

## Appendix 9 Dissenting statements

### Dissenting Statement on Inquiry into issues relating to Redfern and Waterloo Dr Arthur Chesterfield-Evans MLC

The Committee had as its terms of reference to look at not only the policing strategies and resources in the Redfern/Waterloo area, but also government and non-government services, the Redfern/Waterloo Partnership Project (RWPP), and also proposals for the Block. The systemic factors of disadvantage are being examined as part of this. The process is only partially complete.

It is not clear to what extent the problems of the Block relate to the economics of the illicit drug trade. Illicit drugs are a huge problem in disadvantaged communities, largely because their illegality gives them a supernormal profitability, which means that crimes are committed to fund their use. There is a symbiotic relationship between the purchase of illegal drugs and the theft and resale of goods.

The misallocation of resources in the war against drugs was not considered by the committee, but the illegality of drugs is the reason why the police do the personal searches, and is central to the difficulty of balancing preventive health interests with enforcement of the prohibitive drug laws. Evidence was given that the police do search the personal effects of people near the needle van in their efforts to apprehend drug dealers and bag snatchers, and this impinges on the working of the needle exchange van and the harm minimisation strategy on which its presence and actions are based. I was therefore concerned that the Committee did not agree to my motion that:

The Committee recommends that the government consider the decriminalisation of hard drugs in small quantities for personal use, as a way of lessening the crime associated with injecting drug use.

Evidence was given also that there should be a medically supervised injecting room to meet the needs of injecting drug users, many of whom are not Aboriginal people. This could be off the Block, but still near the train station, recognising transport as a major reason for Redfern being used as a place for injecting drug users. Again the Committee rejected my motion that:

The Committee recommends that a medically supervised injecting room be established in Redfern, but not on the Block to improve facilities for injecting drug users as per the best public health practice, and to take the load and public emphasis from the needle van.

The danger of an HIV/Aids epidemic is stated in paragraphs 5.9-5.13. The importance of needle and syringe programmes for public health is stated in 5.15, 5.22, the relationship between access to clean needles and the location of the van is in 5.58-5.60, and the dangers of restricting needles was in the Anex submission 85 cited in 5.85. It is therefore disappointing that the Committee saw fit to interfere in the debate regarding the location of the needle van, and the number of needles and syringes distributed per client per day. It is important that public policy be guided by the best available evidence. This is an area where Committees should acknowledge that they do not have expertise, and should reinforce the status of the most critically important relevant authorities, in this case public health.

Though this report is overall a good one, I must note my dissent from the omissions and lapses cited above. The omissions can be verified in the minutes and the lapses are particularly in 5.115, 5.119 and Recommendation 20 in chapter 5.

The best available evidence should be what guides public policy. The van should be placed where addicts will get and use clean needles. Needles and syringes should be provided in a way that minimises reuse by addicts. Medically supervised injecting rooms are now well documented to have benefits, and this committee should reinforce best practice, and the agencies that recommend best practice.

## Statement of Dissent

by **The Hon. Robyn Parker MLC (Deputy Chair)** and **The Hon. Greg Pearce MLC**

We express deep regret at the tragic death of T.J. Hickey, the riot and the disturbing problems revealed at this Inquiry.

This Inquiry provides an opportunity to consider in depth the complex and difficult problems of the Redfern and Waterloo communities with a particular focus on the needs of the aboriginal community. We have embraced this opportunity. The thoughtful contributions from so many people have been encouraging. However, opposition members believe that greater evidence from frontline Police could have improved the report.

The notion of an Interim Report is sound and we supported many of the recommendations. We look forward to further examination and discussion of issues such as the drug problem in the area before the presentation of the final report.

Our main areas of dissent concern the progress and future of the Redfern Waterloo Partnership Project (RWPP) and the process surrounding the future development of the Block.

Our dissent should not be viewed as a lack of support for increased State Government commitment; indeed our view is that there should be a huge increase in commitment, funding, and resources from the State Government. We are determined however, that past failures are not repeated and that the best possible outcomes are achieved for the Redfern and Waterloo communities, in particular the aboriginal members of those communities.

The Terms of Reference invited serious and unbiased inquiry, leading to direct and fearless recommendations. We believe some recommendations will only result in a continuation of the Carr Government's inaction and ineffective bureaucratic policies.

This is most evident in the majority Committee determination to defend the RWPP, refusing to accept overwhelming criticisms of RWPP, and insisting that it continue its central role in the Government's response to the Redfern/Waterloo problems. There is an urgent need for the Government to allocate resources and priority, to ensure its own Departments and Agencies effectively address the problems. The lack of commitment is sourced directly to Premier Carr who has taken the soft approach, extending the RWPP to 2006, as the Government's major response.

Chapter 2 of the Interim Report deals with the RWPP. We were disappointed that the chapter and recommendations ensure the continuation of the current policy and structure, when it is obvious that an urgent, far-reaching review and change to the Government's delivery of services and strategies, is required.

The Government's own submission recognises the critical failures of the RWPP, ranging from failure to deliver programmes, lack of communication with local and Aboriginal communities, poor co-ordination, slowness on the RED strategy and failure to commence and complete the Human Services Review, and the AHC audit or site valuation on time.

Government should allocate significant resources to an accountable, central co-ordination body with a clear mandate and clear performance indicators. The body should have sufficient authority

to make immediate progress, meet defined medium and long-term outcomes, and properly address the complex issues of the Redfern/Waterloo Community.

We note the Government has committed additional funding for the RWPP to 2006, apparently without evaluating its progress to date or ability to meet the Project's aims. Whilst the Street Team and Yallamundi Project appear worthwhile, further funding of RWPP should be subject to it meeting clear performance indicators.

We fully support the Block remaining in Aboriginal ownership and control and we acknowledge the importance of Redfern to the Aboriginal Community. However Chapter 3 emphasises two areas of significant concern, which must be overcome if the Block is to be redeveloped in a sustainable way.

We do not doubt the good intentions of the AHC management and staff, however until the management and control issues of the AHC are resolved, we view it as irresponsible to raise the Community's expectations about the redevelopment of the Block.

We support the redevelopment of the Block but do not wish to see it degenerate again into a drug and crime infested fortress. It is unfair for community hope to rise again, only to be deflated. If the AHC is unable to satisfy the issues of management ability and independence, then there must be a different solution for the development and management of the Block.

There must be a significant State Government commitment to funding the Block's redevelopment. We do not believe that the question of funding should be dealt with in the Interim Report. It is a matter for the Final Report. In particular the Committee did not canvass funding issues such as why or in what proportion Federal Government should make a contribution, or the legitimacy of Local Government contributing to private property development.

Finally we note RWPP Director Michael Ramsey's evidence:

"There is no solution. The issues in Redfern and Waterloo are incredibly complex and literally there are no quick fixes to those issues."<sup>483</sup>

Isn't that compelling enough to insist on real action by Bob Carr?

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<sup>483</sup> Transcript of Evidence, Hansard Tuesday 18 May 2004 Mr Ramsey p.8