there has been a continuation of the strong autocratic controlling relationship as it existed in the early mission days. Some are saying it is far worse.

The 400 years relationship between Yolŋu and the Macassan people allowed them both to learn a common legal and business language. However, the short relationship and the type of relationship between Yolŋu and Balanda has not allowed the same understanding of high academic level English to occur. Many academic English terms still leave Yolŋu extremely confused<sup>28</sup>. As the word “abuse” and “abusing” used in the phrase “they have to stop abusing children” above did. Even the tangible terms “lead” was not understood and so “lead poisoning” made no sense whatsoever to the community.

As we saw above that the lack of understanding around this one English word “abuse”, across the Northern Territory, could have easily cost the NT community many tens of millions of dollars due to the turmoil that its misunderstanding has caused on many Aboriginal communities since the Intervention. In human terms, the cost would be hard to calculate.

This inability to understand academic English words and phrases and access to English information, training and education is the big unseen elephant in the room.

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<sup>28</sup> Many Yolŋu can speak and understand tangible “school yard English”. It is the intangible cognitive effective English terms that still create real problems for them. Some of these legal, economic, medical and other such terms have made it into to their understanding. Many others have not as in “abuse” and “abusing” above. This is sometimes difficult for monolingual English speaker to understand. But anyone who has learnt or had to operate in another language know, you cannot understand the word from the other language until you understand it in your ‘thinking language’ which for most Yolŋu people is Yolŋu Matha.

Millions are spent on education and training, conducted in English, with very few real outcomes.

Therefore, the following recommendations are aimed at building this human capacity within the traditional Yolŋu communities.

## **Recommendation 1. Facilitate Good Access to Mainstream Information.**

Government needs to facilitate access to fundamental underlying information around a whole range of health, economics and legal subjects, learning of English and current affairs. This needs to be delivered in Yolŋu Matha and could be delivered through media outlets like Yolŋu Radio and different Internet platforms, to the people where they live.

This information needs to go to the whole community not just a few overworked individuals within it. Key democratic principles of openness and equity need to be central to these programs. The key is always getting the information and empowerment down to the grass roots level so that what grows is from the people themselves; authentic, effective, efficient and sustainable.

This is supported by statements from the Minister of Indigenous Affairs, Senator Nigel Scullion on the [ABC 21<sup>st</sup> June 2017](#) when commenting on the failure of the Intervention over the last 10 years. He said, "Aboriginal and Torres Strait Islander people, community, families have to be at the centre of the decisions, if we're going to make substantive and sustainable change."

Facilitating good access to mainstream information will build real capacity in the main stakeholders, the parents, grandparents, traditional and contemporary leaders. This is the only way to stop the decay that all north east Arnhem Land communities are experiencing. It also is the only way to stop social "kick back" against the "Balanda structures" that is being seen in Aboriginal communities' right across the NT.

The information required includes teaching Yolŋu their rights as Northern Territory citizens. While Yolŋu adults remain confused about their rights, then a lot of Yolŋu children will continue to suffer in the intercultural mismatch.

This project brought home the real need of the people to have fundamental base line information. If they know nothing about the subject being discussed, as was evident in this consultation, then how can Yolŋu join the conversation or move to solving their own problems?

Everyone else across the nation understood the issue of lead poisoning that was happening at Galiwin'ku, Elcho Island. Committees across the NT were coming to

conclusions on the way forward to solve the problem. But there was one major problem - the Yolŋu leaders and parents, the most important stakeholders on the ground, had little or no idea of what the real issues were. No one asked them, did they know what "lead" and "lead poisoning" was? Secondly, no one stopped to find out what they thought were the main driving forces.

The representatives reporting back to government the situation on the ground also seemed to be in the dark as to the real state of affairs at the community level. Many were too busy in their own profession to really get to the bottom of it.

It was being said that the young people were sniffing because they were hungry. As reported above this was not the case, the young people sniff because they want to experience a 'drunk' feeling or were out having fun in gangs.

What we hear back from the people is only as good as what they know in relation to the subject.

We cannot just rely on one or two Yolŋu or Balanda in a community like Galiwin'ku to get new complex information to a community of over 2000 people. Most of these are Yolŋu who have a good command of English, are already over taxed in the jobs they have. And yet we set them up to fail by putting a greater load on them.

This consultation devoted 4 weeks and got to 250 people, many of them key community leaders. Information needs to go to all the people, in their own language, through different media platforms that are available for good access.

We must do better at getting information to the grass roots and hearing the real voice of the people otherwise no good will come out of the spending of more government money. The people need special programs, which can give them access to mainstream information in their own language, because of the problem they have in accessing English information. Recommendation 1 will give Yolŋu people access to the macro fundamental level of information across the whole Yolŋu group/s.

