

**REPORT OF PROCEEDINGS BEFORE**

**STANDING COMMITTEE ON SOCIAL ISSUES**

**INQUIRY INTO OVERCOMING  
INDIGENOUS DISADVANTAGE  
IN NEW SOUTH WALES**

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**At the Bidwill Uniting Church Community Centre  
On Thursday 14 February 2008**

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**The Committee met at 1.30 p.m.**

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**PRESENT**

The Hon. I. W. West (Chair)

The Hon. G. J. Donnelly

The Hon. M. A. Ficarra

Dr J. Kaye

The Hon. T. J. Khan

The Hon. M. S. Veitch

**CHAIR:** Before declaring the proceedings open today, I point out we are fortunate to have with us Aunty Edna, a Darug elder. We thank her for being here and ask her to welcome us.

**AUNTY EDNA:** Good afternoon everyone. I hope you can hear my voice. Before I speak— what a wonderful day it was yesterday for our people.

**The Hon. MARIE FICARRA:** Hear, hear!

**AUNTY EDNA:** My heart is overflowing. There were a few tears but it was a wonderful day. We are Darug, born of this land, born of the spirit. We have walked this land since the Dreaming. Darug clan lands embraced the land, rivers and seas from the blue mountains to the ocean, from Hawkesbury in the north and down as far as Appin in the south. Our ancestors' voices are echoed in our own as we still live in these changed but beautiful places.

Today other Aboriginal people from other lands, and those Europeans who can recognise us as who we are, respect our continued custodianship of our land. All these people join with us in our responsibilities for our heritage and our country, and are welcomed by us as our brothers and sisters.

Like our land, rivers and seas, we have not survived the last 200 years or more unchanged. We do not look like our ancestors did. We do not live the way they did. But we are still here.

Our bodies and minds carry the seeds of the wisdom, the memories of a different past. We share this heritage with those whose hearts are open enough to receive it. Aboriginal people are more than happy to share their stories with non-Aboriginal people, even if these stories cannot be understood, or if the traditional owners are no longer around to tell them.

Tread softly on this ancient land because our Dreamtime is still happening. Our Dreamtime is forever. Our language is an important part of maintaining our culture and, as you will hear today, a way of passing on the old ways of our people:

Tiati murra Daruga pemel.  
Koi murra ya pemel ngalaringi bubbuna.  
Ban nye yenma wurra nang.  
Nye dice gai dyi ya nangami dyarralang.  
Ngalaringi tiati ngalaringi nangami gai.

Gu-ya willy angara gu-nu-gal da gu-nu-gal.  
Da la-loey moogoo cot-balie nangami.  
Dice la-loey gnia tarimi gu-nu-gal.  
Jam ya tiati ngalaringi Eorah jumna.  
Mittigar gurrung burruk gneene da Daruga peme.

Didgereee Goor.

The translation is:

This is Darug land.  
It is the land of our ancestors.  
The spirits still walk among us:  
Spirits that have been here since the Dreaming.  
Our language and our culture have been passed down  
From generation to generation  
To continue an unbroken culture

That has extended for thousands of years.  
In the language of our people,

We welcome you to Darug lands.

Thank you very much and enjoy your afternoon.

**CHAIR:** Thank you, Auntie Edna for your welcome. The Committee acknowledges that we are meeting on Darug land. I pay our respects to past elders and to all other elders as well.

**AUNTY EDNA:** Thank you.

**CHAIR:** I declare their meeting officially open. We have Michael Maxwell in attendance today.

**MICHAEL STEPHEN MAXWELL,** Housing Communities Assistance Program, Mount Druitt Community Ministry, Parramatta-Nepean Presbytery of the Uniting Church in Australia, 46 Sorrell Street, Parramatta, NSW 2150, sworn and examined:

**CHAIR:** It is a matter of the Committee being in your hands if you wish to make an opening statement and then we will ask you questions. I invite you make a statement, if you so wish, or some opening remarks.

**Mr MAXWELL:** I have received the Chair's draft questions and have drafted some answers to those, which are now before you. Some of those it would be good to talk to later as we go through; some of those I have pretty much just lifted off Housing's website and it explains the program. I am in your hands as to which way you want to go.

**CHAIR:** What tends to happen is that we approach a segment in a rather ad hoc way. Sometimes there is insufficient time to cover everything, for good and cogent reasons. We then ask you to take questions on notice and give us your answers in writing after the close of the hearing.

**Mr MAXWELL:** Yes.

**CHAIR:** Having said that, I do not think there is any need to go specifically to questions at this point. We will come to those.

**The Hon. MARIE FICARRA:** Chair, I do not know what the feeling of the rest of the Committee is, but Mr Maxwell has taken such a long time to prepare his answers and they are good answers. With your indulgence, Chair, we could go through the answers to each of the questions and if we have any interaction or any questions, as Michael goes through, he may not mind taking questions then.

**Mr MAXWELL:** Absolutely.

**The Hon. MARIE FICARRA:** Is that all right?

**Mr MAXWELL:** Yes.

**The Hon. MARIE FICARRA:** It looks like a fairly comprehensive summary. I have not had time to read it. I would love to hear you because you might elucidate on some of the particular points, or we might want to ask a question on some of the points.

**CHAIR:** Are members are happy to approach it in that way?

**Dr JOHN KAYE:** Yes, that sounds good.

**CHAIR:** Would you like to make some comments on question one?

**Mr MAXWELL:** In relation to your previous question, there are no specific opening remarks that I had considered.

**CHAIR:** Could you please explain the role of the Housing Communities Assistance Program?

**Mr MAXWELL:** This might clarify who I am and what I do. Some 12 years ago the Department of Housing recognised a need for community development work in the areas of properties that it managed. In 10 of those cases or in 10 of those areas, at that time housing was core business, if you like, whereas they did not feel, with tenancy management, that they had the resources to deal with tenancy management or complete management within that tenancy management program. So they outsourced that community development role to non-government organisations and to local government where community development work was to focus on that area of community building.

Over that period Housing has actually changed its focus and has taken on more of that role itself. This June the Housing Communities Assistance Program [HCAP] should come to an end. It may be continued, but certainly that has not been Housing's thinking to this point. With the increasing number of community development workers who are now working for the Department of Housing, this program will probably come to an end—which is a good thing because housing is shifting its focus but it is a bad thing because an independent voice in community development will not be there to challenge Housing on some of its policies.

That is my role. I am funded by the Department of Housing, auspiced in this location by the Uniting Church. In other areas it is auspiced by different non-government organisations [NGOs] or local government.

**The Hon. MARIE FICARRA:** Challenging the Department of Housing when it needs to be challenged: could you give us some examples about that—where it has occurred in the past, where you felt it was warranted and perhaps led to a positive outcome or a not-so-positive outcome?

**Mr MAXWELL:** Yes. In the west of Sydney, which is the only dealing I have had with the Department of Housing, the staff I have been dealing with here have been tremendously helpful. The work that happens, I think, happens extremely well. But there are times when the Department of Housing is constrained in the information it feels it can give the public. A good example of that is the shops you can see through the doors behind me. They had been shut down for just on eight years. It has been a long process—a long process for the Department of Housing staff to try to resolve the issue

and move to the point where the shops can either be reopened or the lease terminated and moved on.

That has finally happened, and the shops should open in April. But the Housing staff have felt enormously constrained about the information they have been able to hand out on that basis. The community, on the other hand, has been enormously frustrated at the fact that they do not have anywhere, or have not had anywhere, to buy basic groceries and food items. The local hotel just recently dedicated part of its bottle shop to selling essential items, such as bread and milk, which has had a mixed response from the community in terms of the appropriateness of that.

The community meanwhile has been getting increasingly frustrated at just simply wanting to know what is happening. Housing I think could have given far more information than it has done. My role in that dilemma has been pushing them to give more information than they have been doing within the commercial constraints that they have faced. In other areas it has been more along the lines of community consultation. I am very passionate about the community actually participating in the processes which affect their daily lives. Not simply Housing but I think a number of government departments would agree in principle with that concept, but find it very problematic and time-consuming and difficult and much easier if they just get on with the job.

I like to think of myself as an ongoing thorn in their flesh, put it that way. But overall I have nothing but praise for what Housing is doing, or trying to do, in this area, and the direction in which it is heading.

**The Hon. MARIE FICARRA:** How hard has it been to engage the indigenous proportion of the community? Are they interacting with the rest of the community in that consultation process?

**Mr MAXWELL:** Very difficult to engage them and they are not really participating with the rest of the community in those consultation processes. That is the short answer. There is no consultation that occurs in Mount Druitt, unless there is a barbecue and a bunch of sausages which guarantees a certain level of attendance, if only from workers who would otherwise be cooking their own dinner. But the community responds in the same way: Put on a party, a bit of a barbecue, and they will be down to share the party and at that point can be engaged on a whole range of consultations. The indigenous population I think sees that quite rightly as a bit—

**The Hon. MARIE FICARRA:** Tokenistic?

**Mr MAXWELL:** Yes, thank you. The indigenous population sees that as a tokenistic approach. Some come and some do not. In relation to overall participation, that is complicated by the decrease of disadvantage and disability in the area, which are quite complex. Housing's requirement now almost to be a houser of last resort has meant that their housing allocation policies are tending to put people into properties with multiple disadvantage. That often precludes them from participating at any sort of level with the community around them.

**CHAIR:** Do you want to move on to question No. 2, which is: Which organisations does the HCAP assist?

**Mr MAXWELL:** HCAP's role of enhancing social cohesion leads to working closely with resident community organisations. The main focus is the development of community through the building capacity and the empowering of communities to actively and meaningfully participate in the processes of decision making which affects their lives. At the core of this commitment is a belief in the value, dignity and worth of each individual and of his or her right to participate in the processes and benefits of society. HCAP, therefore, assists communities in the resourcing and conduct of a whole range of activities that just help people get together and meet.

Its role in those projects is to empower the community, through the facilitation of partnerships with both the government and non-government sectors, which can support the building of capacity, the promotion of resident participation, and the development of financial sustainability in their projects. One of the ongoing problems we face with any level of funding, especially from the government sector, is that private sector funding tends to be one off, and that is it. From the government sector there may be repeat funding. In the past there has been an expectation of repeat funding but, over recent years, there has been an increased pressure for any project that is funded to become financially self-sustaining over the life of the funding term, which is normally 12 months.

In an area like Mount Druitt that is just totally unrealistic for most of those projects. If anything is going to continue it probably will not be funded by this community. So the development of partnerships with a broad range of both government and non-government partners is one of the strategies to continue things beyond the term of any funding grant.

**CHAIR:** A strategy decided by whom? How did that strategy of partnership come about? Who decided that? What consultation was there about that?

**Mr MAXWELL:** I am not sure whether any single person decided it. Certainly government funding has encouraged partnerships over recent years. For people like me, working for small non-government organisations, that is the only way you can work. A small non-government organisation [NGO] would not be able simply to do the amount of work that is required to help a community to build the capacity that needs to be there. The only way to do that is to form partnerships with a whole range of other people. It is then a case of finding partners, the outcomes of whose projects are aligned with what you are trying to do. Does that make sense?

**CHAIR:** It does, but I am having difficulty coming to grips with just how you commenced to look for partners, how you identified them, how you have those barbecues, and how you go about ensuring that the participation with the indigenous community was in some way meaningful. There is always that issue of genuine partnership, as opposed just to the word "partnership".

**Mr MAXWELL:** That is a valid point. The first "partner" that we always seek to engage is the community itself. In most of the suburbs we now have resident action groups specifically for the suburb. Half of those at least have been created in the last two years. Very few of them have what anyone would regard as adequate indigenous representation on them. That has not been an oversight; there have been attempts to increase participation at that level but it just has not occurred. Partnerships are needed

in projects to get things happening. One good example would be the metropolitan technology centre that we have set up at Wilmot, which essentially was a skilling and employment program.

We needed a venue housing at least one of the shops in the shopping centre at Wilmot, which was not really being used. So it is a case of then getting a group of residents together and going and talking to the local housing people to get use of the facility. We then talked to TAFE who would come on board and provide outreach training programs from the centre. We talked to Spectre Employment Services who would come on board and run resume writing and job searching and skilling courses at the centre, and we spoke to Our Lady of Consolation Nursing Home who would come in and run programs for older residents in the area who up until that point, and still now, had been sitting in their homes day by day because they were really scared to go out. We also got TAFE to do a barista training course, so you can now get a decent cup of coffee in Mount Druitt. So the partnerships were really formed out of need. We identified the projects we wanted to do and we then went and found program partners who would support that.

**The Hon. TREVOR KHAN:** I do not know this area at all and I am not from Sydney. Are you aware of how many people live in the Mount Druitt area?

**Mr MAXWELL:** That is a question to which I have an answer.

**The Hon. TREVOR KHAN:** Would you be able to give it to us at a later date?

**Mr MAXWELL:** I will happily give that to you at some later date. There are 11 suburbs. Bidwill is the largest, with about 5,000 people. Wilmot is one of the smaller ones, with about 2,500 people. So it would be about 30,000 to 40,000 people who live in the Mount Druitt area.

**The Hon. TREVOR KHAN:** How many Department of Housing properties are there within that area?

**Mr MAXWELL:** It varies across Mount Druitt. In Bidwill, which we are sitting in, 71 per cent of the houses or the properties are owned by the Department of Housing. Wilmot is the lowest, at 43 per cent. The average is about 55 per cent or 56 per cent across the rest of the suburbs.

**The Hon. TREVOR KHAN:** We have heard the term "social housing", but not from you. Are there any other housing providers, apart from the Department of Housing and rental accommodation, in this area?

**Mr MAXWELL:** I suppose that I have been loose in my terminology. Social housing refers to Department of Housing stock as well as properties that are either managed or owned by the Aboriginal Housing Office, and also properties that are overseen by the Office of Community Housing, which oversees community housing providers, of which I think there is only one in Mount Druitt. So social housing covers all three of those areas.

**The Hon. TREVOR KHAN:** Are you aware of how many Aboriginal Housing Office properties there are in Mount Druitt?

**Mr MAXWELL:** No. I would love to know, but I do not know the answer to that. Part of my brief from Housing is to work with Aboriginal housing tenants. Part of Housing's dilemma in that is that to advise me which properties they are, how many there are, and who lives in them, would be a breach of confidentiality. So I do not know who those people are. What I have done is just work with everyone, hoping that I would catch the ones that we are supposed to be working with.

**The Hon. TREVOR KHAN:** You do not have any direct contact with the Aboriginal Housing Office?

**Mr MAXWELL:** No. The local housing office at Mount Druitt and the various teams in the area manage the Aboriginal Housing Office properties on behalf of the Office of Aboriginal Housing.

**The Hon. TREVOR KHAN:** I understand that concept but, plainly, they do not even tell you where the properties are.

**Mr MAXWELL:** Correct.

**The Hon. TREVOR KHAN:** So they might know but they are not going to tell you. Your role, in part, is to work with Aboriginal housing tenants, but it is a secret as to who they are.

**Mr MAXWELL:** Yes.

**The Hon. MARIE FICARRA:** How do you fulfil that aspect of your job?

**Mr MAXWELL:** The indigenous population of Mount Druitt is fairly proud of their heritage, so finding out the indigenous people is not that difficult because they will tell you. That is the easiest way to find out. My brief is to work with social housing tenants, so it covers all three of those lines. So to work with everyone in that category I must fulfil my brief at some point by touching upon them.

**CHAIR:** So you have contact with the local land council and Bev Manton from the New South Wales Land Council?

**Mr MAXWELL:** Yes, but not in an ongoing way.

**CHAIR:** Right.

**The Hon. TREVOR KHAN:** Why not, I suppose is the next question?

**Mr MAXWELL:** It is a very good question. My focus has been on building capacity across the community as a whole. In pursuit of those aims our paths have crossed, as appropriate, but we have not actively sought each other out in specific ways on specific projects.

