

THE INTERACTION BETWEEN PETROL SNIFFERS AND BUSH COURT IN ABORIGINAL COMMUNITIES

Natalie Siegel
Senior Policy Officer, ATSIC National Law and Justice Branch

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Let me begin with a personal experience of attempting to take instructions from a petrol sniffer at Bush Court.

“so you are saying you were there when it happened but you didn’t actually go in and steal anything, the others just made you keep watch”. I repeated the story the 16 year old defendant had just conveyed. “No, no, I wasn’t there, I was in Church that day with my boyfriend”. In the same breath, this defendant had changed her instructions from pleading guilty to not guilty by way of an alibi. She kept reiterating that the two totally different and conflicting accounts of the facts she gave, were both true. She subsequently insisted that the alibi was the correct story. I attempted to explain that this needed to be reconciled with the fact that the police had caught her at the scene of the crime

This client was high as a kite on petrol fumes while instructing me. Much of her story was incoherent, despite her surprisingly good grasp of English. I was in Yuendumu. A remote community in the Tanami desert. This community had previously had a youth culture that was dominated by petrol sniffing for quite some time, with over half the teenage population sniffing at one stage.

Bush court visits this community once a month and only sits for a day. Taking instruction from an indigenous client whose proficiency in English may be as a 6th or 7th language is par for the course. On the day I’m speaking of, it was midday, the Court had to hear another 80 cases, supposedly before 5pm, and only about 30 had already been heard. Of those 80 cases waiting to be heard, instructions were still yet to be taken from most of those defendants. The magistrate was getting edgy, she was acutely aware of the time constraints. And I *still* couldn’t get a single set of coherent instructions from the client as to what had happened regarding charges that were now two years old. Clearly this wasn’t the first time this situation had arisen. This represents the typical obstacles faced by a lawyer trying to take instructions from a client who is a chronic petrol sniffer at Bush Court.

Add to that, the fact that I do not speak any of her languages and I have no interpreter. There is another complication. The young girl is pleading me to have her unconditionally bailed back into the community at Yuendumu. The manager of the local petrol sniffing program (“the Mt Theo Program”) is tugging on my shoulder. “Please, she’s got to be bailed to the program. She’ll keep sniffing if she stays here.” He is pleading me from the sidelines to go against her instructions and have her bailed with the condition she reside at the program. Legally I’m obliged to do only as the defendant instructs. But I know that adhering to the client’s instructions will be only to her further detriment. The lawyer advocating the matter in court must present only her instructions, praying like crazy that the magistrate will have the sense to see through them, as to what is really in the defendant’s best interests, within the mere five minutes available for her case’s presentation.

The manager of the Mt Theo Program turns to the girl “You keep sniffing, you’ll kill yourself, come back to Mt Theo”. I’m acutely aware of the fact the time available is closing in on us – the case must go back into court. In fact it had already begun when it became clear to the magistrate that the story from the defendant was inconsistent, and the magistrate sent the girl out to speak to me. This meant there was no time to even try and explain to the girl the implications of the instructions she was giving me, even if such a thing were possible, given her intoxication.

To completely understand this predicament, one must appreciate the concept of the Bush Court and the unimaginable constraints under which it operates, which leaves it worlds apart from the way in which the town and city magistrates courts are conducted.

What is Bush Court?

The Magistrates Court circuiting Aboriginal communities, known as the Bush Court, administers the white Australian justice system to the Aboriginal population of an entire region by sitting for a single day in a particular community either once a month or once a quarter. These communities may be located in the middle of vast desert regions or land sparsely populated. In other instances, the Bush Court may be responsible for delivering justice to non-urban regions the size of smaller Australian states.

