

Overcoming the Cultural Divide Part II - Lessons unlearnt

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Abstract

This paper looks some of the impacts of legislative change, the Federal government intervention and other political policies and the way they have impacted on driver training and licensing programs in remote areas of the NT from a practitioner's point of view. It further looks at the long term social costs some of these well meaning policies have on marginalised community groups such as the indigenous people in the Northern Territory, how not having a license can have a roll on effect on road safety outcomes and overall disfunctionality, loss of empowerment and community disengagement.

This paper also looks at issues confronting indigenous people in their struggle to gain a driver license, how some of these policy issues fly in the face of previous lessons learnt when trying to empower and engage indigenous people rather creating yet more barriers.

- Why is it when something finally seems to work someone changes the rules?
- We need to have a national system, one size fits all.
- It's the 80/20 rule you can't please everyone.
- But every other state has it why should we be different (however does it work in other states?).

How do statements like these act as an impediment to indigenous learning and engagement, how is this related to indigenous road safety outcomes, and have policy makers stopped listening?

Aboriginal people whilst making up 30% of the total NT population still account for over 50% of all serious and fatal road crashes. Most drivers involved are still unlicensed.

In a previous paper I presented on the positive programs and initiatives in NT to address driver licensing and training in remote communities. Some of these programs were developed in partnership with WA Road Wise and Charles Darwin University and at the time were seen as innovative and responsive in the way they engaged community and overcame barriers.

“Lessons unlearnt” further looks at what has worked in the past and what doesn't work.

- How driver training and licensing can be an integral part of indigenous self determination and community capacity building.
- The challenges to training in communities and issues arising when comparing apples with oranges as is the case with mainstream unlicensed drivers as opposed to remote indigenous unlicensed drivers
- Innovation versus blanket policy
- Is a TV advert really education?
- Impacts on confusing and sometimes opposing policies that influence indigenous communities, Federal, state, regional and local and where does this leave road safety.

This paper aims to create healthy debate and look outside the square of policy and foster inter-agency collaboration when working with in the difficult area of indigenous education and road safety not to, in any way criticise Government policy.

Northern Territory Environment

The Northern Territory has a very unique environment. The population base of the NT is roughly:

- 200,000 people spread over a very large area.
- Of these 30% are Aboriginal
 - Of these 30%
 - 70% reside in remote communities
 - Most speak English as a second or third language
 - Many live in low socio-economic conditions with high unemployment, poor inadequate housing and poor health.
 - Most communities do not offer education higher than year 12.
 - Long distances to travel for shopping or mainstream medical assistance add to the high risk of car crash involvement.
 - Indigenous people whilst being 30% of our population still continue to make up over 50% of our total road toll.
 - Indigenous people are 3x more likely to be involved in serious or fatal road crashes in the NT.
 - Most are unlicensed

Chronology of events

In 1999 Darwin hosted one of the first National Indigenous Road Safety conferences to address the high rate of indigenous involvement in fatal car crashes and the high rate of unlicensed driving amongst this group of people. Whilst it was high in NT because of our indigenous population it appeared the stories were the same in every state. The conference had a very high participation from various indigenous groups such as NT Aboriginal Community Police and their WA counterparts, community leaders, Aboriginal Health delegates and others. Some key outcomes of the conference were

1. That community consultation was essential to develop ownership and empowerment of any program initiative.
2. That there was a chronic lack of resources available to indigenous groups that recognised their situation, environment and culture. All were focused on mainstream and were not relevant.
3. That in successfully implementing change, there must be recognition of the aboriginal way of doing things. This message came out loud and clear and was seen as critical and vital
4. That there needed to be a commitment by all Governments at state and national levels to ensure Aboriginal road safety issues continue to be addressed.

As a result of this conference many partnerships were made to develop relevant indigenous resources and to share information. Much progress was made and many innovative initiatives were instigated across Australia.

In the Northern Territory collaboration between Motor Vehicle Registry, Dept Transport and works, NT police, NT Aboriginal Police Officers, Northern Territory University and Batchelor

College led to the development of the Indigenous driver licensing program which would address the lack of driver training and licensing in remote communities.