**The Hon. MARIE FICARRA:** You obviously attained a trust, a relationship, with some of the indigenous tenants and so forth. Would that be the case?

**Mr MAXWELL:** Yes.

**The Hon. MARIE FICARRA:** What do you put that down to? Do you put it down to your personality, your past, or your experience? Did you explain to them what was your purpose?

**Mr MAXWELL:** I am a nice person.

**The Hon. MARIE FICARRA:** Like us.

**CHAIR:** In rough terms, what percentage of your job would that entail?

**Mr MAXWELL:** Specifically being a nice person, or focusing on the indigenous population? I am not always a nice person. Focusing on the indigenous population specifically, I find that very difficult to quantify.

**CHAIR:** Fair enough; that is an answer.

**The Hon. MICHAEL VEITCH:** In response to one of our questions, Michael, how does HCAP evaluate the programs it supports? You talked about result-based accounting [RBA]. Can you explain that to us? What is that and how does it work?

**Mr MAXWELL:** I am not sure whether anyone can explain RBA. Result-based reporting, in a way, is a misnomer. In the past, reporting on the effectiveness of programs has tended to focus on numbers, or percentages. So it has been a case of: how many things have happened, how many barbecues been held, or how many people turned up at a barbecue. We have not gone beyond that to look at the quality of what has been achieved in those processes. So we have not talked about the percentage of people who have been helped through that process, or the percentage of people who felt that they were engaged and heard and were able to make a meaningful contribution to the process.

RBA, as a reporting method, looks at the quality, not simply the quantity, of the outcomes. One of the key proponents of it is a fellow called Freedman. He looks at both the quantity and quality of project outcomes. HCAP is a program. Therefore, the programs that we are involved with look at both those factors, not simply at how many sausages we cooked but also at the quality of the process.

**The Hon. MARIE FICARRA:** Over the past two-and-a-half days the different organisations and government departments we have spoken have given the impression that they are handling people with disabilities in their various portfolios, yet we have a lingering doubt that that is happening. What is happening with disability housing provision in this area? Are you catering for people with various forms of disabilities?

**Mr MAXWELL:** Through my program, no. I personally have a great passion about disability services. I am a single parent to a 19-year-old with Down syndrome. So I have a huge vested interest in this area. I do not think that disability services are represented in Mount Druitt in the way that they could be. I do not know of any indigenous people who access them. That is a personal lack of knowledge; I simply do not know what those numbers are.

**CHAIR:** Would you like to continue?

**Mr MAXWELL:** The program itself does not come with a great deal of funding. The funding that I am able to provide for the community and projects comes through applying for funding grants and packages for them. I have had a very satisfactory success rate at that. I am not sure how that will continue at the conclusion of the Housing Communities Assistance Program and where it will come from. I have been doing lots of grant-writing workshops over recent times. However, it remains to be seen how funding for a lot of those programs will continue in the future. The program itself does not have the funds to do much at all.

Linking that to question 2(b), the funding that does come is limited by the various grant applications. Normally they cover 12 months or are for a specific project, and that may be less than 12 months.

**CHAIR:** And is it sufficient?

**Mr MAXWELL:** Not at all. As indicated, the expectation of various funding bodies that programs initiated and supported by HCAP will be financially self-sufficient fails to recognise the complex and entrenched disadvantage in the communities in which HCAP is funded—not simply in Mount Druitt but also across the 10 areas listed earlier. While every effort is made to develop broad partnerships and support for any project undertaken, the reality is that some communities suffer a degree of disadvantage that severely restricts their to self fund every community development program.

The social and economic indicators for areas data is produced by the Australian Bureau of Statistics and it measures disadvantaged. It is explained earlier in the document. It contains an overall weighting on four indices. I encourage the Committee to look into that. The benchmark is 1,000 and Vacluse comes in at 1,140, which indicates that it is 140 above the benchmark and therefore quite advantaged. Willmot and Bidwill fight it out at about the 740 and 750 mark. It shows that whatever Vacluse is above the benchmark, these areas are three to four times that below the benchmark. That level of disadvantage makes any expectation of communities self funding their programs a pretty tall ask.

**CHAIR:** Would you like to comment on anything else in relation to question 2(c)?

**Mr MAXWELL:** Only to say that I do not have the answers. It is by no means satisfactory now, but I do not have answers as to how it will become satisfactory.

**CHAIR:** Across the board?

**Mr MAXWELL:** Yes.

**CHAIR:** Not with the additional disadvantages in terms of the indigenous community?

**Mr MAXWELL:** It is across the community.

**The Hon. GREG DONNELLY:** Do you get any corporate or business support?

**Mr MAXWELL:** It is forthcoming, but nowhere near as quickly as we would like. Margaret Bell will be able to tell you more about that later. New South Wales is a long way behind Victoria in terms of that level of that philanthropic support. Some of the support we get is from Victorian philanthropic organisations. It is there, but we have not been able to access that in the way that we had hoped.

**The Hon. GREG DONNELLY:** Are we talking about individual companies or a trust that provides funding?

**Mr MAXWELL:** It is more philanthropic trusts. Local companies are very supportive in terms of individual projects and programs. Some of the local festivals get enormous support from local business.

**The Hon. GREG DONNELLY:** So you would approach them.

**Mr MAXWELL:** Most of them have a designated staff member who responds to those queries.

**CHAIR:** I refer you to question 7. Can you give us your candid thoughts on that and expand?

**Mr MAXWELL:** When I got to question 7, I realised I had answered it earlier. I will start with that and flick back as appropriate.

**Dr JOHN KAYE:** We heard on Tuesday from the Director-General of the Department of Housing that it was very keen on what he called deconcentrating housing—that is, breaking up collections of public housing. I have been busting to ask other people about that policy. I understand there are some benefits in having groups of houses together in the formation of communities, particularly Aboriginal communities. Is that true? What is your take on the deconcentration issue?

**Mr MAXWELL:** In relation to indigenous communities specifically, I would not presume to answer. That is a good question, but I would ask members of the indigenous community whether they would see value in being provided with housing closer together. The expert on that would be the indigenous person. I have in the back of my mind the whole disability issue as well with institutionalisation of people with physical and intellectual disabilities and how that has been breaking down and they have been moving out into the community. The big move in recent years has been to put them in close proximity. That has not proved very satisfactory. Were public housing to go the same way, I suspect it would encounter the same problems.

The departmental housing stock in Bidwill is 71 per cent and that has produced a stigma that has been hard to shake. It is one of the areas where they are looking to deconcentrate. They are looking to sell off a number of properties in this area and change that housing mix. I think that is a good thing. I do not know that public housing tenants necessarily need to congregate. That level of community can be formed whether they are public or private renters, whether they own their home or whether they are the proud owner of a mortgage. All those people could and should comprise a community.

**CHAIR:** Is that a latter day philosophy?

**Mr MAXWELL:** It is certainly a philosophy that the department is pursuing much more aggressively than in the past, but it has been an ongoing policy over several years. Where it will lead for the potential provision of public housing down the track must be addressed. I assume Mike Allen would have answers. However, if they start selling off housing stock to change the concentration in the area, where is the stock that they may want to utilise later on?

**CHAIR:** What about question 7? What should we do?

**Mr MAXWELL:** I love this. I will not tell you when I wrote this. Somewhere along the line in this paper I refer to Einstein's definition of insanity: Doing the same thing the same way and expecting a different result. It strikes me that social service provision across the board—not simply housing—has suffered historically from Einsteinian insanity. What do I want to see come out of this inquiry? I would love to see some Einsteinian sanity. The old system is no longer valid. Something new must be done. As members of this Committee, you have invested your time and efforts in this process and your names will be forever associated with this inquiry and its outcomes. You have lived and breathed this issue and will do for some time. I would love to see someone daring to explore the hard paths and the new paths, and daring to explore innovative responses to these issues.

In answer to earlier questions, I think I have hinted at some of those innovative responses. They will be responses that will look actively to engage the community in coming up with the answers to their own problems or solutions to the issues that face them. That is not a new concept, but it does not seem to have happened in a way that has satisfied the community and achieved any meaningful outcomes. One of the questions was whether I see the advantage of a new level of bureaucracy.

**Dr JOHN KAYE:** I do not think we would have asked that.

**Mr MAXWELL:** It could have headed that way. The question was whether there should be an independent coordinating body monitoring a framework of service provision. My initial answer was, "Absolutely." I then talked to a good friend and that friend said, "Absolutely not." But then we both went on to say the same thing. So I think it was the way we interpreted the question. That centralised coordinating function should be devolved down to the local community so that local organisations and communities can take control of their own processes. The answers to the issues needed in Mount Druitt are going to be very different from those needed in Walgett or even in Redfern. We are talking about urban suburban and regional rural. They face very different issues. Local people need to be part of those answers.

If there needs to be a coordinating body that supports and protects those local groups to achieve those outcomes, then so be it. We do not need—I do not think we need a department of social inclusion. A Federal Parliamentary Secretary is good, but we do not need a department.

**CHAIR:** Do you know of any book that tells you about how to consult and how to create partnerships? There are two simple words that seem to be it difficult for people to do.

**Mr MAXWELL:** Absolutely. The New South Wales Government had one that disappeared of its web page. There was an i-plan site. I have not got the actual link or the address, but I could find it. Somewhere in the system that would still exist. It is just not accessible to those of us out here.

**CHAIR:** What was that again?

**Mr MAXWELL:** I am sure it was i-plan and I think it was Commerce who had it, but I am guessing.

**Dr JOHN KAYE:** But was that not the Department of Planning?

**Mr MAXWELL:** I am sorry, it was. It was the Department of Planning that had it.

**Dr JOHN KAYE:** Or the Department of Urban Affairs and Planning [DUAP], or whatever it was.

**Mr MAXWELL:** It was available on the web and now it is not. The Victorians—I hate to sing their praises too high—but the Victorian Department of Sustainability and Environment [DSE] has a tremendous community engagement tool kit on its site. It runs to three volumes. If you press print and walk out of your office, there will be an enormous mess when you get back, but it has really good stuff in it in the Australian context. Then, of course, there is all the stuff coming out of England such as the Every Child Matters material that is referred to in the references here. It is a wealth of stuff on how to integrate services and to do that around schools.

The key piece of infrastructure in most communities is the school. If you can actually get the school and the school principal working together with the community—I will not go down the path that is alluded to here because it is not always easy for that to happen—but if you can get that to occur, then you can actually achieve great outcomes. That is one of the key successes coming out of the English model at the moment.

**CHAIR:** So the i-plan does not go the one size fits all path you are talking about?

**Mr MAXWELL:** I did not get to look at it before it vanished. I would like to think it does. I heard good things about it but I honestly have not looked at it in great depth.

**CHAIR:** Advice we are receiving from indigenous communities seems to be that the one size fits all does not work and you need to get the right people on board.

**Mr MAXWELL:** That is right; that is absolutely the case. I doubt that you would find any credible piece of information or resource that would advocate one size fits all. The Victorian one is a textbook, really, on engagement for different people in

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different circumstances tailored to your outcomes. It is not a one size fits all but it is a toolbox of approaches. I think the i-plan might have been the same. I will try to get hold of it.

**CHAIR:** If there are no other questions, I thank you very much for your attendance, which is greatly appreciated. We will be in touch again.

**Mr MAXWELL:** Thank you.

**(The witness withdrew)**

**MARGARET BELL**, President and Chief Executive Officer, Chain Reaction Foundation, 11/112 Ben Boyd Road, Neutral Bay, sworn and examined:

**WINSOME MATTHEWS**, Mount Druitt Learning Ground, 10 Macarthur Way, Bidwill, 2770, affirmed and examined:

**CHAIR:** I acknowledge that we are meeting on Darug land. I pay respects of the Committee to Elders, past and present. We will spend a couple of minutes on opening remarks and then we will go into questions.

**Ms BELL:** The Chain Reaction Foundation is a non-profit organisation, working nationally and locally. One of the tasks that Chain Reaction has undertaken has been the support of the establishment of the Mount Druitt Learning Ground. We are committed to serve the community locally in the Mount Druitt area in respect to Learning Ground over a period of 10 years from 2004 forward.

**Ms MATTHEWS:** I am a Gamilaroi-Yorta Yorta woman. I have lived in Mount Druitt for near 41 years. I am a grandmother and a mother of one. I come from a family of activists. I come from history of change agents in terms of Aboriginal affairs in our country. I have been active at both State and Commonwealth levels in the change of Aboriginal justice and law as well as domestic violence. I am the project manager of Learning Ground, and it is a spiritually contrived concept born from this community for this community. It is also an area of practice for people who now wish to practice social custodianship, as Aborigines, as we take care, not just of Aboriginal people within the program, but all residents of 2770. In terms of our culture, we practise a custodianship which now includes the other.

**CHAIR:** Ms Bell, do you have any further opening remarks?

**Ms BELL:** I would like to make some remarks as they address the questions that you seem to be interested in relating to the Mount Druitt Learning Ground. I would like to give you a little background on how that came into being. In 2003, the Chain Reaction Foundation conducted the first piece of participatory research conducted in Australia. We conducted that research in three communities: in Illawarra, in Kempsey and in the Mount Druitt community. Copies of that research report can be furnished to you. In that piece of research we interviewed 1,000 people in each community and put together a social framework tool that we used to examine social cohesion in a community. It was a very effective tool. We have used it subsequently another communities.

In Kempsey the result by and large of the research was that the individuals whom we interviewed, 1,000, collectively stated that things would be much better in Kempsey if the local council played a stronger role in social cohesion engagement. In the Illawarra area the same number of people spoke with confidence about the establishment of the university. They spoke about the role of the University of Wollongong and the part that it could play in the future in the development of the community. In Mount Druitt, the people we interviewed, again 1,000 strong, cohesively said: We know our community. We are proud of our community. We would like somebody to walk with us to assist us in the development of a new kind of leadership in

this community because we know the problems and we want to solve them ourselves. We know we can, if we have this kind of leadership and support.

Chain Reaction is an organisation that is committed. It was founded in 2002 as a non-government organisation simply and purely to create an atmosphere of stronger social engagement and social cohesion in local communities. So, of course, the findings of the research in Mount Druitt resonated well with the goals of the foundation. We set about offering what we called an enablers program to community leaders in Mount Druitt. For the majority of months of 2004, we offered that program to indeed the most outstanding community leaders in this community. As a result of the learning that we shared together in the unfolding of that program, it became clear that what was needed, as expressed by those community leaders in the local community, was something that has evolved into the Mount Druitt Learning Ground. We are particularly proud of the way the Mount Druitt Learning Ground has come into being because it is an expression of the people, for the people, and from the people. Perhaps you might like to ask me something about that before we go to the immediate questions that you have provided for Winsome and me.

**The Hon. MARIE FICARRA:** That all sounds fantastic. We does your funding come from? Is it replicated anywhere else? I have not heard of the Chain Reaction Foundation

**Ms BELL:** My own personal background is that I founded the Volunteer Centre of New South Wales and went on to establish volunteer centres in each State and Territory. I was the founding president and the chief executive officer of Volunteering Australia. I was the world President for the International Association for Volunteer Effort. I was one of the founding directors of World Alliance for Citizen Participation [CIVICUS], which is an international organisation that is recognised today as, as is said, "the People's NGO". It is a world assembly for citizen participation.

Coming from that background, I returned to Australia at the end of the year in 2001, having visited 60 countries because it was the Year of the Volunteer. When we started the campaign for the Year of the Volunteer, there were four national bodies on volunteering in the Western World and none elsewhere. By the time we finished in 2001, we had 168 nations with the national volunteer centres established. The international association for volunteering has over 1 million members. When I joined the association in 1984, there were 64 members.

You can see how volunteering itself has developed across the world. When I returned at the end of 2001, a number of colleagues met with me saying, "We are very concerned about the lack of social cohesion in Australia. Things are starting to happen here that we're pretty unhappy about." I recognise that from a lot of inquiries that I had had in my years spent away in developing the national volunteer centres. To make a long story short out of that, 30 organisations invited me to speak with them in two weeks about social cohesion, about civil society, about capacity building and about engagement in community. I could not accept invitations to 30 organisations so I invited them all to lunch.