The 'arrival' of the Court consists of one Magistrate appearing on the day with two court orderlies and sometimes a police prosecutor. The Bush Court hears simple summary offences, but also committals and more serious cases. For the latter, a Crown prosecutor will be flown in for the day. For the remaining cases, a local police officer will conduct the prosecutions. Defence counsel, accompanied by a Client Liaison Officer, will attempt to access community members for the purpose of advice and instruction taking the day before the Court sits. However, a number of constraining factors surrounding the current operation of the Bush Court make it frequently impossible for the Aboriginal Legal Service (ALS) lawyer to access community clients other than on court day for the purpose of instruction taking and plea advice.¹ Such impediments include the ramifications of a single ALS lawyer constituting the sole defence counsel available at the Bush Court.

Aboriginal clients have little conception of what is transpiring in court and at the time the research was conducted, virtually no access to interpreters during instruction-taking. The opportunity to follow-up a client's case, or even provide a simplified explanation of its outcome is virtually non-existent, due to the enormous caseload Bush Courts bear and the irregularity with which they are visited. These caseloads are demonstrated by the following types of comparisons. Of the court-days observed, the Daly River Bush Court heard 40 cases on court-day. Darwin Magistrate's Court stands in juxtaposition, having heard only 14 cases. While an Alice Springs Magistrate's Court had a busy morning running 29 cases (including non-appearances), Yuendumu Bush Court day recorded 100 listed cases. Consequently some Bush Courts are forced to sit late into the night, without ability to adjourn matters to the next court sitting, because there are already 100 cases listed for that occasion. These pressures result in an indigenous client *without* an interpreter, receiving only between 5-15 minutes to instruct their solicitor (dependent upon whether the course of action is a plea or a hearing). On the other hand, the time spent by a duty lawyer in the Melbourne Magistrate Court taking just plea instructions from a defendant, who is proficient in the language of their solicitor, averages 25-30 minutes. This has enormous implications for Bush Court justice delivery, one of these being that without sufficient time for a Bush Court client to understand their lawyer, or their lawyer to understand them, the possibility is open that clients plead guilty to charges which they would not ordinarily plead guilty to, if they had sufficient legal advice and instruction opportunity, as is provided in the town court scenario.

These findings arise out of intensive field research I conducted in the year 2000, over 6 months in 8 different Aboriginal communities throughout WA and NT, comparing the type of justice dispensed by the circuiting court to that delivered by the nearest town and city courts.

This consequently involved analysing the factors which affected the number of cases before the Bush Court, such as petrol sniffing and correspondingly, the availability of services to deal with the rehabilitation/diversionary aspects of these problems in remote communities.

¹ See Siegel N, *Bush Courts of Remote Australia*, 76 Australian Law Journal 640

Crime Committed by Petrol Sniffers and Problems in the Way Bush Court Deals with Them

Petrol sniffing is a form of substance abuse that affects a considerable proportion of remotely living indigenous youth, particularly in the NT. Out of desperation and using the community's own resources, the elders of the Yuendumu community, with some volunteer assistance, initiated the Mount Theo Program (mentioned earlier). At the time of the research, the Commonwealth government provided some funds for the Mt Theo Program, but not enough to keep the program running from the outstation for 12 months a year.

The effects of petrol sniffing unfortunately leave open the floodgates for abuse of the criminal process, particularly in policing. A boy from a community in Arnhem Land is known amongst ALS staff for being apprehended by police when he is under the influence of petrol fumes to make confessions about various alleged offences. The comparatively scarce opportunities to properly challenge *Anunga Rules*² at Bush Court aggravate the injustice, when he is then convicted on these charges.

However by the same token, in communities like Yuendumu, there is a “*high correlation between petrol sniffing and crime*”³. The Mt. Theo Program notes that most of the juvenile crime in Yuendumu occurs when young people have been sniffing.

The program functioning at Mt Theo, which is an outstation – part of the Warlpiri homelands, is approximately 140km of slow-going dirt road from the Yuendumu community itself. Therefore when Bush Court makes its monthly visit, as with every Bush Court, people need to be transported from the outlying homelands into the community for court day. Often they leave Mt Theo at around daybreak, the car full of defendants, but due to the enormous caseload and the inability of the single Bush Court lawyer to attend to all clients, these young people wait all day, idly outside the council room (which becomes a makeshift court), for their case to be heard. On one particular day, despite the fact the court sat until nearly 8pm, these young people still had not had the opportunity to even speak briefly with their lawyer.

