



Law Council
OF AUSTRALIA

Inquiry into food pricing and food security in remote Indigenous communities

Standing Committee on Indigenous Affairs

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The Law Council advises governments, courts and federal agencies on ways in which the law and the justice system can be improved for the benefit of the community. The Law Council also represents the Australian legal profession overseas, and maintains close relationships with legal professional bodies throughout the world.

The Law Council was established in 1933, and represents 16 Australian State and Territory law societies and bar associations and the Law Firms Australia, which are known collectively as the Council's Constituent Bodies. The Law Council's Constituent Bodies are:

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- Australian Capital Territory Law Society
- Bar Association of Queensland Inc
- Law Institute of Victoria
- Law Society of New South Wales
- Law Society of South Australia
- Law Society of Tasmania
- Law Society Northern Territory
- Law Society of Western Australia
- New South Wales Bar Association
- Northern Territory Bar Association
- Queensland Law Society
- South Australian Bar Association
- Tasmanian Bar
- Law Firms Australia
- The Victorian Bar Inc
- Western Australian Bar Association

Through this representation, the Law Council effectively acts on behalf of more than 60,000 lawyers across Australia.

The Law Council is governed by a board of 23 Directors – one from each of the constituent bodies and six elected Executive members. The Directors meet quarterly to set objectives, policy and priorities for the Law Council. Between the meetings of Directors, policies and governance responsibility for the Law Council is exercised by the elected Executive members, led by the President who normally serves a 12 month term. The Council's six Executive members are nominated and elected by the board of Directors.

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The Secretariat serves the Law Council nationally and is based in Canberra.

Acknowledgement

The Law Council acknowledges the Queensland Law Society and its First Nations Legal Policy Committee, as well as the Australian Environment and Planning Law Group of the Law Council's Legal Practice Section, for their assistance in preparing this submission.

Introduction

1. The Law Council of Australia (**Law Council**) welcomes the opportunity to make a submission to the Standing Committee on Indigenous Affairs (**the Committee**) regarding its inquiry into food prices and food security in remote Indigenous communities (**the Inquiry**) as requested by Minister for Indigenous Australians, the Hon Ken Wyatt MP, on 21 May 2020.
2. Some stakeholders estimate that there are approximately 200 stores, both independent and not-for-profit, that provide food and groceries to around 150,000 Aboriginal and Torres Strait Islander people across over 1,400 remote or very remote communities in Australia (**Remote Communities**).¹ However, this figure may in fact be much higher.
3. It is the Law Council's understanding through anecdotal evidence that many remote towns have a local business(es) which run as a private small business for profit, often by a member of the local First Nations community. They may employ other local First Nations people to assist in the shop and, often, a rolling wave of backpackers.
4. The Law Council suggests it may be relevant for the Committee to distinguish, in its Inquiry, between stores located in remote locations frequented by tourists and those with no separate support from tourism income.
5. In respect to price regulation at these stores, the Law Council understands from evidence that has already been given to the Committee that the National Indigenous Australians Agency (**NIAA**) administers community stores licensing in the Northern Territory.² The scheme is aimed at improving governance and food quality in stores, and the NIAA administers it by basing the frequency of its store monitoring on an assessment of risk for each store.³ The NIAA is also, as at the time of this submission, preparing a cross-jurisdictional 'basket-of-goods' report on a selection of remote stores on the request of Minister Wyatt.⁴
6. Despite these efforts, and recognising that the purchasing power and overheads of these smaller stores (compared with their metropolitan counterparts) may make it inevitable that their prices will differ to some extent,⁵ the Law Council notes it has been found that as income levels decrease with geographical remoteness in certain parts of Australia, the cost of food, particularly healthy food, does the opposite and rises significantly.⁶ This creates a situation of 'food insecurity' and continues to contribute to unacceptable long-term health and social inequity for Aboriginal and Torres Strait Islander peoples living in Remote Communities.⁷

¹ Evidence to Senate Standing Committee on Indigenous Affairs, Parliament of Australia, Canberra, 11 June 2020 ('**11 June Public Hearing**') 1 (Ray Griggs). Note, the Law Council considers that the term 'Remote Communities' should be understood to comprise Indigenous Land Corporations and Native Title Corporations, as well as traditional owners and all community groups, including, for example, local progress associations which may be made up of people from within and outside the First Nations community.