Out of that lunch came the Chain Reaction Foundation, an organisation that was put together to address social cohesion in Australia. That was why it was founded at that time. I will leave for the record an information kit which gives you some

background information about that. You will see we have a board of directors. We have 30 partner organisations, which comes to your question, which have said that they have a task of their own. For instance, the Benevolent Society of New South Wales said: We have a task. We work in aged care. We work with women and children.

We are concerned about social cohesion but it is not our core business. Similar organisations said the same. So they sought the establishment of an organisation with social cohesion as its core business. Of course, that reflects my personal background and I undertook to establish that organisation. We now have 30 partners who support the Chain Reaction Foundation, either with financial contributions or with their personal contributions of time and energy to support the work that we offer. We work in corporations, in government departments and in the community in creating an awareness of social cohesion in the community.

We do that in collaboration with the partner organisations. Within the partner organisations we have 40 specialist consultants, which you will also see listed in the information kit. Those 40 consultants are people whom we consider to be the experts in Australia in social cohesion. We asked of them that they give their time voluntarily to Chain Reaction for a variety of needs that we are called on to act in these areas across Australia. Winsome, my colleague and the project manager of Learning Ground, is also one of specialist consultants of Chain Reaction, and works with us particularly in what we call the Breakfast Cafe.

You cannot teach corporate leaders or government leaders. You cannot educate them or teach them very much, so we offer them breakfast instead. What we have is an opportunity to talk about matters of social inclusion. We offer that Breakfast Cafe in Melbourne and Sydney on a bi-monthly basis. We also bring to Australia experts in civil society and in participatory democracy, and we work in areas of participatory research with those founders. So you can see that from a very small foundation and with a very limited staff we are able to tap the intellectual thought of a great deal of leadership in Australia and elsewhere in the whole area of civil society.

**The Hon. MICHAEL VEITCH:** Winsome, what is your role?

**Ms MATTHEWS:** Project manager.

**The Hon. MICHAEL VEITCH:** What does that entail?

**Ms MATTHEWS:** Once upon a time we used to run Learning Ground right in this very centre where we are today. That meant basically pulling out the carpet, setting it up and having an environment that was safe and secure for people to come and freely participate. We set up plants and had a morning tea ready for when people arrived, but we also took inquiries from people who were inquisitive and who were wondering what all the hoo-ha was about with all sorts of people arriving, not just a group of Aboriginal people but people from all walks from the Mount Druitt community.

Because of that local presence the locals knew the people participating and would say, "What is going on here?" and they would make inquiries along that line. I also advocate to community agencies and to the government when opportunities come to talk about Learning Ground and its importance. Learning Ground was born from the thought that we have a lot of children of all colours in the Mount Druitt area—children

who are challenged by attending school on a regular basis but who are also living in environments in which their safety is at high risk. I am talking about children living in households where there are such heinous social issues that they are unable to participate in school in a way that is at the top of their well being. That is never going to happen.

It is about how we support children in their well being and in their growth that still enables them to remain in the community, remain with their parents, but be working in partnership with that school to have the child returned and to be undertaken in a case management style to ensure that there is no falling off the rails, so to speak. The importance of Learning Ground is that parents and families, as mentors, are encouraged to participate, but if they do not feel that they can take a full mentor role they come along as a support, taking the frog analogy and the dirty creek theory. Do I have to explain?

**The Hon. MARIE FICARRA:** Yes.

**Ms MATTHEWS:** The frog and the dirty creek analogy is that if you expect a frog to be well you had better clean up the creek. The children are the frogs and the households are the creeks. We cannot be changing children if their environment is not changing. So it is important that we have a family person participating. I suppose the essence of coming to Learning Ground is that we enable people to recognise leadership within themselves and for themselves, and in that how to extend that to your family and then, if you choose to, how to extend that to your community, but only if you choose to. So it is about building boys, mending men and weaving women back into the fold family. Those are metaphors that are realistic in the work that happens.

Those are the outcomes—that we have unification and reunification back in families. We have worked with families in a very solid and core sense. In an 18-month period we have seen really violent households become calm. Conversations are entered into to discuss family matters. Children who were illiterate are now reading and children who thought that they would never be able to have a job are in work, but they are still challenged in how they participate on a day-to-day basis. But they are very clear in the sense of who they are, where they come from, and they have a sense of belonging, but they also have a very clear understanding of the difference between fear, ego and love.

They also have a very balanced approach to their responsibilities and to the consequences of all their actions. We have young people entering back into school and receiving scholarships because of the vast improvement in their academia. We also have young men who are now making clear decisions that work is for them and that TAFE, or acquiring more skills, is a better option if they expect to have a decent future. So I facilitate that and I encourage people to be a realistic part of their own growth. I explain it in this way, "You have a birthright quality. All we are going to do is pull it out of you, have a good look at it, explore it, and work out the five parts."

One of our main frameworks of learning is understanding the five elements of yourself—the intellectual, the physical, the social, the emotional and also the spiritual. It is not about understanding everything; it is about understanding that in the world there are metaphysical, morals, nature and consciousness. We facilitate that and break it down into language so they understand things like ah-ha moments, they question where that comes from, and they understand God through nature. But we are not religious. The

reality is that we all have to have an understanding of God, whether or not we like it. That is where our morals come from.

**Ms BELL:** I guess one of the unique features of Learning Ground and one of its immense advantages is that the Aboriginal people of Mount Druitt, particularly under the leadership of Winsome, have contributed hugely to the development of Learning Ground. All our learning in Learning Ground is based on traditional and contemporary Aboriginal thought. That is offered not only to Aboriginal people who come to Learning Ground—in fact, we would like to see more Aboriginal people in Learning Ground—it is offered also to all people who come to Learning Ground as a beginning; as a basis of understanding how the first nation views Australia and has viewed Australia for thousands of years.

We look at the traditional thinking and we look at the contemporary thinking, and this leads us to the contemporary thought values of our study. We look at how this affects each and every individual within Learning Ground and we examine, recognise and appreciate the differences that we experience together, and our own personal histories, no matter which part of the world we have come from. But we take the learning and the leadership from Aboriginal thought. The Chain Reaction Foundation is strongly committed to this concept because our understanding and our desire is that the concept may ultimately be able to be shared with the wider Australian community in a profound way.

We appreciated greatly the apology that was offered in Canberra yesterday to the Aboriginal people and we could speak about that for a long time. What is one of the next foremost steps that we need to take? Instead of talking—and we still talked a lot yesterday—about the difficulties in Aboriginal communities and the necessity to overcome problems in Aboriginal communities, Chain Reaction and Learning Ground would like to offer and would like to have people see the wisdom, the truth, the harmony and the understanding of life that the Aboriginal communities in Australia can provide in the areas in which Aboriginal people are found. It makes a profound difference.

All people in Australia need to know the story of the *Rainbow Serpent*. They need to know about creativity and creation. They need to know the message that that serpent has for our understanding of caring for the environment and for one another. It is our belief that all people need to know the wisdom that is in ancient Aboriginal families who love their children simply because they exist—not because they are very clever, or they are highly successful, or they have a wonderful HSC result, or they have done just what dad or grandpa wanted them to do, but simply because they live they are loved.

There is so much wisdom and innate learning, some of which we have imbibed by living in the country, but there is a lot more that the wider community does not understand at all. It is our belief in the Chain Reaction Foundation that once this knowledge is able to be spread beyond Mount Druitt, where we are enjoying sharing these fruits with families here, that it not only will affect and give life to families and communities that are at risk; it also will give life to the entire nation.

**The Hon. TREVOR KHAN:** I am sorry to get on to basics, but this is a very interesting concept. I would like to know something more about the nuts and bolts of the exercise. Where are you based in Mount Druitt?

**Ms MATTHEWS:** As I said, once upon a time we were here. As you were arriving you would have seen a row of townhouses. There is one block close to the hotel and there is a second block that juts out. There were two vacant townhouses that were adjoined. We are now there. They were vacant and pretty much being vandalised over a period of five years. So we approached the Department of Housing and they made some renovations by knocking out one of the adjoining walls. We have a large centre, not as big as this place, which was great because we started out with 15 at the beginning of the year and we ended up with 50. We did have a nice size grouping in this very space right here.

One of the things that would be challenging in the new place is space for those large groups. Right now the space is sufficient for 25 people. We have other rooms in a two-storey duplex—activity rooms, office space, and a guest room if the boss needs to stay overnight for other community business that has taken more than a day. It also operates as a sick bay and it is used for massages and other activities that may need a more personal space for such activities to be undertaken. We now share that space with Garralong, an Aboriginal program for young mums and bubs, which has been very successful on the ground. We have seen magnificent outcomes but, again, it is poorly funded.

They have an amazing time in that centre. The children occupy all the spaces in that place. They have painting activities outside and it is quite a wonderful thing for the neighbourhood to see children playing in a positive sense. When we first moved over here there was a lot of local concern about the type of people that were coming to Learning Ground and what sort of risk they were at. It already has ground zero for lots of the social complexities that Mount Druitt is renowned for. However, they have always been very surprised by the sound of corroboree and dancing, children laughing, guitar lessons, recorder lessons, singing, dreamtime stories and also stories of significance from other cultures that people who participate in the program are able to tell.

So the inquisitiveness and concern have now been turned around to great enthusiasm. Our little plot has been a role model because we have been in there changing the landscape physically by making the grass grow, having it all nicely edged and raked, and the garden beds are being covered with excess lawn cuttings and so forth. We now see other people undertaking activities in their gardens as well. So we are proud, and we now live in a community that also feels proud.

**The Hon. TREVOR KHAN:** You have alluded to funding.

**Ms MATTHEWS:** We have not got it.

**Ms BELL:** Funding is a terrible problem. Because the concept is so different—in fact, it is unique in Australia—we had a great deal of difficulty selling it. People asked whether it belonged with the Department of Education and Training, and the Department of Education and Training said, "No." People asked whether it belonged with the Department of Community Services and they said, "No." Does it belong with the Department of Housing? No.

**Ms MATTHEWS:** In a nutshell, it is so innovative that it grates against all existing state policy, and we have had difficulties getting any government to recognise it because it is in conflict with the Department of Education and Training. Ours is not a community education program; it is a Closing the Gap initiative. That is exactly what we are doing. That is not lending terms from what has been said about in the Commonwealth. Closing the gap is a concept that came out of the Maori Development Unit in New Zealand more than 15 years ago. It has been an aspect of the activism that I have been engaged in through my roles with the Aboriginal Justice Advisory Council and the national council.

**Ms BELL:** Obviously we have tapped all those sources. We also tapped sources with the previous Commonwealth Government and met with hostility. We met with refusal from the New South Wales State Government, but with some hostility on the part of the Department of Education and Training and then the Department of Community Services. We now receive no hostility at all from the Department of Community Services and we are developing a very strong relationship with schools in the Mount Druitt area. We have developed good relationships with 39 schools in the area in the year that we have been operating. That does not apply at the state level but it certainly does at the local level. The schools have been extremely cooperative even to the point of two young boys being registered this year and the Aboriginal liaison person being released from the school to attend Learning Ground with them, because they need a support person.

**Ms MATTHEWS:** She is not a liaison person; she is a remedial teacher's aide in the mainstream school.

**CHAIR:** So you need a department with innovation risk.

**Ms BELL:** Yes. As a foundation it concerns us greatly that we have been able to attract funding from some trusts, foundations and some private donors, but only on the basis of a pilot scheme. We have now operated for one year and we are talking about a two-year pilot scheme so that we can keep the doors open. It has moved on from a pilot scheme, but we are framing it in those terms over two years because of the necessity to find funding for 2008. We have funding to operate only until June this year. We are constantly seeking additional funding. I spend far too much time doing that, but it is very necessary.

We are able to employ a project manager for only three days a week, which is quite ludicrous. Of course, she works five or six days a week. The Chain Reaction Foundation releases an administration person for one day a week who works four days a week. No other staff receive any remuneration. That is not sustainable. It was a chicken-and-egg situation: Do we put it in place and show people what it can do? We had to. Now that it is in place and people can see how effective it is, we are very concerned that we have set up something that could collapse. We can now say to people, "We are glad you liked that idea as much as you did, but it does not happen anymore." That would be terrible. We are urgently seeking real recognition of what is going on.

**The Hon. GREG DONNELLY:** I am interested to understand the Aboriginal culture and the role of males, particularly fathers. I believe that the father is as a key element in raising children. A lot of work has been done around the world for a long

time across cultures about the absence of a father. You might have a man with some mental difficulties and facing domestic violence problems. I am talking about the general proposition. Is that concept of the centrality of the father in the raising of children shared by the Aboriginal culture?

**Ms MATTHEWS:** Absolutely.

**The Hon. GREG DONNELLY:** I want to pursue the notion of family because I understand the extension of the family in the Aboriginal context. How does the Aboriginal family extend out? You have the mother and father and children. Can you explain that?

**Ms MATTHEWS:** Other Aboriginal families can also be extensions. I consider the parents of my Aboriginal contemporaries here in Mount Druitt to be aunty and uncle. The grandparent of that crew is my nanna as well. They are the extended relationships within a community. Within the family, my mother's mother is also my grandmother to you, but she is my mother-mother. So you have your mother and your mother-mother. My mother's sisters are my sisters. To you they would be your aunts. At the second tier of the adult role, it is all brother-sister, mother-father. So mother goes up the line of mother.

I am a grandmother and my grandson refers to me as "Mum", because he understands that I am that mother-mother. He refers to my mother as "Big Nan"—even though she is small—because she is "Mum" too. We call her mother-mother-mother. That is three mothers. Our kids understand the evolution and the line that we are all coming from. It is a kinship network. If there were a whiteboard here I would draw a picture. The reason for that understanding was to do with the marriage and coupling and to ensure that lines were kept pure because one line should never cross another. The total cycle of that is more than 4,000 years old. My father is Mooki Gamilaroi and my mother is Ulupna Yorta Yorta, and that line will never cross for another 4,000 lines, which is 4,000 years. However, the different kin lines of my mother and father can engage, but not to be Mooki Gamilaroi Ulupna and Yorta Yorta. So you still have the Gamilaroi and Yorta Yorta people coming together, but the clans are different.

**The Hon. GREG DONNELLY:** I am interested in mending men, building boys and weaving women back into the family.

**Ms MATTHEWS:** It is very true.

**The Hon. GREG DONNELLY:** That is beautiful.

**Ms MATTHEWS:** It is not an Aboriginal metaphor; it is the reality that Mount Druitt has become.

**The Hon. GREG DONNELLY:** I am particularly interested in men who have children and who are walking away from the responsibility of raising them, which obviously is not congruent with their Aboriginal culture in terms of responsibility to their children and the clan. What program do you have to try to re-engage these males to come to terms with their responsibilities and hopefully come back?

**Ms MATTHEWS:** What must be understood in the first instance is that we are now dealing with an intergenerational issue. Many of the men walking away from their children today were once children walked away from. Where is the positive role model to extend the men's business and how they should be as a man and a father? I say that even though we are urban-based Aborigines. We all still have a very strong social connection to our culture. One of the major facets of that is our obligation as a man and a woman to the family and from family to the community.

Mount Druitt, in particular, is a woman's place—not just Aboriginal women, but all women. The 1970s saw a very large number of single mothers brought to Mount Druitt. Many of the young men today were raised by a community of women here in Mount Druitt. Now these young men are some of the best examples of fathers you will ever see. They will actively seek out their legal right to total custodianship and raise their children themselves. That is both black and white men. You will often see more men pushing prams in Mount Druitt than women. I kid you not. That is dad dropping one or two children at the local childcare centre, and we have quite a number. It would be interesting to see how many men are the prime carer of children enrolled in preschools in the Mount Druitt area.

