

The Director
Standing Committee on Social Issues
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Ms Simpson,

Please find attached a submission from the NSW Reconciliation Council for the Social Committee's Inquiry into Overcoming Indigenous Disadvantage.

For further information, please contact the Council's Executive Officer, Joanna Lunzer on (02) 9219 0719.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'R. Williamson', is placed over a light grey rectangular background.

Renee Williamson
Chairperson
NSW Reconciliation Council

Submission by NSW Reconciliation Council

NSW Parliamentary Inquiry into Overcoming Indigenous Disadvantage

Introduction

The platform for reconciliation in NSW was set by the *1997 NSW Government Statement of Commitment to Aboriginal People* which committed the NSW Government, in partnership with Aboriginal people, to:

- Ensuring that programs, policies and services are relevant and accessible to Aboriginal people
- Respecting Aboriginal peoples' right to negotiate and participate in decisions which affect them
- Incorporating the concerns of Aboriginal people at all levels of Government policy and administration
- Ensuring that there is fair representation of Aboriginal people on decision-making bodies, including mainstream Government boards and advisory groups
- Recognising the disadvantages suffered by Aboriginal people in areas such as health, education and economic well-being, and working with them to redress these disadvantages
- Reporting on progress and outcomes.

It is important that the commitment to reconciliation continue to proceed, and not just as a commitment of words but as a commitment of action.

NSW Reconciliation Council

The New South Wales Reconciliation Council (NSWRC) is the peak representative body for reconciliation in NSW. The Council is made up of Indigenous and non-Indigenous Australians working through a range of groups and organisations to promote united communities and to address the 'unfinished business' of reconciliation – recognition of rights, promotion of economic independence and social justice for Indigenous people.

NSWRC has been working towards ‘a reconciled Australia’ since its inception believing strongly that relationships between Indigenous and non-Indigenous people at the community level have a strong bearing on Indigenous peoples’ socio-economic status, health, culture and well-being. For this reason, the Council advocates a process of reconciliation through a sharing of cultures and an increase in mutual (cross-cultural) understanding through the ‘promotion of equitable and just communities that acknowledge and respect Aboriginal and Torres Strait Islander peoples, cultures and values’. NSWRC believes that the reconciliation process can be advanced by building a peoples movement; raising awareness and understanding; and promoting and supporting social justice, equity and rights. For the life expectancy gap between Indigenous and non-Indigenous people to be reduced, Indigenous peoples’ culture (customs, practices, perspectives, values, beliefs) and position as the first peoples of Australia must be recognised, respected and valued.

NSW has the largest number of Indigenous people of any state or territory in Australia. In 2001, there were an estimated 134,888 Aboriginal people living in NSW, comprising just over 2% of the total NSW population and approximately 29% of the total Aboriginal population in Australia (AIHW, 2005). The NSW Government therefore has the greatest responsibility in ensuring Indigenous people overcome disadvantage. This may mean that the NSW Government needs to devote a larger proportion of resources towards ‘closing the gap’ than other States.

This submission on behalf of the NSWRC and its members stresses the importance of reconciliation, Self-determination and a Holistic Community Development approach to ‘closing the gap’ and overcoming Indigenous disadvantage.

The NSWRC advocates an approach to ‘closing the gap’ and overcoming Indigenous disadvantage which address the causes of socio-economic disadvantage as well as the final manifestations of it. The cause of disadvantage is the result of systemic economic exploitation and exclusion, political oppression, cultural dominance and social injustice. These are hangovers of colonisation and can only be overcome through self-determination and reconciliation which allows for economic independence, political participation, cultural equality and social justice. The most

effective way to foster self-determination and reconciliation is through a holistic community development approach which stresses Indigenous consultation, participation, and ownership; local solutions and inter and intra cultural social cohesion.