Two key initiatives that made this program different from anything that had been developed before were

1. The ability of training providers (Registered Training Organisations (RTO) to be able to deliver and assess competency of people which would be accepted by the licensing authority for purpose of driver licensing. (NT only). Innovation, flexibility and tailored to suit client needs
2. Development of resources that were culturally appropriate, user friendly for people with low literacy and relevant to community people.
Also Innovation, flexibility and tailored to suit client needs

Outcomes of this program- What worked?

- A huge increase in the uptake of both driver training and licensing in communities.
- Indigenous engagement and ownership in the process-buy in
- Increase in employment opportunities for licensed drivers and progression to heavy vehicles in civil construction and mining.
- Better communication between stakeholders-road safety and driver training worked together to share information and improve overall outcomes, Holistic approach
- Development of community based driver instructor program
- Development of national indigenous road safety video and other relevant resources
- Development of driver training program in NT Correctional Centres.

Success or not?

If targeting driver training and licensing which was the initial goal it was extremely successful in significantly increasing number of people trained and licences. The understanding of community and cultural dynamics is pivotal to the success of this program. By breaking down many of these barriers well over 3,000 community people have gained their drivers license.

However it is a bit harder to measure in “road safety” terms.

To date the involvement of indigenous people in serious and fatal crashes has not reduced significantly but it also has not risen but the dynamics of the group have changed. There has been an increase in pedestrian fatalities usually due to alcohol issues which skews the results. There also is evidence that more community people are now driving, more indigenous people have access to vehicles and indigenous people are increasingly more mobile. There has been a reduction of licensed indigenous driver involvement as most indigenous drivers involved in crashes are still unlicensed and whilst the rate has not increased in 5 years it was continually climbing before the introduction

In 2005 the Alice Springs correctional Centre records showed that out of 46 inmates that participated in driver training and licensing courses only 3 were reported as coming back into the system in a 12 month span so reducing the rate of recidivism.

In the communities over 3,000 people have been trained by CDU and licensed since the inception of the remote driver education program. The understanding of community and cultural dynamics was pivotal to the success of this program

What has changed and what are the current challenges.

1. Sept 05-changes to ID policy In Sept 05 NT Govt brought out a policy relating to evidence of ID for driver licensing in line with national fraud prevention policy. How did effect driver licensing in the bush.

For indigenous communities formal ID in the form of birth certificates are nearly always problematic for several reasons.

- Up until the establishment of aboriginal community health clinics, aboriginal births in remote communities were rarely formally recorded
- Cultural issues can lead to name changes as in the case of the death of someone with the same name
- Tribal marriages also aren't recorded or
- Information provided initially was by a person who couldn't read or write or simply the information was not available. Therefore for aboriginal people the BC very rarely matches the name of the person.

Whilst a birth certificate was always required as ID a statutory declaration outlining name change and corroborating evidence was sufficient for a licence. However with the policy shift the name of the person now has to match the name on the certificate for them to be issued a licence. For this to happen now constitutes a formal name change process, lots of paper work and a cost of approx \$400 per person.

It now becomes very difficult for people with low literacy and low income to go through this process. After a ministerial a pilot program was developed between Charles Darwin University and BDM so possible name changes could be made before issue and also wave the advert in newspaper to cut costs. This has still had limited success because it still needs to be driven by someone in the community to make it happen. After birth certificate is issued with new name the other supporting evidence also needs to be changed ie Medicare card and bank details etc-**Impediment 1**

The question still has to be asked why is the driver licensing the default ID people when centrelink does not require this high level of ID? There needs to be a better system developed to identify people other wise the dual identities will continue.

2. Jan 06-Establishment of Road Safety Task Force In Jan 2006 in a serious commitment to improve road safety the NT Government established a road safety task force-to critically examine Territory road use, driver safety and strategies to reduce road crashes in the NT.
3. June 06 Safety Road Use strategy June 2006 saw the release of a report from the Road Safety Task force outlining key recommendations which then became the framework for the NT Safer Road Use strategy (*Safer Road Use: A Territory Imperative NT Government 2006*).
4. Nov 06 Abolition of Road Safety Council In November 2006 as a result of the reform recommendations the NT Road Safety Council, which was made up of independent people representing many areas and regions in the NT ceased and was replaced by the "Road Safety Coordination Group" consisting of primarily Government representatives.

