



COMMONWEALTH OF AUSTRALIA

Official 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**

FRIDAY, 16 APRIL 1999

ALICE SPRINGS

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

INTERNET

The Proof and Official Hansard transcripts of Senate committee hearings, some House of Representatives committee hearings and some joint committee hearings are available on the Internet. Some House of Representatives committees and some joint committees make available only Official Hansard transcripts.

The Internet address is: **<http://www.aph.gov.au/hansard>**

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

Friday, 16 April 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: Ms Hoare, Mr Lieberman, Mr Katter, 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

ANDERSON, Ms Alison, Deputy Chairperson, Regional Councillor, Papunya Regional Council 359

ARMSTRONG, Mrs Sandra, Regional Councillor, Papunya Regional Council 359

CONWAY, Mrs Pauline, Regional Councillor, Papunya Regional Council 359

GUNNER, Mr Peter, Regional Councillor, Papunya Regional Council 359

LARRY, Mr Roy Tingini, Alternate Deputy Chairperson, Papunya Regional Council 359

ROBINYA, Mr Clarry, Chairperson, Papunya Regional Council 359

WILLIAMS, Mr Dennis, Regional Councillor, Papunya Regional Council 359

WILYUKA, Mr Phillip, Regional Councillor, Papunya Regional Council 359

PREECE, Mr Richard, Manager of Regional Councils, Alice Springs Regional Council (ATSIC) and Papunya Regional Council 359

Committee met at 8.52 a.m.

ANDERSON, Ms Alison, Deputy Chairperson, Regional Councillor, Papunya Regional Council

ARMSTRONG, Mrs Sandra, Regional Councillor, Papunya Regional Council

CONWAY, Mrs Pauline, Regional Councillor, Papunya Regional Council

GUNNER, Mr Peter, Regional Councillor, Papunya Regional Council

LARRY, Mr Roy Tingini, Alternate Deputy Chairperson, Papunya Regional Council

ROBINYA, Mr Clarry, Chairperson, Papunya Regional Council

WILLIAMS, Mr Dennis, Regional Councillor, Papunya Regional Council

WILYUKA, Mr Phillip, Regional Councillor, Papunya Regional Council

PREECE, Mr Richard, Manager of Regional Councils, Alice Springs Regional Council (ATSIC) and Papunya Regional Council

CHAIR—Good morning. I now declare this meeting of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs open. I understand it is the request of the Papunya Regional Council that this be a private meeting, and I am happy to tell you that the committee is delighted to agree to your request that this be a private meeting. But it is my understanding that you have said that you are quite happy for the matters that you are going to tell us—the answers to questions and everything else—to be published on the public record in due course. Is that understood? Okay, thank you for that.

Having agreed that this is a private meeting, there are some people who are not at the table, and are not members per se of the regional council, but who are employees of the Papunya Regional Council or of ATSIC Regional. Clarry, I understand your regional council have asked if those people could be permitted to remain in this room, even though it is a private meeting. I am glad to indicate on behalf of the committee that we are delighted for them to remain in the room. They are your guests and therefore they are our guests.

I also say, on behalf of the committee, how grateful we are for the wonderful welcome and hospitality you and your people gave us on the occasion of our visit to your land. Thank you.

There are some other matters I have to read into the record. We do this for every meeting of the committee, and other committees do the same, so what I am about to say is not tailored just for you—it is for everybody. Although the committee does not require you to speak under oath, you should understand that these hearings are legal proceedings of the Commonwealth parliament. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament.

Our Hansard reporters will be taping what is said today. We will send you copies of what is said for you to read. We would like other people to read a record of what is said at this meeting, and I understand that you are happy for other people to read that record of what you say here. Is that correct?

Mr Robinya—Yes.

CHAIR—Thank you. I now invite you to make some opening comments. I understand you have prepared a written submission. It is very good of you to do that. It helps us a lot. That has been circulated to all members. They have not read it yet. Clarry, is it your intention to read this fully or are you going to speak to it. Whatever you like.

Ms Anderson—We had actually planned to read it.

CHAIR—That is fine. We do not mind. I just wanted to clarify that.

Mr MELHAM—We can incorporate it into the record. It is up to you—whatever is easiest. If you want to read it you can but it will appear on the record exactly as if you had read it onto the record.

CHAIR—The committee accepts the document as a submission to the inquiry. You can read all of it or parts of it, whatever.

Mr MELHAM—Perhaps you could take us to various points and amplify them.

Ms Anderson—As I emphasised yesterday to this committee at Yuendumu, we are very concerned that Reeves never listened to people at his meetings held at Yuendumu and Papunya. The majority of the people told him that they wanted the land councils to remain as they are and the land rights act to remain a Commonwealth act.

From the information that we got back from the recommendations, Reeves obviously did not pay any attention to 92 per cent of the people in the Northern Territory. He listened to eight per cent, or eight people. We are very concerned about that. Mr Chairman, I think you know, from what was said to you and the committee yesterday, a lot of people are worried about it and so is this council.

CHAIR—That certainly has come through loud and clear to all our members. As we have been moving around the Northern Territory, it has become very clear that there is a lot of misgiving and feeling that maybe there is some secret agenda and so on. So we have got that message loud and clear.

Mr Robinya—We would like to raise one other matter. When he went to Anmatjere council, only 10 people were there. Nobody was notified to go and speak to John Reeves about what they thought about the land rights. So this is my concern too. There were only 10 people sitting at the table, saying things on behalf of the communities. That should not happen in the first place. John Reeves's recommendations on these things have not come from Aboriginal people; this is what he thinks should happen in the Northern Territory.