The NSWRC believes overcoming multidimensional Indigenous disadvantage must be done through a holistic and integrated approach which aims to combat both the causes and manifestations of disadvantage through strategic policies and programs which address simultaneously things such as health, education, employment and well-being. Overcoming disadvantage is a process and every aspect of disadvantage is linked. The Government cannot solve the Indigenous health crisis without addressing social, housing, employment and education issues. Holistic solutions must be developed with the full participation of local Indigenous communities to ensure they are specific, owned by the community they are affecting and are culturally appropriate.

The NSWRC believes fostering reconciliation is an essential part of fostering self-determination and overcoming Indigenous disadvantage especially for Indigenous people in NSW, who have the greatest contact with non-Indigenous people. Developing the reconciliation movement and promoting intercultural understanding and dialogue underpins social cohesion and the accumulation of positive social capital. These form the basis for both economic inclusion and political participation which are crucial for Indigenous self-determination and overcoming disadvantage.

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1. Recommendations for Closing The Gap

1.1 Strengthening Self-Determination

As the peak body for reconciliation in NSW, the NSW Reconciliation Council believes that all policies and programs aimed at addressing Indigenous disadvantage must enhance Indigenous self-determination. As the report of the Royal Commission into Aboriginal Deaths in Custody states:

The enhancement and development of opportunities for increased Aboriginal self-determination is crucial to the improvement of all aspects of Aboriginal life.

(Chapter 27, Royal Commission into Aboriginal Deaths in Custody, 2001).

Health experts assert that strengthening self-determination is essential for improving the health of Indigenous peoples. At the International Symposium on the Social Determinants of Indigenous Health 2007, delegates agreed that the colonisation of Indigenous peoples is a fundamental underlying health determinant. Success stories for improving Indigenous health presented at the Symposium, indicated the importance of self-determination through both

- Indigenous controlled institutions; and
- Effective Indigenous participation in policy making (CSDH, 2007).

1.1.1 Supporting Indigenous Controlled Organisations

In order to strengthen self determination, the following support must be provided to Indigenous community-controlled organisations in NSW (as recommended by Finlayson, 2007).

1. Funding provided to Aboriginal community organisations must meet the demand for services. Aboriginal community organisations are commonly unable to provide services at a level which satisfies demand. A commitment from the NSW Government to overcome Indigenous disadvantage must

include increased funding for services for Indigenous people provided by Indigenous organisations.

2. The NSW Government can strengthen Indigenous community controlled organisations by reducing the administrative burden experienced by these organisations as a result of complex compliance and acquittal processes. Currently, Aboriginal organisations are typically funded by different agencies often at both State and Federal levels. Different departments require different reporting regimes, resulting in organisations facing an enormous administrative burden. This arrangement is clearly not conducive to effective self-determination. Government can address this by:
 - Adopting a whole-of-government approach to financial accountability, implementing consistent processes across all state and federal government agencies; and
 - Coordinating funding cycles between state and federal agencies.
3. Funding cycles are also short-term while initiatives required to address Indigenous disadvantage require long-term commitment. Funding cycles must reflect this. Longer term funding cycles will allow for improved planning processes and better service delivery.
4. The provision of training and support in areas such as business and financial management is greatly needed. While there is currently a focus on strengthening corporate governance skills in Indigenous organisations, a focus on business and financial management skills is also essential for organisations to grow.
5. Celebrating success within Indigenous organisations is important and promotion of role models. The NSW Government must support the growth of successful existing initiatives. The diversity of Aboriginal communities must be acknowledged; not all successful models will be applicable to every community. However, the NSW government should play a role in sharing

stories of success for communities to adapt to their circumstances. Punitive measures, such as withdrawal of funding, should not be the only approach to improving the effectiveness of Indigenous community-controlled organisations.

1.1.2 Ensuring Effective Indigenous Participation in Policy Making

The NSW Government must ensure effective Indigenous participation in all areas of policy-making related to Indigenous people. Appropriate representative structures must be established to guarantee Indigenous representation in decision making.