For those petrol sniffers still roaming the Yuendumu community itself, the problem of a single overloaded court day is far greater. The ALS lawyer's mere five or fifteen minute window of instruction time with their client means that if the client has been sniffing shortly before-hand, instructions are at best, completely incoherent (as exemplified by the aforementioned scenario). There is simply no other opportunity to interview that client, or present them to the court, in a sober state.

(i) Court Process Problems – No Criminal Sanction for Sniffers as They Are ‘Unfit to Plead’.

When a ‘petrol sniffer’ is faced with pleading to an indictable offence, the court sees the person as incapable of participating in the process. A previous Mt Theo Program manager complained that if a sniffer offends as a result of not being able to receive any medical or psychological assistance (which is a rarely available service to members of such remote communities), it will be the problem of the court, which normally deems them unfit to plead and the cyclical problem remains.

² The “*Anunga*” *Guidelines*, evolved from the judgments of Forster CJ and Muirhead and Ward JJ in the NT Supreme Court case *R v Anunga* (1976) 11 ALR 412. The guidelines were designed to ensure that Aboriginal suspects questioned in the NT were not disadvantaged in their dealings with police due to traditional or semi-traditional Aboriginal people's particular vulnerabilities in police investigation. The Guidelines entail requirements such as a prisoner's friend, the use of an interpreter and questions phrased so that the suspect understands and so that their non-understanding cannot be taken advantage of in recording confessions and admissions (See “Evidence” in *Halsbury's Laws of Australia* 1 (2), (1999, Butterworths, Sydney) at 4027 [5-1815]).

³ Mt Theo Program Service Delivery Model – 1999, at p9.

Thus a circularity of offending pattern remains. A sniffer will commit a crime, get caught and come before the court, be released without sanction on the basis he/she was unfit to plead, return to sniffing in the community and re-offend under the inhalant's influence again. This wreaks havoc in the community where the sniffer is located. In Bush court locations where there is not even the option of a program like the Mt. Theo program, this catch-22 is inevitable; this is the position of many NT indigenous communities.

In late 2002, Section 43R was one of the new provisions introduced into the *Criminal Code Act 2002* (NT) that enables jailing or 24 hour care-house supervision of people who are deemed unfit to plead and simultaneously a threat to the community (which many petrol sniffers are). This was partly a response to the case of Roland Ebatarintja in the NT, but it would suit application in the petrol sniffer-offender situation. But the use of the provision is restricted to jury trials, it does not seem that it can be used when petrol sniffers are deemed unable to participate in the Bush Court process (at Magistrate's Court level). Given the injury to the community that petrol sniffers cause when under the influence (described later in this paper), prima facie one would think the provision's use should be adapted to the Bush Court scenario as soon as possible. However, even if it were to be implemented at Bush Court, there is no such facility as a 24h hour care-house in a remote community, leaving only the option of incarceration. Remote communities have only holding cells – therefore the person would have to be transported to a jail or detention centre in one of the towns.

Bush Court has an option in Yuendumu however. When such offenders come before the court, rather than release the offender unconditionally, the magistrate can bail or bond the offender to a non-sniffing environment, such as the Mt. Theo Program (also known as the Mt Theo-Yuendumu Substance Misuse Aboriginal Corporation), until its next sitting..

As demonstrated by the example I provided at the start of this paper, one of the greatest problems is that sniffers instruct their solicitors that they don't want to go to the program, they want to remain in the Yuendumu community – and sniff. If the client does not request their solicitor to ask the magistrate for Mt. Theo Program-residency as a bail option, the lawyer cannot ask for this. It then relies upon a Mt. Theo Program worker standing beside the young person to give the court requisite information and make the request themselves; youth workers and elders are *not* bound like lawyers, to do only what the client requests.

