

[PROOF]



HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER
AFFAIRS

Reference: Greater autonomy for Torres Strait Islanders

THURSDAY ISLAND

Wednesday, 7 May 1997

PROOF HANSARD REPORT

CONDITIONS OF DISTRIBUTION

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CANBERRA

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

Members:

Mr Lieberman (Chair)

Mr Albanese	Mr Lloyd
Mr Campbell	Mr Marek
Mr Dondas	Mr Melham
Mr Entsch	Dr Nelson
Mr Holding	Mr Pyne
Mr Katter	Mr Quick
	Mr Tony Smith

Matter referred for inquiry into and report on:

Whether the people of the Torres Strait would benefit from a greater degree of autonomy;

If so, what forms should a greater degree of autonomy take; and

What implications would greater autonomy have for Torres Strait Islanders resident outside the Torres Strait region including whether the Aboriginal and Torres Strait Islander Commission or the Torres Strait Regional Authority should represent the interests of such residents.

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

(Seminar)

Greater autonomy for Torres Strait Islanders

THURSDAY ISLAND

Wednesday, 7 May 1997

Present

Mr Lieberman (Chair)

Mr Holding

Mr Marek

Mr Lloyd

Mr Tony Smith

The committee met at 9.09 a.m.

Mr Lieberman took the chair.

INDIVIDUALS ATTENDING

Mr John Abednego
Mr Akee
Mr Bill Arthur
Mr Bishop
Mr A. Bon
Mr D. Bon
Mrs Dorante
Mr Elu
Mrs Fischer
Ms Rumina Fuji
Mr Henry Garnier
Mr Chris Goodreid
Mrs Flo Kennedy
Mr Jim Lloyd
Mr Getano Lui
Ms Malone
Ms Thomasina Mam
Mr Mills
Mr Misi
Mr George Mye
Mr Newie
Mr Noah
Mr Nona
Mr Passi
Dr Will Sanders
Mr Bill Shibasaki
Mr Stephen
Mr Francis Tapim
Mr Terry Waia
Mr W. Waia
Dr Roney Wasaga

Mr LIEBERMAN—Welcome ladies and gentlemen. I will be saying a few more words of welcome in a moment, but before we proceed any further, I would be delighted if you would allow me to introduce you to Father Townsend, who has been invited by us to offer a prayer for us and for our deliberations and for all the people of Australia.

The meeting was opened with prayer by Mr Townsend—

Mr LIEBERMAN - Ladies and gentlemen, once again, I extend to you all a very warm welcome on behalf of the Aboriginal and Torres Strait Committee of the House of Representatives and on behalf of the people who are very keen to see this inquiry bring about some recommendations to extend, increase and improve the autonomy of Torres Strait Island people.

The committee's inquiry has been going on for quite some time. I will say some words about that and give an overview of it shortly. We have met many of you during the committee's first visit here in October 1996. That was the beginning of the inquiry and now we are back at your invitation. We are very glad to be back and thank you very much for your warm welcome and your encouragement in the challenges that lie ahead for us in this inquiry.

Since we were here last you have had elections for chairs of island community councils and an election for office holders of the TSRA. We are very pleased to have the opportunity of hearing from the new office bearers. They are most welcome. We also acknowledge and appreciate the contribution of past office bearers in their work for Torres Strait Island people.

In particular, I would like to congratulate John on his election as Chairman of TSRA. We look forward to working with you, John. John will be part of the first panel with me as well. In a very short moment I will ask John to say a few short words in respect to that before I ask you to make a contribution from the panel.

I would like to introduce to you all members of the parliamentary committee who are travelling with us today. I know that you have met them before, but it would be nice for me to revisit and to formally introduce them to you. I would like to introduce Mr Clyde Holding. Mr Holding is a member of the Labor Party and a very distinguished member of the Australian parliament. His wisdom and expertise and contribution is acknowledged by me, in particular, as a former minister for Aboriginal and Torres Strait Islanders in Australia. It is great to have you with us, Clyde. We appreciate that very much.

Mr Paul Marek is a member of the National Party and is a Queensland member of parliament. Mr Tony Smith is a member of the Liberal Party and a member of the House of Representatives in Queensland. We also have Mr Jim Lloyd. Jim is a member of the Liberal Party. He holds a seat in New South Wales—also with a lot of water around it, I

might add—on the Hawkesbury River. It is good to have you here.

We have had other members of the committee travelling with us this week. Some of them have had to go back to attend to other duties. All of the members of the parliamentary committee have asked me to extend to you their best wishes and their enthusiasm for the challenge that this report gives to them.

I would now like to ask John, as our new Chair, if he would like to make a few comments before I resume with some information about the seminar today. John, would you like to say a few words.

Mr Abednego—Good morning, family. Just quickly, I want to acknowledge umi lan and the Kaurareg people and discuss this important issue. I want to give acknowledgment and recognition to the Kaurareg land. This is something that has been talked about in the past. At this important meeting we must give it that recognition for the traditional owners of this area.

In saying all that, we have this important topic of greater autonomy. This is something that we have been talking about for a long time, talking about the same thing. In one of my recent visits to the outer island, I attended one community meeting. I heard the vibes and the talk that came to me from the people who spoke. Let us have no more talk; let us make it happen and let us get it done. That is the talk that came from community consultation by me. Let us make it happen. I look forward to this two-day session. Hopefully, we will have a fruitful outcome.