The access to more micro level clan, family and individual level information, support and problem solving will be provided through Recommendation 2 and 3 below.

## **Recommendation 2. Support Good Cross Cultural Mediation Service.**

Continue government funding to Sunrise Alliance Ltd, to provide and enhance mediation and other services through the East Arnhem Mediation (EAM) project, a cross-cultural/language mediation service, which Yolŋu people can trust when they or their families become engaged in the very strange "English" contemporary Law environment. EAM providing a Yolŋu friendly, culturally safe intermediary that will

give greater assurance of fairness and equity in mainstream legal processes to the Yolŋu people involved.

For Yolŋu to feel confident enough to overcome the fear to discipline their own children, as allowed under NT Criminal Code, then they will also need special, culturally appropriate services to help them deal with the fear of suffering other negative legal consequences and complications. Without this type of service, they feel powerless to carry out parental responsibilities that all parents should apply in disciplining and controlling their own children.

This requires a service that empowers Yolŋu parents and family members in their participation with these mainstream processes, such as those involving Territory Families. This goes beyond the role of an interpreter or legal representation. Such a service needs to provide cross-cultural communication facilitation, acting as interlocutors<sup>29</sup> between Balanda and Yolŋu systems. This involves monitoring and participating in the process, checking to ensure that Yolŋu participants are obtaining the meaning and understanding of the process and complete information being exchanged; and where powerlessness and hopelessness thrives then stand as intermediaries for the Yolŋu people – effectively mentoring and coaching participants in the process. This service is all about giving the people a fair go on a level playing field where they can experience an open and fair due process within the contemporary NT legal system.

A model for such a service is currently provided by the Process Advocacy role forming part of the dispute resolution service provided by East Arnhem Mediation (EAM), under which accredited culturally competent mediators work alongside Yolŋu authorities, as facilitators.

### **Recommendation 3. Resource a Cross Cultural Community Development Team.**

Train and deploy a team of community<sup>30</sup> workers/communication facilitators to make up a cross-cultural Community Development Team<sup>31</sup>.

As was evident in this project, it was a lack of access to dominant culture information that became the main underlying factor of why lead poisoning and sniffing has become such a major problem in north-east Arnhem Land. To resolve this problem, Yolŋu communities need community workers who are trained in community development, community education and who speak their language. As seen in this consultation, with these skills and knowledge of dominant culture information it was possible to develop

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<sup>29</sup> a person who takes part in a dialogue or conversation.

<sup>30</sup> Community understood as the people within a community, not the community infrastructure.

<sup>31</sup> Why Warriors has the ability to train such a team.

the type of education needed for people to understand the issue and participate in active communication about it.

In the past, many community development projects have only employed Yolŋu people themselves as the community workers. These programs have usually failed because Yolŋu don't hold dominant culture knowledge and language. This information is only accessible through mainstream English and a mainstream worldview and understanding, and can only be shared with Yolŋu Matha language skills.

Even tangible words like "lead" and or concepts like "lead poisoning" were totally strange to the Yolŋu population at the beginning of this project. Even the Yolŋu with good English ability had not connected the English word lead to their own term lätuŋ-lead sinker. They needed someone with community development, community education training from the English mainstream to sit with them and do an analysis of the knowledge gaps the people were facing in relation to this subject.

What is needed is an ongoing team on the ground helping them to demystify, deconstruct and reconstruct information in a way where they can understand, what is being said in the many meetings the people attend or even taught to them in English. For Yolŋu there are just so many confusing English words and phrases used all the time that they do not understand. Most current training sessions become an exercise of mental torture due to this English factor. And as seen during this exercise many young Yolŋu children are finding the schooling process extremely taxing. All due to the complexity of English and Yolŋu Matha interface.

Government and other visitors and trainers come to speak to the community, and the community receives little or no information because of the English factor. Nothing is advanced because good communication doesn't occur. With a trained team on the ground working on these communication issues real capacity can be delivered to the whole community. Community resources could be built by:

- Feeding language discoveries into a language database for others to access.
- Discovering issues that need further education and linguistic resources.
- Feeding these into a network of other people and organisations as in recommendation in 1 above.

They could also be involved in the more traditional community development work of working with troubled youth and their families helping the families find real solutions. If key gang leaders are not brought under control, they will continue to recruit young children into dangerous night-time activity against the will of the children's parents.

