

Australian media uses Aurukun Aboriginal child rape case to push right-wing agenda

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In the wake of the election of the Rudd Labor government, the Murdoch media has launched an extraordinary campaign to extend the Howard government's military-police intervention into Aboriginal communities in the Northern Territory. This time, the target is the remote indigenous township of Aurukun on Cape York Peninsula in far north Queensland.

On December 10, just two weeks after Labor's election victory, the *Australian* newspaper, which has long advocated the elimination of welfare entitlements in Aboriginal communities, began a series of front-page lead articles belatedly highlighting the case of a 10-year-old girl who had been raped by nine young men and boys in April 2006. Six of the nine were under 16, while the other three were aged 17, 18 and 26. All pleaded guilty to the rape charge. In October, the six juveniles were sentenced to 12 months probation, with no criminal conviction recorded. In November, the three young men were given six-month suspended sentences.

In the subsequent sensationalised media outcry about the alleged inadequacy of the sentences, none of the obvious questions was posed: Why was a 10-year-old child sexually abused in her own community? What conditions of life lead young people to behave in such a manner? Why is sexual activity among little children apparently considered the norm?

In his sentencing submissions to District Court judge Sarah Bradley, Crown prosecutor Steve Carter argued that the nine should not be given custodial sentences. He described the rape as "childish experimentation" involving "generally consensual sex"—a comment that was roundly condemned by the *Australian* and other media. Not reported, however, were other aspects of the sentencing submissions that provided some insight into the appalling poverty and social deprivation that lay behind the rape.

The nine boys and young men, like the little girl, were victims and products of a social catastrophe that has been inflicted on the community through years of dispossession and neglect by state and federal governments. All had troubled lives, with criminal histories, mainly for petty property offences. Only two had been educated beyond Year 9. One was completely illiterate and another, the oldest, was considered intellectually "slow".

Two days before the rape, two of the boys broke into the local tavern and stole not alcohol, but lollies, soft drinks and cigarettes—an indication of how young they were. A lawyer said the boys' families were in "crisis". The boys get involved in "drinking or smoking or sniffing or stealing and it becomes quite a vicious cycle".

Most of the boys lived with their grandparents. The prosecutor, Carter, described them as "coming from problematic homes", and added: "As far as children go, they haven't been very well looked after." He told the court that "some drastic intervention" was needed if their lives were to be turned around.

Clearly, a terrible situation exists. But throwing the nine in jail would simply have exacerbated their problems and, moreover, diverted attention from the real culprits—the state and federal governments—and their role in

creating the underlying social conditions that led to it.

The young girl's background was similar. When she was born in 1995 she was diagnosed with foetal alcohol syndrome due to her mother's alcoholism. As a result, the girl is said to have a mild intellectual disability. At the age of 7, she was sexually abused by a family member, contracting syphilis. The authorities removed her from her immediate family and placed her in foster care in Cairns. The sexual assault had predictably left its mark, and in early 2006 her foster parents reported that she was offering sexual acts for cigarettes and alcohol.

Shortly afterward, she returned to Aurukun. Within less than two months she had been raped several times. This came to the attention of the authorities only when she attended the local clinic requesting condoms and a pregnancy test. According to a child safety departmental report, the girl informed the clinic staff she was having consensual sex.

None of these circumstances can be understood outside the history of Aurukun. The town was established in 1904 as a Presbyterian mission and managed under the Queensland Aborigines Act, which gave missionaries and other authorities complete control over the indigenous population. Aborigines from the Wik clan and a dozen other different groups across a wide area were removed from their lands and relocated to Aurukun, many against their will.

In 1978, after enormous deposits of bauxite and tungsten were discovered in the region, the state government decided to take over control of Aurukun, provoking significant protests. Following lengthy negotiations, an elected local council was given a 50-year lease. Then, as a result of the 1996 Wik decision by the High Court, the land reverted to native title.

Today, the town's 1,100 people (about 900 of whom are Aboriginal) remain almost totally isolated, many hundreds of kilometres from any major town. The closest settlement of any size, 100 kilometres to the north, is the mining town of Weipa, built by Comalco (now Rio Tinto Aluminium) in the 1960s in order to export bauxite to Japan.

The nearest city is Cairns, a two-hour flight away over vast stretches of wilderness scattered with dirt roads. Communication is limited, with only some Aurukun residents having access to a phone. Like most remote indigenous communities throughout Australia, basic social infrastructure, like electricity and water supplies, is inadequate and unreliable.

Aurukun has suffered decades of under-funding and neglect from federal and state governments. There is a chronic housing shortage and up to 20 people share each home. There is no dentist, no permanent doctor, no emergency services officers, no Centrelink official to administer employment and social programs, and no Abstudy education adviser. The school and health centre are poorly resourced and understaffed.

There is one shop, which sells low-quality and expensive food. A recent Queensland Health survey showed that Aurukun residents are paying the state's highest prices for healthy food. There is a post office, a tavern, a small library that is rarely opened and a swimming pool that has been closed due to the lack of parts for the filtration plant. Over one third of the

population is under 19, yet there is virtually nothing for young people to do, and little reason to hope for a better future.

