



COMMONWEALTH OF AUSTRALIA

Proof Committee Hansard

**HOUSE OF  
REPRESENTATIVES**

STANDING COMMITTEE ON ABORIGINAL AND  
TORRES STRAIT ISLANDER AFFAIRS

**Reference: Reeves report on the Aboriginal Land Rights (Northern  
Territory) Act**

WEDNESDAY, 3 MARCH 1999

BATHURST ISLAND

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**HOUSE OF REPRESENTATIVES**  
**STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER**  
**AFFAIRS**

**Wednesday, 3 March 1999**

**Members:** Mr Lieberman (*Chair*), Mrs Draper, Mr Haase, Ms Hoare, Mr Katter, Mr Lloyd, Mr Melham, Mr Quick, Mr Snowdon and Mr Wakelin

**Members in attendance:** Mrs Draper, Mr Haase, Ms Hoare, Mr Lieberman, Mr Lloyd, Mr Melham, Mr Quick, Mr Snowdon and Mr Wakelin

**Terms of reference for the inquiry:**

The Committee shall inquire into and report on the views of people who have an interest in the possible implementation of recommendations made in the Reeves Report. In particular the Committee will seek views on:

- (1) the proposed system of Regional Land Councils, including
  - (a) the extent to which they would provide a greater level of self-management for Aboriginal people, and
  - (b) the role of traditional owners in decision making in relation to Aboriginal land under that system;
- (2) the proposed structure and functions of the Northern Territory Aboriginal Council;
- (3) the proposed changes to the operations of the Aboriginals Benefit Reserve including the distribution of monies from the Reserve;
- (4) the proposed modifications to the mining provisions of the Act including the continuing role of government in the administration of these provisions;
- (5) proposals concerning access to Aboriginal land including the removal of the permit system and access to such land by the Northern Territory government; and
- (6) the proposed application of Northern Territory laws to Aboriginal land.

The Committee shall make recommendations on any desirable changes to the proposals made in the Reeves report in the light of the views obtained.

**WITNESSES**

**HARRIS, Mr Alan, Clerk, Nguiu Community Government Council . . . . . 113**

**HICKS, Mr John, Tiwi Land Council . . . . . 113**

**KERINAIUA, Mr Walter, Trustee, Manager, Tiwi Land Council . . . . . 113**

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**PURUNTATAMERI, Mr Marius, Chairman, Tiwi Land Council . . . . . 113**

**RIOLI, Mr Cyril, Trustee, Manager, Tiwi Land Council . . . . . 113**

**TUNGATALUM, Mr Hycinth, Tiwi Land Council . . . . . 113**

**Committee met at 1.00 p.m.**

**HARRIS, Mr Alan, Clerk, Nguui Community Government Council**

**HICKS, Mr John, Tiwi Land Council**

**KERINAIUA, Mr Walter, Trustee, Manager, Tiwi Land Council**

**ORSTO, Eunice, Health Worker**

**PURUNTATAMERI, Mr Marius, Chairman, Tiwi Land Council**

**RIOLI, Mr Cyril, Trustee, Manager, Tiwi Land Council**

**TUNGATALUM, Mr Hycinth, Tiwi Land Council**

**Mr Puruntatameri**—On behalf of the Tiwi people and the representatives here today, it is a privilege to welcome the members of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs. We welcome you here on Nguui. Nguui, as you know, is the major community on the Tiwi Islands, the Tiwi Islands being Bathurst and Melville Island. I hope you have enjoyed your trip so far. We are very happy that you have been able to spare the time to come over to the Tiwi Islands and talk to us. Thank you.

**CHAIR**—May I, on behalf of all of my colleagues from all the political parties in the Commonwealth parliament, extend to you and your people our greetings and also our thanks for inviting us to visit your lands. We appreciate that very much.

The purpose of our visit today is to listen, to learn and, we hope, to get from your people, Marius, good advice. We have a saying, ‘the wisdom of Solomon’. We need all the good advice we can get as to the report that the Minister for Aboriginal and Torres Strait Islander Affairs, John Herron, has asked us to prepare for the parliament and for the government. As your people would know, Marius, the purpose of our report is to advise on what the opinion and views are of the people of the Northern Territory and your islands on the recommendations of the Reeves report. We have had 1½ days of hearings in Darwin, and this afternoon we meet with you people.

We have heard strong views so far that there is a lot of worry about some of the Reeves recommendations. We have an open mind, Marius. Although members of the committee come from different parties we have an open mind as to what the best solution might be. We hope we can get good, strong advice from you as to what you think we should do.