The Balanda team members will need to be trained in Yolŋu Matha, cultural competency and cross-cultural communication, community development and

community education skills. They will need to come with an established practiced skill from within the mainstream dominant culture workforce with the ability to be able to access dominant culture knowledge and information.

Yolŋu team members will need to come with the desire and ability to be able to work across a broad range of different clan groups. Their selection should be on the basis of them being able to do this. The Balanda community workers will take it on as their task to train these workers.

Some people are talking about the deployment of a volatile substance abuse team. The problem with this strategy is that the team is just concentrating on one aspect of the community and that is the use and abuse of volatile substances.

It became clear from this project that a holistic approach is needed to address many issues within the community. If the program offered during the consultation excluded topics of conversation, then the main underlying causes to this crisis would not have been discovered, and Yolŋu would not have learned about lead and lead poisoning, oxygen starvation due to sniffing and choking, legalities about parenting disciplining rights and many other subjects that came up.

Community workers have a much broader brief of building capacity within the whole human community. They can facilitate communication and empower people around access to knowledge across a broad range of subjects which include substance abuse, and access dominant culture expertise where required. They will also have the community education and communication skills to do it.

#### **Recommendation 4. Test Underlying Lead Levels.**

Test the underlying lead levels in the community, and the lead levels in the magpie geese across the region. Underlying lead levels could explain the broad level of anger young people are now displaying, plus some of their noncompliance and disconnect with contemporary education and the increased domestic violence.

It seems that many of the young people tested have been involved in sniffing and handling avgas. But are they already starting from very high levels? If there is no base level testing done, then we will not know that how many other Yolŋu children are being affected.

Are the geese that are being eaten every season a constant source of lead contamination? Testing of geese needs to be done across the region as a lot of geese move between communities in the goose season.

Is there a new generation of Yolŋu now living with high lead levels from using abandoned "mission" houses, contaminated with lead paint, as their playground for most of their young lives?

Many parents told me of how 'so many of the young people are angry all the time now'. This was frequently reported and observed. For example, seeing Yolŋu children hitting and whacking at things, in an angry way, in the presence of their family - something that was completely out of character for Yolŋu children. Is this from underlying lead levels? Higher than normal lead levels not only affects home and community life but has major impacts on schooling and learning, and the potential for impacts to continue into adult life. If this is due to elevated lead levels, then we all need to know so Yolŋu can be informed and appropriate steps can be taken.

Kidney failure is also a major problem in north-east Arnhem Land. If elevated lead levels exist it will be also impacting on kidney failure. Kidney failure and the maintenance of people on long-term dialysis is an extremely expensive exercise. Dialysis in Darwin can also become a social nightmare for Yolŋu families. Families are exposed to the risk of becoming involved in prostitution, drug abuse and suffer high levels of imprisonment as they are recruited by unscrupulous mainstream carpetbaggers. Many Yolŋu now see renal dialysis as a death sentence to their families and so decide to stay home and die of kidney failure rather than letting their families suffer the nightmare of Darwin living. It would be wise to spend some money to see if there is another factor in relation to the kidney failure epidemic that Yolŋu are now facing, allowing interventions to occur.

## **Recommendation 5. Teachers and other Balanda Professionals must learn Yolŋu Matha and other cross cultural knowledge and skills.**

All Balanda teachers and other professionals coming to live on communities like Galiwin'ku need to be required to learn Yolŋu Matha and do cultural competence training. They should also have access to linguistic and cultural mentoring advice.

There are many positive outcomes that can come from this:

- It will create a more Yolŋu friendly environment
- Relationships between them and the people will improve greatly
- Teachers will find controlling classrooms much easier
- Children will learn more as teachers discover bilingual skills and knowledge
- Yolŋu children will want to come to school
- Training programs will be more effective
- Work experience of Yolŋu will improve as communication with their Balanda workmates improve
- The very negative "them and us" factor will decrease

- Patients seeking medical advice will understand more of what they are being told
- Yolŋu will learn more English as they now have more English speakers who can explain difficult English concepts to them in their own language
- Communication across the board will improve
- Less conflict will develop between Yolŋu and Balanda

Will everybody learn language if given the opportunity? The answer is no. Only a few Balanda will learn the language well. However, all will learn a bit of language and learn how hard it is to operate in a second language; an important experience for all Balanda to learn so they adjust their English communication speed when speaking with Yolŋu students, clients or colleagues. When you start to learn language you start to learn the culture of the people, and everything becomes super efficient.

The few who learn language well will become a very valuable resource to the Yolŋu community they live in and for providing mainstream services and information. They will stay much longer due to the close relationships they develop with the people.