Mr QUICK—How were people notified that he was coming around? How much notice did you get? How could you have meetings without people being warned?

Mr Robinya—Just a little notice went to the communities. Most of the time the town clerks, coordinators and those did not notify the people. Some people were still in the dark.

Mr QUICK—So he did not go through ATSIC and the regional councils to say, 'I'm coming around next week,' like we did?

Ms Anderson—No. The only information that we got to make people aware of his coming around was through the land councils. They went around and said, 'Look, John Reeves is going to be coming around, talking to people about these issues.' But, in most communities where they wanted Reeves to go ahead, the town clerks hid all the information away from the people; they just gave notices to certain people that they wanted to get up and say they wanted a breakaway land council.

Mr Robinya—To the main council members.

Ms Anderson—You can see from these recommendations that it is coming from our former Chief Minister, Mr Shane Stone, and Senator Herron. He practically just wrote down what they wanted.

CHAIR—I have to remain neutral as a chairman. But I am a member of the government and, in fairness, can I just remind you—and I am sure that you will give me the opportunity to explain this—that Senator Herron spoke with Daryl Melham before the election, Daryl being a member here, of course. It is common ground in Canberra that Senator Herron has agreed that he does not want to make any decision on the Reeves report, or go and see the Prime Minister and talk to cabinet, until this inquiry that he set up has finished its work and given its report to parliament.

In fairness to Senator Herron, the minister, it is unfair to say that he has in some way decided on Reeves and wanted it to happen. That is not in fact the case. Senator Herron, with Daryl Melham, has tried to make sure—and it is up to us as a committee to do our job—that your views and advice are obtained before he has to go to the Prime Minister and cabinet. I wonder whether you would just keep that in mind, in fairness.

Ms Anderson—Yes. I know that you have to stick up for him.

CHAIR—But I would do it if it were a minister on the other side too.

Ms Anderson—I know. The land council wrote to Herron and told him that John Reeves was not the appropriate person to do the review, and Herron still did not pay any attention. That is why we are saying to this committee that there is a bigger picture in taking the two big land councils out than what has been recommended by Reeves.

CHAIR—Let us get on to the detail.

Mr MELHAM—When you wrote to Senator Herron saying that Reeves was not an appropriate person, why was that? Why did you think he was inappropriate to do the review?

Ms Anderson—Because a couple of days prior to his getting the job, he was appointed a QC of the Northern Territory by the former Chief Minister, Shane Stone, and he is a good mate of Shane Stone. They are the kinds of things we were very frightened of. If they wanted a good report to come out, they should not have got that man to do it.

Mr MELHAM—Did he also represent some people from breakaway as well?

Ms Anderson—Yes, he represented a few people in the Anmatjere area, and the same with the Mutitjulu area.

Mr MELHAM—They wanted breakaway land councils.

Ms Anderson—Yes.

Mr MELHAM—Were you worried about whether he was truly independent in doing this review?

Ms Anderson—That is right. He was not an independent person at all.

Mr MELHAM—Did you write to Senator Herron saying that?

Ms Anderson—We wrote to Senator Herron. It went to him before Reeves was elected to do this review.

Mr SNOWDON—You have expressed your dissatisfaction with the fact that he did not consult properly in the first place. I know the answer to this question, but I want to ask it of you anyway: was there any further consultation; was there any distribution of his recommendations for people to think about before they were published?

Ms Anderson—Nothing at all.

Mr SNOWDON—So, despite whatever representations Aboriginal people might have made to them, he made his recommendations without coming back to people to talk about them.

Ms Anderson—That is right. He did not come back to people. You are asking us questions and you are giving us the opportunity to answer you. He did not do that. We tried to ask him questions. It should be on the transcript that we tried to ask him questions and he said, 'I'm not here to answer your questions.' That is the Papunya meeting. You have a look at the transcript, and he states that.

Mr MELHAM—Is that one of the reasons you are resentful, because you think that, before he put some of the recommendations, he should have at least spoken to you to get your views before he published his final report?

Ms Anderson—That is correct. He should have come back and spoken to us, and the majority—92 per cent—of the people told him that they wanted everything to stay as it was. He took the view of eight per cent or eight people.

Mr MELHAM—Is it the situation that some of his recommendations were never discussed at public meetings or that those options were never put to you?

Ms Anderson—We were not asked.

Mr MELHAM—Can you give us some examples? NTAC, for instance?

Ms Anderson—NTAC was not mentioned at all.

Mr SNOWDON—The transfer of trust moneys?

Ms Anderson—The transfer of trust moneys in that we are going to lose our royalty associations, that we are going to have to look after our health and education with our own private money which is our royalty money—none of that was explained.

Mr SNOWDON—Permits?

Ms Anderson—The permit system, in that we are going to have our permit system taken away.

Mrs Armstrong—We want to break away. We need a council to look after our area and our language.

Mr Wilyuka—I was listening to what Alison was just saying. We do not like the way that the royalty is going to be taken away. Governments are always changing their words and there have been changes since the first words that they gave us. Governments are always changing but our law stays the same all the time.