There is still debate as to whether the council was successful or not however the council provided a useful forum for consultation and information sharing that fed back to the regional road safety councils and other stakeholders who were crucial in creating campaigns and community based strategies which raised awareness around road safety. Currently these lines of communications have weakened and wider consultation is limited. This may change once the strategy kicks in on the long term.

5. Jan 07 saw the introduction some of new reforms including speed limits on open roads and increase in fines and penalties.
6. July 07 Introduction of reforms to reduce novice driver participation in road crashes in line with nation research and road safety recommendations including a graduated driver training system, changes to the minimum licensing age and *mandatory learners license period of 6 months* before being able to sit for provisional license in line with national standard. Whilst this is a very sound strategy and all the research supports this it is based on non indigenous main stream youth and not indigenous statistics. What does this mean?

For non indigenous people the vulnerable road user is in the 16-25 age groups and usually licensed. For indigenous people in NT the vulnerable group is in the 30 year age group, male and unlicensed. The dynamics are entirely different.

- Mainstream youth have access to driving schools, training, vehicles etc
- Indigenous community dynamic
 - 30 year men are the main drivers because there is very little access to vehicles in a community (young people and women low on the list)
 - Pre driver training program no formal Driver training was available to communities
 - Limited access to licensing process
 - Low numbers of licensed drivers
 - Unroadworthy vehicles
 - Lack of road safety knowledge
 - No public transport
 - Average age of students undertaking driver training programs in communities are usually 25-50 year olds as opposed to mainstream 16-20 year olds. (this is due to lack of access to training and licensing for many years in communities so we are still playing catch ups.

It is clear to see that the one size fits all policy under these conditions would not work. The 80/20 rule cant work when the 20 is 50% of our road crash fatalities in the NT. So how does the new GDL policy act as an impediment to indigenous driver training and licensing and road safety? What has changed?

When the remote area driver training and licensing initiative first commenced there was a waver on period for learners permit period (when linked with training) so people could gain provisional license as soon as they were deemed competent after issue of learner's license and not based on any time frame. Under new law they must hold learners licence for at least six months before doing test for provisional license. The rationale behind this is sound if we look at mainstream novice drivers as by increasing the learners phase it is assumed you will increase the direct supervised driving experience. However in communities this does not happen and cannot be assumed to happen as per reasons stated above. As a practitioner I liken it a bit to teaching a person to do an excel spreadsheet on a

computer then taking the computer away and coming back in 6 months to do an assessment. ***Impediment 2***

The chances of finding the same 12 people in 6 months time in any given remote community and retraining and assessing them are not high given that community people are very transient; have many traditional and cultural commitments etc.

So to complete the course and comply with the policy change we go in good faith, deliver the learners license part (phase 1) and plan to return in 6 months time for phase 2 the Practical. Since the changes the second part of training has significantly dropped in both numbers and courses leaving us to ponder the viability of the training and its successful outcomes. This leaves indigenous communities once again wondering what has gone wrong and why policy that was finally working for them now has presented yet another barrier.

Viability

This particular change in legislation has also put viability of training in doubt. It is nothing to do a 6,000Km round trip to a community to deliver a Driver training program. Previously the training was delivered over a 3 week period with approximately 12 people and involved only one trip. The new legislation means we have to do two trips to comply with the 6 month time frame with **no** additional funding.

Driver training is funded by Dept of Employment and Education (DEET) NT at \$14.00 per nominal hour per person. "UCO 008-Develop Knowledge and skills to gain a drivers licence" the module used for the practical in car component is 20 nominal hours. So for each person we train in communities we are funded at \$270.00 to get a student from no driving skills to a safe skilled driver. In main stream this would equate to 3 1/2 lessons. Now add the second trip in incorporating high cost of vehicles, long distances, cost of highly trained qualified staff, increasing fuel costs, travel allowance staff, and one on one training it seriously puts in doubt the continued viability of delivery. ***Impediment 3***

Just to add another touch of bizarre policy, funding to teach the same group to use a fax machine is at 15 nominal hours.