1.2 Enabling Healing

International research highlights the clear link between colonisation and poor health (CSDH, 2007). Specific provisions for healing the harm caused through colonisation must be put in place. Provisions include self-determination; practical recognition of human rights; restoration of rights to land; rehabilitation of degraded environments; facilitating the restoration of cultural heritage, including language; dealing with racism, and Indigenous control of research on Indigenous people (CSDH, 2007).

The NSW Government showed great leadership in being the first Government in Australia to apologise to the Stolen Generations. However an acknowledgment and apology is only the first step in the process of reconciliation.

For the psychological, social and emotional wellbeing of Indigenous people to be improved, the NSW Government must continue to redress past injustices, as outlined below.

1.2.1 Implementation of all 54 recommendations of the *Bringing Them Home* Report is required to redress the harm and injustice caused by the forcible removal of Aboriginal children from their families. A number of the recommendations yet to be implemented relate to reparations, defined as consisting of

- acknowledgement and apology
- guarantees against repetition
- measures of restitution
- measures of rehabilitation and
- monetary compensation (HREOC, 1997:282).

1.2.2 Increased funding and support for the establishment of accessible, culturally relevant counselling and additional ‘Link Up’ services is necessary for enabling healing for members of the Stolen Generations.

Related services are also required for the *family* of members of the Stolen Generations as ‘generational grief’ is prevalent across communities. While there is strong recognition of the impact of past government policies on the Stolen Generations themselves, there is little acknowledgment of the impact on their families. Services must also address inter-generational and cross-generational effects.

Trauma programs are provided to returned servicemen that recognise their trauma and trauma suffered by their siblings and generations further on. The impact of trauma on Indigenous people must be acknowledged and programs and resources comparable to those offered to returned servicemen must be provided to enable healing for Indigenous people.

1.2.3 While the NSW Government has taken significant steps to address the issue of ‘Stolen Wages’, the following issue related to the Aboriginal Trust Fund Repayment Scheme requires attention. The Aboriginal Trust Fund Repayment Scheme operates with a narrow interpretation of what constitutes evidence, overlooking the fact that the State failed to keep accurate records. This is clearly unjust and an examination of issues relating to oral evidence as primary evidence must be considered.

1.3 Supporting Community Development Initiatives

One fundamental element missing in NSW Government attempts to address Indigenous disadvantage is the provision of sufficient resources for local community development programs. Immense pressure is placed on individuals working at the community level who are constantly struggling to hold their community together and to build a better future for their children.

We recommend that governments work *with* those individuals to undertake community development audits of their community. New accurate community profiles need to be developed and matched against State benchmarks (i.e. *Two Ways Together*) so that programs and resources can be tailored for each Aboriginal community.

Both State and Federal Agencies have developed methods of identifying partnership, priority, or targeted communities, which increasingly leave other communities with inadequate attention. At the same time, there are examples of communities that are being over-serviced with multiple and duplicating programs being delivered by Local, State and Federal agencies. This situation leads to wastage of resources and an underutilisation of government programs. Without local community development audits this situation is unlikely to change.

It has been observed that without community development workers, government agencies are more likely to follow past practice than to consider local innovations. In a recent discussion regarding an Aboriginal community in southwest NSW (a Partnership Community) with State and Federal agencies, advice was provided of the need to develop parallel and complementary programs with each section of the community, and to develop a full 'whole of government' approach but to not expect a 'whole of community' response. The response was to call a whole of community meeting which is likely to further delay any progress in delivering solutions for this particular community.

With increased attention on “closing the gap” from both the Federal and NSW State Government, we recommend that a systematic community development audit take place in all Aboriginal communities in NSW. This audit should look at community governance structures, population profiles, agencies, interactions and community aspirations. While NSW Government departments have been delivering a range of programs over many years aimed at addressing Indigenous disadvantage, there is still no clear indication that the gap in life expectancy rate has been reduced. We believe that government projects and resources would be better directed through a local community development framework aimed at building local communities.