Can I say, without indicating what my final view would be, that I think the achievements of your land council in cooperation with the three local government bodies provide a great set of experiences and successful representation of the will of the people. I am fascinated—as I know my colleagues will be—to hear just how you have gone about doing it, what your experiences have been and what your recommendations might be as to how we can use your experience to perhaps help other people in the Northern Territory to resolve the future management of their land. So we are looking forward to our discussions.

My colleagues will perhaps ask questions as well as we go along, Marius, but I think that to kick it off we would be very grateful if your people could give us a briefing about your land council and how you interrelate with the local government and how you achieve so much for your people. You might also give us some idea of what your vision is for the future—how you would like to see other issues tackled in this area. Thank you very much, Marius, for your hospitality and for the lunch.

**Mr Puruntatameri**—In our Aboriginal culture we always respect our elders. Although I am a busy person in my position and I look young to you, I have people who are a lot older and more experienced than me in the land council. With respect, I might ask my cousin to talk. Cyril Rioli was the first chairperson when the Tiwi Land Council was set up. I might ask him to give you a briefing about the land council and then perhaps John Hicks, our adviser, can back up what Cyril has left off.

**Mr Rioli**—What I would like to do is give our adviser/manager the opportunity to give a briefing first, and I will certainly speak after him.

**Mr Hicks**—The papers before me are not submissions to you. I will just give you an outline, as my chairman and manager from Pularumpi have indicated. These papers are in fact our minutes over 20 years of our processes. They began at the provisional meetings in 1977 and went through to 1998. As Marius has indicated, Cyril was our inaugural chairman.

These minutes—and I will ask the authority of our chairman to allow you to flip through them—are the record of our decision making processes. They really record that people like me are, as I have been introduced, advisers and therefore it is not for me to participate in decisions of the land council. I think that, if members wish to flip through some of these, you will see that is effectively 20 years of our decision making processes. You will see failures in there and successes as well.

From the very beginning, the Tiwi Land Council developed a process of decision making that relied very much on their own people and the leadership patterns that Marius referred to. Inasmuch as we ever depart from that, we tend to get into trouble. Where we do not go back to our people for participation in and acknowledgment of the decisions that are being made, we tend to make decisions that are not very wise and eventually turn out not to be very clever. There are a few of those in there and, I think, the example that Reeves refers to in the report.

I think—although it is not my position to say this—that the Tiwis do not see theirs as any example of regional land councils. In our circumstance, we are an island people. We are a homogeneous, one-language group. We have traditionally made decisions that have affected things outside the family. Our leaders would join together and make decisions in relation to Macassaran intrusion 400 years ago, Japanese pearlers and the others who have touched these islands. It is those processes that we have refined perhaps over 20 years, and we are now at a point where we are beginning to embark on a more independent, robust economy.

In so doing that, we are further developing these regional decision making processes through our health board, which has been functioning for two years. There are members of

the board here today. The governments—the Commonwealth and the state—made a decision to cash up the health dollars that were coming into the Tiwi Islands and to provide those at the disposal of a well managed board, and things are starting to happen. I think that has been one of the great successes of health, and that is merely a personal opinion. It seems to be a system where you go to your own people to find those decisions, to work through the problems and to be allowed to receive the information and confront the crisis yourself. The solutions, although often painful and taking a long time, are well founded and the results are reasonably positive.

Regarding the formation of the land council, I will refer you to the things we do, other than those referred to in our minutes. We have a map of our islands which surveys the eight families who own the Tiwi Islands. The map shows their boundaries, which have been agreed by traditional owners and have been surveyed by a registered surveyor, so we know who owns our lands. We have traditional owner registers that record the 2,500 Tiwi who comprise these eight family groups.

We are not a group that has embarked on many other processes or interests. We are very concerned with who we are and how we are travelling. Inasmuch as other Aboriginal groups around Australia have dilemmas and concerns, we are sympathetic and we are sorry about things like the stolen generation. Matters of land on the mainland are of concern to us but the real activities are the problems that consume us day by day. That is really what is referred to there.

Our title to the land was handed by Minister Ian Viner to one of our leaders, who regretfully is deceased. We are realising that our title does not have a single Tiwi name on it so this is not an individual title; it is a title to the Aboriginal Land Trust. The impressions of the Tiwi are that they are trustees, that they are custodians for a short time of land that is here forever and that the decisions they will make will influence generations that are not yet born.