Mr WAKELIN—I was just listening to the conversation about Reeves and about the setting and the conduct of the inquiry, and all that is background without getting into the general politics of it and various views et cetera. Did you believe at any point there were some worthwhile issues that could be developed or raised out of the review of the land rights legislation? There have been some 20-odd years since the original legislation and a lot has happened. There has been the development of the land councils as they have become stronger and have developed in their own way. Do you think there was any worthwhile exercise—after some 25 years—in which a review of some kind could look at how they were going? Did you contemplate that at all?

Ms Anderson—No, because of the simple reason that we are always being looked at. If there is anything to be reviewed or investigated, it is always Aboriginal people that have to be reviewed. I think the land rights act has done its job. It has given people back land. It was never set up to give economic development. It was never set up to improve our health standards and education, to give us good education. It is the Territory government's job to make sure that we have secondary education and good primary education.

Mr WAKELIN—In your paper you talk about the range of outstanding issues that you are struggling to deal with. So you do not see it as some connection?

Ms Anderson—No, we do not see that our royalties have to pay to improve our health and education in our communities. That is a job for the Northern Territory government. The federal government gives money to the Northern Territory government to look after health and education. We do not see why our private money, our royalties, should be used to look after our health and education.

Mr SNOWDON—Ngurratjuta is a royalty association, isn't it? Will we be talking to you as representing Ngurratjuta later on this morning?

Ms Anderson—Yes.

Mr SNOWDON—But, for the purposes of this discussion, could you perhaps explain how Ngurratjuta, as an example, invests its trust moneys?

Ms Anderson—We invest 50 per cent of our royalties and we have airlines now—Ngurratjuta Air—and we own Savorys electrical company, just down the road. We own a block of flats and real estate at the back of Diarama Village and at Glen Helen.

Mr SNOWDON—Would you explain that? This mob would not know what Glen Helen is.

Ms Anderson—Glen Helen is a tourism resort. It is about 80 kilometres west of Alice. Like I said before, we have invested 50 per cent of our royalties and we really feel that we have invested that for the future of our children.

Mr MELHAM—Because that comes back into the community.

Ms Anderson—Yes, it comes back. The other 50 per cent goes towards community development. People cannot use that money personally. It can only be used for community purposes.

Mr SNOWDON—So no money in the pocket.

Ms Anderson—I cannot put that money into my pocket.

Mr WAKELIN—That has given us a broader concept of your investment, Alison, and how you are doing it, and of your genuine effort to develop your independence for the future. That is great. I want to develop your views—and this is open to all your members—as to how it relates to the wider implications for Australia. You are part of your land and you are also part of the Northern Territory and part of Australia. What I am trying to understand—because I have a responsibility to the parliament and over the years significant taxpayer funds have been involved, and all those issues—concerns the fact that to have taxpayer funds you need a revenue base. That comes from enterprises et cetera. So how do you relate to the rest of Australia and to the Northern Territory? How do you see it in terms of relating to the rest of the community? Do you know what I mean?

Ms Anderson—No, you are going to have to simplify it a bit. You are using too many contrasting images.

Mr WAKELIN—I am genuinely trying to understand what the relationship is with the rest of the people of the Northern Territory and how they see this. There is a relationship as a total community of the Northern Territory and as a total community of Australia. How do you see your responsibility, if you like, to the Northern Territory situation?

Ms Anderson—How do you see the Aboriginal people's economy being part of the Northern Territory? Is that the question?

Mr WAKELIN—Yes, and to Australia.

Ms Anderson—We contribute to both economies—Australia's and the Northern Territory's—through our artwork. Right?

Mr WAKELIN—That is fine.

Ms Anderson—We have started our citrus scheme. Have you been to the land council yet?

Mr WAKELIN—Yes, we have.

Ms Anderson—We are going to develop citrus orchard yards and stuff like that in most of our communities. We have cattle enterprises and we own two art galleries here in Alice Springs—the Papunya and Warumbi Arts—and we deal with Walkabout, which is owned by World Vision, the Third World organisation that looks after an Aboriginal community in the Northern Territory of Australia.

Mr WAKELIN—I can shortcut this for you, Alison, and for anyone else who might like to come into this, by saying that the only way we can have revenue to pay for everything is from having economic development, and you see your developments as being part of the revenue base of Australia as well.

Ms Anderson—Yes. Most of the Aboriginal communities you have not been to, but there are a lot of Aboriginal communities west of Alice Springs that are really poor.

Mr WAKELIN—In my area I have the Pitjantjatjara lands, so I am well aware of the sorts of communities.

Ms Anderson—To have economic development you have to have training and education. The communities lack in secondary education and primary education. The government is not held responsible for delivering those services to Aboriginal communities. How are we going to have enough of an economic base in communities if we cannot read and write?

Mr WAKELIN—Where I come from a big effort goes into schools but a lot of Aboriginal people have trouble coming to school. So there is the issue of turning up at school to learn to read and write.

Ms Anderson—We have a lot of kids coming to school.

Mr WAKELIN—I think we are get getting off the issue of land rights, perhaps. I just wanted to try to understand in the totality of Australia—

Ms Anderson—But that answers your question. When you start talking about economic development you have to get out of the scope of land rights.

Mr WAKELIN—I am also interested in trying to understand how Aboriginal people see their responsibility in that individually and as a group.

Ms Anderson—The cattle industry has ridden on the backs of Aboriginal people for many years. Aboriginal people have put a lot into the Northern Territory and Australia.

Mr WAKELIN—But currently is the cattle industry as strong as it used to be, do you think?

Ms Anderson—Yes.

Mr WAKELIN—Stronger? There are more cattle?

Ms Anderson—People are living on cattle stations now, not necessarily here.