Were such an option actually implemented, ironically, the month-gap between Bush Court sittings in Yuendumu would turn into advantage: four weeks is a relatively adequate window in which a sniffer could 'sober up', provide proper instructions to their solicitor, present a good argument for mitigation of plea and start seeing the benefit to themselves of going through a rehabilitation process. Further, as will be described by the operations of the Mt. Theo Program (explained later) the sniffer will have had an opportunity to start becoming involved in culture and learning about their traditional identity, which strikes at the core of why a lot of sniffers in these communities start inhaling in the first place (also explained later in this paper).

(ii) A Petrol-Sniffing Rehabilitation Service as a Bail Option at Bush Court

As mentioned, the ability of the magistrate to use the Mt. Theo Program as a place to which sniffers can be conditionally bailed when conducting Bush Court in Yuendumu, is an option unlike any other Bush Court in NT or WA. It is expressed here as an ideal model for use in other communities, so as to widen the options of their own Bush Courts. To do so, would provide a multi-layered set of advantages for all defendants prosecuted at Bush Court. The reduction in recidivism that the Mt. Theo Program has achieved means less cases before the court, which means that other defendants charged have longer with their solicitor and longer for their case's presentment in court. The current problem whereby a contested matter virtually never affords the opportunity of being heard at Yuendumu, because of the massive case-load and various factors which 'force' clients to plead guilty, may then be circumvented to some extent.

Bonding and bailing young people to the Mt. Theo Program reduces the level of confrontation associated with taking sniffers to Mt Theo. The Mt. Theo Program says this is because young people accept the authority of the bond and bail and are often relieved to go to Mt Theo rather than jail or detention.⁴

However, even if the Bush Court were to take advantage of this option, a number of problems manifest. For a number of reasons, the Mt Theo Program can only accept young people into the program on bail, of whom they have personal knowledge.

Given the nearest clinic/police station is 140km away, it is essential to know whether the person is uncontrollably violent, a self-mutilator or suicidal when they are *sober*. The program co-ordinators have to be personally confident of these factors as there are problems taking other people's assurances on the matter. This is because:

- Family will say 'yeah – he's a good kid', even if the child is dangerous because family have a cultural obligation to only say good things about their child. Police etc often don't have sufficient knowledge of the young person to give a complete statement on the matter either.
- Due to the fact that the Mt. Theo Program operates by returning children to their cultural roots ('going on ceremony', learning about the land and so on) in addition to simply diversionary activities, the program needs to have 'tribal authority' over the young person. As a result, there needs to be a relationship between the child and one of the Aboriginal elders at the program because in Warlpiri culture, authority is based on relationships.

The Mt Theo Program says that some Bush Courts in other regions have recognised the advantage of the program, and, without the Mt Theo Program's knowledge have consented to bail or bond juvenile offenders from other areas and of non-Warlpiri descent to the program. The Mt Theo Program subsequently had to reject these children on the above basis. However, aside from merely the lack of personal knowledge preventing young people from other areas using the program, there are other more fundamental cultural reasons for rejecting these children. Under traditional lore, should one of the non-Warlpiri children get sick or injured, then the Warlpiri elders from Mt Theo would be held accountable by the elders of another tribe. The consequences of this can be payback, or even ultimately, inter-tribal fighting.

Consequently, the Mt. Theo Program is reluctant to take young people via the court's bonding and bailing unless they are Warlpiri from Yuendumu, Nyirripi, Willowra or Lajamanu and are additionally known to the elders of Mt Theo. The Mt Theo Program say that the requisite personal knowledge means it is difficult now for Bush Courts to bail/bond kids to the program unless staff of the program are in court with the young person.