7. June 2007 Federal Government interventions and removal of land permits. Right or wrong, without even getting into the politics of the intervention or the reasons for it one thing is clear. There was little or no consultations in many communities as the federal Government took over. Indigenous people once again were the victims of the political football which has left many communities in a state of shock and disempowerment. Communities became even more dysfunctional and disillusioned with no clear goals, strategies or directions. How did this effect driver training and licensing? Not a priority any more, survival was more important. Lack of accommodation also prevented many training programs from going ahead due to the increase of Non indigenous people in communities related to the intervention taxing the little existing infrastructure to bursting point. This problem still exists and does prevent us scheduling in training in some communities even though the intervention is over accommodation is still at a premium. ***Impediment 4***

8. July 07-Abolition of CDEP (Community Development Employment) Projects program and closure of all Indigenous Employment Centres. Whilst CDEP was not an ideal program and was in some ways a work for the dole program in communities it still gave

many community people purpose, some level of structure and empowerment. CDEP's were pivotal for the introduction and organisation of community based training programs to give community people the skills to enter the workforce.

Driver training was well recognised as a prerequisite to employment as driving a vehicle was imperative for most jobs in the bush. CDEP also recognised the need for the communities to become autonomous and self sufficient. To do this people needed to gain a license so they could eventually upgrade and drive heavy vehicle and plant and equipment thus allowing funding for government contracts to support the community. With the abolition of the CDEP structure, communities were once again thrown into limbo with out a well thought out structure to replace it. Whilst community people still saw the need for driver training and licensing as individuals there was no key driver to organise it.

Impediment 5

9. July 07-introduction of Job network agencies to replace CDEP. Whilst sounding good they had their limitations. High staff turnover prevented any consistency in information. New staff unfamiliar with training programs, licensing issues, and community dynamics led to mismanagement of training monies at times and an uncoordinated approach. In some communities it worked well but in most it would be fair to say they did not achieved its desired results. Other issues that cause problems and frustrations in communities are the three levels of government and their related funding. Job networks were federally funded, then there state government funded programs which mostly all operated in isolation and did not always align with the community based goals leaving community people very confused. ***Impediment 6***
10. Feb 08-Changed to shires and local government reforms Still waiting to see the effect of this initiative but it will be yet another change in some communities that impact on the political landscape and decision making process and goals.
11. July 08 roll back of Federal intervention and reinstatement of CDEP and land permit system in NT Now do we go on as though nothing has happened?

In the aftermath of all of this it is hardly surprising that indigenous people become disenfranchised, dysfunctional and disengaged and this is only in a 2 year cycle. Why would indigenous people buy into any road safety strategies when the simple act of gaining a drivers licence is still something many find beyond their reach. This also then leads to other anti social behaviour like drink driving (no licence to loose) unregistered and un-roadworthy vehicles, vehicle overcrowding, non seatbelt wearing and other related compliance.

Would a few road safety messages really have any effects or contribute to a change in road safety culture under this current climate of continual change and frustration. Is a 2 second TV advert any substitute for structured training and community engagement. There needs to be a serious commitment to indigenous people in the NT when it comes to driver training.

Why is this so important when there seems to be so many other problems in communities? How could driver licensing make such a difference to indigenous self determination and capacity building?

The new Federal Government in its social reforms is developing a social inclusion policy to reengage people into the workforce and get them off welfare. The Northern Territory

currently has a very robust mining and civil construction industry. We also have a huge skills shortage which will put strain on many organisations. Most mine sites are in remote areas on aboriginal land. Both the Federal and The Northern Territory government see indigenous participation as one of the major long term solution to meet our skills shortage in the NT

So with this brief it is critical to target driver training and licensing in indigenous communities and have a collaborative approach to make this happen rather than creating more barriers. Whilst driver licensing isn't the be all and end all it certainly provides a good foundation to grow on. Most jobs now require an NT driver's licence. Without it options are extremely limited particularly in the bush where there is no public transport and no other alternatives other than driving.