Mr WAKELIN—Are there more cattle in the Territory now than there used to be?

Ms Anderson—I would not know. I cannot really answer that.

Mr Wilyuka—Could I just interrupt about the cattle industry? Nowadays you see helicopters and ringers riding on motorbikes. But for our people the history is that the pastoralists put our ancestors on the job. But nowadays we don't see nothing. I come from where the community is. On the station where I used to work and in the cattle industry we used to have a job all the time—like Mr Williams and Mr Gunner—out in the bush riding horses. But nowadays you see motorbikes, and helicopters flying around.

Mr WAKELIN—There are not the opportunities that there were.

Mr Wilyuka—There is no opportunity for our young people to get back on the job on the cattle station.

Mr SNOWDON—There are a number of Aboriginal owned pastoral leases in Central Australia.

Mr Wilyuka—Yes, I know that, Mr Snowdon.

Mr SNOWDON—But I am just going to make the point for the committee, Phillip, that they are used for social as well as economic purposes. They are purchased because of the relationship that people have with that land. In some of those cases they are very economic propositions, like Mistake Creek, for example. But in other cases, where people have tried to

purchase back their land, like that place out near Papunya, they have been prevented from doing it. So that, as well as not being able to get the social benefit, they cannot get the economic benefit as a result of that.

Mr Williams—Talking about our money that we gave to try to get Vaughan Springs station, the Chief Minister himself did not sign it. We put \$3 million in to get that station out there, Vaughan Springs.

Ms Anderson—Where you were yesterday, Vaughan Springs is just on the other side of that. The sunset clause application was held in front of the minister till the sunset clause came in and then he did not sign it, after these people had put in \$3 million of their own to buy the station.

Mr Williams—We did put our money in to get that station. He did not sign and the money is still there. We were going to get that station for our Warlpiri nation to live there and the traditional owners to live there. The minister did not sign it.

Ms HOARE—Sandra, you mentioned wanting greater autonomy, having more say over your land and the teachings. Do you think that can happen by having more regional offices and bigger regional offices of the land council under the current act?

Mrs Armstrong—We would review because the land council has not helped us for a long time. That is why we formed the Ngaanyatjarra Council. We put in a high school for Aboriginal kids. They went to school there and we got an organisation there in the community.

Ms HOARE—Did the establishment of that council and the development of the community occur under the current land rights act?

Mrs Armstrong—Darwin is too far for our kids to go and they get homesick. That is why we put a high school in the centre. They are happy.

Mr LLOYD—I want to preface my question so that hopefully I will be constructive in what I am asking. I have changed my view on royalty moneys. When I first came to this committee, I had the view that royalty money to Aborigines was public money. I would like to say that I have changed that view: I believe it is private money. It is your money that comes from your land. But, at the same time, you mention that there is accountability. I am very impressed with what you said about the investment of 50 per cent of the royalty money. I come from an urban area; if we have a cooperative in an urban area, there are accountability processes so that everyone knows where that money goes. Do you have accountability processes and, if so, can you explain what they are so that everyone knows where that money goes?

Ms Anderson—We have auditors and accountants that do our books. So an annual report comes out from the organisation. This bloke here, the Warlpiri nation—not him personally, but he is part of the Warlpiri nation—they are very rich people. They own nearly the whole lot of Todd Street: Todd Mall, the cinema complex. They have invested in the complex itself; the National Bank building; the Australian Taxation Office building. So they are

investing in really good things for the future generation. It is not like the money has been wasted.

Mr MELHAM—Alison, when you say there are auditors, is that reported back to the community on a regular basis?

Ms Anderson—Yes. They get a monthly financial statement that highlights how much money they have spent and how much they have left in the bank.

Mr MELHAM—Can you explain how that happens and what the procedure is for a committee meeting.

Mrs Armstrong—Aboriginal people have got nothing.

Ms Anderson—When a financial statement goes out to communities, it is then up to the clerk, or whoever understands what it looks like, to explain it to the people. Have you ever heard of the funny face system—the crying face or a happy face at the end? Pictorial representation is good for Aboriginal people to understand money because we cannot understand figures or look at figures and understand what is going to happen. So what happens is you put down how much money came in, how much was spent, how much was invested and then you put a happy face at the end of it. From the smiling face, people know that they have got money sitting inside the bank and they are happy with that. That is a very simple way of explaining to people what happens with their money.

Mr LLOYD—That is a question that does come up at different times. I was not trying to say that there was no accountability. I wanted it on the record because it is one of the questions that we are often asked.

Ms Anderson—We have a lot of problems too. When we watch the news and see parliamentarians taken to court for travel fraud—

Mr QUICK—Some parliamentarians.

Ms Anderson—Yes. It is good that we can think that they are being held accountable for their actions as well, in the same way that you think we should be held accountable for our actions.

Mr LLOYD—I think that is an important comment because it is similar to the views from some of the communities yesterday: ‘Why are you coming to look at us, to examine us all the time? We are sick of people coming up here.’

Ms Anderson—They said that for the simple reason that we feel that we are being held accountable for John Reeves. For goodness sake, Herron and Shane Stone paid him the \$1.3 million, which is still rising slowly, to do this review. Why come back and ask us about his mistakes? Ask him. Please, do that.

Mr LLOYD—That is your comment. What I wanted to say is that everybody in Australia who receives taxpayers' money is accountable. There are these sorts of reviews that go on for everybody.