How Inhaling Petrol Actually Affects the Body

Although 'petrol-sniffing' is used as the generic name for the activity (and I use it in this paper for ease of reference), the actual process is inhalation: A visit to places in the Pitjantjatjara (AP) Lands, where 'sniffing' is engaged in very openly, will reveal young people walking around with tin cans containing petrol on a string around their neck, so it can be held across the mouth and nose. While a type of euphoria is experienced from it, sniffers will hallucinate and communicate demonic visions. They drift between uncontrollable highs and lows, but are often dangerous because they may misinterpret what they see: "*friends can [suddenly] turn into imaginary enemies*"⁵

⁴ Mt Theo Program Service delivery Model – 1999 at p13

⁵ P Toohey *The Town Ruled by Petrol Sniffers*, "The Australian Newspaper", 24 November 2001

Doctors describe the effect on the brain as the wasting away of nerve endings, so that messages being transferred through the brain constantly “short out”. One of the Mt Theo Program’s strategies in the past has been to show young sniffers two plates, each with butter on them. Onto one of the plates, some petrol is poured over the top. It dissolves the butter. It is then explained to the sniffers that just as butter is fat which is dissolved by petrol, there is a lot of fat in our brains and sniffing petrol will have the same effect. The neurological pathways in the brain are described as the roads which dreams and messages travel along, such as stories and remembering how to find your way around country, so that the sniffers will see inhaling petrol destroys all this; the destruction of these ‘roads’ which messages travel along can make things seem real which are not.⁶

Death is a serious risk for chronic sniffers. Many sniffers today are wheelchair bound and/or completely unable to function independently. The Ngaanyatjarra Council says 40 young people on its Lands alone, are either dead or permanently disabled (intellectually and physically) from petrol sniffing within a 15 year span. The same Council says that sniffers specifically suffer from a far higher rate of contracting HIV and sexual violence, due to a tendency to have “multiple sexual partners with similarly poor sexual health”.

The Adverse Level Which Sniffing Has Reached, the Way Sniffers Terrorise Communities and the Way Government Agencies Deal with it That Worsens the Problems

On the AP Lands, elders speak of some communities becoming ‘extinct’ in the next 15 years, due to people leaving in droves after the reign of terror that petrol sniffers wandering the streets at night exert. The concept of ‘terra nullius’ is being coined again on the AP Lands – where Aboriginal people desert the communities for the major towns where they are safe.⁷ There are reports of locals deliberately spending their lives indoors at night because it is relatively common in some communities for petrol sniffers to spend nights threatening community members with axes, knives and star pickets. There have been reports of sniffers walking into houses and demanding toys, whereupon being refused they have doused their victim in petrol.

For the non-Aboriginal members of the community it is a relatively easy feat for example to leave management of the local store and take up a job elsewhere. For the Aboriginal family struggling on their Community Development Employment Program⁸ cheque (about \$211 per week in these areas), this may not be an option – let alone the cultural responsibility they have to their kin in that community.

Sniffers across the NT communities are as young as ten. After his son’s own death, one community member on the AP Lands is campaigning for Aboriginal parents to stop speaking of the deaths in cultural terms on the basis that it introduces notions that another must be held accountable for the deaths, rather than the sniffer themselves. Someone consequently is made subject to a form of payback, despite the inhalant habit of the deceased being the real cause.⁹

Community members are now wanting to see sniffers punished by ‘white-fella law’ for the harm they are causing, because they feel they are losing control over the situation. There is no police presence on the AP Lands other than Aboriginal Community Police Officers (ACPOs). As members of the Aboriginal community themselves, they have kin who are petrol sniffers and so are placed in a type of cultural/duty conflict when they are required to intervene in a situation.

⁶ Mt-Theo-Yuendumu Substance Misuse Aboriginal Corporation, “The Brain Story”, *Yapa-kurlangu yimi*, 2/2001

⁷ See n 5

⁸ The CDEP scheme is ATSIC’s largest program. 35,000 indigenous people in Australia forgo their social security entitlements to participate in the program, which is intended to provide employment and training opportunities which directly benefit the individual and his/her community. Unfortunately, in many of the NT communities, when an indigenous client was asked during instruction-taking what their job was under the scheme, many responded ‘picking up rubbish’.

⁹ See n 5.

However as vast as the problem is on the AP Lands, they still have no program, such as the Mt Theo Program to refer their young people – the only measure they have to control sniffing is a by-law that fines a person \$100 for petrol sniffing.