Mr LIEBERMAN—Ladies and gentlemen, with your permission, I would like the seminar to be as informal as possible, but sticking to the guidelines so we get about our business and, picking up what John said, so that we come up with some very good deliberations and recommendations and get on with the job. With your permission, I will now speak from a seated position and just conclude some introductory remarks before we open the first session.

The inquiry was referred to the parliamentary committee in August 1996 by the Minister for Aboriginal and Torres Strait Islander Affairs, Senator the Hon. John Herron. It has to do, as you know, with greater autonomy. You are all aware of the terms of reference and you have a copy with you. As you know, they present a great challenge because they ask us to reflect and report on the benefits that would come from a greater degree of autonomy, what forms autonomy might take and also the implications for residents on mainland Australia of Torres Strait Island family. What impact this would have on them is a very important part of our inquiry. I am sure it will be touched on today many times.

We also have to have regard to how our recommendations for greater autonomy might affect other indigenous people in Australia, because it could be a precedent, who

knows? Those are very challenging terms of reference. You have copies there, and I am sure you will have studied them very closely.

It is important for me to remind members of the seminar of the process of the inquiry and how the parliamentary committee process works. The first stage of the inquiry has been, and still is in part, the collection of evidence, both written and by discussion. We began collecting written evidence, which we call submissions, in September 1996. In October 1996 we started taking oral evidence by holding public hearings in many places—Townsville, Cairns, Thursday Island, St Pauls, Kubin, Saibai, Murray, Yorke and Darnley Islands.

In March this year we held hearings in Brisbane and Canberra. In April this year we held discussions in Alice Springs and Darwin and in Rockhampton and Mackay yesterday. In addition to holding this seminar today and a public meeting here tomorrow morning, the committee will be revisiting Cairns and Townsville on our way back to Canberra. We hope that we will have the final hearing in Canberra over the next two or three weeks.

Unfortunately, we have not been able to visit every place in Australia, either in the straits or in the mainland, as much as we would have liked to. We particularly wanted to hear from all Torres Strait Islanders but you would understand that that is not absolutely achievable, although we have tried our best. I hope that you will agree with me that the committee's efforts to be available and to meet people do reflect the importance and significance of Torres Strait Island affairs to all of us.

Our next task will be to prepare our report for the parliament. The committee cannot make decisions itself about greater autonomy; we can only make recommendations. These recommendations can be to the parliament itself, asking it to change laws or to make new ones, which would be about the degree of autonomy of the people of Torres Strait, or our recommendations can be made to the government asking it to take certain actions which will have an impact on the degree of autonomy or other related matters.

Neither the government nor the parliament is obliged to agree to the recommendations we make when we do present our report. So our best chance to get the parliament or the government to agree to carry out our recommendations is for us to offer them very convincing reasons why they should do so. That is where this seminar comes in. We need your help to decide what should be done and to come up with good reasons and arguments to back up our recommendations. Autonomy means the people of the Torres Strait having a say. We sincerely want that to be reflected in our report to parliament.

With those few words, I would now like to deal with some housekeeping matters and then we still start into our first session.

There are copies of the programs and timetable. I would like everyone to indicate if they have copies of all of those. Let the secretariat staff know if you have not. It is on a yellow page. There have been some changes to the program since the discussion paper was distributed, so you should make sure you have an up-to-date copy for the work that we are doing today.

The format of each of the five sessions is as follows. There will be two short presentations by panel members. Then there will be a discussion, if necessary, amongst the panel members, which you will listen to and observe, and then questions and comments from the audience. That is the broad format of it. Each session will last for about an hour. We will take a break for morning and afternoon tea and lunch. Morning and afternoon tea will be provided for you. We hope that you will join us in that hospitality. Unfortunately, lunch will not be able to be provided because of the committee's budget. But I understand that the motel here has made arrangements for a buffet lunch at a cost of \$12.50 per person.

There will be an opportunity for members of the panel to get together informally this evening. The secretariat will let you know about that as the day progresses.

Tomorrow morning the committee would also like to take the opportunity of hearing from any member of the community, whether or not they were here today—that is, anyone else who would like to come along, including yourselves—tomorrow morning at a public meeting which we will hold here from 9 o'clock to 10.30 a.m. I think it is going to be in the outside bar area. That will be the final opportunity for you to make comments to the committee before we start writing our report.

Finally, if you have any questions about the committee, the seminar or public meeting or the inquiry, there are members of the secretariat and members of the committee that I have introduced you to who will be happy to help you. I hope that overview will bring you up to date.

With your permission, I will now commence session No. 1. As you will see, the members of the panel are with me today. The session starts off with the very challenging topic—benefits of greater autonomy. As the first presenter in that panel, I would like to give you a brief paper on it, and then we will move on to the second speaker.

I will try to make my comments as brief as possible because you have already heard from me at some length and you are also anxious to hear the views of other people and because the committee is here to learn and not to teach. So please understand our sincere desire to be listeners rather than people talking to you. But it is necessary for me to make some comments, which I will now make.

The first panel discussion issue is on the benefits of greater autonomy. I would like to commence my contribution by making some observations on the definitions of

autonomy and who might benefit from a greater degree of autonomy. I would then like to make a comment on how a few of the witnesses to this inquiry have focused on what actual benefits might flow to the people of the Torres Strait from a greater degree of autonomy.