Ms Anderson—We have been taxpayers for many years—unrecorded in the cattle and pearl industries.

Mr LLOYD—I think that it is important for committee members who come from all over Australia to have the opportunity—and this is my first opportunity—to visit these communities. We are often criticised for sitting in Canberra and not coming to the communities and not knowing what is going on. So if you could take the message back to the community that I found it very informative and a great privilege to have been invited to the communities. It is the only way of seeing the problems that are in the communities.

Ms Anderson—All those old people told you yesterday: 'That bloke John Reeves made the mistake. Why aren't you people asking him the questions about what he wrote in that review?' That is what they are saying to you: 'Why are you still coming back and asking us?' They are really very confused that you get someone to do certain things for so much money and yet it is the opposite group of people that have got to be questioned. They are very confused about it. They want to see John Reeves sitting there and being questioned. Is that a possibility at any stage before you go back and report to parliament that you would go on *Lateline*, or something like that, so that we can see you questioning John Reeves?

Mrs Armstrong—Deaths in custody and domestic violence are problems. We have a problem with our culture and breaking the white government's rule. My son went in for nearly life. He went in for beating his wife, for swearing and doing something bad that is our culture's way. In the white culture it is domestic violence. Our law belongs to this crowd. Our law is part of our culture and is important. A woman cannot swear at a man. It is men's business. That is our thinking. I am worried about my son because his wife insults him, and swears, and my son responded once and he went to gaol for domestic violence.

Ms HOARE—So his wife broke Aboriginal law and then when he responded he broke the white man's law and was put in gaol and punished?

Mrs Armstrong—Yes.

Ms HOARE—And that goes on then to the deaths in custody issue?

Mrs Armstrong—Yes, that is what I am worried about.

CHAIR—One of our terms of reference is to inquire and to get advice from Northern Territorians—Aboriginal and non-Aboriginal—on the application of European law to Aboriginal people, particularly to those who are on traditional lands. I am very interested in canvassing this issue. Kelly, can you keep going?

Ms HOARE—I was just clarifying for myself what Sandra was saying.

Mrs Armstrong—We should stop that domestic violence one; that is whitefellas law.

Ms HOARE—I hear a lot about Aboriginal communities applying their own law in their own community. I think that you are saying that the only way that that could coexist is for the white man's law to say to a community, 'The member of your community has done wrong and should be punished in your community,' and then leave it to the community to punish under Aboriginal law. Is that what you would like to see?

Mrs Armstrong—Yes.

CHAIR—Thankyou, Kelly. I think that is very valuable information to think about.

Mr LLOYD—I have one more question, on a different subject. It is for my own information to see where we can help a little bit. In my urban electorate I am trying to explain to people the problems of Aboriginal communities, because they have no understanding of the problems, the difficulties and the isolation that people experience. In the communities we visited I did notice that there was quite a bit of rubbish, paper, around the communities. That is one of the images that goes back to the big cities. White man's interpretation of the rubbish is that Aboriginal people do not care about the land. Can you give me your comments on what I have just said? Do you have any ideas on educating people about rubbish reduction? Is there anything in place in some of your communities?

Ms Anderson—We have sanitation and garbage collection; that has to be done every week. It is funded by local government. You only went to a couple of communities. You go to this man's community—Laramba—and there is no rubbish for as far as your eyes can see. There are a few other communities like that—heaps of them. On this trip, you have only visited communities that were recommended to you. It is very hard to see the good communities when you are just flying around to a couple of the bigger ones. You went to Yuendumu yesterday. Do not blame them for the garbage, because that is infrastructure designed by white people. Aboriginal people were just put in there. The planning and everything was done before. I am not trying to blame DAA and ADC for the garbage, because it was clean in their time. But they never ever did an education program to try to educate the people. There is one of the blokes sitting right here—my dad—who was part of DAA and ADC. I am not saying that it is his fault. We have always said to people, 'Have home economics centres to teach Aboriginal people how to live inside your houses.' These are \$140,000 houses being built, and because people do not know how to live in them—it is not their design, it is not the wish of the people—they just get destroyed.

Mr MELHAM—Isn't that the key—they have not been included, so a lot of it has been inappropriate, culturally insensitive, and your people cannot relate to it?

Ms Anderson—That is right. That is what we have been saying. We have always lived on the idea that has been introduced by other people about how they think we should live. They have never come back to us and said, 'How do you want to design your house? How do you want to live?' I will keep on saying that. I say it now at regional council meetings and I say to local government: 'You will be forever spending money on Aboriginal communities if you are not going to go back to the people and start asking them what they want.'

Mr QUICK—Barry was saying that the land rights act has been in place for 20-odd years. Things have moved on in that time and the role of the land council has expanded. By hook or by crook, you are doing a whole lot of things that initially were not planned when the land councils were set up. Wouldn't it be great to have a review? Many of us on this committee have stated publicly that we should have had the task of looking at the land rights act. We are unbiased. As Lou has often said, we come with an open mind.

Mr SNOWDON—Except me, I declare an interest in this. I do not have a really open mind.

Mr QUICK—Warren, I would like to think that you would be open to suggestions—

Mr SNOWDON—I am open to suggestions; on the Reeves report I do not have an open mind.

Mr QUICK—I am not talking about the Reeves report. If we had had the task of reviewing the land rights act, I think all of us would have had an open mind to say, 'It has been in place for 20 odd years, times have moved on, technology has increased. The indigenous community in 1976 is a hell of a lot different now in 1999.'