Others will come and go costing the government and the community big time. It's a no-brainer that everybody coming into north-east Arnhem Land should learn or be given the opportunity and the space to learn Yolŋu Matha. This program alone would save the government a fortune as most people leaving, leave with stress from culture shock and a number of other psychological phenomena mostly due to poor communication.

## **Recommendation 6. Work toward recognising Maḏayin Law systems.**

Australian and Northern Territory Governments need to work towards the recognition of traditional Maḏayin law systems.

Creating a peaceful, productive community requires an understandable and workable system of law. Yolŋu do not understand or recognise contemporary NT or Federal law no more than Balanda understand or recognise their Maḏayin law. The clear result is that the children become victims in this very confused lawless state.

This recognition could start with a group of selected legal people sitting down with a number of different Yolŋu leaders across north-east Arnhem Land to document the Yolŋu Maḏayin system of law.

In the short term, as an example of practical recognition of traditional authorities and as suggested during consultation, Yolŋu traditional djungaya (traditional Law officers) police from different bāpurru clans could be on the streets taking the



children home to their separate families if agreement at law could be reached. Night Patrol services could be managed in conjunction with East Arnhem Mediation service providing local training and employment for Yolŋu in maintaining community safety and curfews, using an approach that recognises and empowers Yolŋu authorities and traditional processes towards the management of community safety and disputes.

The documentation of the Maḏayin system of law would give a roadmap for conversations moving forward. The documentation need not include any of the sacred names or objects that are not permitted to be known in public. However, their function and role could be documented.

The announcement of a new [Aboriginal Justice Unit](#) might be an opportunity for this to happen. However, every attempt for these types of conversation in the past have failed because main stakeholders the people themselves were not kept in on the conversation enough.

The last review that was done many years ago to whether traditional Aboriginal law could be recognised in any way failed miserably because the research was done looking at the mainstream commentary on traditional law. Only one day was spent by the legal team in north-east Arnhem speaking with Yolŋu leaders. Months were spent looking at the mainstream Balanda commentary about traditional Aboriginal law recorded in English.

It needs to be remembered that when dealing with legal issues the language use is at a very high academic level, for Balanda and Yolŋu systems. Therefore, both parties, both the English-speaking participants and the Yolŋu Matha participants would need to be hearing the conversation with each other in their first language. Therefore if this conversation occurred, it would need help from cross-cultural communicators and linguist interpreters, both English first language and Yolŋu Matha first language, working with the team.

# APPENDIX 1 EDUCATION MATERIALS

## The Lead Poisoning Story Line

This storyline is really just an outline of the education material that is worked through in a session. In fact, these education sessions are more like conversations where questions and two-way dialogue are encouraged all the time. These sessions are held in Yolŋu Matha.

First, ask everyone what they know about the English word 'lead and lead poisoning'. Many have heard the words 'lead' and 'lead poisoning', but it made no sense to them, they were just foreign English gobbledygook words.

Then explain that lead was *lätuŋ*<sup>32</sup> and *lätuŋ* is made of lead. And that Balanda call *lätuŋ*, lead sinkers.

This connection is easy to make if you have dominant culture knowledge. It is common knowledge that lead is a metal and makes up lead sinkers. Many Yolŋu have little knowledge around the different metals, which becomes clear throughout these education sessions. So just as we use the term lead sinkers for the line weights that are used to go fishing it is just as easy to appropriate *lätuŋ* for the metal, lead.

How many have tasted the 'dust' of *lätuŋ* by putting their fingers in their mouth after handling *lätuŋ*. Most Yolŋu have tasted *lätuŋ* and it is foul, and they spit it out quickly. This disgusting taste is named 'monuk' which is the name for salt water. Monuk is one of the general terms used for poison. Everyone knows if you drink salt water you will die. 'Lätuŋ monukmirr' equates equally to lead poisoning.

This is lead poisoning 'lätuŋ monukmirr'.

As soon as the people have a clear association between lead, which made no sense to them, and *lätuŋ* that they had century's old association with them, the rest of the education had a good scaffold to build on.

Either now or later on it is explained that it's okay to handle lead sinkers. Just make sure you wash your hands after handling them and before you eat anything. Some asked if they could eat the local fish they caught when using lead sinkers? These sorts of questions are great as they allow for good dialogue around the subject cementing the information. Others asked why are we worrying about it if their people had tasted lead for many centuries from *lätuŋ*?

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<sup>32</sup> *Lätuŋ* is the Yolŋu Matha name for lead sinkers. *Lätuŋ* were traded into Australia by the Macassan traders or over 300 years

It is now a problem because there is a lot more lead around in the environment. For example, Avgas had lots of lead in it, and that's why a lot of children now have lead poisoning and had to be sent to Darwin for treatment.