² Ibid 2.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Deanna Davy, 'Australia's Efforts to Improve Food Security for Aboriginal and Torres Strait Islander Peoples' *Health and Human Rights Journal* (2016) <<https://www.hhrjournal.org/2016/11/australias-efforts-to-improve-food-security-for-aboriginal-and-torres-strait-islander-peoples/>> ('**Efforts to Improve Food Security**').

⁷ Dieticians Association of Australia et al., 'Background Paper: Joint Policy on Food Security for Aboriginal & Torres Strait Islander Peoples' (2016) <<https://dietitiansaustralia.org.au/wp-content/uploads/2016/05/Background-Paper-Food-Security.pdf>> ('**Dieticians Association Background Paper**') 3.

7. In 2009, the House Standing Committee on Aboriginal and Torres Strait Islander Affairs delivered a report entitled: *Everybody's Business: Remote Aboriginal and Torres Strait Community Stores (Everybody's Business Report)*. This report inquired into the operation of local community stores in Remote Communities, with a focus on food supply, quality, cost and competition issues, amongst other matters, and made 33 recommendations in areas including health and nutrition, food access and supply.⁸ However, despite the development of the Council of Australian Government's 'National Strategy for Food Security in Remote Indigenous Communities' in 2009, response to the recommendations in the *Everybody's Business Report* was limited.⁹ The Auditor-General's 2014-15 performance audit reported that:

[t]he lack of progress in relation to the Strategy represents a missed opportunity to better coordinate food security initiatives to increase the supply and consumption of healthy foods in remote Indigenous communities".¹⁰

8. In 2012 and in a re-endorsed joint statement in 2016, a group comprised of the Public Health Association of Australia, Dietitians Association of Australia, Australian Red Cross, Indigenous Allied Health Australia, Victorian Aboriginal Community Controlled Health Organisation and National Heart Foundation of Australia called for 'urgent' action to address food security for Aboriginal and Torres Strait Islander peoples.¹¹ Despite the convergence of expert opinion on the urgency of these issues, the advised action has not been forthcoming.
9. As such, and eleven years after the *Everybody's Business Report* was published, the Law Council calls for immediate State, Territory and Commonwealth Government action to address these issues in direct consultation with (and, indeed, led by) the impacted Remote Communities. The easing of restrictions made in light of the COVID-19 pandemic across Australia, including in Remote Communities, represents a particular opportunity for government to draw upon the community wisdom and cultural strengths which have driven locally-led initiatives to respond to the pandemic.¹² These capabilities should be used to inform strategies for addressing food pricing and security issues, as well as future and preventative health planning.
10. The Law Council is generally supportive of the Inquiry's Terms of Reference, which interrogate the important questions of why there are higher prices (or situations where prices are considered unreasonable) in remote community stores, whether price gouging is taking place there and what Governmental action could be taken to address it.
11. The Inquiry also focusses on the barriers to, and availability and pricing of, fresh and healthy food, groceries, other essentials and local produced food in Remote

⁸ House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, 'Everybody's Business: Remote Aboriginal and Torres Strait Community Stores' (2009) <<https://www.aph.gov.au/binaries/house/committee/atsia/communitystores/report/everybody%27s%20business%20report.pdf>> Foreword.

⁹ Lee et. Al, 'Nutrition in Remote Aboriginal Communities: Lessons from Mai Wiru and the Anangu Pitjantjatjara Yankunytjatjara Lands,' *Australian and New Zealand Journal of Public Health* (2016) <<https://onlinelibrary.wiley.com/doi/pdf/10.1111/1753-6405.12419>> 582.