Ms Anderson—The local government act has not been reviewed since it has been set up.

Mr QUICK—On page 3 you state:

Furthermore, 18 regional land councils will cost much more money than Reeves estimated in his report. We cannot afford the administration cost of the Reeves model. Small land councils will experience considerable difficulty in recruiting professional staff. . .

Our communities experience difficulty in recruiting capable and professional staff.

For the record, could you expand your thoughts on this in light of improving the model that we have currently got, taking account of all the things that you have done in the last 20-odd years? You further state:

We can reform the Land Councils ourselves, if we see a need.

The fact is that of all of the issues we are struggling to deal with,

- . the state of our health;
- . the lack of education facilities;
- . inadequate housing;
- . water that is not fit for human consumption;
- . ungraded roads;
- . high unemployment;

- . mandatory sentencing legislation;
- . deaths in custody;
- . substance abuse. . .

Do we get to the stage of saying, 'Stuff the NT government.' The Commonwealth gives you guys the strong land councils as part of this evolutionary process to say, 'You know what you want. You have got examples out there where it is working. Petrol sniffing has stopped. You have got economic development. The Commonwealth gives you the money. You are in charge.' So this is part of this evolutionary process that my colleague mentioned. Can I throw that into the basket?

Ms Anderson—That is a very good question. We have been asking for direct funding for many years. Just go back and have a look at the ABC media, at *Imparja*. I have been talking about direct funding for 10 years.

Mr SNOWDON—And I have been advocating it.

Ms Anderson—And Warren has been advocating that. We went and met with the Commonwealth Grants Commission seven years ago in Darwin and we said to them directly, 'We don't trust the Northern Territory government. They are not doing the right things for indigenous people in the Northern Territory, even though we are a majority in the Northern Territory. We would like to see the funding that you give the Northern Territory government come direct to the land councils.' We have set up our own model that you have not seen yet, but that is top secret. We cannot give it to you yet. We will do that later.

Mr SNOWDON—I make the point that, under section 23 of the land rights act, it is possible for the land council to do almost anything.

Mr QUICK—As Barry tried to say, it is an evolutionary process. Even though, in my mind, Reeves has stuffed most of it up, there are some things that can be taken as a positive. When we make our recommendations, whatever they might be, we need to be positive, to say, 'These things can happen in dialogue with the indigenous community'—and I mean real dialogue—and with the NT government and the Commonwealth.

Ms Anderson—But the Northern Territory government is petrified of seeing a body such as a land council get up and be so powerful. They have opposed all the land claims that the land councils have put up. In the Top End someone asked a question like, 'Why is the land council frightened of the NT government all the time?' Someone in the committee asked a question in Tiwi, and it fell off the back of a truck and flew to Papunya.

We got to try and get the picture out of a lot of you people's mind when you talk about land councils. The land council is that big building on Stuart Highway that you would have seen. The land council, the body, is the people. It is us; we are the land council. We give them instructions to go and talk for this land and we tell them who the traditional owners are. It is not like the anthropologist or a tracker comes out and says, 'Clarry, you are the traditional owner now.' As soon as the mining agreement comes up and they see the land, all the traditional owners automatically know who the traditional owners are.

They go up and say to the anthropologist, 'We are the traditional owners for this country, and this mob are the traditional owners through their grandma and grandpa.' And they got their songs. They have to demonstrate that they own the land. The land council don't just sit there saying, 'You come up and write your name.' 'I am Barry Wakelin, I am the traditional owner for that country.' No—you have to bring all your objects out, like all those objects the old lady showed you yesterday from Derwent. They cover many thousands of miles, of stories—the white feathers and the nulla-nulla and those strings that they had. We made sure that when we danced—the Papunya mob—in front of you yesterday that we never danced with the white man's wool around our head. Did you see it? It was all made out of human hair.

Mr LLOYD—Alison, I did not ask the question that you said the committee asked. But do not presuppose that committee members have a fixed mind. Often the question is asked to give you the ability to give us an answer to put on the record.

Ms Anderson—People do not understand because they are not educated about open-ended questions. So you have got to be really careful asking an open-ended question. Yes or no can be both yes or no.

Mr QUICK—Once we have made our recommendations to the government, how do you see us getting that back to your people in the Northern Territory in an understandable form? We are going to be producing a booklet like you do. How do your people, your mob, understand the Anglo-Saxon written word in those reports that we take back and we are going to give to the government? You mentioned the possibility of us going on *Lateline*.

Ms Anderson—I would really like to see that, Mr Chairman.

Mr QUICK—Do we come back to *Imparja* and have a round table discussion on our report when it is produced?

Ms Anderson—Yes, and simple fliers. Use the ATSI media. We have got BRACS systems in our community. We can interpret for you in language what you come up with. Use a lot of pictorial stuff to simplify it, not just talking, talking, talking.

Mr QUICK—Whatever recommendations we come up with, I think it is vitally important that you people, most of all, understand what the hell we are saying, and why.

Ms Anderson—Yes, and I think it would be really good for those old people that you saw in the communities that asked you the question, 'Why are you coming back to ask us? We are innocent people. Ask the men that wrote the report.' It would be really good if you could set up something like a *Lateline* interview with the committee asking Reeves how he came up with all that, when it states in these transcripts that 92 per cent of people said no. Is he going on the eight people that said to him, 'We want a breakaway land council?' It is supposed to be a democratic country. If you get a majority to say that this is going to happen, it is supposed to happen.