I then explained to the people that young children who are still growing soak up lead five times faster than adults will. This is explained by pointing out that young children are still growing and so their bodies absorb metals and other things from their food at a faster rate than adults do. I draw this out using stick drawings of an adult and a child. The adult I put 1 beside and the child I put five strokes beside. This is a very critical point.

So if adults are handling lead sinkers and young children are handling lead sinkers, the children will receive five times the lead poisoning as the adult would if they both put their hands in their mouths.

This shocked many of the parents and many said they would have to make sure children stop playing around with lead sinkers.

The point of this section of education is to let Yolŋu clearly know of sources of lead contamination that have existed and still might exist in their living environment.



Lead shot in goose cartridges (goose bullets).

Lead shot is not sold in the stores of Arnhem Land anymore, but with over thirty years of lead shot being fired into billabongs, the chances are that magpie geese are eating the lead shot along with the rush reed corms.

"The lead will go into the geese stomachs where the lead will permeate through the

stomach wall and go into the bloodstream. The blood will carry the lead around the body and store it in different body organs, the body tissues and the bones of the geese."

"If we then eat geese with the lead in their body tissue and bones that lead can get into our stomach and permeate the stomach wall get into the blood system and be carried around our bodies and deposited in body tissues and our bones."

I made it clear that we do not know how much lead is in the geese across the region as nobody has done any real testing on them. When I mentioned the above, two Yolŋu people in different education sessions, said that they had stopped sucking the bone marrow from geese bones because it tasted monukmirr, poisonous, just like lätunŋ lead and they had spat it out. They first experienced this at least five or six years ago.

Many of the people also talked about finding lead shot in the flesh of geese and wallabies. I suggested to them the best thing is to just cut around the affected area and dispose of it. I also warned them that they need to tell the children if they bite on lead shot in a piece of meat the best thing to do is to spit it out and wash your mouth out with some water. It was pointed out that in some other Aboriginal communities in central Australia, young children had high lead levels just from chewing lead shot in meat or from the geese. [https://www.youtube.com/watch?v=NYqN\\_b1VLOE](https://www.youtube.com/watch?v=NYqN_b1VLOE)

We need testing done in Arnhem Land to find out if the geese are a problem.

## House paint



I then discussed old mission time housing paint referring to the picture.

Many of the communities have many old houses that were built in the mission days that have lots of lead paint on them. Many of the houses became playgrounds for Yolŋu children as the houses were slowly demolished. In the community of Galiwin'ku, there would have been at least 40 such houses in the past.

Lead paint stopped being used in 1978 through government legislation. It is said that a lead paint chip the size of the large finger nail is enough to give a child lead poisoning. Children only need the paint itself or the dust from the paint to get affected by it.

It was clearly pointed out that the paint in all the new houses at Galiwin'ku have no lead in the paint.

Some old buildings in the communities may still have this lead paint on them. If children play in those old houses, they could get lead poisoning even from the dust. Some homelands still have old lead paint on their buildings.

When we dialogued around this situation, many people identified other sources like car batteries and said they would have to stop the kids playing around with them and make sure they got cleaned up.

Some people asked other questions around other types of batteries whether they were a problem?

## Lead poisoning history



In the next stage of the education, I talk about the history of lead poisoning that is known to the European world.

I work through the story of the Roman Empire. Most Yolŋu have a clear understanding of the Romans and their role in world history. But they do not know how the Romans were some of the first people in the world to get lead poisoning because of the use of lead pipes to channel water around Rome.

It was important for them to know that other people have been affected by lead poisoning.

So the education starts with the question of who or what stopped the Roman Empire?

The Romans thought they were pretty smart by making water pipes out of lead. They knew lead would not rust and they would last a long time.



Pictures of the Roman water pipes.

The Romans were some of the first to experience lead poisoning *lätuŋ monukmirr*. When the Romans drank the water, they also drank the dust from the lead in the pipes. The water probably had that same lead taste that we have all experience after tasting the dust from lead sinkers.

This dust from the lead went down into their stomachs, permeated through the stomach wall to the blood and was then carried around their bodies and stored in different organs. The lead poisoning sent them mad, and they started to get very

angry and attack and kill their own relatives. Before this Balanda didn't know that lead could poison you.

Lead poisoning, *lätuŋ monukmirr*, stopped the Romans. They went mad and started to kill their own relatives.

Many Yolŋu were surprised that Balanda have known about lead poisoning for so long, but they haven't told Yolŋu about it.