We are concerned, in the review, about the money processes and some of the decisions that Reeves QC refers to as solutions. The expectation of the Tiwi is that money from their own resources of land should be available for their group decisions. I think there is concern in Reeves that there has been a dissipation of individual handout money that has been not very successful.

The Tiwis—not through mining but through forestry and aquaculture and other industries—are about to realise the value of their land and are seeking to exercise the benefits for the group through their own processes to establish that there is not individual entitlement for resources of land, there is group entitlement; there is no individual Tiwi ownership of land, that there is group ownership, and it is the processes of referring to that group, to maintaining the consensus of the group, that in our view has been a successful outcome for us.

In closing, I might say that the management of our land council receives approximately \$600,000 per year and we need about \$400,000 to operate the land council. We do have a residue which is available for expenditure through section 35 of the act which has been very important for us to facilitate projects and programs that otherwise we could not facilitate.

Land council management was initially through a local priest on the island. He retired in 1985, and the land council advertised for management services and in fact secured the company that I work for, and I in fact do the work.

I am not a Commonwealth public servant, I do not have a contract and I do not know that I have too many entitlements other than what they want to pay me, but it is the contracting out of services that we have found agreeable. We contract out our legal services. Our forestry work is being done under contract with legal professionals from Melbourne who are involved in forestry. We contract out our surveying services, our anthropological services and other services that we need. Therefore, the administration of the land council, which in the budget is approximately \$170,000 per year, includes a salary for myself, our four managers who are past chairmen of the land council, and our chairman himself.

This morning before you arrived we had a management meeting. We usually hold 14 of these a year and we have a land council meeting every month. The managers receive the correspondence such as we did this morning. They go through it and make decisions about it for recommendations to the land council meeting which occurs on the 18th of this month, and the land council itself will make the formal decisions necessary to respond to that correspondence.

Bringing boxes of material over from Darwin is a pretty common event. All the correspondence for the month is tabled, the decisions are made and I am instructed to write the letters and process the decisions that are made. I am called a secretary. I believe the role is more facilitating processes which are very ancient which we have formalised over 20 years.

It is a job that relies upon people like me who are not Tiwis merely assisting to facilitate those processes—and my chairman will be the first to tell me if I get it wrong. I have no comparison to compare against but, in the sense that we have been successful, it is my view that that success is directly related to our ability to continually consult with our people and reflect their general consensus over a range of issues. Chairman, I have been longwinded.

**Mr Rioli**—Thanks, Chair. I cannot fill you in any more than what our adviser has already told you. I think he has laid out everything in front of you. The only thing is that my people would not be quite happy for a start with the Reeves report. There are a few things they are not happy with. There is the removal of the permit. I do not want to go into details about that. I think you will hear from these people here what their objections are to that term of reference that was given to you.

With the other terms of reference, it would not be up to me to say anything further, but I would just like to thank our chairman for giving me this opportunity to talk to you and also appreciate what he has done for us. The previous manager who just spoke has done a lot of good work and they are quite happy with him, but I would just like now to thank the chairman for having a little say on what this meeting is about. Thank you.

**Mr Puruntatameri**—I will ask the Tiwi council manager to give us some information asking questions about the Reeves report—some things which the council want done by the standing committee with regard to this permit system that is now in the Reeves report. The



local council do not want to have that system. There are a few other things, such as the fact that the ABR money should go direct to the regional council. The other thing is that you want to set up a small council in the Territory, but that does not affect us on Tiwi Island because we have already got our own land council. Probably, they are the three main things that we would like you to take back and consider.

**CHAIR**—Thank you for that. Marius, could I at this stage ask a question of your council? I understand that you have a very successful record of controlling the entry of people to your islands without causing offence to anyone but, at the same time, you are very strict about controlling and giving permission to enter. Could someone briefly describe for the committee how that system works? How many people want to visit each year and how many are granted permission? Are you aware of any problems with anyone, any complaints from anyone or anything like that?

**Mr Tungatalum**—I think our town clerk probably has a record of how many people come on the island. John Hicks is the manager.

**CHAIR**—Before you answer, Marius, as far as I am aware, the committee has had no complaints from anyone at all about difficulties visiting your island. My question is one that is designed to find out how you have succeeded in your system.

**Mr Puruntatameri**—I think through consultation and negotiations held in the past with other non-Aboriginal organisations that have been involved in trying to come over for development purposes and to visit the islands. That is one of the reasons that we have been able to come to grips with the permit system and try to control it. We have had problems in the past, but it now looks like we have got it straight.