Mr QUICK—The reason I asked that question is that I think it is vitally important that we do ask these people how we can get our report in a form that is not the standard format

that we present to parliament in order for them to understand it. That is why I asked the question.

Ms Anderson—And using our BRACS system is really good. BRACS is remote area communication broadcasting. We have two hours where we go live around the Territory to all the remote Aboriginal communities in our language group. So if you produce something that could go on air, we could go on air for you.

CHAIR—That is a good suggestion. I might just add that James, our secretary, has reminded me that we did publicise the terms of reference of the inquiry—why we would be out asking questions—on BRACS and other media; so we did our best there. We will pick up what you have said in relation to getting our report publicised widely and in an understandable way, too.

Ms Anderson—I went to Canberra and listened to the academics talk on Reeves.

CHAIR—Yes, on that week-end.

Ms Anderson—Yes. They got better minds than us mob.

Mr SNOWDON—Their minds are not any better.

Ms Anderson—They are better educated.

CHAIR—They use more words than you or I do.

Ms Anderson—That's right. They use a lot more words and things like that. They condemned that bloke down to the ground. They practically buried him.

CHAIR—They have given us a submission already.

Mr Wilyuka—Mr Lloyd asked a question and Alison was just mentioning about our garbage collection. From my understanding, that is a discriminatory word in your question.

Mr LLOYD—In what way? I do not understand.

Mr Wilyuka—The way that you said garbage bins are laying around everywhere in the community, all put the rubbish in, they just want clear land. Our ancestors looked after this land. There was no carpet, no piece of paper, you could chuck it out the door and it can fly around over there on the bitumen, on the road. That is a discriminatory word that you have been asking in your questions.

Mr LLOYD—Through you, Mr Chairman, I would not like to say it was discriminatory. It was not meant in any way to be discriminatory.

Mr Wilyuka—From my understanding, that is.

Mr LLOYD—I apologise if it is your understanding. It was not in any way meant to be discriminatory

Mr Wilyuka—That is discriminatory.

Ms Anderson—I can say that I have been to Sydney and I was ashamed to be in Sydney because I saw all the rubbish lying around in the gutters of Sydney.

Mr LLOYD—That is a fair comment.

Mr Robinya—That was the same issue that was brought up by Pauline Hanson when she went into one of the communities.

Mr MELHAM—I think what Phillip is basically saying as well is that a lot of this stuff came in from whitefellas. When you actually look at packaging, the plastics, and things like that, it is not conducive to country. We have our own problems with recycling or whatever, but these are whitefella things that have been introduced; Aboriginal people did not introduce them. I think that is what Phillip is getting at.

Mr Wilyuka—Yes, that is what I am getting at.

Mr LLOYD—I accept the point.

CHAIR—I want Jim to speak in his defence because, of all the people I know, Jim Lloyd is not a man who has discrimination in his mind. He is a very caring man and we would not want him to be misrepresented.

Mr LLOYD—Thanks, Mr Chair, for those words.

Mr MELHAM—I think that is what Phillip is saying.

Ms Anderson—If I can answer your question a bit more: we do not get much money to do the sanitation and garbage. The Territory government holds the money back. It does not give us money properly per person to look after our community.

Mr LLOYD—That was the purpose of my question: to ask how we could help and to explain to you that this is all that is seen by the people in the urban areas, the city folk, whom I represent. They do not understand the problems and that is why I wanted to ask how to help. In my mob in Western Australia, my sister-in-law is the Aboriginal liaison officer for the community there. I have nephews and nieces who are Aboriginal. I am on this committee because I am trying to help and because I care. I am very upset and very hurt that you thought my question was discriminatory.

Mr Wilyuka—You hurt me too.

Mr LLOYD—It also hurt me too because it was not meant to be. I think there was a problem with the communications. So I apologise to you.

CHAIR—Clarry, you were going to make an overview.

Mr Robinya—You know how this problem started; it came from people who were tied up with the NT government. The NT government did not want to talk about it, that we might start looking at them. There should be a review done on them. This was started from the people who were tied up with the NT government, a few people have been tied up for so many years and they have been getting away with it.

What I want to say is that ATSIC is getting blamed for the NT government's responsibilities on power, water, housing, education, roads, stuff like that. ATSIC is the main body that has been blamed. Every time people go to the NT government to ask for certain things that they are meant to be funding, they say, 'You go back to ATSIC. You go back to your own people. They are the ones who are making decisions with the money.' This is a money problem; the money is a big problem. They reckon the land council should be funding these things. You heard one bloke get up and talk about the land council and Ti Tree. The reason why we want to pull away is that the land council does not give us funding.

Ms Anderson—The land council is not responsible for funding.

Mr Robinya—The land council is not responsible for funding. They are only there to get the land back for people that are suffering. I put to you that what we should be doing is targeting local government or maybe the NT government. They are the ones that have been hiding from us. They are the ones getting big money from the federal government for Aboriginal people, for education and stuff like that. They should be doing a review.

They have all these policies they are setting up where they are communicating for the people. They want to amalgamate all these communities. That is even worse than what is happening today. They want to amalgamate all the communities and put it in one area where one town clerk has to go around and visit all the communities. We do not want it to happen like that. That should be reviewed down by the NT government, too. They are the worst people who are not communicating with people.

