

lonely boy

Richard

An intimate account
of one man's journey to jail

Synopsis

Richard Wanambi is about to go to prison for a long time. He knows what it's like. He's been there before... In Australia's Northern Territory three-quarters of the people behind bars are Indigenous men.

Lonely Boy Richard is an intimate account of one man's journey to jail.

Richard lives with his family in Yirrkala, in northeast Arnhem Land. It's a proud Aboriginal community now experiencing serious social problems. Like elsewhere, alcohol abuse and violence are threatening to erode family and community life.

Nami, the woman Richard knows as mum, lives in fear. She's lost one son because of grog. Another is teetering on the edge. Then there's Richard, who calls himself Lonely Boy. He's been drinking since he was 14. Just like his dad did. Now he's committed a terrible crime.

Salvation may lie in a return to their ancestral homelands. That's where Nami takes her family. But for Richard, temptation lies all too close in the white mining township of Nhulunbuy.

Yirrkala's night patrol team does what it can. Every night it battles on the frontline, to bring the drinkers home from Nhulunbuy and keep the grog out of their 'dry' community. But that's not enough to save Richard from himself, or his community from him.

Lonely Boy Richard presents the human story behind the headlines.

Curriculum Links

This program will have interest and relevance for teachers and students at senior secondary and tertiary levels. Curriculum links include Aboriginal Studies, Australian History, Health, Justice/Legal Studies, SOSE/HSIE, Gender Studies, English and Media Studies.

Introduction

Lonely Boy Richard is the tragic account of Richard Wanambi's battle with alcohol from the age of 14. Decades later he is still drinking. He has been in jail before and soon he'll be there again—this time for a serious sexual assault committed under the influence of alcohol.

This is also the story of the Yolngu people of Yirrkala. The Yirrkala-Dhanbul Council allowed the filmmakers intimate access to all aspects of life in the community over an extended period. The film delivers a disturbing message about the extent of the problems relating to alcohol abuse in Aboriginal communities across Australia—from the dramatic deterioration of family life through to the violence inflicted, to the problems of school truancy, youth suicide and the consistently high incarceration rates of Aboriginal people across the legal system nationally.

In following Richard's journey through the Northern Territory criminal justice system the film also exposes the lack of services and resources being provided by any government to address this growing crisis. Richard is given a 12-year sentence, with a non-parole period of eight-and-a-half years. The Supreme Court judgement describes Richard as 'a danger to vulnerable persons' and recommends that he participate in a sexual

offenders rehabilitation program. The recommendation seems useless—there are no such programs operating in the Northern Territory.

The documentary is also a powerful vindication of the actions taken by the Yirrkala people in opposing the opening of a bauxite mine and the creation of the mining town of Nhulunbuy in the case of *Milirrpum v Nabalco*.¹ Historical footage of the Yolngu people's fight against the mine and town and their reasons for opposing its establishment in 1971 make an eerily accurate prediction of what the future would be for the Yolngu of Yirrkala.

At community meetings a sense of frustration and futility is apparent. Nami sums up the Yolngu view with this statement:

Long time ago, our people fought to stop the mine, because they knew what was coming. Now old people singing for young people; should be the other way round.

Nami is deeply scarred by the loss of her eldest son through violence fuelled by alcohol and is equally determined that she will not lose another son the same way. We see the inner turmoil of her youngest son, Jamie, at the loss of his brother, but he is also following a destructive path to the extent of attempting suicide.

Nami's response is to remove Jamie from Yirrkala back to their traditional country and way of life at the outstation called Gurka'wuy. Jamie's exile from Yirrkala stops him in time; his positive response to life without alcohol is clearly evident.

Recently, highly respected Aboriginal leader Mick Dodson broke the silence about the level of violence and alcohol abuse in communities. He quotes staggering statistics: '90 per cent of Aboriginal families are affected by violence... Aboriginal women are 45 times more likely than other women to be victims of violence'.