¹⁰ Australian National Audit Office, 'Food Security in Remote Indigenous Communities,' (2014) <https://www.anao.gov.au/sites/default/files/ANAO_Report_2014-2015_02.pdf> 18.

¹¹ See, Dieticians Association of Australia et al., 'Joint Policy Statement on: Food Security for Aboriginal & Torres Strait Islander Peoples' (2016) <<https://dietitiansaustralia.org.au/wp-content/uploads/2016/05/Joint-Statement-Food-Security.pdf>>; and *Dieticians Association Background Paper n 7*.

¹² Claire Smith et al, 'Friday Essay: Voices from the Bush - How Lockdown Affects Remote Indigenous Communities Differently' *The Conversation* (15 May 2020) <<https://theconversation.com/friday-essay-voices-from-the-bush-how-lockdown-affects-remote-indigenous-communities-differently-136953>> ('**Friday Essay: Voices from the Bush**').

Communities, and on questions of licensing, regulation and governance. At the first public hearing for the Inquiry, the Hon Warren Snowdon MP also articulated a focus on governance and management.¹³ These are all important considerations, strengthened by the possibility of taking into account ‘any other relevant factors’ under the ninth Term of Reference.

12. Set out below is the Law Council’s analysis on certain Terms of Reference, but its silence on others is not intended to suggest their unimportance.

Submissions on specific Terms of Reference

Term of Reference (5)

13. Term of Reference (5) requires the Committee to consider ‘barriers facing residents in Remote Communities from having reliable access to affordable fresh and healthy food, groceries and other essential supplies.’

Underlying reasons for food choices

14. The concept of ‘food security’ implies adequate access to food in terms of both quality and quantity.¹⁴ While past instances of funding by the Federal Government of education and marketing initiatives to promote healthy food choices is laudable, it may overlook the underlying reasons for poor food choices. These include low income and lack of sufficient infrastructure and facilities to store and/or cook meals at home,¹⁵ as well as transport costs. Such issues must be considered in a holistic way.
15. Further, solutions should build upon lessons learned in implementing previous projects. For example, the Minjilang Health and Nutrition Survival Tucker Project of 1989–1990 demonstrated the benefits of community developed and led initiatives.¹⁶ Community-led initiatives should be multifaceted and include workforce options within the community (including retail, transport and business/managerial opportunities).
16. Employment issues for First Nations people post-pandemic should also be considered by the Committee. It is estimated that up to 10 percent of Indigenous people who were in casual employment at the commencement of the Commonwealth’s ‘JobKeeper’ scheme were ineligible, as the scheme only applied to people who had been employed continuously for the previous 12 months.¹⁷ Issues of food pricing and food security are intertwined with income, transport and the availability of choice. The Law Council emphasises the importance of considering these factors when examining the barriers to the availability and pricing of fresh and healthy foods in Remote Communities.

¹³ 11 June Public Hearing n 1, 4.

¹⁴ Food and Agriculture Organisation of the United Nations, ‘The State of Food Security and Nutrition in the World,’ (2019) <<http://www.fao.org/state-of-food-security-nutrition>>.

¹⁵ *Efforts to Improve Food Security* n 6.

¹⁶ AJ Lee, AP Bailey, D Yarmirr, K O’Dea and JD Mathews, ‘Survival tucker: improved diet and health indicators in an aboriginal community,’ *Australian Journal of Public Health* 18(3) (1994) 277-285.

¹⁷ F Markham, D Smith and F Morphy, ‘Indigenous Australians and the COVID-19 Crisis: Perspectives on Public Policy’ *Centre for Aboriginal Economic Policy Research Topical Issue no. 1/2020* (2020) <https://openresearch-repository.anu.edu.au/bitstream/1885/202733/1/CAEPR_TI_no1_2020_Markham_Smith_Morphy.pdf> 5.