The Men's Shed in Mount Druitt is very active. It was set up in partnership with the University of Western Sydney to deal with men's mental health issues. Aboriginal men were at the forefront of its development. However, again, like the good brothers that they are and given their connection with this place, they are inclusive of all men in the area accessing the service. There is collaboration to engage them in a number of other whole-of-community and whole-of-family activities. They are slow because they are still at that first stage where they are exploring themselves and encouraging men to speak about their business in the safety of a good environment while being overlooked by researchers. They are in a research project trying to provide a service and also trying to work out their tentacles in the community.

This is big for me to be talking about because I used to be a staunch women's activist with regard to violence and all the rest of it. But I was always of the firm belief that we were dealing with only 50 per cent of the problem with the women. During my time as the Aboriginal Justice Advisory Council chair, I proposed that we should be looking at cooling-down programs for men who were violent and not extract them from the family and community. They should have that rehabilitation in the community in a 24-hour sense so that they can return to the community. There was an agency to help them to understand the consequences and responsibilities and also assess them so that real services could be directed to their essential needs. They felt like a whole man and would not revert to violence.

This is a big and complex issue. It is a fear thing—the fear of death in custody. You will not see a lot of men around here during the day because of their fear of being approached by police. We do have an over-policing problem in Mount Druitt. Many of our men are targeted. I have a brother who works in a correctional centre. He goes down to the local shops for milk in his very nice Commodore and he is pulled over and accused of speeding through a 40-kilometre-an-hour zone when he has not. Our men are very clear about the hypocrisy that goes on with the delivery of good service by the police in the area—St Marys and Blacktown, in particular. I am not a man; I am a woman. But I understand the issues facing my brothers. It would be good to pose the question of being more explicit about their stuff.

We are working to engage all of Mount Druitt in the context of what we produce here at Learning Ground. We are in a growing partnership with the Men's Shed. Another program run by the Learning Ground is designed to young Aboriginals safe on the road with the driving licence project. One of the initiatives in that is to be engaged with the Men's Shed so that we can build up some of the brothers who have good licences to come on as mentors.

I could rush the brothers on an agenda, no worry, and have them standing up and saluting you all the way, but that is not my part. It is about how do I weave them back into my fold so that there is value-adding to the children and the families we are addressing and at the same time the brothers are getting a good deal too in that I respect their space, respect what they are doing, I respect the way that they are dealing with the issues. I am very proud as to the progress and outcomes they are achieving. The time to go and talk hard core about the real business, I think it is coming.

Yesterday, whilst it made a difference between me and you, it made a difference to me. I wonder about how many of my other brothers and sisters have felt that difference. One of the greatest things that the eldest man who travelled with us yesterday said was, "All right, now we have got to get our act together." I think the time is coming when the women of this community actually go to the men of our community and say, "Go and get the meat and I will be here, waiting for you, to cook it for you", whereas it is like, "Don't worry, bro'. I have got the meat and I am cooking it and if you don't get your act together, I'm not feeding you." There is coming a time when the women are going to go and ask the men to come back and be the men.

I have a daughter who is 24 and has a very healthy relationship with a Maori man. The Young Mums and Bubs is actually an example of good, healthy, young interculturalism but also Aboriginal-based relationships are on the grow. The children who engage in that project are amazing. They are growing up in really healthy and holistic environments, both inside the home and outside the home. This is not a write-off as to what is going on because the shifts and changes are emerging. Like I was saying, the power of yesterday is actually creating new ground by which real truth can be spoken among us, our community. That should be our right, to fulfil that, and whatever comes out of that, so be it; but least we can be open, honest, with a full heart, and have love and respect in doing that.

**The Hon. GREG DONNELLY:** I am glad I asked the question. Thank you very much. It was a wonderful answer.

**CHAIR:** Perhaps at this stage, with 15 minutes available to us, we should try to concentrate on you giving us your advice as to what you think should be coming out of our inquiries as to recommendations. We tend to be one dimensional, we tend to want the quick fix, we tend to want you to tell us how to fix it tomorrow—all the shortfalls that we have in our way of doing things. We are trying to come to grips with that and realise that maybe that is not as simple as we think. We are looking forward to your advice as to recommendations that you think should be made. Before you do, what is the current extent of penetration of Learning Ground? What is the market? What demand is there?

**Ms MATTHEWS:** The market is the 2770 and every school within the boundary. I just wanted to add the point that while the relationship with the State Department of Education is great in policy, it is not that healthy at the regional level. So this is a very acute relationship, right at this local level, with principals and other specialist teachers who see this as the lifesaver in lot of issues in which they are really caught between a rock and a hard place in dealing with children in a family context. I have worked in schools. They just cannot do it unless they have specific family liaison and a whole sort of family-community related staff that could do a lot of the mending, weaving and building that I mentioned earlier. It is not just about kids in school. It is about kids who feel downtrodden and want to be re-encouraged and build their esteem and confidence to actually get back out onto the job market, and to even be encouraged with new ways of thinking about how to tackle the system and to have the courage and power to be successful with that approach.

**Dr JOHN KAYE:** Winsome, can I ask you a quick question about the relationship between your organisation, Learning Ground, and the Department of Education and Training? It seems to me that what you are saying is that at the Bridge Street or head office level, everything is good.

**Ms MATTHEWS:** No.

**Dr JOHN KAYE:** No?

**Ms MATTHEWS:** No. They cannot recognise us.

**Dr JOHN KAYE:** What about at the school level? It is going well?

**Ms MATTHEWS:** Perfect.

**Dr JOHN KAYE:** What about at the regional level?

**Ms MATTHEWS:** No way.

**Dr JOHN KAYE:** So, regional and head office—

**Ms MATTHEWS:** Cannot because what we are goes against their grain; because what they did was invest \$21 million in the Nepean Valley Academy of Learning Centre, which they see as the better option than Learning Ground, to redress a lot of the issues of violent kids in schools. Yet we have had violent kids in schools. But, you know, people are saying that they are violent kids in schools but when we get them in, we are still waiting to see them react and to be violent. One of our philosophies of operation is great respect and affection, and that does not mean for me to get up and cuddle and kiss you every time I see you. It is just about understanding, respect and affection for the other. You do not have to love them up, but you can have that respect by which you like that person.

There are elements of our philosophy and framework, but that violence, we do not see it. We only see it when something profound has happened at home but it has not been dealt with. The only place they have to spill it out is here. But we are lucky enough that we can go in and nurture and get to the core of it, and get them to understand and remember a lot of the learning that we have been through so far.

**Dr JOHN KAYE:** Because I think it is relevant to our task, can I ask you more about the nature of what the Department of Education and Training is doing that is frustrating your work? Is it something that they are not doing, or is it things that they are actively doing?

**Ms MATTHEWS:** I think we are over it because it was a sort of a bit of a battle that went on for three years and we have been operating 12 months. We have a local relationship. The word "relationship" is what I am talking about, not partnership, because we are an aid to their being successful in the outcomes that they are meant to get. We are the community support that schools are offered—the family and community support that schools have always wanted, that the Government has always wanted—in dealing with social difficulties. That is what we are. We are that family and community support that enables the system to do their business in the best way possible. So we should be charging you!

**Ms BELL:** What we sought from the Department of Education and Training firstly was premises. Whalan High School has been sitting empty for—

**Ms MATTHEWS:** Twelve years.

**Ms BELL:** We are part of the building, and the answer was no. When we sought recognition of Learning Ground's existence and an opportunity to interact with the area regional office, the answer was no. The Department of Education stated to us that they did not see us as in any way an educational institution. So we did not want—and it would negate what we do—to offer formal studies in the School Certificate and in the Higher School Certificate. What we offer are formal studies in self-esteem. You know, we offer an opportunity for cohesion between the family where there is none. We offer an opportunity for the fathers to come. They are amazed when they come. We offer an opportunity for them to interact with the mothers of the children and other mothers and fathers and the children themselves. It is very interesting; we offer exactly the same program.

You will see advertised this week in the *Mount Druitt Standard* newspaper the advertisement for taking enrolments for Learning Ground. We take people at Learning Ground from small babies to over 80 years of age, and we teach the same program to all. It is extremely interesting—"Oh, you couldn't possibly do that. How could you possibly teach a 40-year-old and a four year old?" It is amazing. Can we sit around the dining table at home and have a conversation with grandma and a four-year old? Of course you can. We do the same thing. Of course we do it at different levels and we have mentors trained to work with the specific groups, but we work in a cohesive way, so the Department of Education and Training—the Minister wrote a letter telling us that in no foreseeable future would the Department of Education be able to support our work.

**The Hon. TREVOR KHAN:** When was that letter written?

**Ms BELL:** That was when Carmel Tebbutt was the Minister for Education.

**Ms MATTHEWS:** The bottom line is this: for them to be seen to be supporting us says that their system is failing.

**Ms BELL:** That is how they saw it.

**Ms MATTHEWS:** They cannot be seen saying that. You know that. It is true.

**Ms BELL:** They saw that. The area director told us—we thought we were in with a show. Winsome and I went to talk to the area director and he was very complimentary of what we were doing. He had already heard and thought it was marvellous and so on. We looked at each other and thought, "This is great. We might be making progress."

**Ms MATTHEWS:** We thought we had kicked goals.

**CHAIR:** But they had moved the goalposts.

**Ms BELL:** And then he said, "And I have to tell you, there is no way I am going to support your program."

**Ms MATTHEWS:** "Because to be supporting it shows that we are failing." And that is the truth.

**The Hon. MARIE FICARRA:** He told you the truth.

**Ms MATTHEWS:** But it is logical as well. That is the how, why, where and when.

**Dr JOHN KAYE:** I am sorry to have interrupted you.

**CHAIR:** In the remaining moments, write us some recommendations. Then we might get some recommendations.

**The Hon. MARIE FICARRA:** You are probably scaring the hell out of a lot of the government departments.

**Ms BELL:** I think so.

**The Hon. MARIE FICARRA:** Because of your way of thinking, which is outside of their normal way of thinking.

**Ms BELL:** Yes, you are quite right.

**The Hon. MARIE FICARRA:** We all know from listening to you that that is really the way to go. I mean, you are attacking major social problems from the position of community acceptance and cultural awareness. When you are talking about social cohesion, what you are talking about is creating healthy communities.

**Ms BELL:** Yes.

**The Hon. MARIE FICARRA:** What if they were to ask you to provide any statistics. You know we are all hung up on statistics and we have to justify and evaluate.

Could you provide statistics on your participation rate and evaluation of your successes? Would you be able to provide that?

**Ms BELL:** Yes. We can provide information that tells you this past year that we have had up to 50 families engaged in what we call the core program, which we run every Monday. We have that extension program on a Tuesday to families by invitation. On the Wednesday we run the Kays Driving School program and on other occasions repeatedly throughout the year we run what we call the occasional program—at the moment, today, tomorrow, next Thursday and Friday and you will be very welcome if any of you would like to come—and an enabler's program for prospective community leaders. We keep that program going all the time. That program runs in these two weeks Thursday and Friday of this week and next week, and runs from 9 until 12. We have a variety. I could provide you with the breakdown of how many participants have taken part in all of those programs, but it amounts to 2,000 people in 2007 having been involved in all of those programs.

**The Hon. MARIE FICARRA:** What you are doing is so good that it would be lovely to think that you could train up others. There must be others. I mean, Winsome is excellent. I can see that you have a grasp of it all.

**Ms MATTHEWS:** For sure, of course.

**Ms BELL:** Yes.

**The Hon. MARIE FICARRA:** But there must be other Winsomes or semi-Winsomes out there.

**Ms MATTHEWS:** Oh yes, sure.

**Ms BELL:** I really need to say that that is not true. There are no other Winsomes, but there are others.

**The Hon. MARIE FICARRA:** She is unique but would it not be nice?

**Ms MATTHEWS:** I suppose, you know, I am very much proud of my Aboriginality, and it is my Aboriginality that I use to actually resolve a lot of the social complexities that get presented to me. We need to remember that I used to advise the New South Wales Attorney General which got circle sentencing up and community justice groups. Looking at your last question, you know we already have those mechanisms in place. They are not resourced effectively and they have not been empowering the local authority to enable them to be able to do that effectively.

**The Hon. MARIE FICARRA:** The Attorney General listened to you, so you were successful there.

**Ms MATTHEWS:** Well, he is sitting down in Canberra now, mate, as the Minister for Home Affairs, so you all want to look out.

**Ms BELL:** Yes, that is right.

**The Hon. MARIE FICARRA:** It would be nice to see a lot more of you out there working.

**CHAIR:** That no doubt will be part of your recommendations, but what do you think would be good?

**Ms MATTHEWS:** Learning Ground needs to be considered for some realistic, long-term funding. Even if the Government—you know, you are sitting on that side of the table—says it is a good idea, well, back it up.

**Ms BELL:** Yes.

**Ms MATTHEWS:** Give us some money to run for three years in a very meaningful way. We can show you outcomes from welfare-to-work transitional programs where we have kids who were high-rate criminal offenders and we are now breaking it down and they are out doing other things with their amazing creativity.

Once upon a time I was a manager of a youth service here. That was at the same time that the NRMA announced that Mount Druitt had the highest rate of car theft. Well, guess what? We were saying to the community, "We could tie that down to four guys." We tied those four guys down and said, "You are brilliant; you can steal the most top-class cars in the world. What else can you do?" They said, "We are Wangkumara; we can sing and we can dance. We can do lots of things." So that is what we did. We took the translation of their creativity and we put it down to something positive. They became a local rap band called Murdi Rampage.

They were mentored by the indigenous hip-hop band of the year, Local Knowledge. They were making waves. Then they were attacked and they have gone back underground. They will not come out; they are frightened. They have been home invaded by islanders. The other day one lad got stabbed in the back and had 48 stitches in his body. Thank God the machete was blunt, otherwise they would have just found him in a pile. I do not talk lightly of these things and the violence that goes on in this community. So whilst we do have good things like this going on, there is still very much unsettling at the grass roots.

Whilst I stand here and tell you that I feel proud about yesterday, it is just about whether it will be solved in Mount Druitt to bring the real peace that is needed. There is no point in having Aboriginal this, Aboriginal that, or Aboriginal nothing if my children cannot walk around the streets of this community in a safe manner. These are not kids who are out drinking and carrying on like the young drinkers we have in this community; these are goods kids who are getting done over for all the wrong reasons. How do we become better organised to make that safety a given? Learning Ground is one of the solutions. It is about how real we want social cohesion. How real do you want advancement and shift from the current status of Aboriginal issues in New South Wales? The choice is yours.

**Ms BELL:** Some of the recommendations that we would like to make would be that Learning Ground is recognised. The first thing we would like to see is the State Government recognising that there is a pearl in this State called Learning Ground. It is offering an opportunity for a new way of engaging in social cohesion, and it is using at its core Aboriginal traditional and contemporary knowledge to make that reality of

development, self-esteem and safe communication skills available to the wider Australian population. We are offering it in an environment of social risk.

We would like to see *Stateline* or one of these media outlets invited by the Government to come and see what is happening, to record it, and to announce it. All we ever hear in relation to Aboriginal communities is how much money is being spent, how it is going down the drain, and how all these terrible things are happening as a result. Something fantastic is happening here. There is collaboration between black and white Australia in the most effective and practical manner and we would like to see it getting some time. This is happening and it is marvellous.

We would like to see the State Government recognising the value of this program across portfolios and funding it appropriately so that we can get on with the work instead of spending 75 per cent of our time trying to get the next dollar to stay alive for the next month. We would particularly like to see an extensive piece of research. We are in a partnership with the University of Western Sydney [UWS], but it is a constant begging relationship because we do not have money but we do have good friends in UWS. They are currently evaluating the first 12 months of the action of Learning Ground.

**Ms MATTHEWS:** But we are able to do it only on their authorised allocation of funds, which is a \$3,000-dollar kit each time. Part of my role is doing research assistance with Professor Robert Woog from the University of Western Sydney. We are doing lots of business as well.