Dodson blames poverty, social exclusion, lack of leadership, economic and welfare dependency and unemployment for causing 'a volatile cocktail of despair, anger, powerlessness and hopelessness'. He has called on everyone from the Prime Minister down to help. 'This is not just our problem. This is everyone's problem.'²

Nami Maymuru-White and her grandson Little Leon



Before Watching

Use some of the following as discussion starters to assess students' entering knowledge, understandings, values and attitudes:

- Name some of the effects of alcohol and other substance abuse—on the body (including mental health), within a family and on society.
- Why do people consume alcohol? Can there be causes attributed for its abuse? If so, what do you think these include?
- How prominent do you think alcohol/substance abuse and violence are in Aboriginal communities?
- What are the headlines about these issues in the media?
- Who do you think should 'own' these problems?

TRUE OR FALSE?

Compared with the non-Aboriginal population, Aboriginal people:

- are more likely to be incarcerated
- are more likely to be affected by nicotine-related illnesses
- are more likely to experience institutionalized racism on a daily basis
- are socially and economically disadvantaged
- have a lower life expectancy on average
- are more likely to be affected by violence
- experience higher rates of unemployment

KEY TERMS AND VOCABULARY

customary law, discrimination, land rights, Mabo, native title, racism, sovereignty, terra nullius, Yolngu

Some Yolngu language used in the program:

- Ngalakan—Billy Wanambi (Richard's father)
- yukka—stop
- nanangee—alcohol
- minmak—good

Historical Background

YIRRKALA

Situated 650 kilometres east of Darwin on the Gove Peninsula, Yirrkala was established as a Methodist mission in 1935 and part of the Arnhem Land reserve in the 1930s. It soon became a major settlement for the Yolngu clans. It is a picturesque community with a proud history and considered a showpiece community, famous for its political will, creativity and art and the strength of its customary law.

Despite Yolngu protests during the 1950s and 60s, the federal government authorized mining and destruction of sacred sites on their land.³

The intrusion of the bauxite mine and the town of Nhulunbuy, with its pub and 4000 white workers in the 1970s, has changed the community of Yirrkala forever. The serious social problems now being experienced in the community are anchored in alcohol abuse and violence in family and community life.

MILIRRPUM V NABALCO PTY LTD (1971)

In 1968 the federal government passed the *Mining (Gove Peninsula Nabalco Agreement) Act 1968* (NT), granting a 42-year lease to Nabalco. The Yolngu feared what liquor and other disruptions would bring to their way of life.

The 500 Yolngu of Yirrkala and others became the plaintiffs in the case (also known as the Gove Land Rights case), arguing they enjoyed sovereign rights over their land and seeking declarations that they were entitled to occupy the land free from interference pursuant to their native title rights.⁴ It is acknowledged as the first case brought by Aboriginal people that argued Indigenous Australians should be accepted in Australian law as the rightful owners of their traditional country.⁵

In his rejection of the plaintiff's claims, Justice Blackburn made the following observation of the Yolngu system of laws:

The evidence shows a subtle and elaborate system highly adapted to the country in which the people led their lives, which provided a stable order of society and was remarkably free from the vagaries of personal whim or influence. If ever a system could be called 'a government of laws, and not of men', it is shown in the evidence before me...⁶

Blackburn reasoned that Yolngu law was definitely a system of law, but because it did not include a system of proprietary interests, being the rights to alienate (sell) and to exclude others, it was therefore incapable of recognition as land law by the Australian law.⁷

OUTSTATION MOVEMENT

In the early 1970s, the Yolngu began returning to their ancestral clan lands. They established tiny 'outstation' settlements where they resumed a more traditional lifestyle—hunting, painting and raising their families away from the temptations and distractions of 'town'. The scenes of Nami, her son Jamie and the Wanambi clan at Gurka'wuy show the exquisite, pristine land of their ancestors.

MANDATORY SENTENCING

In 1997 the Northern Territory introduced mandatory sentencing. Prison numbers almost doubled as adults were jailed for their first offence and juveniles for their second. The hanging of a young boy from Groote Eylandt while in mandatory detention for stealing felt pens sparked national outrage. Many argued it was evident that Aboriginal people were the targets of this controversial law, in that Aboriginal people had little understanding of white laws, least of all the intricacies of mandatory sentencing. In court, most couldn't even understand what was being said, as English was invariably their second if not third language.