One of the things that we have done recently with success for one of the parties relates to our Tiwi Land Council and the fisheries. That is an agreement that has been done recently. We had problems with the fisheries coming to Tiwi Island and fishing off our island and in our creeks and inlets, so we formed a committee out of the Tiwi Land Council and other various committees to join in with the local amateur fisheries of the Northern Territory. That has taken place over five months and we have secured an agreement.

We have located various spots on Tiwi Island for fishermen and others who are going past our islands. We have located those positions for them so they can land. They are required to get a permit before they come to the islands, but they can land on the islands in case of any danger—when there is bad weather and the seas are rough. That sort of arrangement has come through and it is working. We have had that problem before, although it is not a major problem. We are trying to minimise the sorts of problems that we face on our islands and we are trying to come to grips with those things. The only way is by negotiation and consultation.

**CHAIR**—Marius, it seems that you have succeeded also in agreeing on and identifying particular areas where no fishing is allowed and other areas where a permit will be granted.

**Mr Puruntatameri**—Yes. One of those areas is, with respect to our people, the sacred sites so people can understand where they are not to go. I have just been handed these

documents. If you could have a look at them, they are exactly what I have been talking about.

**CHAIR**—Can we have your permission to use these?

**Mr Puruntatameri**—Yes.

**CHAIR**—The committee will receive that document as a tabled document. Thank you.

**Mr Kerinaiua**—One of the Reeves recommendations in his report that I disagree with is on permits. The old system where we tried to get hold of our power to have a permit system is working. His recommendation is that he is going to abolish the existing permit system. His recommendation is that Tom, Dick and Harry can enter our front door and we can penalise or prosecute him, but it won't work. The present system seems to be working, and we all agree, then stick by it.

Another thing about small land councils is that, when they are put with the other Aboriginal groups throughout the Northern Territory, the bigger land councils only will have a say and the small land councils will not have any say for their own land, which I disagree with. I prefer small land councils, that every territory should have a small land council. If you get too big, there are a lot of bureaucrats, which I do not like.

**CHAIR**—I know that the Tiwi people do not like to say what other Aboriginal people should do with their land. I understand and respect that. But what you just said about having a smaller land council is, of course, a very big part of our inquiry. Reeves has recommended that the four land councils be made into 18 land councils, and we as a committee have to listen to all the people in the Territory to ask them what they think about that.

What you are saying to me is that with the Tiwi Land Council you are getting on very well, you are doing good things and you are planning for the future, though you make mistakes, as we all do. You do not want this committee to recommend that there be any change to your land council. Is that what you are asking us to understand?

**Mr Puruntatameri**—Yes.

**CHAIR**—I think, without wanting to be disrespectful to your brothers and sisters on the mainland, you are also telling the committee that there are a lot of good things if it is close to the people and smaller.

**Mr Kerinaiua**—It will work, yes.

**CHAIR**—Thank you for that.

**Mr MELHAM**—It would be fair to say, though, that your experience is different from the experiences of your colleagues on the mainland. The way that they form land councils might be different, given your physical location.

**Mr Puruntatameri**—Yes, as John, our adviser to the land council, has pointed out before. You are quite right: it is to our advantage because of our geographical isolation. But we have never thought about it that way. Because we are one people, we speak one language, and that also has a big plus for us. We understand that the other land councils are much bigger than we are, but I think we do not try and compare ourselves with the other land councils because we are independent and we are quite different, as you said, from the other land councils. Therefore, it enables us to do things differently from what the other land councils would do because of our nature, and I guess that is what makes us, the Tiwi people, strong in ourselves.

**CHAIR**—I noticed in your annual report, which I have just been quickly scanning through, that there were 12 clans, groups of Tiwi people, who have now collectively agreed to consolidate into seven groups.

**Mr MELHAM**—It came back to eight.

**CHAIR**—And now back to eight. I missed that. Thank you, Daryl. So do I understand that means that, when your Tiwi Land Council meets as a land council dealing with issues and decisions that you have to make, each member of the council is asked to decide for the eight groups? Do you understand what I mean?

**Mr Puruntatameri**—Yes.

**CHAIR**—I am trying to understand how much say a person might have belonging to one of the groups at a Tiwi Land Council meeting on something that might affect another group in the Tiwi Land Council. Could you describe that process for me?