Impact of the response to COVID-19

17. It is submitted that the effects on food pricing and security of the implementation of the *Biosecurity Act 2015 (Cth) (the Act)*, which granted expansive and unprecedented powers in response to the COVID-19 pandemic,¹⁸ should form part of the Inquiry.
18. In particular, the Inquiry should consider the need for a further, detailed assessment of the exercise of emergency powers under the Act and the review mechanisms that are (or should be) in place to ensure their appropriate exercise,¹⁹ especially in respect of the need to ensure the active involvement of First Nations members of affected Remote Communities.
19. A point of assessment, in close consultation with First Nations members of Remote Communities, should be the proportionality and management of restrictions placed on Remote Communities under the Act. Recognising that Aboriginal and Torres Strait Islander communities may be particularly vulnerable to adverse health outcomes from the COVID-19 pandemic, this assessment should be founded on the recognition that Remote Communities have self-managed to such a level of excellence that instances of COVID-19 are far lower than in the general Australian population.
20. The practical impact of restrictions on Remote Communities around Australia should also be interrogated. For example, existing food shortages in Remote Communities are reported to have been compounded by restrictions imposed under the Act, encouraging community members to break quarantine restrictions in order to access food at local towns.²⁰ For Aboriginal and Torres Strait Islander peoples whose food security was already threatened prior to the pandemic, restrictions were an exacerbation, particularly as they further limited the ability of community members to travel to regional towns to shop, as a way to avoid the high cost of food in their own communities.²¹ Many Remote Communities also faced higher costs of water and drinks, noting a large number must truck in bottled water as their water source. Genuine and ongoing community dialogue about these restrictions and their impact on Remote Communities must occur, consistently with the right to self-determination as embodied in domestic and international law.

Term of Reference (6)

21. Term of Reference (6) requires the Committee to consider the availability of and demand for locally produced food in Remote Communities.
22. The Law Council points to the existence of organisations or groups which produce food locally to provide residents of Remote Communities access to affordable, fresh and healthy food at low environmental cost and great benefit to local economies. For example, within and nearby Remote Communities, many people work at the local community scale on arid land and wet tropics food production. Remote Communities are also supplied by medium to large-scale operations like the Sundrop facility at Port Augusta.²²

¹⁸ Howard Maclean & Karen Elphick, 'COVID-19 Legislative response—Human Biosecurity Emergency Declaration Explainer' (19 March 2020) *Flagpost, Australian Parliament House* <https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2020/March/COVID-19_Biosecurity_Emergency_Declaration>.

¹⁹ *Ibid.*

²⁰ *Friday Essay: Voices from the Bush* n 12.

²¹ *Ibid.* 2.

²² Sustainable agriculture company Sundrop started farming tomatoes in Port Augusta in 2010. See, Sundrop, 'The Difference,' <<https://www.sundropfarms.com/>>.

23. The Committee should also take note of valuable initiatives which have the capabilities to promote and expand local food production. These include the Foundation for Rural & Regional Renewal, which has supported local strategies for improving the quality of food in Remote Communities such as community and school gardens, small-scale local farmers and market gardens, and programs such as the Lockhart River Men's Cooking Program.²³
24. It is imperative that Government consider the above organisations and provide funding to promote local food production.

Term of Reference (7)

25. Term of Reference (7) requires the Committee to consider the role of Australia's food and grocery manufacturers and suppliers in ensuring adequate supply to Remote Communities, including:
- (a) identifying pathways towards greater cooperation in the sector to improve supply;
 - (b) the volume of production needed for Remote Communities;
 - (c) challenges presented by the wet season in Northern Australia as well as any locational disadvantages and transport infrastructure issues that might be relevant; and
 - (d) geographic distance from major centres.