1.4 Facilitating Social Cohesion through Reconciliation

Members of Local Reconciliation Groups confirm that institutional and interpersonal racism remains a reality across NSW. This must be addressed by the NSW Government to improve outcomes for Indigenous people.

Reconciliation is a process; and both an end and a means for combating racism and overcoming Indigenous disadvantage. It is a process through which Indigenous and non-Indigenous people share their cultures, histories, circumstances and aspirations and thereby develop a mutual understanding, trust and respect for one another's culture.

Reconciliation promotes social inclusion and social cohesion. Evidence has shown that social cohesion, or the existence of trust, respect and quality social relationships, helps to protect individuals and their health (Wilkinson & Marmot, 2003). A genuine and sustained commitment to reconciliation, both 'symbolic' and 'practical', is therefore required to reduce social barriers leading to the social exclusion of Indigenous people. Research has shown that a sole focus on 'practical reconciliation' as adopted by the former Federal Government has failed to close gaps in health, housing, education and employment (Altman & Hunter: 2003). A more comprehensive commitment to reconciliation by the NSW Government is required to address Indigenous disadvantage.

Social cohesion through reconciliation between Indigenous and non-Indigenous Australians is also essential for greater economic inclusion of Indigenous people. Economic contracts for employment and business transactions are based on social relations, and the stronger these are in the community, the greater the opportunity for Indigenous economic inclusion. Growing inclusion of Indigenous people economically will lead to economic independence and the growth of Indigenous economic power. Economic power can facilitate more effective participation in decision making at the local and national levels, thereby strengthening self determination.

As with all policy and program development aimed at overcoming Indigenous disadvantage, it is essential that social inclusion policies and programs are developed in partnership with Indigenous communities to ensure the preservation of unique Indigenous cultures and values (CSDH, 2007).

Reconciliation is an essential part of community development initiatives particularly in NSW where many Indigenous communities are a part of larger non-Indigenous and multicultural communities. The NSW Reconciliation Council is committed to the process of reconciliation and requires increased funding to expand its operations and support Local Reconciliation Groups who undertake the important work of building social cohesion in their communities through the process of reconciliation.

By supporting the people's movement for reconciliation through Local Reconciliation Groups, the NSW Government will build social capital leading to improved outcomes across a range of policy areas. The Productivity Commission has reported that "Social capital has been ascribed many benefits including enhanced health, better educational outcomes, improved child welfare, lower crime rates" (Productivity Commission, 2003: ix). Through Local Reconciliation Groups, Indigenous and non-Indigenous community members work together in a voluntary capacity to promote and advance reconciliation. These grassroots community groups are a foundation for building social capital in Australian communities. As explained by Dr John Murphy "for social capital to grow, people need to be able to regularly interact with one another in community organisations, in situations where they can develop trusting relationships" (Murphy, 2000). Trust is widely regarded as an important element of social capital and Local Reconciliation Groups play a vital role in building trust between Aboriginal and non-Aboriginal Australia (ABS, 2004).

Local Reconciliation Groups can also provide Government with valuable insight into their communities. They are comprised of committed and proactive community members who have gained an understanding of what has worked and what hasn't through their involvement in projects and activities. For example, they could assist in or facilitate community audits.

1.5 Measures for Accountability

Meaningful measures for accountability of government in meeting their commitments to addressing disadvantage are essential. Without such measures, disenchantment and disillusionment towards government is inevitable.

2. Factors Impacting On Closing the Gap

Members of the NSW Reconciliation Council and Local Reconciliation Groups from across the state, have identified the following factors as essential for ‘closing the gap’ between the life expectancy of Indigenous and non-Indigenous Australians.

2.1 Health and Wellbeing

The NSW Reconciliation Council supports the national ‘Close the Gap’ campaign. Implementation of the following campaign recommendations put forward by the National Aboriginal Community Controlled Health Organisation (NACCHO) is essential.