**Mr Puruntatameri**—You have seen the map that was held before, and John explained about this map. We have had an expert come and dissect that map according to the traditional owners' land, and it has been done. So, when it comes to, for example, a development happening on particular land, we refer that back to the traditional owners of that area. Each traditional owner has their say on whatever development is to happen.

**CHAIR**—If they say no, that is it.

**Mr Puruntatameri**—If they say no then the other delegates respect the wishes of the traditional owners.

**CHAIR**—What if one of your family, say one of your sons, wanted to start his own business? Say he wanted to become a mechanic to repair boats for the fleet and he wanted to set up his own business on Tiwi Island. Would he be able to do that, or would he find that he cannot because he is an individual?

**Mr Puruntatameri**—There is no stopping anyone starting up a business by themselves if they wanted to, but I think he would need support. As you know all businesses do, he would need support and confirmation to start that business by the traditional owners of whatever area or whatever land.

**CHAIR**—As we do in our country. We have to get the permission of the planning authority or council before we can open our business sometimes.

**Mr Puruntatameri**—Exactly.

**CHAIR**—If that son or daughter wanted to open that business and got approval from the traditional owner in that area, would they be able to get a lease for that piece of land to build their business on? How would they go about setting up their establishment?

**Mr Puruntatameri**—Cyril can answer that.

**Mr Rioli**—The answer to that question is that if that son wants to start a business on the old area, I do not think he is required to—

**CHAIR**—So he is given permission to do it?

**Mr Rioli**—Those people who are on the islands say yes.

**CHAIR**—Would he have to pay what we on the mainland call rent?

**Mr Rioli**—I think it would be rent to the owner of that particular area.

**CHAIR**—I asked the question because, as you know, under the act there is a very limited right for the land councils to lease some lands. I think that is generally the position. I was just wondering if you were encountering any problems with that—for example, some of your young people wanting to set up their own business but finding it difficult to do so. Send me home, Marius, if I am asking the wrong question. I do not want to step out of line.

**Mr Puruntatameri**—No, that is what you are here for. We will answer you.

**Mr Hicks**—You have not only come at the right time, but we are right at the stage of development now. The policy the land council has adopted began here at Nguiu with the airstrip you just landed on. The local government council here now receives landing fees, and we are very grateful for the \$280 you have contributed today and the next \$280 to take off! Walter Stanley is the landowner of this area, and the lease entitles him and his family to 10 per cent of the landing fee revenue from the Nguiu airfield. That is the first of our leases to do with non-Tiwi visitors using Tiwi land—in other words, an airfield.

We are due to meet your colleague Minister Abbott later this month to present to him a Tiwi regional training and employment strategy which touches exactly upon the issues that you have raised of external investment utilising Tiwi land and providing opportunities for Tiwi contractors to participate in this business; bulldozers, graders, trucks—the whole thing. I think we are right at the point where we are moving from a welfare dependent economy to one that opens the horizons of a mainstream market driven economy—the forces that build an economy elsewhere in Australia. I think we are at the beginning of that now. Garden Point—the manager is Cyril—is a community that will significantly be affected by the development of very large forest activity, deepwater ports, chipping mills, and things like that.

The answer that Cyril and my chairman, Marius, have given you suggests that, where a Tiwi contractor wishes to engage in a business, the lease will be more one of consent of his group, and I imagine there would be an expectation of receiving some of the revenue from his business by way of de facto rent. But, where there is an external business investing on the island—be it by way of services like the airport or by way of forestry companies wishing to lease land—then there will be a more formal entitlement and a more formal lease.

**CHAIR**—It is a very exciting stage that you are at. We wish you well. Thank you for that answer.

**Ms HOARE**—Over the past day and a half we have spoken to Aboriginal land councils and Aboriginal people from the mainland. We have spoken to interested parties also from the mainland—the Northern Territory government and the Fishing Council. We will hear from the Minerals Council and a mining company tomorrow. However, from what I have heard here so far, because of the nearly 100 per cent Tiwi population on Bathurst and Melville Islands and the extent towards self-determination that you seem to me to have gone compared with mainland communities, it seems to be that you work and negotiate under the current native and land rights act with groups like the Fishing Council and, then, from the chairman's question, you are also not impeded by whitefella law in relation to who is going to pay the rent and where the lease is going to come from.

Are there any other interested groups, other than investors that John just spoke about, which would be opposed to your opposition to the recommendations in the Reeves report? Are there any other groups that interrelate with the Tiwi people who would be in agreement with any of those recommendations?