The Macquarie Dictionary definition of the word 'autonomy' includes the following alternatives: self-government, or the right of self-government; independence; self-sufficiency; and self-regulation. The fact that our terms of reference refer to 'a greater degree of autonomy' implies that we are not meant to interpret the term in an absolute way. If the term 'autonomy' is used to mean absolute power and control, there cannot be any greater, or indeed any lesser, degree of autonomy. It is like the concept of being a little bit pregnant or a little bit deceased; there are not degrees of these states—you either are or you are not. I would suggest therefore that it is not helpful for us to focus on an absolute definition of autonomy.

To return to the definition of autonomy, I propose the following for the consideration of this panel and for all members of this audience today: autonomy is a measure of control over the policies and the administration of those policies which affect the lives of the people of the Torres Strait. It is a fairly long definition. I would welcome your comments on it when we get to the open part of the seminar. This definition of autonomy bring us then to the question of who would benefit from a greater degree of autonomy—that is, who are the people of the Torres Strait?

The first term of reference of the inquiry says 'whether the people of the Torres Strait would benefit from a greater degree of autonomy.' It does not mention only Torres Strait Islanders. That is a very significant comment that I would like you to reflect on.

I propose that we take the widest possible definition of the first term of reference. It should include, for example, the people who live in the Torres Strait villages on Cape York. The phrase 'the people of the Torres Strait' does not, in my opinion, exclude those who came to these islands more recently than most of you. I think it should be interpreted as including people of all racial and cultural backgrounds who have made their homes in the Torres Strait region and who are citizens of this country.

Whilst we need not include casual visitors, I think we are considering what benefits might flow to those whose ancestors have lived on these islands since time immemorial and those of Asian and European background who have arrived more recently to make this place their permanent home amongst you and who are your friends and neighbours and, as well as those, whose heritage includes more than one culture.

One of the tough questions is: are mainlander Torres Strait Islanders included in the group 'the people of the Torres Strait'? I know George is honing in on that because of his comments to me some months ago about making sure that there would be a strong bridge between the brothers and sisters on the mainland and the islands. So this is a very

important question. Therefore, the question of whether mainlander Torres Strait Islanders are included in the group is something this panel should focus on very much.

I do not think we have to answer this question in a specific way. Clearly, our terms of reference require us to consider those people who are originally from the Torres Strait region or whose parents or grandparents are from the region and who may now live on the mainland. However, the role of these mainlanders in relation to a greater degree of autonomy might be different from the role of those who live in the region. I think that is the nub of it, personally. I think there should be no argument that the mainland Torres Strait Islanders should be included in our deliberations. But the question of the role they play in the day-to-day running of affairs for Torres Strait Island here is a question that I think should be separate and closely examined.

You might take the view that there should be considerable involvement of mainland Torres Strait Island in the running of affairs on the islands, or you may not. They are questions that I pose for you and I guess challenge you to respond to today.

I have not come to tell you whether it will or should be different. I have come to ask your opinion. I know that there are a variety of opinions and we have heard them as we have travelled around Australia. There is a session on that particular issue during the seminar which will address those matters as well.

The other question in the terms of reference is whether a greater degree of autonomy will result in benefits to the people of the Torres Strait. It is a very important question. It is all very well to go on to an inquiry about autonomy but the bottom line has to be: what is the benefit? What long-term, enduring and lasting benefit will come to Torres Strait Island people by a change in autonomy?

Having touched on what we mean when we talk about autonomy and who we are talking about, the fundamental question for this panel is whether greater autonomy will bring benefits. If there is not a yes answer to this particular question, why are we talking about changing the present level of control exercised by Torres Strait Islanders over their own affairs? We do not want change just for the sake of change; we should be looking for change because it will benefit people. That, I hope, will be the spirit of the approach to the discussion.

I believe there will be benefits arising from a greater degree of autonomy but the case needs to be argued. Exactly what benefits do you think will arise? How will they improve the everyday life of the people? What difference will a greater degree of autonomy make? They are questions that I think we should be exercising our minds on.

I hope there are many suggestions coming from the seminar to address these questions. The evidence, until now, has tended just to assume that greater autonomy is a benefit. It probably is, but you cannot just assume things. You have to argue them; you

have to develop your case.

Certainly, the Royal Commission on Black Deaths in Custody made this point and, to some extent, it is self-evident. A belief in the benefits of greater control over your own affairs, over local affairs, has, in fact, been the basis of your moves over the past few years to establish the TSRA and to have a greater input into both Commonwealth and state government powers exercised in this region.

However, I would like to remind you that, for the purposes of the report of the committee to the parliament, relying on something being just self-evident is not a good way of arguing for change. Please tell us what you think the benefits are. We want to know the details of those so that we, on your behalf, can take them back to parliament. Thank you for listening to me on that. I know it was a little long, but I hope it also challenged you as well. I have much pleasure now in asking my colleague, the second speaker in this seminar, John, to make a presentation.

Mr Abednego—Thank you. The Hon. Mr Lieberman, members of the committee, chairman of ICC, Mayor of Torres Shire Council, elected leaders and elders, brothers and sisters from the mainland, ladies and gentlemen, I am pleased to have been invited to make a presentation today on the benefits of greater autonomy for the Torres Strait region and its people. I consider this topic, the achievement of greater autonomy, to be a high priority for the region and the Torres Strait Regional Authority.