CHAIR—One of my great interests—apart from being chairman of this committee which I am honoured to be—is to be involved in strategic analysis and planning. These are smart guy's words and what the hell does that mean? What I mean by that is that I have always found that a lot of problems in society and business—because I come from the business world as well—are due to people having different priorities and different agendas, all of them worthwhile, but not working together so that all of their efforts are maximised and people benefit as a result of that.

I have been reading quietly and listening to the comments you have made here. There are some wonderful incisive comments. There were your own comments, Alison, about the grave problems of people dying from alcoholism, poverty and all of that, and that the schools are neglected and the Northern Territory is not doing its job. Lindsay Turner says:

What we need to be record as saying that we want to start owning economic enterprise, so that our kids here, these noisy kids in the next ten, forty years, they be running their own affair.

Andrew Spencer said:

Like my uncle said, you know, we need the Land Council be a government, turn into the government so that the Land Council can look at all our schools. . .

Listening to all of you talk and trying to learn as I go, it seems to me that one of the things this committee might be able to do is to recommend that we have look at what I call a pilot scheme. This pilot scheme would say that we are going into a new century in white man's or Australian terms, why don't we turn the page? Why don't we all sit down, that is the Commonwealth government, the Northern Territory government, ATSI regional councils, land councils and local government and come up with a proposal to share our talent and objectives for three years in one part of the Northern Territory?

We each keep our own separate identities, but for three years we all work to see if by pooling our talent we can produce a better model and result for all Aboriginal people and maybe this could be used for other purposes. I do not want you to say yes or no to that.

Ms Anderson—Even with that, I can still see NTAC flipping up the top there.

CHAIR—I knew you would say that and I do not blame you. But I wanted to tell you that if my committee did agree with that—and they may not—we would make sure in our recommendation that it is not going to be ATSI; it is not going to be like that council that Mr Reeves talked about. It would be one which would protect each of you, but would bring you together through what I started to say to you at the beginning, that the best things you can do are the things you do together. The best results you can get for your people, and the best results we can get for all Australians, is by getting all the people working together with common goals.

There is so much mistrust, rightly or wrongly, between people in the Northern Territory. It seems that you need a circuit breaker. You need an opportunity to work together for a period of, say, three years in just one part of Australia so that all people can look and say, 'I don't like that. We're not going to have that' or 'I don't mind that.' I wanted to float with you that possibility.

Mr SNOWDON—The land council has already proposed those possibilities as regional agreements, where the land council has put up formal propositions—I have written papers on this issue and am happy to make these available to you—which talk about concentrating all of these resources through a regional agreement.

Ms Anderson—The decisions that this regional council has passed supporting the land council for that horticulture and—

CHAIR—You would like them to be included as exhibits?

Ms Anderson—Yes.

Mr MELHAM—I want to pick up on the regional agreements issue. One of the benefits of regional agreements and locally based solutions is that they also allow for diversity.

Different parts of the Territory—and different parts of Australia—require locally based and different solutions because some people do not have an economic base, and there are other particular problems. Is that a fair summary—that we need to be careful because the same solution will not cover the whole of the Territory?

Ms Anderson—You are right.

Mr MELHAM—That is one of the benefits of regional agreements. They provide flexibility for some locally based solutions, solutions that in one area will be different from other parts of the Territory because of the different history and upbringing.

Ms Anderson—That is right. You have some people in the Territory who are really sore because they come from the stolen generation—Peter Gunner is one of them. Both the Australian government and the NT government refuse to say sorry, not for what white people are doing now but for what they did years ago. Someone has got to say sorry to people like Peter.

Mr MELHAM—That is what concerns me—

Mr SNOWDON—It also fits in with the Native Title Act.

Mr MELHAM—Exactly. It worries me that there seems to be a double standard, where people think that the problems are the same for all Aboriginal people when they are not.

Ms Anderson—The problems are very different across Aboriginal people.

CHAIR—And across non-Aboriginal people also.

Ms Anderson—We will show the chairman the eastern communities on the map.

Mr MELHAM—You can give us a few examples. I would like them on the record to emphasise the point.

Ms Anderson—A lot of those people are still on pastoral leases. They do not own their land and they still live in matchboxes. It is a pity that this committee did not go to any of these communities.

Mr SNOWDON—We were going to but—

Ms Anderson—There was that sorry business there, which was a pity. You could have seen how these people still live. Mr Gunner comes from that area. A lot of his people still live, in 1999, on an outstation with a 44-gallon drum of water—in a tin humpy with no electricity. We are talking about 1999 and going on to the next millennium—the year 2000—when we hope that everybody will be living with proper septic systems, proper housing and proper water. These people—where Mr Gunner comes from—and most of the eastern communities still have nothing. We still need the land rights act to be there to get this land back for these people.

Mr QUICK—The chairman of another House committee and I are looking into indigenous health. We could make a point of going out to see Peter's country.

Mr SNOWDON—They have a good health service there, so you should go to talk to them.

Ms Anderson—You could observe the difference between an independent medical service and a Northern Territory run medical service.

CHAIR—I understand that Mrs Armstrong wanted to say something, before I close.

Mrs Armstrong—I live on a pastoral lease on Angas Downs. We bought it with our own money, through the bank. I cannot use the airstrip that the station owner uses because he locks the gate. So when ATSIC has to fly me out for a meeting, I cannot get on a plane.

CHAIR—Thank you very much for your evidence and submissions. It has been a good, fruitful talk.

Resolved (on motion by **Mr Snowdon**, seconded by **Mr Quick**):

That this committee authorises publication of the evidence given at public hearing this day.

Committee adjourned at 10.07 a.m.