- 1. Improve access for Aboriginal peoples and Torres Strait Islanders to culturally appropriate primary healthcare, and to a level commensurate with need*
- 2. Increase the number of health practitioners working within Aboriginal health settings, and further development and training of the Indigenous health workforce*
- 3. Improve the responsiveness of mainstream health services and programs to Aboriginal peoples and Torres Strait Islander health needs*
- 4. Greater targeting of maternal and child health and greater support for Indigenous-specific population programs for chronic and communicable disease*
- 5. Greater funding and support for the building blocks of good health such as awareness and availability of nutrition, physical activity, fresh food, healthy lifestyles, and adequate housing*

6. *Set national targets and benchmarks towards achieving healthy equality, by which progress can be closely monitored* (NACCHO & Oxfam, 2007:9).

2.2 Education

2.2.1 As previously stated, implementation of all *Bringing Them Home* recommendations is essential, including those related to education.

2.2.2 Strengthening Aboriginal cultural identity within the school system is essential for increasing attendance and retention rates amongst Indigenous students. The education system should encourage a sense of pride and trust in the education system amongst Indigenous students rather than creating feelings of alienation.

NSW Reconciliation Council members have observed a number of successful initiatives aimed at strengthening cultural identity within schools. Examples include:

- Teaching and promoting Aboriginal languages and cultural activities in schools
- Naming school houses and having school mottos in Aboriginal language
- Bush tucker gardens with Indigenous plants grown in schools for teaching agriculture, science, food technology.

2.2.3 Increased funding and support for motivational programs for Indigenous students is needed to encourage school retention.

2.2.4 While it is a requirement that all schools produce an Aboriginal education policy, it is clear that some are not implementing these policies. For example, Local Reconciliation Groups have commented that schools are still not observing cultural protocols such as an Acknowledgment of Country at school events.

- 2.2.5 The NSW Reconciliation Council recommends that Aboriginal Studies be made compulsory in all schools in NSW.
- 2.2.6 An examination of teaching methodologies used in teaching history and Aboriginal studies is required. Investment in exploring creative, innovative teaching methods would enhance learning in these areas.
- 2.2.7 Additional investment is required in Aboriginal adult education and skills development programs, and in outreach courses where these learning facilities are not provided. Programs need to be appropriate and relevant for communities, to support community development initiatives that can lead to new employment and community activities eg in tourism, local art and craft production and business development.

In 2006, a case study was undertaken by NSW Reconciliation Council's non-Indigenous representative for the Riverina Murray region on the NSW TAFE system in Deniliquin in southern NSW. Through this case study, three principles that underpin successful learning in the Indigenous community in Deniliquin were identified:

- ***Community Control*** - relating to the process of negotiating course content and delivery with the community involved in the project. It involves more than consultation and needs to remain flexible in response to changing conditions. Community control also relates to the selection of appropriate teachers and facilitators who must also meet TAFE requirements.
- ***Communal Learning*** - where the learning environment encourages group learning and supports and welcomes the involvement of all members of the Indigenous community.
- ***Cultural Responsibility*** - Working with the Indigenous community requires the learning environment to complement and accommodate cultural responsibilities such as community business and sorry business.

- Since 2006 capacity building education programs have ceased operating in the Riverina Murray, having a major negative impact on community development in this region of NSW.

2.3 Employment

- 2.3.1 As outlined above, employment depends primarily on the development of skills, trades and social capital in communities. Adult education in the communities is paramount, if these communities are to move forward.
- 2.3.2 Many major employers lack specific Aboriginal employment programs. Larger companies need to be encouraged to work with local Aboriginal communities to address Indigenous unemployment where they have a presence.
- 2.3.3 Employment programs need to be based on an analysis of employment entry points in local industry, government and services within communities to enable skills matching for the current skills shortage.