I would like to start by addressing the question: what is greater autonomy? I will then go on to outline what form greater autonomy should take in the Torres Strait. Lastly, I will briefly talk about the specific benefits of greater autonomy. What is greater autonomy? Greater autonomy for this region means that we, Torres Strait Islanders, have the authority to manage and decide the way in which we live—proper authority.

Greater autonomy is about having the capacity to manage our own affairs. It means that we have the power to control our social, economic and political development. Central to the issue of greater autonomy is the recognition of our fundamental rights as human beings. As the recognised inhabitants of this region, we have an inherent right to determine the way in which we live and to manage the affairs of the region.

Self-determination and self-management are critical dimensions in achieving greater autonomy and ensuring that our people and their rights do not become marginalised. These rights should be fully recognised and must go hand in hand with measures to give our people greater control of our home, our environment, our economy and the preservation of our culture.

What form should greater autonomy take? The TSRA vision is to empower our people to determine their own affairs based on our unique island custom ‘belong Torres Strait’. This, in itself, is a vision of greater autonomy. The formation of the TSRA on 1

July 1994 was a step along the path to achieving greater autonomy for the Torres Strait region.

It is now time to take the next step—that is, to create a more autonomous body. A more autonomous body would have a greater say in what happens in this region. This means it would have influence over decisions made by the Commonwealth and state agencies that operate in the Torres Strait. We must seek to achieve greater autonomy in a spirit of cooperation. The TSRA recommends that there be a gradual evolution towards greater autonomy for the Torres Strait region.

Along the way we must talk to our people and listen to our old people. We will also negotiate with the Commonwealth government and the Queensland state government to seek an agreed form of greater autonomy for this region. The benefits are there for umi. Greater autonomy for Torres Strait Islanders is more than just a recognised right. It is also a sensible goal that will provide real and proper benefits to umi, to our people. When people have greater control over the decisions that affect their lives, then these decisions are more likely to be the right ones and they are more likely to succeed.

The Torres Strait people are the best qualified ones to speak, as we know and experience the day-to-day problems inside the Torres Strait. Greater autonomy for the Torres Strait is quite simply a more effective structure in which to address the needs of our people. The benefits of greater autonomy for the Torres Strait region are numerous. Today, I will briefly look at four major benefits to our people in this region.

Firstly, greater autonomy would allow us to be better able to maintain and protect our culture. Our identity is important. This cannot be achieved by anybody else. Our culture can only be maintained by Torres Strait Islanders. We are the ones that must be responsible for this preservation. A more autonomous entity would ensure that the protection of our island customs rest in our own hands.

Secondly, a more autonomous body would ensure the proper coordination and planning of services to meet the specific needs of our people. A coordinated approach would avoid program duplication and waste. Effective solutions can be achieved but there must be coordination and cooperation. A more autonomous body could fulfil this role.

Thirdly, regional development is better achieved if the people who have a stake in the outcomes are included in the decision making process. In achieving greater autonomy, it is important to create a sustainable economic base that is important for this region. Progress will come through regional strategies designed specifically for the conditions of the Torres Strait.

Finally, greater autonomy will help us in protecting our environment. Torres Strait Islanders have a long and close association with the waters and the lands of this region. Because of this, we have a particular interest in the management of the environment and

its resources. A more autonomous body would be in the best position to make use of our traditional knowledge and to ensure a coordinated approach to addressing the needs of this fragile environment.

In our submission to the inquiry, the TSI recommended that a task force be set up to examine options of greater autonomy. We believe that this task force should investigate the benefits of creating a more autonomous body, its roles and responsibilities. We have recommended that the task force be chaired by the TSRA and consist of Commonwealth and state officials. This task force will consult widely with the public and all key stakeholders and report its recommendation to the Minister for Aboriginal and Torres Strait Islander Affairs.

The TSRA looks forward to continuing to work closely with the Commonwealth and state government in advancing our progress towards achieving greater autonomy for the Torres Strait region and its people. I, for one, firmly believe that it is time for the Torres Strait to start managing its own affairs for the benefit of all people living in Torres Strait and to look at the possibility of territorial concept, to extinguish puppet control and to establish community control. Thank you.

Mr LIEBERMAN—Thank you, John. That concludes the presentations. I now open the matter for discussion amongst panel members and ask if they would like to make any additional comments or pose any questions.

Ms Fuji—I would like to support both speakers. There needs to be a clearer, in my point of view, definition on all the words that have been used on both sides, whether that means that there needs to be a comeback or we finalise all those definitions of autonomy today or by tomorrow. I am open for questions if people want to ask what my opinions are but they are solely mine and, I guess, the community I represent.

Dr Wasaga—First, I would like to thank you for the invitation to be on the panel here. It is my first time to sit here and face a group of people sitting around me. I totally support what the chair, Mr Lieberman, said here, that we need to tell them what we really want. Autonomy is not a little thing. We can say big words like self-management and self-determination but we have got to get down to the nitty-gritty—for example, our economic base—before we talk about autonomy. Then we have play it straight from the nerve centre. We have got to tell them what we want.

I also support the chairman for the TSRA. We have a document that was, I believe, presented back in October to the previous chair. Everything that we want is inside the document. It has everything about the Island man and what we want and that culture that identifies umi. We carry culture in our body, sole, mind and spirit. We no act like a film star, we carry that culture proper because it identifies us. But in our sea there is a gold mine and on our land there is a gold mine of resources that we need to think proper strongly about how we can manage. I know we can. This far we have proven to

government that we can. We will not forget that one man above us is the Almighty God and we carry him all along. I will leave it there.