Others asked a lot of questions like what about the bad taste we get in water sometimes. When checked, this was in older buildings. I pointed out that could be the taste that comes from copper pipes that are in lots of old buildings. "Will that poisonous us?". "No, but getting a lot of copper in your body is not good. So what they recommend is that you just run the water for a while through the tap and then take the water after the copper has come out."

We discuss that lead pipes are not used anymore because of the Roman experience. The pipes in the community now are PVC, or sometimes iron covered with zinc to stop it rusting in some buildings have copper pipes.

Some questions were asked about tooth fillings? Discussed that teeth fillings today not being mercury. Most knew that they are white fillings now.



## Effects of lead on the body

I then talk about how lead gets into the body and the affects all the different parts of the body using the illustration below to show how many different medical problems that lead can cause. Again many of the people asked why hasn't anybody told us this?

A quick explanation of some of the effects of lead on the body is provided such as loss of concentration, getting angry, twitching of muscles, etc. I also pointed out if somebody dies of lead poisoning they die a very angry death with the body convulsing all over.

Due to the people's current experience of a lot of kidney failure already in the community time is spent on how the kidneys can be affected by lead.

After pointing at the kidneys on the picture above, so everyone is in context, the role of kidneys is filtering the blood to keep it clean is explained. Just like a filter in a motorcar. For example, if a diesel vehicle gets dirt in the fuel, the filter can get

blocked up. It's the same if lead gets in our blood, the kidney can get blocked so that they don't work anymore.

There are three main things that can kill our kidneys. The reason for explanation is so that the people don't think that all kidney failure is due to lead poisoning.

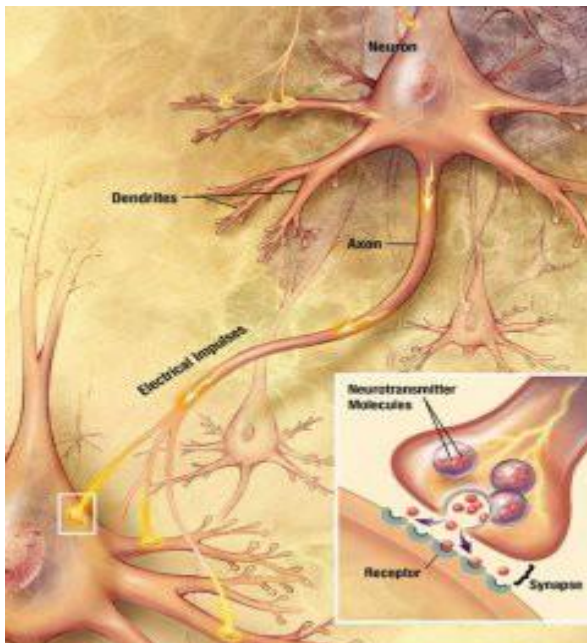
1. Lead
2. The poison from the pus of infected sores can also kill our kidneys. There is usually a long discussion around this because not many people realise that infected sores can lead to kidney failure.
3. High levels of sugar in our blood will slowly kill kidneys over a number of years.

Again, this is likely to lead to a long discussion. Many had heard this and wanted to know more as to how sugar actually killed the kidneys? This is explained to them.

### Lead and the brain.

To explain how lead affects the brain people need to know that the brain is made up of millions of neurons (small thinking cells). Refer to the picture below.

The neurons are very small and cannot be seen by the naked eye. There are as many neurons in our brain as there are stars in the sky. Then explain how one



neuron sends messages to the next neuron, drawing it out on the picture below. The neuron sends a very small electric charge down its axon (arm) towards the other neuron. At the end of its axon arm the synapse, the electrical charge releases chemicals from the end of its axon arm over into the next cell at the synapses.

Examples are given of how these cells exist throughout our nervous system even to the bottoms of our feet. Explaining if we walk on something or we touch our big toe the brain gets the message straight away.

Then explain how there could be a million neuron brain cells between my big toe and where I get the understanding of the feeling in my brain. Talk about how fast this happens from one cell to the other.

This leads to talk about how the brain learns new things or knowledge.

When you learn a new word, then the neuron in the brain cell will send the small electronic charge to the other cell. The other cell will then grow small plant like structures called dendrites. This allows the first neuron to send more messages to the second cell so that the word that I'm learning becomes stronger and stronger in my thinking. That's why when we hear and repeat a word, hear and repeat it, we soon start to remember that word. The more we practice the word the stronger the track between the two brain cells becomes. Dendrites usually grow at night time when we're sleeping and our brain goes over and over the things we were learning during the day. Yolju being masters of many languages are very interested in this information.

This is how we learn and remember new knowledge. This is same for both Balanda and Yolju; there is no difference.