For example, The Werkitya Kalpal Deniliquin Aboriginal Working Party identified the following employment character for their local community:

- Pre 1961 (i.e.: AWB and Mission life): Men worked on surrounding properties as field labourers and shearers. Women worked on surrounding properties as cooks, cleaners and child carers.
- Post 1961 – 1970's: Men could no longer get work on local properties but were employed as labourers on town projects and increasingly, were unable to get long term work. Women worked as cleaners in local houses and increasingly were forced to deal with education and welfare issues.
- Post 1970 – 2000: Increased opportunities for education and travel saw many members of the community take on new employment areas, and training, often resulting in relocation to larger centres.

- 2000-2008: Members of the community who remained in the town were primarily involved in casual labour associated with the abattoir or seasonal work. It was identified that while there were a large number of adults not working there was also a growing number of youths leaving school to work on CDEP and not gaining the necessary skills to obtain full time employment. These factors have limited employment to four main areas of potential employment:

- (i) Casual work
- (ii) CDEP or work for the dole programs
- (iii) Adult education programs and part time work
- (iv) Government identified positions

Similar to other regional communities in NSW, Deniliquin is suffering a skills shortage and there is a huge amount of community work needing to be undertaken. These factors provide an opportunity to build new strength in local communities. It is important that an approach matching school students with skill shortage areas is adopted and that skills are actively developed in those individuals so they can be employed in the relevant area. This can equally be applied to adults who have been unable to secure long term employment.

- 2.3.4 For older members of the community, it is important to recognise the role they play in community business as well as the services they provide to the community and to the general public through Land Council work programs and Natural Resource Management activities. It is vital to create new employment opportunities to cater for these members of the community who may not have the skills or the desire to work in mainstream employment areas. Short term funding for specific projects provides an opportunity to expand skills and gain experience, however there also needs to be sustained programs to maintain community involvement between projects.

2.3.5 Racism and discrimination remains common in the workplace. Through the promotion of reconciliation, and support for the NSW Reconciliation Council and Local Reconciliation Groups, social cohesion will increase and discrimination and racism will be reduced.

2.3.6 There is a reluctance to take on incentive programs when there is no expectation that employment will continue.

2.4 Housing

Lack of housing, the supply of inappropriate housing, and over-crowding in available housing must be urgently addressed in overcoming Indigenous disadvantage.

Housing development projects must adopt a community development approach allowing for:

- Community participation in the design process
- Skills development and employment programs for local community
- Capacity building within the community to reduce reliance on external contractors.
- Community ownership and responsibility

2.5 Justice

Circle Sentencing has seen positive results in communities across NSW. Expansion of this program into further communities should be considered.

3. Applicability of NT Intervention in NSW

The NSW Reconciliation Council opposes the NT intervention as the approach taken in its development and implementation undermines self-determination. As outlined in previous sections, there is overwhelming evidence indicating that in addressing Indigenous disadvantage, Indigenous communities must be involved in the development, implementation, and monitoring of government programs and policies for these to successfully address Indigenous disadvantage. This was not the case in the roll-out of the NT intervention.

The suspension of the *Racial Discrimination Act* essentially removes protection from racial discrimination for Indigenous people under the NT intervention and therefore enforces racial discrimination. The NSW Reconciliation Council is strongly opposed to this aspect of the intervention.

While increased attention and investment in child safety is crucial and immediate action is required, the approach adopted in the NT is fundamentally flawed as it is damaging to individual and community self-determination which is *essential* for improving Indigenous health and self-confidence.

The NSW Government would see positive outcomes if it provided resources to implement recommendations of the *Breaking the Silence* report. Many communities in NSW already have community organisations who are working successfully in the area of child safety, utilising holistic approaches, and these should be supported through *new* NSW Government funding. Where there are no such organisations the community should be encouraged to establish new ones with a holistic child safety approach.

The establishment of local advisory groups is needed to provide advice to the Department of Community Services on appropriate placements of children at risk and in essence, to provide the authority for the government agency to act. It is important that local communities are given back the power to respond to local issues, particularly related to children at risk.

Increased funding and support is required for the establishment of additional crisis accommodation facilities for families in the local communities.

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