Mrs Kennedy—I want to know what people you are talking about here. I was a bit slow writing it down and I missed that one. Just go back to your paper. Who are the people that are involved who must have a say? Then I want to say something. Are you talking about others, besides islanders?

Mr Abednego—Everyone—all the stakeholders living in Torres Strait.

Mrs Kennedy—All right. This is what I want to say: we are Torres Strait Islanders and we are interested in Torres Strait Islander things that belong to us. I know you mentioned other people—people of other bloods who live here. But we are the indigenous people of this area and we want to talk about things that mean something to us. We are kind to these people—the other people that come here of other bloods. We like to see them happy. But these islands and these seas are ours. What I want to talk about is something that belongs to us. If they have something good that comes from all this that belongs to us, okay, but this thing belongs to us.

As for autonomy, we do not have enough of it. We must talk about it. We must do other things. I just came from overseas looking at fisheries. My friend and I are looking at fisheries all over the place. We do not have anything. If we do not watch out, they are going to do to us what the farmers like to do or might be doing in Australia. We do not want that. These islands are ours; these lands are ours. It is up to you people to save it for us. There is plenty that I would like to say, but I will leave it for somebody else.

Mr LIEBERMAN—Thank you, Flo. Anyone else?

Mrs Dorante—I represent the women's organisation, Murak Kosker Sorority Inc. John was saying that this new autonomous body would coordinate services. As you know, we have a housing shortage on Thursday Island which is very bad at this time. You said you will be coordinating the services here on Thursday Island. Do you mean the government services or the community services?

Mr Abednego—All services.

Mrs Dorante—I would like to suggest that, if Horn Island does not mind, they take all the government services over there, then there will be room on Thursday Island for community people. With the set up of the regional authority—

Mr LIEBERMAN—Helen, would you just explain what you meant by that. Just expand a bit. Obviously, the people here know what you meant, but I do not and I need to know what you meant by that.

Mrs Dorante—I said that we had a housing shortage here and houses that are going up are going to service people instead of community people. Houses are going up for the people who work here—people who come from outside of Thursday Island. They work in the different government departments that are on Thursday Island. I think there are too many of them here. This place should be utopia, with the number of services that we have here.

Mr LIEBERMAN—Just quickly—I still want you to keep going—who in this audience can tell me who makes the decision to allocate the houses? Is there someone here who can tell me that? Is it a Queensland state government body that does that? Is there anyone who can enlighten me on that?

Mr Akee—Both the state and Commonwealth have separate bodies which look after housing policies. Both have their own departments that look after housing for public servants.

Mr LIEBERMAN—Are there any guidelines setting out the priorities and the method by which those priorities are applied?

Mr Akee—Yes. There are three guidelines. In the state government there is one where you do not own the land on the island; you have to be a transferee and you have to fill a departmental need in this area to be eligible for a public sector house.

Mr LIEBERMAN—As you can see, there is a lot of background information that we need to have to understand your comment. What you appear to be saying to the seminar is that the guidelines are skewed against local residents and people coming here to do particular tasks for government get a priority.

Mrs Dorante—Yes, because they provide their own housing. The government is not supplying enough housing for the people here. Also, the government is taking up the space. Thursday Island is not a big place and most of the housing that you see up on the hillside belongs to government. Also, since the government took over buying space on the island with regard to housing, the price of land has rocketed. Normal local community people have to go into debt to get their own place. Where is the government helping there? It is not.

Mr LIEBERMAN—It is a bit ironic because back on the mainland communities are making representations to me saying, ‘Lew, there are not enough government services in my community. Can’t you get a government department to move?’ So the irony of the situation, Helen, from what you are telling me is that it is not necessarily a good thing up here.

Mrs Dorante—No.

Mr Elu—Lou talked about policy creation and administration. I would like to bring your attention to the paper and the submission. We can talk about government policy and administration but behind it all it is funding oriented. None of you have talked about funding to stack up against this. No matter what you do in today's world, unless you stack dollars against what you think or say, it is just voices in the wind.

I think what you are trying to get at is exactly what is happening here. The government is coming in with their money and their policies without giving the man in the street anything to go by. Whatever autonomy you are talking about, if it does not have dollars with it then it will still be just 10 per cent of the people in Torres Strait getting the benefit. The man out in the street is not going to benefit at all.

Mr LIEBERMAN—Thank you. That is a good comment.

Mr Misi—I represent the Torres Strait fishermen, the local people, the grassroots people. There is a 10-year waiting time for a house. That is how long we have to wait for a house. We might as well build one out of local material.

We are talking about greater autonomy. Greater autonomy to me would be greater control because there is room for it here in Torres Strait. The Australian constitution gives us the power to have greater autonomy and to become another territory or maybe a small state. This would look at the overall problems. We would have control of all the social and economic problems we are facing today. The money would come directly from Canberra and we would be the ones allocating those funds to look at problems we have in the Torres Strait.

This is the underlying problem we have here. We have no control over the funds, therefore we have no control over the social and economic problems that we have here. If we set up a territory or a small state, then we as a people could achieve that in a much more positive manner. When we look at Papua New Guinea, for example, they were given greater autonomy. They were given the power to rule themselves, although their problems are not over.