Nearly every job in the community needs a license. Some examples for employment opportunities in a typical community would be: Night Patrol, health workers, teachers, meals on wheels, hospitality and tourism, mechanics, builders, store workers, road works, mining etc. With the later few, many other training skills need to be added on after the driver training such as forklift license, heavy vehicle licences, plant and equipment licensing. How can people possibly get this higher order of jobs with out access to the basic licensing? The longer we delay the longer it will take.

With greater access to licensing and greater employment opportunities resulting in less welfare, communities will gradually come around and be able to develop community enterprises with higher productivity, higher self esteem and improved abilities to self determination. However for any of this to work there has to be better interagency collaboration and interaction so every one is working in concert and not in isolation.

Every time there is a change in policy in one area the ripples flow through to other areas and usually the marginalised groups becomes even more marginalised and feel powerless to make the changes needed to survive. An example of this is the policy of suspending a drivers license due to non payment of fines for something that is not even traffic related preventing this person getting a license upgrade and a job in the mine. How does this help and if the person has no job how are they going to pay. It appears sometimes that we cut off our nose to spite our face.

Policy makers need to go back to the coal face and look at more flexible and innovative solutions rather hiding behind than safe blanket policies. Every conference, forum or information session dealing with indigenous communities/peoples will expound the virtues of communication, ownership, collaboration, innovation and tailor made training and policy so why have we gone the other way.

Clearly the events of the past two years demonstrate the frustrations and barriers experienced by indigenous people by ever-changing policy and their inability at times to achieve positive outcomes as a consequence. Communities seem to be the victims of the "policy cycles".

Issues

- Driver training and licensing for remote and isolated communities has in the past been mostly inaccessible and costly leading to members driving unlicensed and without appropriate training.

Conclusion

In an attempt to standardise mainstream driver licensing and legislation to curb the road toll, many indigenous people have once again inadvertently been marginalised and excluded from successfully gaining a drivers licence. The long term social effects of this are social disengagement which can have significant impact on road safety.

Driver training and licensing for remote indigenous people presents itself with a whole gamut of issues not experienced by mainstream population. Low levels of literacy and English as second language create impediments to the process that need to be overcome. Clearly barriers need to be broken.

Unlicensed driving remains a major road safety, health and social problem for Indigenous communities in the Northern Territory. The lack of access to driver training and licensing has far reaching implications as seen by the high incarceration rate of non-licensed indigenous people in the Northern Territory.

Mainstream training and licensing programs are minimally effective when dealing with indigenous community groups. For any programs to be successful for these groups they need to be targeted and relevant to allow participants to take ownership of them. Only by people having community ownership of driver training and licensing can we then have positive road safety outcomes resulting in the long-term reduction of the high rate of indigenous involvement in fatal and serious crashes in the Northern Territory

What works?

- Tailor made targeted programs that include the indigenous way of doing things
- Inclusive policy rather than blanket policy.
- Interagency collaboration and a holistic view on processes and outcomes
- Consultation and community engagement

Long term benefits of increased access to remote driver training and licensing

By increasing focus on driver training and licensing in remote areas and breaking down some of the current barriers we expect to see

- Increase in the number of licensed drivers in rural, remote and isolated communities.
- Increased access to driver training and licensing
- Reduction in Indigenous involvement in road fatalities and trauma.
- Increase in road safety and road law awareness.
- Reduction in costs to community, insurance companies and emergency services.
- Reduction in incarceration rates particularly non-licensed indigenous people.
- Long-term quality training linked with employment outcomes and social justice.
- Access and equity for remote indigenous communities to licensing and training.
- Increase in Community capacity building and community enterprise opportunities.

What doesn't work?

- Blanket policy that does not recognise differences between indigenous and non indigenous issues and impediments
- Lack of consultation and inclusion
- Mainstream programs

It is hoped that this paper may make people look at more innovative policies and practices to ensure indigenous people are no longer marginalised and have capacity to improve their social and employment outcomes in the future.

References

Northern Territory Government, *Safe Road Use: A Territory Imperative* June 2006