**Ms BELL:** Professor Woog is in the School of Social Ecology.

**CHAIR:** We very much appreciate the information that you have given us today. Your contribution has been very impressive and it is greatly appreciated. No doubt we will be calling upon you to assist us again.

**Ms BELL:** I do hope so.

**CHAIR:** Our interim report is due in June and our final report is due by the end of the year.

**Ms MATTHEWS:** I suppose there could be one more recommendation. Learning Ground is invited to the visionary session that the Federal Government is putting on in April this year. To have it showcased and put down might be one of those New South Wales pearls, as the boss has mentioned.

**Ms BELL:** There are two other things that we would like to do in relation to Learning Ground. One is to have the Government, after its deliberations on the value of Learning Ground, offer this Learning Ground replication for other communities in New South Wales where Aboriginal people are living. It needs the combination of black and white Australia to make it work. That would be an extensive program but also an excellent one. The other thing that we very badly need resources for at the moment is the opportunity to document what we are doing. We are doing it, we know very well what we are doing and we are getting on with it, but we need to have an excellent capacity to document for replication. Learning Ground could very well be one of the finest things this country has ever seen.

**CHAIR:** Part of the respect, dignity and pride is in having a showcase, having the story out there.

**Ms BELL:** Yes. That is really necessary for people to see that it works.

**Ms MATTHEWS:** And to learn from it.

**Ms BELL:** We do not worry about whether black and white people can work together. Of course they can, and they do.

**(Short adjournment)**

**TEDDY HART**, Representative, The Men's Shed, Mount Druitt, and

**RAY LESLIE**, Chairperson, Aboriginal Justice Group, sworn, and

**JASMINE FRANKLIN**, Project Coordinator, Circle Sentencing Program, Attorney General's Department, affirmed and examined:

**CHAIR:** Thank you for being with us this afternoon. The Committee acknowledges that we are meeting on Darug land and we pay our respects to elders, past and present. Do you wish to make an opening statement?

**Mr HART:** The Men's Shed is the only place out here for men. It is the last stop for them. We work with probation and parole and the Department of Juvenile Justice. If that place closes there will be nothing for any of our men. We are working with the system dealing with health, housing and welfare problems. The main thing is trying to keep the men out of jail. That is one of the biggest problems out here with the men and young people. I even go into the schools to talk to young people about what is happening and what goes on out in the real world to stop them getting into that situation before they go to Cobham Juvenile Justice Centre and the big house. That is one of my main roles.

We also do legal support and work with drugs and alcohol. Domestic violence is one of the biggest problems. We work with probation and parole officers. Instead of them going to jail, we put them on to probation and parole and to get them counselling for drugs, alcohol and domestic violence. We try to get them back on their feet. I am running programs for them. We have just finished one with six blokes on domestic cleaning and all that. Next week I will run another one. This is for anyone and they can do whatever they want to do. We try to keep them off the streets and get them into work where they feel better about themselves and have self-esteem. That is my main aim.

It is also a halfway house for when the lads are kicked out. We have nothing for the men when they have a blue with their missus. They get kicked out and the police see them and they lock them up because they have nowhere to take them. Women have refuges all the way from Parramatta to Katoomba and we have nothing. That is one of the main issues we are working on at the moment. Believe me, we need funding.

**Mr LESLIE:** I have many issues, but being with the justice group and circle sentencing I see one of the biggest problems is backup support for sentencing. Ted touched on one of the things; that is, residential drug and alcohol rehabilitation. We have an advocacy, referral and counselling service run by the Aboriginal corporation. Other than that, we have nowhere; we have to send them to other parts of the State.

We have a problem with circle sentencing that we have always talked about but never known who to write to. Probation and parole has one Aboriginal worker. We were after a female worker because the client load is very large and they cannot manage it. We are fighting with them all the time about how we monitor the progress of clients. Again, the biggest problem is that we do not have halfway houses for our people. I have been involved with two in the Bathurst area. I have seen their worth. There is no

detoxification in the hospitals. We have to go to Nepean Hospital. We do not have residential facilities. We are defeated before we start.

Circle sentencing is going well at the moment and I commend the Attorney General's Department and everyone involved. We have three terrific workers. They are some of the main issues in the community. Wherever I have been, drugs and alcohol are the biggest problems we have. It has taken away a lot of our culture and identity; it has taken away looking after our families and everything. I listened to the speech yesterday—and I commend that as well. But I do not care who you are, you cannot do the job properly if you do not have the resources.

I spent 16 years in aged care developing home care services across the State from the mountains to Broken Hill. I see a lot of problems with aged care. We have no aged care facilities for our Aboriginal aged. You talked about our extended families. We do not want to send our aged to those facilities, but we have to do it. There is nowhere for us to go and they cannot fit in with the non-Aboriginal services. I have been working with the state and national boards dealing with aged care.

I have spent the past 13 years chairing the Aboriginal advisory committee for the Department of Housing. Overcrowded housing is still a major problem. They are lovely people and they do their best, but a typical example occurred a couple of days ago. I rang the manager and I said we needed some ramps for an 80-year-old women. Because it was an Aboriginal Housing Office property managed by the Department of Housing, they said they had to get in touch with the Aboriginal Housing Office. The process then takes six months, 12 months or two years. If you are 80 years old you want something right now if you cannot have a shower. I do not care what race it is. I am a very vocal person and always have been. I am trying to be nice today.

Following up again what Ted said, I am a very strong Aboriginal advocate for Aboriginal men. The Men's Shed, in all fairness, is a very good project. It is on the ground in the Holy Family, but I would prefer that, for us Aboriginal people—because none of our men are receiving much at all—I would prefer our own Aboriginal service so we can direct and help and work in conjunction with all these other services. We still need halfway houses because, as anyone who has been involved in drug and alcohol or any other type of rehabilitation would know, when you come back to your community, I believe you have to be fed back in gently.

I believe that if we had halfway houses—I opened two, one in Bathurst and one in Oberon—we could say, "I will give you a period of six to 12 months or three months to six months where we can try to get you a job, try to see about counselling and try to see if you need any of these self-help programs—like AA and NA, whatever." We could feed them in and give them the support that is needed, but there is none of that. Really, as Teddy said, for men there is nothing at all for us out here, but I would prefer our own Aboriginal service.

I commend also the thing about working with non-Aboriginal people, but I do not think we are ready yet. That is my point. Other people might differ in that from me. I do not want to say segregation all over, but I mean in doing so, we have a better rapport with each other. We know our ways and our means. Teddy does a wonderful job up at the Men's Shed but he is not in charge, and different things happen from time to time.

I have also come from an education background with the old Aboriginal Education Consultative Group [AECG]. They have money to do things these days but we used to have to hitchhike from town to town to our meetings and different communities across the State. Although we have good intentions and things are coming into schools, such as lots of Aboriginal education assistants [AEAs] and different things, you know there have to be things like—again, I have run the homework centres after school where we have put in food with it because a lot of them are having nutritional problems and so on. So at least they got one good feed a day. It might not be so for everybody, but it was good for that. Education has always been a good thing.

The other thing is I have been working. Because of what happened to me and why I am not working today is that I am on a pension. I work full time voluntarily. There are a lot of expectations of management committees, of voluntary workers, and more so today that they are going through a big phase, which is good, too—it is fantastic, and it should have been happening—and that is good financial management and everything, and all you want. But that does not give an incentive for me and to them to sit in so that we can keep other people in jobs. But I guess that will never change. For myself, you know I would go all the time, but, you know, there is never a gallon of petrol even for you, so it is a lot to ask people.

Last, but not least, when I was talking about the aged care facilities and so on and aged care, I have got to mention that, still even after all the years I spent in the Housing and Community Care [HACC] program since its inception in '85, I have not seen anything that will help our people with wheelchairs and walking frames and different things. Particularly, the latest one that people ring me about, which I have got, is sleep apnoea. The machines are too dear. The implements that go with it are too dear. I was always asking the medical centres—and I started the local medical centre here, the Aboriginal Medical Service [AMS] that we have—sometimes to help our people. To buy a tube or a mask is \$200. I know myself that I have not been using mine—my wife keeps waking me when I do not breathe—because I cannot afford the things.

But I still think we have a fair few programs around and particularly I would like you to take heed of the men's problems in Aboriginal communities, particularly this community. We have the largest population by the census of any population in Australia, and it really makes my heart bleed to think that Aboriginal men are so left behind, even by our own Aboriginal women. They are left behind today. They have forged the way for us, and through no circumstances of ours—through discrimination, through drug and alcohol and other things—we have been left behind.

**CHAIR:** Jasmine, would you like to make some opening comments?

**Ms FRANKLIN:** Aside from the questions?

**CHAIR:** Yes.

**Ms FRANKLIN:** What I want to do is back up Teddy and Uncle Ray wholeheartedly about the things they have talked about. Just to give you a little background in regards to circle sentencing here at Mount Druitt, first of all circle sentencing has only been going actually for a little over 12 months. We are the newest location and the only city urban location. The Justice Group was established and formed

before I came along. I was employed about three or four months after the Justice Group coordinator was employed. Things have affected that this year I suppose, and I would like you to sort of take into account that for the past seven months I have been working as the Aboriginal Justice Group coordinator as well as the circle sentencing coordinator because we have not had a Justice Group coordinator for seven months. So that has held us back in a lot of the planning and a lot of the work.

We have mainly only focused on circle sentencing this year. With circle sentencing I just wanted to pick up something that Uncle Ray said. We do ask time from people in the community, and I am especially focusing on elders and respected people in the community who may not be employed at the time. We ask them to do it voluntarily. We do not pay them. I think in other places, like Victoria with their Koori courts and things like that, they do pay people or compensate them. We cannot even compensate them for their fares and things like that. Like even though we make arrangements and sort of go out of our way to enable Elders and respected people to participate in the circle, they are some of the barriers and some of the issues that I think should be addressed as well as what Teddy said, too, about Aboriginal men's programs. Out of the 11 circle sentencing courts that we have had, in nine of those courts, the defendants were men, and two were women.

**CHAIR:** Can you clarify that? You had 11 individuals—

**Ms FRANKLIN:** Individual circle courts.

**CHAIR:** —go through circle sentencing.

**Ms FRANKLIN:** Yes, yes.

**CHAIR:** And the elders involved have had no recompense for that work.

**Ms FRANKLIN:** No. I can go and pick them up and things like that, and I do that, but as you would be aware—

**The Hon. TREVOR KHAN:** Don't apologise.

**Ms FRANKLIN:** No.

**Mr LESLIE:** I prefer to get there on my own but—I mean, you know it is an inconvenience, but every time you have to do this. Like I said about management committees, you have to do this. Jasmine is quite willing, but I mean we do not get anything at all—at all—never.

**Ms FRANKLIN:** We cannot even compensate for bus fares or things like that. Like, we creatively use petty cash and things like that, do you know what I mean, sometimes. It is always justification just for fares, you know.

**Mr HART:** And we decided, the bloke I work with, the other cultural worker, that he takes them. When they have to go to Penrith for Probation and Parole, he just takes them and we fork out our own money for the petrol, see, into the court—Parramatta court, Penrith court, Mount Druitt court. That is just the way we work with it, see?

**CHAIR:** Right. I am trying desperately not to make a value judgement.

**Mr LESLIE:** But it is the thing that I said earlier about expectations, not only of Aboriginal people but non-Aboriginal people as well. You are expected to give your time to do training. You might be 60 or 70 years of age, like me, and you have to learn all these you-beaut things, and what do you get? You are lucky if you get a cup of coffee or something at the meetings. So we are sitting there, and if we were on a jury, we would get something. But because we are Aboriginal and we want to do the best for our community, we can do nothing. That is about the size of it.

**Ms FRANKLIN:** These elders and respected people, they do not just give their time on the day and do the sentencing; they are actually in the community, 24/7, all the time supporting defendants for each circle court, before and after.

**CHAIR:** And I understand circle sentencing is being heralded as a great step forward by the community at large as part of the justice system.

**Ms FRANKLIN:** Most definitely. I also think that with circle sentencing it is putting our elders back up in the community, you know, holding them up in the community and giving respect back to them. That is around self-determination for our community and for our elders. Because for a long time traditionally the elders were the people in our community that did the sentencing, that took care of any problems. You know, if somebody was mucking up or things like that, you know, the elders would be there. Since circle sentencing, I have noticed with a lot of them they are starting to feel quite good about themselves, you know, and think that they can do something too. Drugs and alcohol touch every Aboriginal family in this community. A lot of the elders are caring for the young people, like for the grandkids. They are bringing up their grandkids, they are looking after their nieces and nephews, and that type of thing, with no compensation, no help and, yet, with the circle, they feel like they can achieve something.

**CHAIR:** Is there any funding at all?

**Mr HART:** Yes. We are getting funding, but the coordinator, he does all that work. I just go out in the field and work in the fields. I had a yarn to him today and he said we had to put something in and that we run out in November. You know, that is just down the track, and you know if we close the shed down, we have been keeping the blokes out of prison and putting them on the right track. But all that is just expanding everywhere where we are at the moment.

**CHAIR:** And there is nothing coming from the corrective services or from the justice department?

**Mr HART:** Corrective Services, Probation and Parole, is paying one of the blokes a couple of days to stay there.

**Ms FRANKLIN:** The University of Western Sydney, they fund the Men's Shed.

**CHAIR:** They fund it?

**Mr LESLIE:** Yes.

**Mr HART:** It was originally with mental health.

**The Hon. MARIE FICARRA:** The Men's Shed is funded by the University of Western Sydney?

**Mr HART:** Yes.

**The Hon. MARIE FICARRA:** Drug and alcohol rehabilitation programs are not enough? You have enough people who would like to participate, particularly their menfolk?

**Mr HART:** Yes.

**The Hon. MARIE FICARRA:** But there are just not enough programs out there.

**Ms FRANKLIN:** Yes, not enough.

**Mr LESLIE:** We have had a meeting of what we call a Koorie group going in drug and alcohol, and it is a self-help group. It has nothing to do with anyone. It is called Alcoholics Anonymous, but we have that going on every Wednesday. We get 30 to 40 Aboriginal people coming to that, so I know it is working. But, again, we do not have the support for all of them. We definitely need residential because if a person goes to get well, based on other programs like in Canada with the Indians and all that stuff, we try to help that person and their family while they are in getting rehabilitated, or try to give them some support. The only thing we have them is the Commonwealth with emergency relief. That is the only thing we have got because we do not get any other funding to do anything, particularly drug and alcohol. And the men—I am not sticking up for the women today because they have got a few services out here.

**The Hon. MARIE FICARRA:** Do you believe that there is enough goodwill here and that a lot of the Aboriginal men want to participate in these programs?

**Mr HART:** Oh, yes.

**The Hon. MARIE FICARRA:** And get clean and go back to their families and get a job—the whole lot?

**Mr HART:** Yes.

**Mr LESLIE:** We have added to that now. We have the circle. That is feeding the rest of those that you are talking about. Then we have the ones that do not go through ours but just go through Probation and Parole. They then had to be referred by Probation and Parole to other things. But with the circle, we can say that it does not always work but it is a good thing to force people into having a look, letting them smell the water and make them thirsty. Through the circle we can say, "You go here, to Marrin Weejali, say, three meetings a week at least. You go to the shed to cut out some community service hours. You get on a bond for two years of good behaviour"—and

any other thing that we may sentence them to on the circle. But the backup support is not there.

**The Hon. MARIE FICARRA:** Because you are following up with them and referring them to these places, are you spending your own time, and the elders like you?

**Mr LESLIE:** Monitoring, yes.

**Ms FRANKLIN:** Yes. We do this all for nothing.

**The Hon. MARIE FICARRA:** Have you seen the success in fewer repeat offenders?

**Ms FRANKLIN:** Of the 11 people who have been through circle court only one person has breached a condition of bail. Nobody has re-offended.