Aside from causing non-sniffers to be the subject of their addiction and violence, petrol sniffers themselves become the victims of these attacks. A community development officer in the Fregon community (AP Lands) has said that there have been cases of “*nine year old girls sniffing petrol and being pack-raped*”.

So Why do Young Indigenous People “Sniff”? Some Solutions That Are Thrown up by Understanding the Causes.

There are a number of historical, political and sociological reasons why substance abuse is a major problem for many indigenous communities. Suppressed trauma is a reason that has often been cited. However there are a few matters we can identify as central to the cause of petrol sniffing specifically.

Petrol sniffing was introduced by American servicemen who started sniffing petrol at Millingimbi (Arnhem Land) during the Second World War¹⁰, but the causes for petrol sniffing in the NT seem to differ between the Top and Bottom End.

The Warlpiri experience seems to be similar to the AP experience. The dominant factors tend to be boredom, neglect and unexpressed depression. The chronic sniffers in Yunedumu tended to be young people whose biological parents had either passed away or led lives of chronic substance abuse. These sniffers take the longest to rehabilitate because, as explained by the Mt. Theo Program Manager, while everyone in a community will offer any community member generosity, for example by taking an individual in and so on, these young people have no-one to ‘hold’ them, as only a parent can. As a consequence, these at-risk young people had no one close to them to exercise strong control over them.

Petrol sniffing has also been reported to stop hunger pangs, which is another reason why young people sniff. On much of the AP Lands people live in destitute poverty, due to inability to stretch the meagre CDEP cheque out over a fortnight at extremely pricey local stores.

The Mt. Theo Program say that peer pressure is also a central cause of sniffing. In early 1997, 60 children were sniffing at Yuendumu. After conducting a Youth program and removing the 14 most chronic sniffers, by taking them to Mt Theo, only two children remained sniffing in the community.

Many say the issue of boredom in the communities is one of the most pivotal causes. This may be a direct consequence of the ‘limbo’ between cultures, enforced by the substantially less opportunities available to indigenous people who live remotely than to the town-dwelling white population. Youth who reject their cultural traditions arguably have neither the benefit of the black nor white world. In fact throughout the research I conducted, elders in more than one community complained to attending lawyers that the younger generation no longer respected their elders or the traditional culture of their community. Yet these young people do not have the opportunity to grasp another culture in its place – there are no cinemas or cafes or swimming pools or sporting complexes or hopes of university to turn to. Without ceremonies and the direction that traditional Aboriginal culture may give to indigenous youths’ lives, any therapeutic effect this may offer is lost.¹¹

¹⁰ See Trudgen R *Why Warriors Lie Down and Die*, Aboriginal Resource and Development Services Inc. Darwin 2000 at 242

¹¹ Irene Watson explains ceremony as ‘fundamental and central to the lives and general well being of Nungas’. While she is referring to the indigenous people of South Australia, this exemplifies the concept’s prevalence throughout all nations of Aboriginal people in Australia – and its essence in providing direction and identity. Irene Watson, ‘Law and Indigenous Peoples: the Impact of Colonialism on Indigenous Cultures’, (Paper presented at the 50th Anniversary Conference of the Australasian Law Teachers Association, La Trobe University, Bundoora, 1995) 76.

The suggestion that boredom is a cause of petrol sniffing has been rejected in the Top End. It was noted in one Arnhem Land community, that the problem escalated after some Yolngu children had returned from a school excursion to Singapore. A development worker with the Aboriginal Resource Development Services (ARDS) found that the trip had greatly ‘confused’ the students. Many returned thinking white people could just “go to luxury hotels, eat great food and make a mess that someone else will clean up”. They said they became ashamed of their fathers “because they could not provide good things like white fathers could”. They also thought that white people “could sleep with any girlfriend they wanted and have as many cars and as many houses as they wanted”. They argued that all their forebears talked about was “their old law” and that it had done them ‘no good’ because they were still unable to provide their children with cars and ‘groovy clothes’. The conclusion was, that the children were sniffing “to forget who they were”.¹²