Although they have got a Westminster system that is working there, they are still not tuned to the cultural needs of the people, and they still have a lot of problems as a developing country. We Torres Strait Islanders can take a lesson from them. We can look at ways of finetuning it and we can look at ways of developing an economy and a political system that would work for us, with the assistance of the Commonwealth government and perhaps the state government.

But when we look at the history of colonisation here in Australia, especially in Queensland, we find that Torres Strait Islanders have always been No. 2. We have always been considered as people who cannot do things for themselves. We have been pushed aside. This is what has been happening, and it is still happening because the policies are

not really there for Torres Strait Islanders. They are for the greater majority of the people on the mainland. This is what we want: we want to make the decisions for ourselves. Like I said, there is room in the constitution for us and then we can look positively and more constructively at the social and economic problems we have here.

We have the biggest health problem here. That has been going on for many years. The government has spent millions and millions of dollars trying to clear it up, but it is still a problem. This is why I feel that instead of focusing on the various problems that we do have—which we know we have because it has all been recorded and put into reports and summaries—what the task force should look at is when we are going to install this process of greater autonomy.

In other places where there are indigenous people—for example, the Inuits of Canada, and Canada is very similar to Australia in many ways, are a people living on the marginal areas of Canada, on the wastelands of the north-west territory—what is happening over there is that they have greater control. They are making decisions for themselves. They are looking after their culture. That is the main priority: their cultural values and their traditions. We, as a people, want to be identified as Torres Strait Islanders. The only way we can do that is that we have a greater form of autonomy by becoming a state or a territory.

The room is there within the Australian constitution and it is no good looking at tokenistic structures that down the track will fail. We would like to work in with our brothers and sisters on the mainland. We have 6,000 people here. Down there, we have about 25,000 to 30,000. In a democratic country, the majority wins. We can use that as a lever to achieve what we want to achieve, whether it is in the Torres Strait or whether it is on the mainland.

We as a people still believe in our traditions and culture. Even though I might be living in Tasmania, when I come back here, my land is still my land. This is part of the native title argument now. But it is still recognised, regardless of whether the government recognises it or not. We as a people still practice our traditions and our culture.

So, if I come back to Mabuiag and there is somebody living on my land, I will tell them to get off. It is my land. It is a part of our culture. I would like to see in the Straits a political structure that is fully controlled by the people, working with the Australian governments, but also this structure will be developing the social and economic needs of the people and we will be here in the Torres Strait listening to the people. We could really develop this community and become as one and also become part of Australia.

Mr LIEBERMAN - Thank you, Charles. Would the panel members like to make any comments or observations on Charles's statement?

Dr Wasaga—I would like to make a comment on one part there, Charles: health.

We have worked on it. We have placed a primary health structure in there. We are supported by the minister for health. It is a better structure for the rest of Queensland. It is our role model, and we thank God that we indigenous people did it. So, health-wise, we are there.

Ms Fuji—I would like to make a comment on the housing that was mentioned before. I am coming from a proprietary and self-managed base. We offer rental properties as well. To compete with grants and people who are charging market rates is a bit of a concern for us as business people. I would like this House of Representatives committee to give that some consideration—to look at the kind of fees that are being charged for rental homes when they are first getting it off the grant applications, whereas people like us have to go to the bank for the current percentage. They are measuring their rental income on current market prices, which I find has less equity.

Mr Lui—Mr Chairman, I might have misread your address, but I am not too sure of your definition of autonomy. You mentioned a measure of control: we are not really talking about a measure of control; we are talking about a greater measure of control. Because, when I give my address, I will be talking about certain elements of autonomy that we have already in the Straits and people could have misconceptions about what we are talking about when we talk about autonomy.

Mr LIEBERMAN - Yes. I will make a brief comment on that, Getano. The proposal I put forward was that, in considering the meaning of the word 'autonomy', it be regarded as being a word that means 'having a measure of control'. But, in your case, as you are obviously saying and telegraphing, what you will be arguing is that the measure of control—which is what you understand 'autonomy' to mean—should be greater.

Mr Lui—That is right.

Mr LIEBERMAN - Do you understand what I mean? So we are on the same wavelength. But I am trying to provide a foundation for the meaning of autonomy first and, if you accept that, you say, 'We want more of that. We want a greater amount of that.' That is the basis of it.

Mr Lui—Provided that your report does not go to parliament saying that we need 'a measure of control'. What I am saying is that it has to be incorporated that we need a greater measure of control as the definition of autonomy.

Mr LIEBERMAN - Yes. I can confidently predict that that is what the committee's deliberations will examine. That is why we are here, asking you to give us a case to strengthen the argument for why you must have a greater measure of control. Clyde, do you want to add something to that, while Getano has the microphone?

Mr HOLDING—I am little embarrassed by this discussion, for this reason: I do

not think it is about Torres Strait Islanders proving a measure of control. Our task is to sit down and work out the most appropriate form of self-government for Torres Strait Islanders. I have been in two parliaments for 30 years—a state parliament and a federal parliament. I have never seen a government, whether it is Labor or Liberal, that has not made mistakes. But I am a first generation Australian. My parents were Irish. I do not know of a more socially-cohesive group anywhere in Australia than the Torres Strait Islanders. There is a feeling for their own culture. They are without doubt amongst the most Christian communities in the whole of Australia. They do not have to prove, as Australian citizens with a Torres Strait Island heritage, that they are fit for government.