**Dr JOHN KAYE:** Over what period is that?

**Ms FRANKLIN:** That is since January 2007.

**Mr HART:** I also work with women. They come there too and they and the men need some support. So I try to work with the men and the women to solve the problem together with other counsellors there.

**The Hon. MARIE FICARRA:** Are more women offending? Is this a trend of late? Is it related to alcohol and drugs as well?

**Mr LESLIE:** It is similar, along the same lines. I worked in the jails for a number of years. We have a program out here now. I was on a committee with the Department of Community Services in which they have a coordinated approach. I forget the name of the thing they said but there were five or six departments. They have five houses in Western Sydney, which only recently came up, and we employed a woman coordinator for the first females coming out of prison, not just going in.

One of the biggest things I found even when I worked as a prisoners aide on the civil rehabilitation committee for special services was that there was the support of halfway houses and forums where people were going in, but what about their families? There was little or no support, and there still is not in lots of communities. But there are a lot of women—they are on a par—with drug and alcohol problems. In my opinion it is the biggest problem we have in the country.

**The Hon. MARIE FICARRA:** So there are also non-indigenous people?

**Mr HART:** We do not just work with Aboriginal people; we work with people from any nationality who come up to the shed. The door is open to anyone.

**The Hon. MARIE FICARRA:** Do you get a lot of non-indigenous participation?

**Mr HART:** Yes. We have one bloke who comes every day. He loves the place.

**Ms FRANKLIN:** I want to add to what I was talking about. We do not have enough mental health workers, clinicians, or whatever the word is.

**The Hon. MARIE FICARRA:** Psychologists.

**Ms FRANKLIN:** Yes, that type of thing. With a lot of these drug and alcohol problems, that stems from the past. It is intergenerational. It is part of the stolen generation, post-traumatic stress, and that type of thing. We do not really have any services specifically for Aboriginal people, or enough culturally appropriate services. The mental health system in this area is stretched to the limit.

**The Hon. TREVOR KHAN:** What diversionary programs or options are available for Aboriginal offenders in this area?

**Ms FRANKLIN:** There are not a lot of programs. I might pass this document around which has some information on the types of sentences we have done. What was unique in one of the last circles was that the offender was sentenced and put under the supervision of Marra Majuli, the Aboriginal drug and alcohol organisation in this area. He is no longer under the supervision of probationary parole; he is solely under the supervision of that organisation. One issue is the unique sort of way that they have been sentenced.

When an Aboriginal person is sentenced in circle court we do not just look at things like fines, community service hours and that type of thing. It is going to Marra Majuli or up the shed, where Uncle Ray will mentor you and where Teddy has personal knowledge of you and knows you and your family. We all live and work in the communities. I think that is why circle sentencing is unique. We see people every day. The Koori grapevine around here is the best sort of communication. You know what is going on straight away, who has been mucking up and that type of thing. It is having that personal and intimate knowledge about our families and the way we live together.

**The Hon. TREVOR KHAN:** What court do you draw from for circle sentencing?

**Ms FRANKLIN:** At the moment we draw from Mount Druitt court. In the future we are looking at taking in Blacktown as well as Penrith. Blacktown court covers Doonside, which has the biggest population. The housing population lives in Doonside, so our magistrate is keen to tap into there, which we hope to do this year.

**The Hon. TREVOR KHAN:** Who is the magistrate?

**Ms FRANKLIN:** Ian McRae. We would love to have him forever.

**The Hon. TREVOR KHAN:** You obviously attend the Local Court at Mount Druitt?

**Ms FRANKLIN:** Yes.

**The Hon. TREVOR KHAN:** Do you know what is a list day?

**Ms FRANKLIN:** Yes, I do.

**The Hon. TREVOR KHAN:** How many people are normally there on a list day?

**Ms FRANKLIN:** On Monday there could be 40, or that type of thing. If you are looking specifically at Aboriginal people—

**The Hon. TREVOR KHAN:** I suppose that was the next question.

**Ms FRANKLIN:** Probably out of that 40 that may be there on a Monday there could be 15 to 20 people that would be Aboriginal.

**The Hon. TREVOR KHAN:** Is there only one list day a week or are there two?

**Ms FRANKLIN:** There is one day. Because I am not really up with the terminology for the court I know we have a list day on Friday, but the courthouse is open every day of the week. Every day of the week there are either hearing matters or that kind of thing. So there is a lot of work down there.

**The Hon. TREVOR KHAN:** I am not being critical, but if we potentially have 20 people who could go through the program, and let us say that half of them would be eligible, you picked up 11 in 12 months. Why is that?

**Ms FRANKLIN:** Why is that?

**The Hon. TREVOR KHAN:** We have all heard that it is a great program.

**Ms FRANKLIN:** Circle sentencing looks at the higher end of the scale. The magistrate is thinking, "Yes, I will sentence this person to jail." He also has the history of the person, so he knows that there has been a long history and pattern of behaviour. He looks at circle to stop that reoffending behaviour and hopefully save that person from going to jail.

**The Hon. TREVOR KHAN:** Does it not also require the agreement and cooperation of the offender to do the circle sentencing?

**Ms FRANKLIN:** Yes.

**The Hon. TREVOR KHAN:** Do many people say, "No, we do not want to do the circle sentencing?"

**Ms FRANKLIN:** Nobody has said that. How circle sentencing works is that an offender applies to go to circle and have his matter heard at circle sentencing. What happens then is that the magistrate does a referral to the Aboriginal Community Justice Group and we form an assessment party of four people. At that assessment stage we try to establish whether that person has committed to his community, whether there is enough family history and that type of thing for us to feel comfortable about taking that person to circle and being able to work with him. If that person is successful and his matter is heard at circle, it is then returned to the court. The court then sentences him to go to circle for his sentencing.

At circle there are four community members made up of elders and respected people in the community. It is still an actual court, as everyone knows, and we do have our police prosecutor, the magistrate, as well as the defendant's legal aid. We also have the victim there and his or her support person, and the offender can have a support person as well. At the start of circle court the magistrate will read out the facts. The prosecutor has his turn of saying what he thinks the offender should get and also the victim's solicitor. It is then open to the community representatives to engage the person. It works brilliantly in that respect because in court that person usually has a solicitor to talk for him.

With Aboriginal people, when you face your community and talk up and you do not answer their questions that is a big shame. I think it is confronting in the sense that the person is really confronted with what he has done and he really has to verbalise that and say that to his elders and to the community. That is why I think it is terribly powerful. There are a lot of questions going on. Uncle Ray usually knows who is there and says, "I know you have been drinking. Do not tell me this or that." There is no give; you cannot get away with anything there.

**Mr LESLIE:** The other thing I would like to say is that we had a bit of fear at a Christmas party that we had. I heard a rumour that they were going to take our Aboriginal legal officer from us. That would be devastating because he is the best thing for Aboriginal people since sliced bread as far as the court system is concerned. He introduced me to his boss and I said, "Don't you dare." I also used a few other choice words. We want to see whether we can maintain it. I do not know what is the rationale of that, whether they do not have enough funding, or whether they are too far stretched. I think that once this gets going properly and we take in other courts we will need more than one solicitor. The fellow that we have at the moment is excellent. But in talking about that I would hate to see their funding cut because our program would be gone as well. That is something to think about.

**Ms FRANKLIN:** It is sort of getting back to the 11 people that you mentioned in that period. A lot of work goes into it. Like I said before, I was I doing two roles at one stage for about seven months. I think there is a lot of work to be done. There was a lot of work to be done with consultation with the community, with making elders feel comfortable coming to circle, and that type of thing. I also have to commend the staff and the management at the Mount Druitt courthouse. Without them and without the community representatives we would not be able to hold circle.

**The Hon. TREVOR KHAN:** I was not being critical.

**Ms FRANKLIN:** No, it is having an understanding that. There is talk of us getting an Aboriginal sentencing court where we look at the lower end where people might be getting 500 hours and that type of thing. But with circle you are looking at the higher end. We have to take into consideration all those sorts of aspects of circle to accept somebody in circle, for example, their suitability and whether we can work with them. A lot of negotiating goes on before the circle actually gets there.

**CHAIR:** Obviously there is emotional stress on the elders having to do it for nothing.

**Ms FRANKLIN:** Yes.

**Mr LESLIE:** We have to get a few more communities down there when Aboriginal court things come up.

**Ms FRANKLIN:** The victims are also well supported in that type of thing. We have issues around that, but the victims also get to have their say in that type of thing in court. That is for non-Aboriginal people. It could be a police officer. Somebody got her bag stolen and she was able to come to circle court and tell this person how she felt about it.

**The Hon. GREG DONNELLY:** Mr Leslie, I am interested in your thoughts about drug and alcohol rehabilitation. Obviously from your evidence you have been involved in this area for some time. Are you able, with your experience, to identify particular programs that seem to have had better levels of success for indigenous people over the years?

**Mr LESLIE:** Yes. I have been in it for 28 years and that is from practical knowledge. It is 28 years since I have had a drink. That qualifies me a little, after thousands of meetings. Some of the better programs around the State include programs like self-help that are based on other philosophies. When you go to rehabilitation there is a range of things in rehabilitation. There are things like anger management and just basic living things. We have a few Aboriginal programs around the State. I will start with The Glen at Chittaway Point, which is run by one fellow. I was up there a while back; I went up with Tony Arnott. That is a very good program.

They have residents who stay there for a period of three to six months. They introduce them to lots of other different programs regarding their problems, to workshops and to therapy sessions. If they still need further things they have a halfway house at Chittaway Point, which we would love to have in Sydney somewhere, but we are not that lucky. They can go there. Some of the single fellows think it is so wonderful that they do not want to leave there. They get into the halfway house and they are picked up, taken to the meetings and they do their shopping. They are just living normally like they would in another house.

The first one we had around the State was Bennelong Haven at Marrickville, and the main one is at Kempsey. That is a good residential program. There is also Namatjira Haven at Lismore, Orana Haven at Brewarrina. The problem is that we cannot get Aboriginals into the non-Aboriginal facilities. We are lucky to get them into these ones, and that is only because they are managed by Aboriginal people. They try to stretch it as far as they can. Does that answer the question?

**The Hon. GREG DONNELLY:** Yes, it does.

**The Hon. MICHAEL VEITCH:** I can feel your passion about the Men's Shed. Give me an idea about some of the things you are doing in the program.

**Mr HART:** We just finished the industrial cleaning course. Six blokes went through it. One of those blokes has never worked in his life and did not know what a crowbar was. We are waiting for his tick to come back. We are running another course next week. This is for anyone, even women. We are going to try to get the women

involved. We will run any program they want to do. They will be eight-week programs. That is what is going on. We are bringing up their self-esteem to get back into the work force.

**The Hon. MICHAEL VEITCH:** More broadly, is any work being done in Western Sydney to introduce or reintroduce language to Aboriginal people or to help them to reconnect to their language?

**Mr HART:** No.

**Mr LESLIE:** Not a lot. One thing that saddened me was when the Commonwealth took away the Community Development Program. That was a big thing in our community, particularly with helping people. I was involved at the beginning of that as the first chair. We have had dribs and drabs of things and things taken away the moment they get going. It is the same as the Commonwealth Employment Service and the SkillShare program. I suppose this is government. But the needs of our community are our main objective. We are so much in need out here.

Just men's health is a big thing. As Jasmine said, in our community there is the shame. Many of our people, particularly the men, do not front up to the health services. When we do, we are shoved somewhere else. They say if you have some sort of problem with sexual health or something like that, you can slip on the boat over to Manly. That is a trauma enough for me. I was a victim of this myself, so I never followed on with it. But, again, it comes back to people listening to what the men have to say. I do not think many people are listening at this stage. We have a big population, regardless of what the census said—it is much larger than that. There area is leading the way according to the figures in the last census. People say you have to have your numbers and consultation.

**CHAIR:** Unfortunately, we have run out of time. We are going to have to stop there. You have given us a lot of food for thought and a raised a lot of issues that we must come to grips with. We would like the opportunity to come back to you. We will table our interim report in June and the final report at the end of the year. I thank you very much for your information.

**Mr LESLIE:** On behalf of the panel, I thank you for giving us the opportunity to raise these issues. I have been involved with Aboriginal affairs for 35 years and I hope that this is not just another dust-collecting report. I have seen that over the years. I thank you for giving us the opportunity to make our points.

**CHAIR:** Thank you.

**Ms FRANKLIN:** If any members want to ring me to talk about any issue, I am available.

**Mr HART:** So am I.

**Mr LESLIE:** Yes.

**CHAIR:** We hope that our recommendations to the Government do not gather dust on the shelf. We will be very mindful of that in our deliberations. As you know,

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this Committee can only make recommendations to the Executive Government. We will want to ensure that any recommendations are taken up.

**Ms FRANKLIN:** We have only scratched the surface with the circle sentencing and the issues facing the Men's Shed and the justice group. If you need any more information please contact us.

**Mr LESLIE:** Ring us at any time.

**Mr HART:** Come out and visit us.

(The witnesses withdrew)

**GEOFF SCOTT**, Chief Executive Officer, New South Wales Aboriginal Land Council,

**BEV MANTON**, Chairperson, New South Wales Aboriginal Land Council,  
and

**ROY AH-SEE**, Councillor, New South Wales Aboriginal Land Council,  
affirmed and examined:

**CHAIR:** Thank you for being with us today and allowing us to be here on the Darug land. We had a welcome this morning from Aunty Edna and we acknowledge that we are meeting on your land and pay our respects to elders past and presented.

**Mr AH-SEE:** I, too, as per protocol, acknowledge country that we are meeting on, the custodians of country and all elders present and brothers and sisters who have gone before us. I am the councillor for Sydney-Newcastle region of the New South Wales Aboriginal Land Council. I was elected in May last year. I am happy to be here today.

**Ms MANTON:** I am the chair of the New South Wales Aboriginal Land Council. I am also the councillor for the Central Coast region, which goes from Karuah to Coffs Harbour. It is not the Central Coast as you know it. We have a quite a large Aboriginal population on the east coast. I am here to talk about the bigger picture in a sense. We will share some of our life stories with the Committee. It was a wonderful day in Canberra yesterday. I am still on a high. Roy and I were both in Canberra. Exhausted though we may be, we are here.

**CHAIR:** A historical event.

**Councillor MANTON:** Very much so and a magnificent time.

**CHAIR:** I think we sent you a list of questions which we will attempt to stick to in some very ad hoc form. We tend to sort of wander off. The first question asks you to please provide an overview of the structure of the New South Wales Aboriginal Land Council [NSWALC], outlining how it has changed from arrangements prior to the 1996 Aboriginal Land Rights Act amendment, how it supports local Aboriginal land councils [LALCs], and how it determines the allocation of funding to local Aboriginal land councils.

**Ms MANTON:** I will just give you a bit of an overview of the structure of the New South Wales Aboriginal Land Council. This short paper has been prepared in response to a series of questions received from the Legislative Council Standing Committee on Social Issues. This will explain who we are and what we do. The New South Wales Aboriginal Land Rights Act 1983, as amended, gives the New South Wales Aboriginal Land Council the mandate to provide for the development of land rights for Aboriginal people in New South Wales.

As a self-funding statutory authority, the council is committed to the ongoing provision of high-quality support and advice to the local Aboriginal land council network and empowerment of Aboriginal communities through land acquisition, either by a land claim or purchase; establishment of commercial enterprises to create a

sustainable economic base for Aboriginal communities; maintenance and enhancement of Aboriginal culture, identity and heritage, including the management of traditional sites and cultural materials within New South Wales. In addition, the New South Wales Aboriginal Land Council acts as an adviser to, and negotiates with, governments and other stakeholders to ensure the preservation of Aboriginal rights.