The second picture of the brain deals with the blood, brain barrier.



People are helped to deconstruct the different elements within the picture which is similar to the previous image. The blood vessel carrying blood through the brain and the very clean cerebral fluid that is in our brain can be pointed out.

Discussion turns to the needs of the main neuron thinking cell. Sometimes this is done by asking people a question as to what they think the neuron thinking cells need to stay alive. Many people will answer water and food. Some are not sure.

They need water, which they have already because they are in the very clean fluid in the brain. They also need food, and they also need oxygen. I usually write food and oxygen on the side of the picture to help reinforce the two outside things that are needed by the neuron brain cell.

It is pointed out that the neuron brain cell needs food and oxygen all the time, constantly. I then make a statement that the cell can only live without oxygen for three minutes<sup>33</sup> before they start to die. This is repeated a number of times in dialogue to make sure the people have got a good picture of it.

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<sup>33</sup> Between 30-180 seconds of oxygen deprivation, you may lose consciousness.

At the one-minute mark, brain cells begin dying.

At three minutes, neurons suffer more extensive damage, and lasting brain damage becomes more likely.

At five minutes, death becomes imminent.

<http://www.spinalcord.com/blog/what-happens-after-a-lack-of-oxygen-to-the-brain> 17/07/08



Sometimes a discussion happens where the people talk about when they are hungry they get dizzy in the head. I explain this is when the thinking cells start crying out for food.

The liver can make food, for our brain cells, from our fat stores and even our proteins, the flesh of the body, if it needs to, to keep the food supply up to the brain. The big problem is that the brain needs good access to oxygen because it cannot be made by the liver or any other part of the body.

The neuron thinking cell doesn't know how to get food or oxygen. To get both food and oxygen the neuron thinking cells rely on the astrocytes that are all along the blood vessels. I equate the astrocytes along the blood vessels as being like djungaya



ceremonial leaders. This is a strong concept for Yolŋu but very weak in English.

The thinking brain cell relies on the astrocytes to get its food and oxygen out of the blood vessel. We discuss the one astrocyte in the picture getting food and releasing it into the brain fluid where it is taken up by the neuron. When I tell the story, I tell how when I eat food it goes into my stomach where it

permeates into the blood vessels and is carried all around the body and to the brain where the astrocytes gets the food out of the blood vessel and releases it into the cerebral fluid.

Then it's explained that when you breathe in and out, you breathe in new air which has oxygen in it. The oxygen permeates through the skin of the lungs into the blood vessels where the blood carries the oxygen to the brain.

The astrocytes then take the oxygen from the blood vessel and releases it into the cerebral fluid where the brain thinking neuron cell can get access to it.

It's then point out that the other main job of the astrocytes is to stop any rubbish that might be in the blood vessel getting into the very clean cerebral fluid. To do this, I explained that sometimes there is rubbish in our blood being carried around the body. Yolŋu have very little knowledge of this and believe the blood to be a very holy substance. From where they're starting it is hard for them to see that there

could be some rubbish/dirt in the blood. The kidneys, it's explained, are taking rubbish/dirt out of the blood all the time and out of our bodies. Sometimes when people get kidney disease and kidney failure, their kidneys stop operating and they get very sick because of the rubbish/dirt building up in the blood. They then have to go on dialysis machines to filter the rubbish/dirt out of their blood. If this doesn't happen, they will die very quickly because of all of the rubbish/dirt in their blood starts to poison their whole body.

It is important to link how we breathe in fresh air, and we get special air call oxygen from the air into our lungs. When we breathe out, we breathe out carbon dioxide which is rubbish from our body. The analogy of a vehicle is used, where we put in clean fuel and air into the motor and what comes out the back of the car in the exhaust is very poisonous.

So sometimes there is dirt/rubbish in our blood system and being carried around our bodies and through our brains. It is the job of the astrocytes to stop any of this rubbish getting into the very clean and pure cerebral fluid in the brain.

When the people have a good picture of this, and they can see the role of the astrocytes 'djungaya ceremonial leaders' providing food and oxygen to the neuron and keeping the cerebral fluid clean and pure it's time to move onto how lead moves through the human body.

Using the discussion about the dust of lead in my stomach, the blood will carry that lead dust to all parts of my body including my brain. When the lead gets to my brain, it will usurp the authority of the astrocytes and go straight into the cerebral fluid. It bursts into the cerebral fluid just like a buffalo crashing through things.