Soon after the introduction of mandatory sentencing, Territorians went to the polls and ousted the Country Liberal Party, the architects of the 'zero tolerance' policy. The incoming Labor government immediately repealed mandatory sentencing and introduced its own tough anti-crime legislation. But in effect nothing much changed.

Aboriginal people still appear in court more than non-Indigenous people and remain grossly over-represented in prison populations. Jail is not considered shameful or a deterrent as so many men of age 'do time' behind bars. Indeed, in some Territory communities, a stint in jail is seen as a rite of passage.

As Richard's case so graphically demonstrates, there are no rehabilitation programs within the Northern Territory corrective services program for prisoners with histories of alcohol, physical or sexual abuse.

After Watching—Suggested Activities

FIRST IMPRESSIONS

Encourage students to share their initial responses to the film through free discussion. Identify the main observations that emerge.

Alternately, the following points could be used to guide discussion:

- Did you sympathize with Richard? Does he represent the classic case of a defendant being a victim, even though he acknowledges his guilt and accepts that he must be punished?
- What resources are needed to conduct an adequate defence in a court of law?
- How do you think Richard was treated in court? Did he appear to understand the process?
- In your view, do you agree that justice was done, was seen to be done, or both?
- What parts of the story resonated with you?
- What would be the benefits of providing drug education and specialized rehabilitation programs within the prison system?
- Comment on the various expressions of religious belief by Yolngu people in the program. Did you observe any contradictions?
- Do you think the film's title, *Lonely Boy Richard*, is appropriate? Think of what you would call it if you were the filmmaker.
- How has your understanding of the issues facing Aboriginal people, society and culture changed after watching *Lonely Boy Richard*?

Research statistics on imprisonment rates. Discuss your findings.

Discuss reconciliation and social justice. Are either attainable for all Australians?

Ask students to identify a topic from the film and prepare a short talk for the class. Suitable topics/issues include:

- alcohol abuse
- violence
- sexual abuse
- family breakdown
- truancy
- loneliness/feelings of isolation and estrangement
- youth suicide
- clash of cultures/laws
- land rights/native title
- mandatory sentencing
- community alternative sentencing programs

- outstation movement
- night patrols
- jail as a rite of passage

Use the Human Rights and Equal Opportunity Commission's website (www.hreoc.gov.au) and other sources to research alcohol restriction as a form of racial discrimination. Present your findings as an article or short report.

Conduct group discussions on any material covered in the film. Discuss the legal issues and the medical/health issues separately. Bring groups together to suggest solutions for social problems affecting community.

Role-play selected historic moments such as a courtroom scenario when the Yolngu lost the battle to defeat the mine. Include comments from the elders about the consequences of the mine. Workshop each scene from the perspective of two laws—black and white.

Mark traditional Yolngu land on a map of the Northern Territory. Compare their land title to that of members of the class. Decide which is the legally stronger title. Support your opinion with reasons.

Essay topic: Aboriginal people have been dispossessed all over again by Native Title legislation. Discuss.

Establish a relationship with a community, like Yirrkala, or find a worthwhile community organization or activity to support for a term, semester or year.

Endnotes

1 H. McRae, G. Nettheim and L. Beacroft, *Indigenous Legal Issues*, p. 206

2 <http://www.abc.net.au/public/s878051.htm>

3 H. McRae, G. Nettheim and L. Beacroft, *Indigenous Legal Issues*, p. 205

4 *ibid*, p. 205

5 Film Australia, *Mabo—The Native Title Revolution* teachers notes, p. 3

6 H. McRae, G. Nettheim and L. Beacroft, *Indigenous Legal Issues*, p. 125

7 *ibid*, p. 125

Dave Simmons, Yirrkala Community Night Patrol Officer



References and Further Resources

HISTORICAL BACKGROUND

Australian Museum Online—Indigenous Australia—Timeline
—Contact 1970–2000 <http://australianmuseum.net.au/indigenous-australia-timeline-1970-to-present>