Environmental considerations

26. As outlined above, the COVID-19 pandemic has created additional hurdles for Remote Communities, including in respect of food pricing and food security. The Law Council urges government at all levels to engage and consult directly with these communities to understand their immediate and ongoing needs, particularly with respect to preparedness for seasonal challenges, extreme weather events and natural disasters. Remote Communities are generally skilled at handling these issues, however any consideration of security of high-quality food and water must consider this most serious logistical challenge and the need for and manner of provisioning when an area is inaccessible.
27. Moreover, in considering food security and the impact of the wet season on barriers faced by residents in Remote Communities to reliable access to fresh and healthy food, the Inquiry must be cognisant of their particular vulnerabilities to the health impacts of climate change.²⁴

Pathways towards greater cooperation in the sector

28. This aspect of Term of Reference (7) is addressed at paragraphs 33—34 below.

²³ Foundation for Rural & Regional Renewal, 'Healthy tucker in Lockhart River' (2013) <https://www.frrr.org.au/cb_pages/news/Lockhart_River_Mens_Cooking_Program.php>.

²⁴ National Rural Health Alliance, 'Rural Health Impacts of Climate Change,' (27 September 2019) <<https://www.ruralhealth.org.au/news/rural-health-impacts-climate-change-0>>; Nina Lansbury Hall & Lucy Crosby, 'Climate Change Impacts on Health in Remote Indigenous Communities in Australia,' (31 May 2020) *International Journal of Environmental Health Research* <<https://www.tandfonline.com/doi/abs/10.1080/09603123.2020.1777948?journalCode=cije20>>.

Term of Reference (8)

29. Term of Reference (8) requires the Committee to consider the effectiveness of federal, state and territory consumer protection laws and regulators in:

- (a) supporting affordable food prices in Remote Communities, particularly for essential fresh and healthy foods;
- (b) addressing instances of price gouging in Remote Communities; and
- (c) providing oversight and avenues for redress.

Price gouging prohibition and guidance

30. In response to the shortage of essential items in the broader Australian community during the pandemic and the corresponding risk of conduct breaching the Australian Consumer Law, the Law Council notes the taking of the following steps:

- (a) On 30 March 2020, the Federal Minister for health made the *Biosecurity (Human Biosecurity Emergency) Human Coronavirus with Pandemic Potential (Essential Goods) Determination 2020 (Essential Goods Determination)* section 477(1) of the Act. The Essential Goods Determination prohibits price gouging in respect of various essential goods, namely personal protective equipment such as disposable face masks, and disinfectant products such as alcohol wipes and hand sanitizer.²⁵ Notably, this did not relate to the pricing of food or water, though these items are still likely to be sold by stores in Remote Communities. Some consumer rights organisations have advocated for legislation enabling the Attorney-General to set a price cap on essential items during an emergency period.²⁶ The Law Council suggests this should be considered by the Inquiry, as well as the role of the Australian Competition and Consumer Commission (**ACCC**) in monitoring the issue beyond the pandemic, with an emphasis on the pricing of grocery items in Remote Communities.
- (b) As the effects of the pandemic started to be felt, the ACCC provided consumers and businesses with guidance on what constitutes 'price gouging' and on the circumstances in which price increases may be in breach of the Australian Consumer Law (for example, where a business makes misleading claims about the reason/s for a price increase, or where extreme price gouging for essential products may amount to unconscionable conduct).²⁷ The ACCC advised that it has been monitoring supply chains to monitor such breaches.²⁸ The Law Council suggests the Inquiry should consider ways the ACCC could convey such guidance to Remote Communities in the future, including in respect to the pricing of grocery items.

²⁵ *Biosecurity (Human Biosecurity Emergency) Human Coronavirus with Pandemic Potential (Essential Goods) Determination 2020* s 5(5).

²⁶ CHOICE, 'Price gouging in a crisis should be illegal: CHOICE to QLD Government,' (Media Release, 27 May 2020) <<https://ican.org.au/price-gouging-update/>>.

²⁷ See, Australian Competition and Consumer Commission, 'ACCC Response to COVID-19 Pandemic' (Media Release, 27 March 2020) <<https://www.accc.gov.au/media-release/accc-response-to-covid-19-pandemic>>.

See, also, *Competition and Consumer Act 2010* (Cth), Schedule 2, 'The Australian Consumer Law', ss 18, 21.