**CHAIR**—I should have asked, Marius, for permission. I apologise. Do your people mind if we record these proceedings?

**Mr Puruntatameri**—No, not at all.

**CHAIR**—It will be very helpful to us. We will send you a copy of the transcript.

**Mr Kerinaiua**—Going back to leases, the only people who have no lease are the missionaries. Because of goodwill and the good faith of my clans, they are right. They are the only people who do not have any lease over all that area, except for the church, I think. I have been told Garden Point, also. They are the only people who do not have a lease. My clan had a meeting here and they said, 'Just leave them.'

**Mr Puruntatameri**—To go back to your question, I do not know of any. I guess there are people in opposition. You always have people in opposition to what we are trying to do here. I have lost a bit there. Can you just go back to—

**Ms HOARE**—We have heard from people who are supportive of the Reeves recommendations, but they are whitefella groups, such as the Northern Territory government and the Fishing Council, and we will probably hear the same things from the Minerals Council. However, the people in opposition to the Reeves recommendations that we have spoken to so far are Aboriginal people. What I was asking was: because of your geographic

location, your population and the extent that you have gone towards self-determination here, are there any other groups or organisations with which you interrelate which would be in opposition to the Tiwi people in supporting the Reeves recommendations?

**Mr Puruntatameri**—That sort of question probably would be better off with the other land councils. We have never really had any problems with non-Aboriginal people as far as your question is concerned.

**Ms HOARE**—And that is working under the current act?

**Mr Puruntatameri**—We own the land 100 per cent, so you either have to get a permit to come here or do not come at all. But you said something about the future and the direction you want to head in. The land council and the Tiwi people have had talks before about the future and the direction in which we want to head. One of our goals was to try and form an

organisation such as the TSRA, the Torres Strait Regional Authority. We appointed someone to look into that for us. It looked like we were going to get the nod, but unfortunately we did not because of reasons that we know of. But going back to my point, we are going towards self-determination. We want to go beyond that and have self-empowerment.

I guess the Tiwi people are setting the pace to head towards that. Within the Tiwi Islands we have different

organisations. We have to set up an umbrella at the top to have a body that will have full control of the organisations that are on the Tiwi Islands. That is what we want to do eventually. The only way to be self-sufficient is to run things by yourselves. That is the way to go about it. With these developments that are now happening on our Tiwi Islands, we want to aim towards being self-sufficient and efficient in running our organisations on the Tiwi Islands.

**CHAIR**—Marius, in the last parliament, before the election, I had the privilege of chairing the committee. We were asked to write a report about the future of the autonomy of Torres Strait Islanders. So what you have just said has struck a chord of great interest in me, and I am sure in my colleagues. We proposed that the Torres Strait Island people, if they agree—only if they agree—should be able to have their own self-contained authority on the island and they will get Commonwealth and state of Queensland bundled moneys to them. So you would not have a bureaucrat in Brisbane or in Canberra telling you what sort of health service or education service or housing service there would be. You would have the cash coming in each year but you would decide how you would do things. That report, I think, has been pretty widely well received and we are all anxious, naturally, to see it implemented.

All I can say to you is that if ever you are speaking to Minister Herron and you ask him to give us more work to do, I think this committee would be delighted to write a report that would perhaps give you the chance to put your views in that area.

**Mr HAASE**—Marius, I am very interested to hear what you and others have to say here today. It is certainly a very positive note that you are speaking on with regard to the Reeves report. As our chairman has already said, an open mind on the report was very necessary. However, it is fair to say that in our last days of proceedings we have not had many positive reports. Is there a particular factor that is contained in the report that you strongly disagree with, apart from the permit system?

**Mr Tungatalum**—There was a recommendation made in the Reeves report that the council might be elected by the Northern Territory government or the federal government. It does not give rights to Aboriginal people to vote to elect their council. The Reeves report gives the federal or the Northern Territory government the power to elect the council.

**Mr HAASE**—Is that one you disagree with?

**Mr Tungatalum**—Yes.

**Mr HAASE**—That is very reasonable. Is there no other recommendation that you disagree with?

**Mr Tungatalum**—I really did not read the Reeves report.

**Mr HAASE**—But you have been told about it, and you disagree with that one. Marius, getting back to the permit system, I can understand that you have some reservations as to the description contained in the report. I have already read your comments in the submission to the committee. The permit system, it strikes me, is there for you to know who is coming on to your land. You perceive that; you have already said today that that is a very good idea.