M. Dewar, *The 'Black War' in Arnhem Land: Missionaries and the Yolngu 1908–1940*, Australian National University North Australia Research Unit, Darwin, 1995

Milirrpum v Nabalco Pty Ltd and the Commonwealth of Australia, (Gove Land Rights Case), 1971, 17 Federal Law Reports, 141

Ian Dunlop (director), *The Yirrkala Film Project* [videorecording], Film Australia, 1271 min, 1979–1996

A collection of 22 programs filmed between 1970 and 1982 that document many aspects of Yolngu life.

LAW/SOCIAL JUSTICE

Judy Atkinson, *Trauma Trails: Recreating Song Lines, The Transgenerational Effects of Trauma in Indigenous Communities*, Spinifex, North Melbourne, 2002

Bain Attwood, *Rights for Aborigines*, Allen and Unwin, Crows Nest, 2003

Austlii—Indigenous Law Resources—Timeline: Legal Developments Affecting Indigenous People
www.austlii.edu.au/au/other/IndigLRes/timeline/1968.html

Australian Institute of Criminology—Mandatory Sentencing Timeline http://www.aic.gov.au/media_library/publications/tandi_pdf/tandi138.pdf

Chris Cunneen (ed), *Aboriginal Perspectives on Criminal Justice*, Institute of Criminology, Sydney University Law School, 1992

Chris Cunneen, 'Contemporary Comments: Mandatory Sentencing and Human Rights' in *Current Issues in Criminal Justice*, March 2002; Vol. 13 No. 3, pp. 319–321

Chris Cunneen, *Conflict, Politics and Crime: Aboriginal Communities and the Police*, Allen and Unwin, St Leonards, 2001

Russell Hogg and David Brown, *Rethinking Law and Order*, Pluto Press, 1998

Jennifer Isaacs, *Wandjuk Marika Life Story*, University of Queensland Press, Brisbane, 1995

An autobiography of one of Australia's greatest Indigenous statesmen, artists and religious leaders whose story shows the changing life over several decades at Yirrkala.

Marcia Langton, 'Aborigines and Policing: Aboriginal Solutions from Northern Territory Communities', *Australian Aboriginal Studies*, No. 2, pp. 2–14, Australian Institute of Aboriginal and Torres Strait Islander Studies, 1992

Mark McKenna, *Looking For Blackfellas' Point: An Australian History of Place*, UNSW Press, 2002

Luke McNamara, 'Aboriginal Human Rights, the Criminal Justice System and the Search for Solutions: A Case for Self-determination', North Australia Research Unit, Australian National University, Casuarina, Discussion Paper No. 19, 1993

Heather McRae, Garth Nettheim and Laura Beacroft, *Indigenous Legal Issues*, Law Book Company, North Ryde, 3rd edition, 2003

Rosemary Neill, *White Out: How Politics is Killing Black Australia*, Allen and Unwin, St Leonards, 2002

Northern Territory Government—Department of Justice
www.nt.gov.au/justice

Nancy Margaret Williams, 'Local Autonomy and the Viability of Community Justice Mechanisms' in *Ivory Scales*, Kayleen M. Hazlehurst (ed), New South Wales University Press in association with the Australian Institute of Criminology, Kensington, 1987, pp. 227–240

Examines social control at Yirrkala, and the history and function of local councils

GENDER STUDIES

Sharyn Pearce and Vivienne Muller (eds), *Manning the Next Millennium: Studies in Masculinities*, Black Swan Press, Bentley, 2002

ABORIGINAL HEALTH

K. Malera Bandjalan (ed), *Aboriginal & Torres Strait Islander Health Worker Journal*, Sydney

Gregory Phillips, *Addictions and Healing in Aboriginal Country*, Aboriginal Studies Press, Canberra, 2003