The solution posed in the Ramingining Community, was firstly to start practising the ceremonies again that the missionaries had stopped and secondly, the formation of a new kind of ceremony: *Gakawarr*. This ceremony involved teaching the children about the fact that what appeared to be the manna from heaven in white man’s lives, was actually the product of hard work. It meant the white man had to go to school for many years and then to university and then, while being a student, had to live very poorly until he/she had his/her qualifications. The material possessions that looked to come to the white man so easily, didn’t. The ceremony also educated the children as to what the petrol sniffing was doing to their bodies. This process was initiated 17 years ago and petrol sniffing has stopped in that community without rearing its head again since.

This seems to reinforce what is happening on the AP and Warlpiri Lands in that, although the solutions are somewhat different, boredom may well be one of the by-products of the children failing to participate in their own culture yet being unable to immerse themselves in the ‘dominant’ culture from the location of a remote, desert community. In this way, although the Mt. Theo Program engages basic diversionary techniques from boredom (unlike the Arnhem Land situation), the bringing back of young people to their cultural roots in the program still reflects the reinstatement of traditional identity, which was simultaneously seen as an essential solution in Arnhem Land. The Warlpiri have now been asked by communities on the AP Lands to share the story of how to stop petrol sniffing and are now assisting the community of Mutijulu to set up their own similar program.

These successful strategies, developed by the communities themselves are examples of what works solely because they venture beyond the band-aid measures that were previously adopted, such as banishment, the introduction of Aviation Gas (which sniffers continued to sniff despite the fact it made them far sicker) and night patrols .

In the meantime, there has been a push from within the communities to replace some of the activities the missionaries conducted which previously allowed community members to engage in both cultures, and individuals to have a sense of purpose and ‘white’ options, such as market gardening, building etc. The government took away these activities without replacing them with anything at the time it made its well-intentioned move to eradicate missions from the communities. This voice is being echoed from some of the AP Land communities. The concerted drift away from the political correctness of the last 10- 15 years surfaces elsewhere. Communities are now saying they want the petrol sniffers who are terrorising their communities punished. They no longer want the SA State Coroner to endorse death certificates of petrol sniffers who have died as “respiratory related”, so that the reality of petrol sniffing is made clear.

¹² Trudgen R *Why Warriors Lie Down and Die*, Aboriginal Resource and Development Services Inc. Darwin 2000, p240-2

Newspapers continue to report sums of over \$500,000 spent by various health services dealing with the damage caused by an individual sniffer, when this single sum of money could be spent on funding the type of initiatives mentioned earlier; funding which would assist an entire community, rather than just an individual, with a problem that is now of crisis proportions.

Postscript

In light of the above, it stands that there is a solution. While the strategies adopted in Arnhem Land and Yuendumu differ, they are aligned in the fact that they address the root causes of sniffing. Unlike the previously taken approaches that were band-aid in nature, such as banishment and public floggings (as mentioned), the end result of these community-driven initiatives is that the solution they offer is permanent. This is reflected by the fact that the story of the Mt Theo Program is a success story. It is now the story of a program that 'previously' rehabilitated petrol sniffers.

I say 'previously' because today, there is no petrol sniffing in Yuendumu and there hasn't been for most of the last year. Last time there were more than two young people sniffing at one time in Yuendumu was March 2002. In fact there has only been one petrol sniffer from the Yuendumu community since July last year. In the quarter between January and April this year, the maximum number of sniffers in the community was two – and both of these young people came from another community. Since then, no-one has sniffed at all in the area.

Further, there has been no *active culture of petrol sniffing* since July 2002. A remarkable change given at one stage there were 70 young people sniffing in the community.

The young girl of whom I spoke at the beginning of this paper has not sniffed petrol since March 2002.

The Manager of the Mt Theo program jokes that it feels somewhat as if those past challenges are now like old battle stories. The Program is now pursuing its cultural and traditional education of young people in the area – arguably good reason why young people have not returned to sniffing and why others are not feeling the need to take it up.

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