In the report Reeves also mentions the process of reconciliation between the Aboriginal and the white population as being assisted if the permit system were discarded in favour of an improvement in the veracity of trespass laws. Given the comments of Reeves that we could give more teeth to the trespass laws and use the act of trespass to allow you to control who comes on to your land and who does not, and given that he also says that obviously to do away with the permit system would improve Aboriginal and white reconciliation long term, do you have any comments on that?

**Mr Puruntameri**—I do not agree with your particular query in regard to doing away with the permit system, as John Reeves suggested, because we have had all sorts of problems before. We have non-Aboriginal people come into our communities. Then you have these local government laws and by-laws that they can be allowed to be elected as local council people within that community.

There are a lot of complications to that because in our local council here the full Tiwi people run the local council. They are appointed by the people and no non-Tiwi people are allowed on that council. What John Reeves is suggesting is going against that.

**Mr Harris**—I am an outsider—that is how I view myself, as a murruntawi, a non-Tiwi. I am a guest of the community for whatever time they employ me. One of the powers of the permit system allows the communities, the Tiwis, to vet who comes here. It is too late after

someone walks onto the place and brings ganja, or alcohol, or other substances, to say, 'We want to apply the trespass laws.' The damage is done. They have got to be able to keep that. The power of the permit system is that they can choose who they should have here. I believe, and they do to a greater extent, they should only have guests of the community who are going to contribute to the development of the community. To allow unfettered access is going to break all that down.

**Mr HAASE**—Thank you for that. I have one more point that you bring to my mind. What is the process when somebody comes ashore today or lands without a permit, have not been invited? I am not suggesting you have big pots these days—I do not know what the story is.

**Mr Harris**—Generally speaking, if there is someone who has come here and is not related to a Tiwi, Walter or one of the other traditional owners will escort them to the airport and ask them to leave.

**Mr HAASE**—So physical ejection is threatened by the locals. You do not have to call on a police force?

**Mr Kerinaiaua**—It has happened.

**Mr Harris**—That has happened. A couple of people have come out of jail, come over here with a load of ganja and sold it to the community. They might have been here a week before they got to be too much trouble and Walter asked them to leave.

**Mr SNOWDON**—They do not argue with Walter!

**Mr Harris**—We are too close to Darwin. There are too many planes coming in and out; boats coming in and out. It is very hard to control.

**Mr HAASE**—You have answered my question well.

**Mr SNOWDON**—I think Hycinth was talking about this—Hycinth, if you could just confirm—Northern Territory Aboriginal Council that is going to be set up under Reeves. The members of it will be appointed by the Northern Territory government and the Commonwealth government—that is, the Chief Minister of the Northern Territory and the Commonwealth Minister for Aboriginal and Torres Strait Islander Affairs. Are you saying to us that you do not agree with that recommendation, that you do not agree with having a council of the type appointed by the minister?

**Mr Puruntatameri**—We do not agree.

**Mr SNOWDON**—Are you saying that you do not agree with that council having control over your money?

**Mr Puruntatameri**—We do not agree.



**Mr SNOWDON**—Are you saying that you do not agree with that council having control over what you do?

**Mr Kerinaiaua**—That is right.

**Mr Tungatalum**—That is the same system that they had, I remember, when the first ATSIC royal commissioner was appointed. That is the same system that they are trying to use now.

**Mr Kerinaiaua**—It is not on. We are going backwards.

**Mr SNOWDON**—I know. I am just asking a question.

**Mr Kerinaiaua**—We want to go ahead, not backwards.

**CHAIR**—We want you to go ahead.

**Mr QUICK**—Marius, could you explain how you have set up your health system? You now have control of it, rather than relying on outside people to sort out what they think you should do. How do you bring that into child care and education, to lift the people's health and standard of living?

**Mr Puruntatameri**—I might have a rest and get John to answer that!

**Mr Hicks**—Prior to your arrival here this morning, the managers met with the executive of the health board. The chairperson, Alberta, and her deputy, Therese, are two Tiwis who are about to travel to New Zealand and brief some New Zealand authorities on the Tiwi health board. If we have permission, and you have an interest in this, we could table that speech that they are to give later this month. I will get that for you.

Basically, the health board is structured similar to the Tiwi Land Council. There is a regional grouping. It was initiated by the land council itself as a subcommittee, as per section 29 of the land rights act. We were able, over a period of 18 months, to develop that committee into board status and to conclude agreements between the Commonwealth and the state for the cashing up with the health dollars.