²⁸ *Ibid.*

Interim authorisation to supermarkets

31. In addition to providing guidance on (and monitoring) potential incidents of price gouging, the ACCC also authorised a range of interim measures during the pandemic which might otherwise raise concerns under the competition provisions of the *Competition and Consumer Act 2010* (Cth) (**Competition and Consumer Act**).²⁹
32. For example, supermarket operators Coles Group, Woolworths, ALDI and Metcash (**the authorised supermarkets**) were granted an interim authorisation under the Competition and Consumer Act to coordinate with each other when working with manufacturers, suppliers, and transport and logistics providers.³⁰ Noting that the authorisation would also apply to ‘any other grocery retailer wishing to participate’, the ACCC explained that these measures were intended to ‘ensure the supply and the fair and equitable distribution of fresh food, groceries and other household items to Australian consumers, including those who are vulnerable or live in rural and remote areas’.³¹
33. The ACCC received a number of submissions in response to its request for feedback on the authorised supermarkets’ application for authorisation. In particular, the Law Council highlights the concerns raised by The Arnhem Land Progress Aboriginal Corporation (**ALPA**) in its submission to the ACCC dated 21 April 2020.³²
34. ALPA noted that the authorised supermarkets, as major chains, sit on the Department of Home Affairs’ Supermarkets Taskforce which ‘meets regularly to resolve issues impacting supermarkets’³³. As the Law Council understands it, the National Cabinet convened the Supermarkets Taskforce as part of the COVID-19 response in order to deal with supply and market share for supermarkets nationally.
35. Whilst the NIAA works through the Supermarkets Taskforce in relation to the remote store sector (as well as downstream through a Food Security Working Group it leads),³⁴ lack of involvement of smaller entities such as ALPA may risk losing on-the-ground perspectives. Stores in Remote Communities are indirectly affected by the prices of goods at the authorised supermarkets, with many Remote Community stores making the trip to access supplies from the more remote stores of the larger supermarkets a few times each month.
36. Accordingly, the Law Council highlights the crucial importance of consulting with organisations uniquely qualified to offer on-the-ground insights, like ALPA, in the conduct of the Inquiry. Over 78 percent of ALPA’s 1400 staff members are Indigenous and the organisation considers itself the ‘lifeblood’ of the 22 Remote Communities within which it operates remote retail stores.³⁵ It also meets regularly with the Food Security Working Group convened by NIAA.³⁶ The Inquiry should consider how governments

²⁹ Australian Competition and Consumer Commission, ‘Supermarkets to work together to ensure grocery supply’ (Media Release, 24 March 2020) <<https://www.accc.gov.au/media-release/supermarkets-to-work-together-to-ensure-grocery-supply>> (**‘Supermarkets to work together’**).

³⁰ Ibid. See, also, *Competition and Consumer Act 2010* (Cth) ss 88 and 90-91, Part IV (Restrictive trade Practices).

³¹ *Supermarkets to work together* n 29.

³² The Arnhem Land Progress Aboriginal Corporation, ‘Submission to the Australian Competition and Consumer Commission’ (21 April 2020) <<https://www.accc.gov.au/system/files/public-registers/documents/Submission%20by%20The%20Arnhem%20Land%20Progress%20Aboriginal%20Corporation%20-%202021.04.20%20-%20PR%20-%20AA1000477%20-%20Coles.pdf>> (**‘ALPA Submission’**).

³³ *Supermarkets to work together* n 29.

³⁴ The Hon Ken Wyatt AM MP, ‘Food security’ (Media release, 21 April 2020) <<https://www.kenwyatt.com.au/ministerial-media/food-security>>.

³⁵ *ALPA Submission* n 32, 2.

³⁶ Ibid.

can better engage with local organisations like ALPA to truly understand the relevant issues and to stay abreast of barriers to reasonable access to retail products in Remote Communities, both during and after public emergencies.

37. The Inquiry should also consider whether the working groups created to address food security and pricing concerns during the pandemic, such as the NIAA's Food Security Working Group, may be able to continue in the longer term. They may be well-placed to ensure ongoing support for businesses like ALPA, which employ a large proportion of First Nations people and which can provide an invaluable perspective on these issues.