Neil Thomson and Patricia Merrifield, *Aboriginal Health: An Annotated Bibliography*, Aboriginal Studies Press, Canberra, 1989

Early drug use

M. Brady, 'Drug and Alcohol Use Among Aboriginal People' in J. Reid and P. Trompf (eds), *The Health of Aboriginal Australia*, Harcourt Brace Jovanovich, Sydney, 1991

Research on alcohol use

M. Brady, *Where the Beer Truck Stopped: Drinking in a Northern Australian Town*, North Australia Research Unit, Australian National University, Darwin, 1988

M. Brady, 'Indigenous and Government Attempts to Control Alcohol Use Among Australian Aborigines' in *Contemporary Drug Problems* 17(2):195–220, 1990

M. Brady, 'Ethnography and Understandings of Aboriginal Drinking' in *Journal of Drug Issues* 22(3):699–712, 1992

M. Brady, 'Broadening the Base of Interventions for Aboriginal People with Alcohol Problems', Technical Report No 29, National Drug and Alcohol Research Centre, University of New South Wales, Sydney, 1995

M. Brady, 'Giving Away the Grog: An Ethnography of Aboriginal Drinkers Who Quit Without Help' in *Drug and Alcohol Review* 12(4):401–411, 1993

P. D'Abbs, E. Hunter, J. Reser and D. Martin, 'Alcohol-related Violence in Aboriginal and Torres Strait Islander Communities: A Literature Review'. Report 8 of the National Alcohol Misuse and Violence Symposium, Department of Human Services and Health, Canberra, 1994

E. Hunter, 'Aboriginal Alcohol Use—A Review of Quantitative Studies' in *Journal of Drug Issues* 22(3):713–731, 1992

E. Hunter, *Aboriginal Health and History: Power and Prejudice in Remote Australia*, Cambridge University Press, Melbourne, 1993

M. Langton, 'Too Much Sorry Business: The Report of the Aboriginal Issues Unit of the NT' in E. Johnston, *Royal Commission into Aboriginal Deaths in Custody National Report*, Volume 5, Appendix D(1), AGPS, Canberra, 1991 pp 275-511

A. Mosey, *Remote Area Aboriginal Night Patrols*, Drug and Alcohol Services Association, Alice Springs, 1994

Tim Rowse, 'The Relevance of Ethnographic Understanding to Aboriginal Anti-grog Initiatives' in *Drug and Alcohol Review* 12(4):393-400, 1993

C. Watson, J. Fleming and K. Alexander, *A Survey of Drug Use Patterns in Northern Territory Aboriginal Communities 1986–1987*, Darwin, NT Department of Health and Community Services, 1988

LICENSING LAWS

P. D'Abbs, S. Togni and I. Crundall, 'The Tennant Creek Liquor Licensing Trial, August 1995–February 1996: An Evaluation', Menzies School of Health Research Occasional Paper, 1996

R. Solomon and J. Payne, *Alcohol Liability in Canada and Australia: Sell, Serve and Be Sued*, National Centre for Research into the Prevention of Drug Abuse, Curtin University of Technology, Perth, 1996

POLICY ISSUES

G. Edwards et al, *Alcohol Policy and the Public Good*, WHO Europe, Oxford Medical Publications, Oxford, 1995

NSW Alcohol Summit 03–Indigenous Issues
<http://pandora.nla.gov.au/tep/38632>

Race Discrimination Commissioner, *Alcohol Report: Race Discrimination, Human Rights and the Distribution of Alcohol*, AGPS, Canberra, 1995

Lonely Boy Richard

A Film Australia National Interest Program. Produced with the assistance of the Australian Broadcasting Corporation.

Director: Trevor Graham

Producer: Denise Haslem

Writer/Co-Producer: Rose Hesp

Executive Producer: Mark Hamlyn

Duration: 55 minutes

Year: 2003

Classification: M

Consumer advice: Adult themes, low level coarse language

Study guide written by Jenny Munro with Kathy Malera Bandjalan © NFSA

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Richard Wanambi in a cell at the Northern Territory Supreme Court