In 1985, alcohol was introduced into the community against the wishes of the majority of the Aboriginal residents. Despite widespread alcoholism and drug abuse, there are no permanent drug and alcohol counsellors. The *Medical Journal of Australia* recently published an audit of 3,262 Cape York children, which found that 12.8 percent were subject to abuse and neglect.

During the past 12 months three riots have erupted in Aurukun. The first occurred in January, when 300 people attacked the local police station after it was alleged that a young man had been assaulted in police custody. The riot was quelled by teams of special forces police, flown in to patrol the town in black body armour, balaclavas and carrying semi-automatics. A week later, the Aurukun council met with Queensland government officials, resulting in a community request for a permanent sports and recreation officer, some community funding and better policing.

A further riot erupted on September 18 and another on December 3. Nothing has happened about the permanent sports and recreation instructor and the health clinic has suffered a 50 percent drop in permanent staff.

The *Australian's* campaign was suddenly launched more than a month after the sentencing process was completed, just after the federal election and as numbers of Aboriginal people and others were urging the new Rudd government to drop or wind back aspects of the Northern Territory (NT) intervention.

Condemning the public prosecutor and branding the judge's sentence as "appalling" and "out of step" with "community expectations," the *Australian* demanded not just harsher sentencing but that the federal and state Labor governments "rethink" their current "misguided welfare policies" for indigenous people and extend the NT intervention into Queensland. Almost immediately, every other mainstream media outlet chimed in, including the Australian Broadcasting Corporation and the Fairfax press.

Once again, in the name of protecting Aboriginal children from sexual abuse, measures are being advanced that will only worsen the levels of deprivation in many indigenous communities. The Howard government's claims that its NT intervention in June was to protect the interests of young children have already been exposed as lies. Its measures abolished welfare rights, seized land and slashed employment programs, with the aim of shutting down townships and camps, and clearing the way for mining, pastoral and tourism projects. By scrapping or "quarantining" welfare payments, the intervention has also used Aboriginal people as a test case for similar punitive action against other sections of the working class.

The Labor government has been quick to respond. Indigenous Affairs Minister Jenny Macklin said she was considering the intervention's extension into Queensland. Prime Minister Kevin Rudd placed the issue on the agenda of his first meeting with the state and territory government leaders at this week's Council of Australian Governments' meeting, while saying the NT operation would be reviewed before any extension.

Likewise, Queensland Premier Anna Bligh said she was horrified by the case, describing the sentences as "far too lenient". She ordered a review of 64 sexual assault cases in Cape York communities over the previous two years, to examine whether the Aurukun sentences were part of a "systemic trend". If that proved to be so, she would not hesitate to take "radical action". The state's attorney-general Kerry Shine announced a legal appeal against the sentences, and prosecutor Carter was stood down, pending an investigation into his behaviour.

The underlying agenda emerged on December 12, when Noel Pearson, an aboriginal lawyer and director of the Cape York Institute, appeared on ABC television's "7.30 Report". Pearson, a long-time advocate of law and order and the scrapping of welfare, argued that "lenient sentencing"

and "passive welfare" had caused a complete breakdown in social norms, not just in Aurukun, but throughout Cape York.

Pearson complained that the Queensland government was delaying a "welfare reform program" that the Howard government had authorised in July. The \$48 million government-funded program, initiated by Pearson and the Cape York Institute, is set to be implemented across four Cape York communities—Aurukun, Mossman Gorge, Coen and Hope Vale—in January. The Queensland government has agreed to the scheme but not yet enacted the necessary legislation.

Under the program, a Family Responsibilities Commission will be established, consisting of a retired judge and two Aboriginal elders. It will be empowered to remove or redirect welfare payments from recipients if they do not meet certain obligations. For instance, children must have 100 percent school attendance, other than explained absences, parents must not allow children to be abused or neglected, all families must abide by tenancy regulations, and parents must not be involved in offences related to gambling, drinking or drug taking.

Pearson outlined an even broader agenda, insisting that courts must stop taking into account the historical dispossession and oppression of indigenous people. "In fact, part of the whole breakdown, the social and cultural breakdown, that we see in our communities is the consequence of courts taking into account the historical and social background of Aboriginal offenders."

Already, indigenous people, who make up about 2 percent of Australia's population, account for 25 percent of the nation's prisoners. Pearson's call would only see thousands more behind bars, intensifying the social crisis in Aboriginal communities.

In September, the Aluminium Corp of China (Chalco) signed an agreement with the Queensland government to launch a large new bauxite mine at Aurukun. Chalco has already begun a \$A40 million \$US33.06 million) feasibility study. Subject to technical, environmental and native title clearances and agreements, Chalco plans to extract 6.4 million tonnes of bauxite and build a \$2.2 billion alumina refinery on Queensland's Pacific coast.

No doubt, corporate interests across north Queensland, including those represented by Pearson, will benefit from these plans. At the same time, the project will generate more media and political pressure for the clearing of any obstacles, including native land title, to mining and associated operations, and for the gutting of welfare payments so that local residents will have little choice but to provide the necessary, low-wage, workforce.

The situation facing all young people in Aurukun and other remote communities constitutes a damning indictment of the entire political establishment. It can only be overcome through the long-overdue injection of funds to provide decent educational, sporting and recreational facilities, and permanent, well-paid jobs. Instead a witchhunt is underway, aimed at eliminating welfare payments altogether and imposing a "law and order" regime that will simply make matters worse.



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