It is really a discussion about what is the most appropriate form of government so that they can control their own destiny and their own future. Many of these people today can trace back their relationship to their land and their family hundreds of years. We cannot do that in the Northern Territory, for example. Among the white settlement of the Northern Territory, there would be very few people who could trace back their ancestry 100 years.

But would we dream of saying to the Northern Territory, which I think will take statehood within the foreseeable future—it should—that you have to prove that you can handle the problems that go with that? It is time we simply moved on and focused on what is the most appropriate form of self-government for the Torres Strait Island people. I do not think they have to prove anything. The sooner we move this discussion to what is the most appropriate form of government the better.

Let me say this: from my experience, the one thing we can be confident of is that they probably will not make as many mistakes as have occurred in other parliaments around Australia. They will make a few but, looking at their track record, I think they are more than capable of making decisions about the future of their own children, the future of their tradition and the future of the lands in most areas of Australia. They do not have to prove anything. It is really a question now of focusing on what is most appropriate—in terms of their culture, their tradition and their rights as Australian citizens—to make determinations about their own future and the future of their children.

Mr LIEBERMAN - Certainly, the committee's terms of reference require us to report on the need for greater autonomy. There is nothing that has been said by me or anyone in the committee that would indicate that the committee or the minister, or the parliament for that matter, doubts your capability to take on greater autonomy. That has certainly not been suggested.

What is being asked is whether greater autonomy would be appropriate. The question of you being capable of taking on the responsibility for that is, in my view, and as Mr Holding has said, totally irrelevant because it is accepted by all of us as being something you obviously can do. I want to make that clear.

What has happened is that state and federal parliaments have limited, since federation in Australia, your scope and ability to have a say over your own affairs and destiny. That is the challenge for our terms of reference. In that context, it is obvious that we need to say in our report to the parliament and to the government, 'Here are the reasons why greater autonomy should be made available.' That is well overdue, but we need to put those points forward. That is the issue. I think we are all on the same wavelength. I do not want any misinterpretation as to what the purpose of the discussion is today.

Mr Lui—I am well aware of what is happening. What I am saying is that, in my very first annual report to parliament, I used the term 'self-government' for Torres Strait. I used it in the forward address to the minister. I was told not to use it because in fact it could upset people within either the Senate or the House. I am conscious of what you said before, that we need to make sure—we do not want to be hypothetical about it—that whatever recommendation comes out of it parliament will accept it. It is crucial that we put the right recommendations forward.

Mr LIEBERMAN - Absolutely.

Mr Lui—We can start talking about these things. But let us face it: it is the political implications that I am talking about. I have said it all along—we have all said it all along—that we want self-government, but nobody has ever come back to us to say, 'Give them the things they really want.' This is the first time that we have had the opportunity to sit down and talk to you about it.

Mr Chairman, you mentioned that Torres Strait can become a precedent for the rest of Australia, but that I do not think it will ever be a precedent for the rest of Australia. It can be a model for other areas or regions in Australia; but one of the reasons that we have been set back time and time again is simply that government seems to think that, if Torres Strait moves ahead, it will only set precedents for people in New South Wales, Western Australia and the Northern Territory. But we cannot, because we are unique to this area and to this region.

Something that needs to be understood by both the state and Commonwealth governments is that anything that is done here should be taken in the context of Torres Strait being a unique region, and any structure that is put in place must be taken in isolation from the rest of Australia. That is the only way we will get things done.

Mr LIEBERMAN—A very good comment. Thank you for that.

Ms Mam—I am Vice-President of the National Torres Strait Islanders Secretariat on the mainland. One of the questions I propose to Mr Lieberman and Mr Abednego, and perhaps to the other two panellists also, is that the session discussion paper looks at the issue of benefits for mainland Torres Strait Islanders. I appreciate that you have only just

touched on that, but I would like to hear perhaps a fuller view of what your positions are in relation to mainland Torres Strait Islanders.

Mr LIEBERMAN—We have had discussions with mainland and homeland Torres Strait Island people, as you know, and the mainland people are saying that they wish to be considered, they wish to continue to be very deeply culturally involved in the future of Torres Strait Island, and they do not want to be cut off. That is coming through loud and clear, and very strong and convincing submissions have been made in that regard.

Some mainland Torres Strait Islanders are also saying that they want to have a measure of control shared with residents of Torres Strait Island over the affairs of Torres Strait Island, but others are saying, 'No; we think that should be left to the people on Torres Strait Island.' So the committee will have to analyse and balance all of that in its final deliberations. We have an open mind on it, although my personal strong conviction is that the culture and traditions of Torres Strait Islanders is a valuable resource and should be preserved, and that people living on the mainland should have a bridge always with Torres Strait Island people on the islands.

Mr Abednego—I would comment that what we are talking about here today is looking at the big picture. We welcome comments from our brothers and sisters from the mainland to have an input into where we are going from here. And you may consider that, when the time comes, we will sit down and talk about the structure. It will be our design: nobody else will design for you and me. If you are a Torres Strait Islander, by your human rights you have a right to input into this design and into where we are going from here. No matter where you live, you can have that right to talk, to speak and to design for you and me.

Ms Mam—I had not finished, Chairman. The other point I wanted to make was that page 5 of the seminar discussion paper refers to Islanders feeling that 'their status as a separate ethnic group entitles them to separate representation.' I do not believe it should be the word 'ethnic'. Perhaps it is playing with words. I do not believe I am an 'ethnic': I am an indigenous person of the Torres Strait, and we are one of two groups—not the second group—of indigenous people.