Term of Reference (9)

Term of Reference (9) requires the Committee to consider 'any other relevant factors'.

Human rights considerations

38. The adequacy of measures which protect and uphold the human rights of those living in Remote Communities should form a key part of the Inquiry. Food security is a fundamental human right and includes access to adequate, nutritious foods.³⁷
39. Indeed, food insecurity has long-term impacts on health which are compounded, in Remote Communities, by a disproportionate incidence of chronic diseases.³⁸ Research links food insecurity to an increased risk of anaemia in women and young children³⁹ and a study released in early 2020 has outlined the impact of early childhood anaemia on early childhood development and educational outcomes.⁴⁰ In this regard, the Law Council suggests the Inquiry consider the work of organisations like the Apunipima Cape York Health Council in sharing knowledge and information about the nutritional benefits of traditional foods.⁴¹

Funding and partnerships

40. The Inquiry should also consider the importance of adequate funding for research bodies and the implications of resourcing cuts to health services in Remote Communities. For example, the National Dietitians Association recently reported that the number of dietitians working in population and preventative health has fallen by 90% since 2009.⁴²
41. Examples of the kinds of research that may greatly contribute to this space include a three-year research project commenced through the University of Queensland early in 2020 and designed in conjunction with the Apunipima Cape York Health Council and the

³⁷ See, for example, Universal Declaration of Human Rights, GA Res 217A (III), UN GAOR, UN Doc A/810 (10 December 1948) Article 25; *Convention on the Rights of the Child*, opened for signature 20 November 1989, 1577 UNTS 3 (entered into force 2 September 1990) Article 24(c).

³⁸ *Dietitians Association Background Paper* n 7.

³⁹ D Leonard, P Buttner, F Thompson, M Makrides and R McDermott, 'Anaemia in Pregnancy Among Aboriginal and Torres Strait Islander Women of Far North Queensland: A Retrospective Cohort Study' (2018) *Nutrition & Dietetics* 75, 457-467 <<https://pubmed.ncbi.nlm.nih.gov/30537054/>>.

⁴⁰ D Leonard, P Buttner, F Thompson, M Makrides and R McDermott, 'Early Childhood Anaemia More than Doubles the Risk of Developmental Vulnerability at School-Age Among Aboriginal and Torres Strait Islander Children of Remote Far North Queensland: Findings of a retrospective cohort study' (2020) *Nutrition & Dietetics* 77, 298- 309 <<https://pubmed.ncbi.nlm.nih.gov/31914484/>>.

⁴¹ Cape York Health Council, 'Nutrition Plays Key Role in Preparing Children for School,' (2020) <<https://www.apunipima.org.au/news-events/item/1060-nutrition-plays-key-role-in-preparing-children-for-school>>.

⁴² Marian Faa, 'Childhood Anaemia Doubles the Risk of Learning Difficulties, Study Finds, With More Dietitians Needed in Remote Communities,' *ABC News* (10 January 2020) <<https://www.abc.net.au/news/2020-01-10/childhood-anaemia-doubles-risk-learning-difficulties-indigenous/11852942>>.

Central Australian Aboriginal Congress. The project will examine food security for Aboriginal and Torres Strait Islander children in Remote Communities.⁴³

42. Genuine partnerships with communities in the areas of policy design, implementation and evaluation is needed to understand local concerns and barriers and to address food pricing and security issues as a matter of priority, particularly given the uncertainty created by the COVID-19 pandemic. Accordingly, the Law Council supports appropriately resourced community-led frameworks and submits that Government should ensure that recommendations made inquiries such as this, which absorb a significant amount of time and resources for the individuals and organisations who contribute to them, are committed to and implemented.

⁴³ The University of Queensland Faculty of Medicine, 'Study to Fight Food Insecurity in Indigenous Communities,' (8 January 2020) <<https://medicine.uq.edu.au/article/2020/01/study-fight-food-insecurity-indigenous-communities>>.