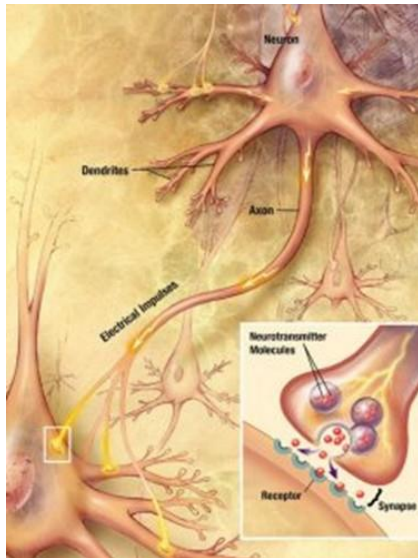
A little bit of lead poisoning is not going be a big problem for me because it is such a small amount. But if a lot of lead poison gets into my body then the lead will get into the cerebral fluid polluting it and making it foul.

At this point, we talk about the amount of lead in the blood which is normal and some of the levels that have been found in some of the children. Drawing it out on a piece of paper.

If there is a lot of lead in the cerebral brain fluid, sometimes astrocytes try to clean up the brain fluid by bringing in more water to clean the brain fluid. This can lead to swelling of the brain which is very dangerous. If young people suffer from swelling of the brain, they will have very bad headaches, and they will need help straightaway.

Lead also does other things.

The lead also comes down and get stuck between the synapses gap where the chemicals on one thinking brain cell goes over to the other brain cell.



This is illustrated by blocking off the ends all the synapses in one picture with black lines. The people get the picture straight away that the brain cell cannot transfer its chemical to the other cell anymore and the knowledge or word that that particular track was formed around will not exist anymore. The word or the thing the person was learning will just disappear, it will not be in their thinking anymore.

This is what will be happening to many of those young people who have very high lead levels. They will have lost a lot of knowledge.

## Medical process

Usually, the people ask at this point if there is medicine or medical thing that can be done to get the lead out of the brain fluid.

The medicine that they use in Darwin can bind the lead that is in the cerebral fluid and take it out of the brain and out of the body to the toilet waste, but it cannot get the lead out of the synapses junctions between the two brain cells. Those children will have lost that knowledge forever.

However, they can relearn those things if people work with them because they have lots of other brain cells. They will have to relearn that knowledge. Remembering at the same time that it might be hard to work with them because so many of the thinking tracks in their brain are now blocked by the lead, so they find it hard to concentrate.

I spend as much time as necessary on this part of the story depending on people's questions.

## Avgas and lead

The dust from lead sinkers, lead shot, and the old mission paint is dangerous enough if young people are absorbing it. Young people absorb five times more of the lead dust than what adults do because they're still growing. This dust from lead will not go through our skin but that it has to go into our mouth and down into our stomachs. Or if children are playing in places where there is lead paint they might also be breathing that dust into their lungs.

However, the lead in avgas is very different. It is a fluid, not dust. And it is extremely aggressive because it can go straight through our skin. That is, if children get avgas

on their hands or skin, the lead can permeate straight into their blood stream where it goes around the body and to the brain.

Plus, if the children are sniffing at the same time they are getting the vapour, gas, straight into their lungs were permeates through the skin of the lungs into their blood stream. Lots of the lead poisoning will now be carried to the brain. Reinforce that if adults get avgas on their skin, they will get one quantity of the lead poisoning the young people will get five times more from the same exposure.

At this point, a number of people ask why they put lead in the avgas. Lead is used to stop the fuel exploding too aggressively and causing damage to the motor of the aeroplane.<sup>34</sup> This was the same in petrol vehicle motors when they had super petrol to stop petrol motors from knocking. Knocking is when the motor made a tapping noise and sometimes the fuel would tap a hole straight through the top of the piston. They tried all sorts of things to stop this knocking, and they found that lead stopped it.

I then tell the story of how petrol causes trouble in big cities all over the world where lead poisoning in children is being caused by super petrol. The government has stopped super petrol and brought in unleaded petrol. At the same time, car manufacturers changed the design of engine so that they could run on unleaded petrol without the petrol damaging the motor.

Aeroplanes, though need high-power low weight, small engines and so they still need to use lead in avgas, so the engines do not get damaged while they are flying.

It is necessary to explain the reason why lead is in the avgas. It is there for a technical reason and not to damage children.

### Other information shared when appropriate

I also had three special meetings with women only where I shared, after getting their permission, the effect of high lead on the unborn child. The clinic had already put in place testing for all young mums.

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<sup>34</sup> [https://www.faa.gov/news/fact\\_sheets/news\\_story.cfm?newsId=14754](https://www.faa.gov/news/fact_sheets/news_story.cfm?newsId=14754)