The New South Wales Aboriginal Land Council is the peak Aboriginal representative body in New South Wales and is charged with managing a statutory investment fund that is valued at just under \$700 million as at 30 June 2007. It oversees the development and management of a significant Aboriginal-owned land estate. The total area granted under the Aboriginal Land Rights Act is 82,050 hectares, or just under 1 per cent of New South Wales's land area. It has a value conservatively estimated at just over \$800 million. Added to this are properties acquired by purchase or the transfer of land, such as former missions and reserves, into local Aboriginal land council ownership.

The Aboriginal Land Rights Amendment Act 2001, proclaimed on 25 October 2002, set out an improved set of accountability requirements while at the same time in theory permitting a greater degree of autonomy by local Aboriginal land councils in their dealings with land. For example, under those amendments, local Aboriginal land councils were entitled, for the first time within guidelines, to purchase, dispose of and lease land without specific prior approval from the New South Wales Aboriginal Land Council or the Minister. All major commercial developments must be approved by the New South Wales Aboriginal Land Council.

A number of major amendments to the Aboriginal Land Rights Act were passed through both Houses of the New South Wales Parliament on 4 December 2006 in the form of the Aboriginal Land Rights (Amendment) Act. These amendments flowed from a comprehensive review of the Aboriginal Land Rights Act announced by the Minister for Aboriginal Affairs, Dr Andrew Refshauge, on 26 May 2004. The Minister established a three-person task force to conduct this review. The task force released a detailed issues paper on the land-dealing provisions of the Act in August 2005 and a second issues paper on the structure, representation, governance and benefits in November 2005.

The two issues papers contained a total of 76 recommendations or options to streamline the Aboriginal Land Rights Act. The New South Wales Aboriginal Land Council can provide the committee with copies of the relevant issues papers. Earlier our clients consisted of 13 democratically elected councils, but now we have nine councils. It has all changed. The aims and objectives of the New South Wales Aboriginal Land Council, under legislation, are to administer the New South Wales Aboriginal Land Council account and mining royalties accounts; grant funds for payment of the administrative costs and expenses of regional and local Aboriginal land councils; acquire land on its own behalf, or on behalf of, or to be vested in, local Aboriginal land councils; determine and approve or reject the terms and conditions of agreements proposed by local Aboriginal land councils to allow mining or mineral exploration on Aboriginal land.

The New South Wales Aboriginal Land Council also is empowered to make claims on Crown lands, either on its own behalf or at the request of local Aboriginal land councils; with the agreement of the particular local Aboriginal land council, manage any of the affairs of that council; conciliate disputes between local Aboriginal land

councils or between councils and individuals, or between individual members of those councils; make grants, lend money to, or invest money on behalf of Aborigines; hold, dispose of or otherwise deal with land vested in or acquired by the New South Wales Aboriginal Land Council; ensure that regional and local Aboriginal land councils comply with the Act in respect of the establishment and keeping of accounts and the preparation and submission of budgets and financial reports; ensure that elections of the chairpersons or other officers of the regional and local Aboriginal land councils are conducted in accordance with the Act; advise the Minister on matters relating to Aboriginal land rights; and exercise such other functions as are conferred or imposed on it by or under the Aboriginal Land Rights Act.

**Mr SCOTT:** I would just add to that but I think it is an important point in relation to our network that we have 121 local Aboriginal land councils right across the State. We have in excess of 20,000 members. At one point in time I think it was up to 25,000 members right across the State. As you can see, it does put us in a great position in terms of bringing about services to Aboriginal communities right across the State of New South Wales.

Under the new legislation, as Bev mentioned, whereas we had 13 councils, we now have nine. Therefore the State has been cut up into nine regions. We have lost four councils. Under the new legislation we had to amalgamate areas, so that has put a lot more strain on councillors. We had the luxury of 13, now we are down to nine. Obviously that gives us a big area that we need to service and a lot more people within the region. My region, like I mentioned in the opening statement, was the Sydney-Newcastle-Central Coast region. I seek clarification from the Committee: Why were you asking for what changed from the 1996 amendments?

**Dr JOHN KAYE:** I think the first question refers to the 1996 amendments but I think it was actually meant to be the 2006 amendments. I do not know if we can get clarification. My recollection is that the 1996 amendments, if there were such things, were quite minor. The 1995 amendments were substantial.

**Mr SCOTT:** They were the '95 amendments, and then occurred the '83, '86, '98—

**Dr JOHN KAYE:** Am I correct?

**CHAIR:** Your answer refers to the 2006 amendments, does it?

**Dr JOHN KAYE:** I am correct in saying that the 2006 amendments were the most substantial amendments?

**CHAIR:** By far.

**Ms MANTON:** They make considerable changes, yes.

**Mr SCOTT:** The 2006 amendments introduced considerable changes and most hit the local land council level and then the change in structure. I will refer back to it a bit. There has been a whole series of amendments to the Aboriginal Land Rights Act, and it started back in '86, three years after it was enacted. It was amended in 1986, 1990, 1994, '96, '98, 2002 and 2006. The Act has been regularly reviewed on an ongoing basis.

In fact, to give some structure to that, now the Act includes a provision that it be reviewed every five years on a structured basis, rather than having this ad hoc approach.

Most of the big ones prior to that I think were the 1990 amendments where it actually changed the whole focus of how the legislation works. Prior to 1990, land was inalienable. It could not be sold and could not be dealt with. After that you could, and that has resulted in a lot of land dealing issues. It also changed the structure of the land council itself. Prior to 1990 the regional Aboriginal land councils were actually where decisions were made about funding allocations, about what the priorities were and about what the budgets were. They were the significant power bases to it. After 1990, that was virtually turned on its head.

The functions of the regional Aboriginal land councils were brutally removed except for the functions to assist and to assist in communications between the local land councils and the State land council. That changed the whole power structure to the extent that, where the local land councils and the State land councils existed, most of the powers of the regional land councils were then removed to the New South Wales Aboriginal Land Council in terms of funding decisions and oversight, and they were considerably added to. Each local land council then assumed, if you like, an identity of its own. You have to appreciate that under the Act, all local land councils are separate corporate entities under legislation. They are separate from the New South Wales Aboriginal Land Council; we cannot tell them what to do, despite the machinations of some Ministers and some social commentators.

There is a relationship defined by legislation about the governance regimes, oversight and those sorts of things, and that has changed over time as well. When the Act first came in, they all reported to the Minister. Now, none of them reports to the Minister: It has all been put back to the New South Wales Aboriginal Land Council to take into account. That has increased our administrative and regulatory role significantly and the cost associated with that has significantly increased as well. Our budget now runs at about \$35 million a year, and most of that is spent on administration.

**Dr JOHN KAYE:** That is your administrative budget?

**Mr SCOTT:** That is our administrative budget.

**Dr JOHN KAYE:** But part of that money you spend on purchasing land?

**Mr SCOTT:** We have not purchased land for quite a long time now.

**Ms MANTON:** We do not have the money to that.

**Mr SCOTT:** That is right. That is a very conscious decision of the Government, the cost. I can give you, in these papers I have, a rundown of what our budget is. About \$15 million of our budget goes directly to fund the local land councils and the balance goes to a range of other options, including the provision of training to local land councils. We operate four offices outside of our office to provide that support base. Our legal services budget is quite significant. We spent most of our time in court with the New South Wales Government, particularly with the Department of Lands and the Minister for Lands.

**Ms MANTON:** That is where we appeal. If the land claim has been presented and is denied or rejected, we fight for that. We have had a few good wins.

**Dr JOHN KAYE:** How much are the total holdings?

**Mr SCOTT:** The total holdings?

**Dr JOHN KAYE:** I am sorry, I did not mean to interrupt you.

**Mr SCOTT:** I have already answered those. I was going on to explain then what the 2006 amendments did, but I will take that question first.

**Dr JOHN KAYE:** The question I was interested in asking is: By how much have the total land holdings under the Aboriginal Land Rights Act increased over the last decade?

**Mr SCOTT:** I could not give you the last decade, but if you ask me, I could go away and have a look at it for you and come back with the details. It is about \$3 billion now.

**Dr JOHN KAYE:** Right.

**Mr SCOTT:** Now, that is a transfer value, and the Valuer-General's estimates. That includes the extra reserves. Their value in terms of the development potential or potential economic income is negligible, so they will give you some focus on where the land is and the assessments of it.

**Dr JOHN KAYE:** Is the total amount of land increasing?

**Mr SCOTT:** It is increasing, yes. We have had some significant wins in the courts over the past 12 months. In 2005 the New South Wales Aboriginal Land Council embarked on a fairly extensive land claims process wherein we launched approximately 8,500 land claims.

**Ms MANTON:** I would just add that those land claims are still waiting to be assessed, so there is a backlog.

**Dr JOHN KAYE:** How significant do you think the holding of lands under the Aboriginal Land Rights Act is to Aboriginal wellbeing in New South Wales? How significant do you think the process of gaining land has been to Aboriginal wellbeing?

**Mr SCOTT:** Okay, I will answer with honesty here. It has been patchy. There are some communities that have benefited greatly from that but it is only when they realise those assets they have. There is a real issue that comes back to the point we made before about the structure of the Act changing. Prior to 1990 you just acquired the land and you could not deal with it. After that, you could deal with it, and there have been many dealings in that sense. Some have been of benefit, some have been questionable, but that is the process we go through.

The land is there. I think it is safe to say that we are at a bit of a crossroads in the land council system where we had to actually get those assets to be, if you like,

providing sustainable benefits to people on the ground. We are moving through that process now. Many land councils are doing it. But it is a real issue as to how you provide sustainable benefits. We are under immense pressure from all levels of government to actually fill the void where government is withdrawing its services. And they are doing that at a rate of knots. I am just surprised that more people are not startled by it. For instance, the New South Wales Government is trying to get us to provide funding to fill the void where the Commonwealth has withdrawn funding for infrastructure in New South Wales.

**Ms MANTON:** To the tune of \$5 million per annum. We cannot afford things like that. We have a buffer zone within the statutory investment fund that we must live within. What has happened in the last couple of months so far as investments are concerned has caused us great headaches because what happens in the stock exchange is out of our control but it affects our money. If we get below a certain level we are in real strife. So we cannot do whatever we would like to do. We see the need but we cannot correct that, or assist with that because we will get ourselves into some strife, which could lead to the abolishment of the whole system. So we are very mindful of that. We have the money that we have there only through prudent investment and protection of it since the land council's lands tax was divided back in 1983.

**Mr AH-SEE:** I wish to add to that. In relation to the process of claiming land under the land rights Act, it is pretty straightforward. Once you have been granted a claim what we are finding with local Aboriginal land councils within my region is a backlog of surveyors to go out and survey the land. In order for Geoff to receive the title and deed for that land, it has to be surveyed by a surveyor. We have a backlog of land to be surveyed. That is a real headache for land councils in my region—Sydney, Newcastle and the Central Coast.

Obviously the land is of value for my local Aboriginal land councils. I do not mean to be talking about my region but I can only speak on behalf of my region because I do not represent the other parts of the State. So if I refer to my region I guess I should take a helicopter view and speak on behalf of the whole State rather than my region. That lack of surveyors is a major concern for some of the land councils in my region and in other parts of the State.

**Ms MANTON:** We realise that the land of land councils on the coast is more valuable. They are more asset rich than our people on the other side of the Great Dividing Range. We have some programs in place to assist those people out west who just own some dusty paddocks and some rocky knolls here and there that do not have the water views that we get from a rocky knoll out here on the coast. So there is a great imbalance there, but we are a sharing and caring nation of people and we do that as Aboriginal people as well.

**CHAIR:** Geoff, do you want to go back?

**Mr SCOTT:** The 2006 amendments are fairly significant. Prior to 2006 local land councils consisted of a chair, secretary, treasurer and all the members. That is where the decision-making was done; there was no other capacity to do it. So if you wanted to pay a bill you would not be able to make a decision or do anything without a full member's meeting. You might say that that is true democracy, but administratively it was very difficult. The amendments put in place boards for local Aboriginal land

councils. So, for the first time, local land councils now have a board of directors and a codified chief executive officer with responsibilities.

The amendments put in place the separation of responsibilities that did not exist prior to this current round of amendments. As I said before, with the previous round of amendments the regional Aboriginal land councils had their powers and functions reduced but they were abolished in this round. They do not exist any more so it is just a straight function. There was a significant increase in the role of the registrar. In this Act he is a very significant player. The land council's rights in the land rights Act were split between the Minister, the New South Wales Land Council and the registrar. It is not like any other legislation in that respect; it has been a moving feast over each round of amendments to try to find the best balance.

The registrar is the only person who can issue compliance directives or certificates and start winding people up. It also revamped the functions of the New South Wales Land Council and the local Aboriginal land councils. It introduced community land and business plan requirements and it introduced the requirement to have community benefit schemes, which have been codified and approved, and again it increased stewardship roles significantly. For example, a local land council cannot dispose of or deal in any land unless the New South Wales Land Council approves it, except for leases of less than three years. The case in point is not to have a State land council approving every residential lease.

There are close to 3,000 houses in the system. Any other land dealing must be approved by the State land council; it is part of our decision-making role. We must approve their budgets, their annual reports, get their six-monthly reports, ensure that they put their books in to their auditors, and ensure that they have kept all their records in their books. That is the level of oversight. That is not all of them—they are comprehensive—but it is a range of them. We must also ensure that the membership increases by 3 per cent per year. We must also provide training to each of the boards within six months of being elected. We are in the cycle of doing that now.

We have to roll out training to 1,000 board members in six months at a cost of about \$1.6 million. These changes are not insignificant in relation to our resource base. A whole range of misbehaviour and pecuniary interest provisions have been introduced. To give you a bit of a balance, the whole range of misbehaviour, pecuniary interests, censures and suspension regimes is now virtually mirrored in the Local Government Act. That was introduced partly in the last round of amendments in 2002 and in full in this current round, the one that has just gone.

In June or July you will see in the elected Parliament another round of amendments coming through, partly to fix up the problems of the last round. Before I mention that relationship, it results in real tensions in the land rights system itself. The New South Wales Land Council is elected by its members. The New South Wales Land Council board and, in effect, each councillor, are elected by the members of each local land council within a regional area. I just mention that because it is important to understand the inbuilt tensions in the land rights Act.

The New South Wales board of council is elected every four years. It is elected by the voting members of each local land council, placed on a consolidated voting role within a designated region. That is the only time that regions need to identify the area

under which the councils are elected. So, essentially, they are politicians. Each local land council elects its own board and board members and that regime is duplicated. But the State land council—I have been through those issues—has a whole range of responsibilities, from being a regulator through to finances and providing the budget funding. It is responsible for training, stewardship and land assets, oversight of its auditing and bookkeeping functions, and a range of other functions that causes significant tension.

The Act stipulates when we can and when we cannot fund a local land council. If they have breached a range of 15 different checkmarks in the Act we have to breach them and stop funding them. I am just making this point because everyone says, "Why does the local land council not support the State land council?" One day we go out there with our hat on helping, the next day we go out with our hat on taking money off them, and the next time we go out and breach them. It is a very contentious issue. For council, it presents a major issue at the board. There is tension between your role as an executive of the State land council and your responsibilities and functions as a State council under that legislation. Then there are your responsibilities as being an advocate in the interests of other land councils and their members and that causes significant tension that I do not think is well understood or appreciated.

**CHAIR:** Because of time constraints we might need to get a lot of this stuff—

**Mr SCOTT:** I think our submission probably has all that in it.

**Ms MANTON:** We have some stuff to leave you today but we will also put in submissions by the due date.

**Mr SCOTT:** We regularly go out and provide this training to local land councils and to regional groups. If you want copies of the presentations and the packs we provide they are all practical.

**CHAIR:** Do you have any suggestions for us as to what we should be recommending?

**Mr SCOTT:** I wish to mention two other things that are important. One is the funding that goes to each local land council. The State land council provides an allocation to each local land council of \$130,000 a year, which is deemed as the amount required for them as their critical mass budget to be able to operate. It provides a salary, a car and an office and some costs to operate. It goes to every land council in the State. That then makes up that \$15 million. For 15 years we got 7.5 per cent of land tax. That stopped in 1998. Since then we have been living off the interest from that fund. We are responsible for the investment of that fund and for management of the investment cycles.