**Mr QUICK**—Is that the MBS, PBS?

**Mr Hicks**—That is the MBS, PBS. It includes all the dollars, some \$4 million per annum, that is spent on Tiwi health. By giving it to the Tiwis, under capable and competent management, in a period of 18 months, they have been able to, out of the same pool of dollars, have some \$750,000 on deposit, which is perhaps a net saving. They have reorganised staff agreements within the union structure, that are agreeable to the union, and that have allowed excesses of overtime to be diminished. Things like one Panadeine were costing \$273 per pill under the overtime structure of health. They have addressed these problems.

They have not only addressed those efficiencies; they have been able to redirect the dollars in terms of their own priorities. In the prior budget of \$4 million per annum, some \$80,000 was being spent on prevention of health and stopping people getting sick. The Tiwis were staggered by that and, largely led by our Tiwi Land Council leaders, have changed the focus. They now have a 'Tiwi for Life' campaign that addresses prevention and attempts to stop people getting sick. They have been most successful.

You have over there a Tiwi leader of the 'Tiwi for Life' campaign who has developed a women's and family centre here. I believe that was still open at 11.30 last night. There were up to 30 Tiwis with families there. They were away from the violence of the community and away from the problems that exist in communities. I think that the health board itself is, from our appreciation of it, a remarkable story of what can happen when you involve the community in the policies and decisions of expenditure in a problem like health. There are ladies over there who are far better qualified to speak about it than I am.

**Ms Orsto**—I am an Aboriginal health worker and also Elaine here is an Aboriginal health worker. We have been working over the last two weeks organising for the grand final for healthy sports. It has been really busy going around to different organisations and talking to people to give us support. It is real life for us, and for women, to try to have better health. We have a family centre where we can work with other groups of strong women in trying to tackle the health problems.

**Mr Harris**—I would like to comment on the inconsistency within the Reeves report. On the one hand it talks about establishing a peak body but its members are to be vetted by the Territory or Commonwealth government. I do not like to say it but it could end up, in that case, not being representative of the traditional owners. It could be, and I hesitate to use the word, a stooge of either government. When you recommend funding for that body, if it is a stooge of government, there is no guess that they are not going to put the funds to where they may well be most needed.

**Mr Kerinaiua**—Can we get a copy of this here today?

**CHAIR**—Yes, James will get a copy of the transcript to you. Marius, can I thank you very warmly for the time you, your members and colleagues have given us. I personally have found it very helpful and, I might say, inspirational. You have given me a sense of purpose. I think that what you are doing here is a wonderful example of a successful, happy community looking forward and, at the same time, preserving and respecting your traditions and ensuring the wellbeing of your people. I would particularly like to wish your health committee members every success in what they are doing. I am quite sure you are on the right track and that we, through Mr Quick and Mr Wakelin here, will be hearing more about your work. Mr Wakelin is the chair of a committee of the parliament examining ways of assisting people like you to improve the health of your people.

**Mr Puruntatameri**—On behalf of the Tiwi people of the Tiwi Islands, I would like to thank you for taking time out to come and talk to us regarding the Reeves report. Although not many of our people have been through that Reeves report, because it is quite a thick book to read, we are concerned, as you are, about some of the things that affect us.

Just going back to the point that the gentleman made about reconciliation: although we hear people talking about reconciliation, we Tiwi people do not talk about it because we are happy here as one people. We hear other people talking about trying to reconcile with each other and we as Tiwi people set an example. If you want reconciliation, you have to work both ways. You have to come together and there is a way of doing that. We, as Tiwi people, have been successful in doing that with different things, like with our coastal waters and giving people particular spots on our Tiwi Island. We fear for the safety of any people who come on our island, and we want them to be safe. We fear when there are dangerous weather conditions. We think about those things all the time.

We do not even talk about reconciliation, because we have to reconcile with each other here and we are quite happy on our island. There is a long way to go for reconciliation, for the process to happen. It is not going to happen unless people sit down and listen. You have to listen to each other. That is the main thing. Once again, I thank you for coming to the Tiwi Islands and maybe some time in the not too distant future, we will see you here again—perhaps at one of our grand finals.

To show our appreciation of your coming here, we have some gifts and will hand them to the chairman. This is firstly a carving of a bush curlew. It has been done by one of our local people—one of our local artists. Also, we have our Tiwi flag, which we will present to the committee. I will explain it briefly. I think you have a good picture of what it is: the Southern Cross is represented, the Australian flag is represented, the Northern Territory flag and the Aboriginal flag are represented, and lastly our artefacts—those of the Tiwi people—are represented.

**Committee adjourned at 2.20 p.m.**