We have been lucky in the last three years; we have made probably \$200 million. We are revamping our budget significantly and local land councils will not like it when we cut their funding. We have the same accolades as any other marketplace. We lost about 9 per cent, not as much as the superannuation funds, thank God, but we will get it back. A significant role of the council is in managing that investment fund. That provides the income stream, in a sustainable sense, for the whole system. The fund itself has a bottom flooring but we cannot go below where the fund was in 1998—

\$485 million, consumer price indexed. We cannot let the fund drop below that, so we must manage our investments in terms of broken equities so we have enough to fund the whole system but not fall below the benchmark. It now sits at \$640 million, so we cannot touch that. That is the sustainable balance in the fund.

**CHAIR:** Can we deal with question No. 5 and question No. 9 in the time that we have available?

**Ms MANTON:** Question No. 3 refers to how much of the ALC role focuses on dispute resolution. Do you want to go that way?

**CHAIR:** Yes.

**Ms MANTON:** Could it be improved to limit the number of disputes? Now that we have the boards in place in the local Aboriginal land councils we hope that that will resolve the disputes. That is one option that has been put in place. But because the board is running new we cannot really comment on how successful it has been. All we can say is that it has created a greater awareness amongst members and the community. Communities are feeling more positive about the future and about the land rights network. I think there great expectations are in place. The board will cover all the disputes that are out there.

Should there be an independent coordinating body monitoring a framework of service provision for Aboriginal and Torres Strait Islanders? Yes, most definitely. What has been the impact of ATSIC for the representation of Aboriginal and Torres Strait Islander people? Geoff, do you want to talk about question No. 7?

**Mr SCOTT:** When ATSIC came in it ran across the top of New South Wales land rights legislation in the whole system. It created another aspect of representation, which has caused significant tension at times. It might be good for the council to note that there is only one place in the country where the ATSIC legislation recognised the existing representative structure, and that was in the Torres Strait. It recognised the old coordinating council that is still there. It remains after ATSIC. It may be a lesson for legislators in the future. Do not try to destroy what is there when making up your own. The tension is still there but it has been slowly filled by others.

In a lot of communities people still hang on to the structures that were created under ATSIC legislation. There are still a lot of different bodies in each community which people hang onto, which creates division. I think any future body should recognise the existing structure. Our position with the Commonwealth Government will be that the New South Wales land rights Act is the representative body for this State and we do not want a debate.

**Mr AH-SEE:** Questions 4 and 5 touch on the key issues affecting the wellbeing of Aboriginal people and how Government could consult more effectively with the local Aboriginal land councils. We have a structure that has been there since 1983 with bipartisan support in the State Parliament. There are community working parties and a lot of other consultative groups. I take the view that we have a structure. We also have a mandate like you guys from our constituents to represent them and take up issues on behalf of local Aboriginal land councils. I certainly reiterate what Geoff said about the peak body for Aboriginal affairs in New South Wales being the local Aboriginal land

councils. We have resources, but we can and should work in partnership with state governments and the Federal Government.

There are key issues affecting Kooris in New South Wales. Social problems are leading to Aboriginal people dying much younger than non-Aboriginal people. That is because of poverty, drugs and alcohol. Governments should be going out and talking, not consulting. I do not like using that word. I firmly believe in participation. Governments need to talk to local communities and to get feedback from them to find out what is actually happening on the ground. They should involve those communities throughout the process—from the implementation stage to the evaluation stage and also when it comes to recommendations. They should involve communities in those decision-making processes. History speaks for itself that you will get really good, positive outcomes. You need only to look at the Aboriginal medical and legal services. They have been around for a long time. This Committee could get a lot of valuable information if it took that approach in involving Aboriginal people in that decision-making process.

Local Aboriginal land councils have given us a mandate. I can speak only on behalf of my constituents; I cannot speak on behalf of the Aboriginal people who are not members of land councils. Let us not forget that not all Aboriginal people are members of land councils. But we represent a large majority in terms of the 20-plus membership that we have across the State. I cannot reinforce enough the importance of consulting at the local level when programs are developed and fed up to a regional program, and even further to a state-based program.

**Ms MANTON:** The major issue affecting Aboriginal communities is economics. There is a lack of appropriate and decent housing for our people. There is also a lack of community opportunities and real jobs to earn real and honest money. There is still a gap that needs to be bridged in education. We have certainly tried to make some inroads on that with the launching of our education and scholarship funds. Health plays such a major part in the wellbeing of communities that much more money and time must be spent dealing with those issues. Economic factors impact on health and with that comes stress. The provision of a proper home life is vital. It all comes back to economics.

**Mr SCOTT:** One of the questions asked whether there should be an independent coordinating body monitoring the activities of government. We wholeheartedly believe that there should be. It is not something that should be done by a government agency. Any Government is beholden to its Minister and the secretary. There used to be a thing called the Council on the Cost of Government. We used to rely on that body to do some degree of oversight of government services in terms of efforts and accomplishments. I understand that it has been neutered; it is in some office in some department now. I do not know whether anyone has tabled a report done in 1997 or 1998. It is an assessment by the Council on the Cost of Government on service delivery to Aboriginal people in New South Wales.

**CHAIR:** Is that a New South Wales report?

**Mr SCOTT:** Yes. It was done by the Council on the Cost of Government. It was embargoed for 12 months, but it is around. I think it was embargoed because Treasury was not happy with the figures in it.

**The Hon. TREVOR KHAN:** Do you have a copy?

**Mr SCOTT:** I do and I can make it available.

**Ms MANTON:** We will provide it with our papers.

**Mr SCOTT:** Again, that was an independent assessment of the efforts of all government agencies with regard to the Aboriginal people of New South Wales. It identified a lot of problems due to duplication and lack of coordination. It identified a lot of beneficial programs as well. If that were an ongoing and regular process it would be quite useful. The major problem with Aboriginal affairs is that no-one has a handle on the effort, where it is going and whether it is achieving anything. There is a reticence to stop or curtail a program. Once you stop it, the money has gone somewhere else. There is limited funding. Most of the efforts are cold money. They are focused on infrastructure and services, not people. Unless you develop the capacity of the people themselves to take up their own service and to be involved in it and make a claim on the rest of the resources of society, it will not make a difference.

**CHAIR:** You describe that as "cold money".

**Mr SCOTT:** In international development theory, the debate at the moment is about hot and cold money. There is lots of cold money around, which relates to straight services. You whack in a house and a sewerage system. There is a lot of money for that, but there is no money for people to look after that system or to train people to improve their human capital. Development is a dirty word in Australia; it exists only in the Third World. People think the Third World does not exist in Australia.

The Aboriginal Land Council had no role in the Council of Australian Governments shared responsibility agreements. That was in Murdi Paaki and was based on what was left over from the Murdi Paaki Regional Council of the Aboriginal and Torres Strait Islander Commission. It was a process they went through to try to hold on to some degree of influence and leadership. The involvement of the land councils has been minimal at that higher level. There has been involvement by land councils at each of the working parties.

**Ms MANTON:** While coming here today I was listening to Parliament. They talked about the Northern Territory presentation to the Senate late yesterday afternoon. These people talked about some of the saddest things you will ever hear. Roy and I are pretty tired today because we spent the last few days with the Northern Territory people. We heard their stories. People talked about the quarantining of the money. They get a card and take to it Woolworths and get to the checkout and the checkout person will say, "You are not allowed to get that on the card", "You can't have that", or "You do not have enough money for that." There is a huge shame factor affecting people across the Northern Territory in those communities.

If they do not spend all of their money, which may be only \$80 or \$100, they get a little sticker that goes on the back of the card. Many are traditional people and they do not understand that sticker, so they think they have used all the money on the card and do not look after it. They are throwing away real money that they do not know about. They are also forced to shop all at once and put it all into a trolley. They then do not

have money to get a taxi to take it back to their place. If they do not have a place—they are living in a camp or on the riverbed—they have nowhere to keep the food. Those things were not considered when the intervention occurred.

**The Hon. MARIE FICARRA:** It was impractical.

**Ms MANTON:** Yes. We hear about the heartache, the shame and the sorrow that these people are now living with. Some communities are appreciating the extra resources for health and that their health issues are being addressed. Their children have been assessed twice, but there are still no real services. At least their major health issues are being recorded and will be addressed in the future. There are some police in communities where there have never been police, and some people are feeling safer as a result. However, it is a right as a citizen of this country to feel safe within your community and home and to have a sustainable life. Australia as a whole needs to consider what this intervention is doing to people on the ground.

We might all sit back in our little warm and cosy homes at night and think that these things need to happen. That is a lot of crap. We need to be looking at it in realistic terms. This stuff in the Northern Territory needs to be rolled back, thought out again and done in a better manner. It is a matter of providing citizenship services to these communities, which have missed out for generations. There would not have been these problems in the communities if they had been properly policed and if perpetrators had been prosecuted when the incidents were first reported. Nothing ever happened, so people stopped reporting things. We must ensure that the law and the health services are utilised. If anyone is considering doing that in other States, they need to look closely at what is happening and what those people presented to the Senate last night before even considering introducing it in New South Wales. New South Wales needs proper health services and proper policing. We certainly do not need that down here.

**CHAIR:** Question 9 refers to the relationship between the Aboriginal land councils and other Aboriginal organisations. We heard earlier today about circle sentencing and its patchy nature around the State, halfway houses and people coming out of corrective services facilities and the services available to assist them.

**The Hon. TREVOR KHAN:** Or lack thereof.

**CHAIR:** Yes. What relationship do you have in that area?

**Mr SCOTT:** We do not have a formal relationship with those organisations. They are funded by Government. Ours is a supportive relationship. We are reticent because as soon as we get involved in an area, the Government expects us to fund it. It is a slippery slope that we do not want to go down.

**Mr AH-SEE:** We have the land. In an ideal land we would love to say, "Here is a piece of land. Go to the Government." The Government would then offer to work in partnership and put a healing centre on that land. We would provide the land and the Government would build the infrastructure and provide a little bit of support for the programs that needed to be developed in partnership with the local community. No doubt the Committee has spoken with Uncle Ray and Teddy. They base a lot of their programs around spirituality and dealing with the impact of drugs and alcohol on some of our people. I still have the view that that could be a possibility for us, providing the

Government meets us halfway and says that we do not have to go it alone. As soon as we talk about a program, the Government wants us to fund it all. Governments need to put their hand up and take a little bit of responsibility and say that they also have a mandate to provide services.

**The Hon. TREVOR KHAN:** Can I take it that the basic position of funding anything in partnership with the Government is that your charter just does not allow you to fritter the money away?

**Ms MANTON:** Exactly.

**The Hon. TREVOR KHAN:** I do not mean that in a derogatory sense. Your budgets just do not facilitate these things.

**Mr SCOTT:** We have to get enough of a basis. The council recently announced a \$30 million education grant fund so that we can provide scholarships on a sustainable basis at the rate of about \$2.2 million a year forever. That is what the council is trying to get to. We are trying to identify where we can actually make a difference in terms of social wellbeing, put in place a program that has equity across the State, and ensure that it is sustainable. Once it is established, it goes. Those funds have been set aside now. Income streams are flowing from it to provide scholarships for 200 or 300 people a year from now on.

**The Hon. TREVOR KHAN:** That is great.

**Mr SCOTT:** We would like to do more of that, but that will depend on how much we can make on the stock market in terms of how much of a buffer we can put aside. At the same time with that fund, we are dealing with most of the corporates at the moment; they are making a donation to it. But we know we have to establish a fund that has discipline and rigour and people will know that it is not going to go anywhere else. Once you get to that position, people stick with it. There are plenty of people with a good nature out there. I was talking to one old couple who came in saying they wanted to give money for education. It is a nice life story. They sort of walked in with it. They gave us \$4.5 million.

**CHAIR:** Do I understand you correctly that you are saying there is the fear or concern that when you get involved in funding, even through the \$30 million fund, the same amount of money will be reduced from government funding?

**Mr SCOTT:** Yes.

**Ms MANTON:** Yes.

**Mr SCOTT:** That is not fear: that is fact. That is really the name of it, but we are trying to partner with government at the same time. We have been to the Government and said, "We have put up 30: match it, and it will be substantial. It will be there forever." Education is not going to go away and there are many other funds that we could do the same with. We are trying to be much more expansive with the resources. If there are any similar land development deals that come up, we will have cash to do more.

**CHAIR:** We are getting to the stage of final comments before we go into public forum. If there are any closing comments or any suggestions, you might like to give those to us at this point, although we obviously will be availing ourselves of contact, or imposing ourselves upon you to give us more information, over coming months.

**Mr SCOTT:** We will give you a comprehensive brief on the issues. Again, the questions you have asked give me a lead on what you are actually after here. We are familiar with comments made by most other bodies. We have been through the submissions that have already been made to the Committee. We will not cover the area that people have already covered and we will try to pick up where they have not been as forthcoming as they should have been, especially government agencies. We will try to do that; but to try to assist the council.

If you like I will foreshadow that, for the next one, we will probably come back and do a presentation. The system is very complex and so are the pressures. We would like it to be less complex and we will try to do that in the next round, but it costs. Every time you put regulations on, it costs us money. We spend about 35 per cent to 40 per cent of our budget now just regulating. We would rather not.

**CHAIR:** Thirty-five to 40 per cent?

**Mr SCOTT:** That is why we have all the regional offices. All they do is monitor, correct and support.

**Mr AH-SEE:** I would like to make the Committee are aware of the importance of coming out to consult communities. I think it is absolutely wonderful that you have actually taken the time to come out and listen to organisations and people who are actually out there in the community. Closing the gap is very dear to me. I lost my mother, aged 54, four years ago. I have eight brothers and sisters. My mother reared us on a reserve 10 kilometres from town, and my father was never ever around. She struggled and her legacy lives with me. That is why I am passionate about what I do. I think it is so important for the Committee to be aware of the things that are still happening out there in our communities.

I do not consider myself to be that old, but I was brought up and raised on a mission or a reserve. I still have family and other members living in those conditions, and I think it is time. I am talking about urban areas as well. It is a real-life thing. Once it impacts on your life and you are constantly going to funerals of your cousins, your aunties and your uncles who are way younger than you are, you have to ask the question: Where are we going to? But, more importantly, what role or responsibility of government is addressing these issues?

At the end of the day the 1967 referendum gave the Commonwealth Government a mandate to take responsibility for Aboriginal people as citizens of this country. I think it is time for Committees like this actually to get out to places on the ground. I applaud you for coming out to listen to us. I guarantee you that my mother's plight will not be forgotten while ever I am on this earth because I will be letting governments know and letting people know what I had to go through. But, more importantly, I came out the other end because I was able to get off my backside, get a job and provide for my family. I have two beautiful children, a little girl and a 15-year-old son, which I adore. I had to go out and work for them, to provide for them.

My concluding comment is that we have been getting a lot of negative publicity out of Aboriginal men being paedophiles, drunks and alcoholics who do not look after children and bash their wives. Let me state for this Committee that I do not drink, I do not smoke, I do not gamble and I look after my children.

**CHAIR:** Thank you, Roy. You are a Wiradjuri man?

**Mr AH-SEE:** Yes, absolutely.

**Mr SCOTT:** There is one more point I think the Committee should take account of. The most pressing thing for us at the moment is housing money and infrastructure funds. The Howard Government took the money away to put money into the north. We see no change in the Rudd Government's position on this, nor do we see any change from the State Government trying to put pressure for change on that. The only pressure they are putting on is to get us to fund it from the land council. We have a crisis about to hit us. We have 60 reserves which have to maintain their own infrastructure systems—that is, power, water, sewerage and roads. That is in limbo right now. Do nothing, and we will have a crisis in six months.

**CHAIR:** Thank you very much for giving us your expert advice. We will no doubt be calling upon you again.

**(The witnesses withdrew)**