This country, Australia, is in a unique position in having two indigenous races: Aboriginal people on the mainland, and Torres Strait Islander people of the Torres Strait area here. When I look at that statement, automatically all my defences rise. I say that I am not an ethnic person: I am a Torres Strait Islander person who has a blood line from the Torres Strait and who also shares the blood line of the Aboriginal people on the mainland.

But because we are talking Torres Strait, I believe you may need to raise issues here in the forum of whether we consider it as ethnic. I do not believe we are. That is just my view. I believe that we are one of two indigenous races of this country. We are not the

second group of indigenous people, but we are one of two indigenous groups who are in this country of Australia. I just wanted to raise that point.

Mr LIEBERMAN—I think that is a very good point. I am very comfortable with what you just said.

Mr Mye—My contribution is along the line of indigenous Pacific. I heard you talk about people other than the indigenous Torres Strait islander race that lives here. Are we going to talk about them while they are not present? Are they going to get any representation? It is only right that they should have representation at meetings such as these. I think that when you start to extent beyond the bounds of indigenous Pacific you start asking for trouble. This area, I can proudly say as a Torres Strait elder, is number one for a harmonious multicultural society. We just need to be careful in this business. My contribution to this meeting will be as an indigenous Pacific.

Mr LIEBERMAN—I understand. We have had submissions from people asking that the committee, when considering its report, take into account the presence on Torres Strait Island of people of other cultural and racial origins who live here permanently. We have had one recommendation in one submission asking that they be given equal treatment in respect to whatever political structure is devised. That is why it has been mentioned by me. It has come up and it is a very important issue. I don't know why there is no-one here today representing people other than Torres Strait Islander people. They would have been most welcome to come.

Mr Mye—I agree that there are some people other than islanders on Thursday Island whose families have been here for hundreds of years. Some of them you can class as indigenous, and some are more indigenous than the indigenous.

Mr LIEBERMAN—Thanks, George, that is very valuable advice.

Mr Mills—I just want to make an observation more than anything else. One of the things that the Hon. Clyde Holding brought up is quite important because, basically, if you are talking about a further degree of autonomy and look at some of the legal status of some of the bodies we have in the Torres Strait we have already moved to local government status—

Mr LIEBERMAN—Part.

Mr Mills—With Torres Shire?

Mr LIEBERMAN—Yes, but not for the full.

Mr Mills—That is in the out island under the Community Services Act?

Mr LIEBERMAN—That is right.

Mr Mills—Okay. What I am saying is that if you are going to set up a self-management model presiding over a local government structure it does not gel. I was just wondering if, by collapsing all the different state, Commonwealth and local authorities into a model of autonomy, that gives self-management rather than a greater degree of self-determination. As Clyde was saying, you will not achieve what you have talked about.

In essence, there is a contradiction in terms. I think that is something that people sitting here should be aware of rather than just saying, 'We are going to get mixed up with a lot of the terminologies.' But there is a difference between self-management and self-determination. In relation to what is happening up here at the moment, I think we just need to be aware that we are not organising ourselves to have a regional structure that presides over local government structures. We have the advancement at the local level and we are looking for that to be reflected in the macro-structure that you put in place.

Mr LIEBERMAN—Thank you. Jim Lloyd's session will cover those issues. I will just leave it at that, but I have taken on board what you said. Does anyone else want to comment before we break for morning tea?

Mr Misi—I just want to be specific here regarding the fisheries here. For example, when we talk about autonomy, we really have no control over fishing in the Torres Straits because, when you look at the figures here, it says that in 1992 \$27 million was made in the Torres Strait, excluding pearls. The biggest money spinner in the Torres Straits is prawn fishing but none of the Torres Strait Islanders own or control the boats here. Most of the boats come from the mainland. They come up here and there are quite a lot out there. They wreck the ocean bottom, destroy the environment, make their money, go away and then spend it all down there. No money circulates in the Torres Strait.

Mr LIEBERMAN—Charles, I do not want to be rude, but the session after lunch—session No. 4—is on land and sea. Why not leave those comments to that session. I would like to have a cup of tea with you during morning tea because there are a couple of things I want to ask you about the fishing thing on a personal level. Would you mind doing that for me?

Mr Misi—No, I would not mind.

Mr LIEBERMAN—It will be a better contribution from you in that context in that session, Charles. I am mindful of the time that—we have to get through all the other sessions too.

Mr Misi—Okay. Thank you very much.

Mr LIEBERMAN—Thanks for your help on that.

Ms Fuji—I would just like to make a comment. I said earlier that with the words we are using, we need to have the definitions clarified—whether that is at the end of the day or tomorrow. I can understand what Clyde and Philip are both saying. There needs to be an understanding between our people here what all that means and where will it take us. We need to clarify that by tomorrow or come back and do it again another time.

Mr LIEBERMAN—Can I tell you, without even asking my colleagues on the committee, one of the very first paragraphs of the report that this committee will give to the parliament will be that this committee believes fervently and strongly that the people of the Torres Strait Islands are more than capable of making a contribution to greater autonomy and should be able to—and should have been able to years ago. So, let us put that to bed.

Short adjournment

Mr HOLDING—We are running a little behind schedule. So, when we get around to making contributions could you make them short and sharp, because we have to finish this at 11.30. Without any further delay, I will ask Mr Lui, who is our first presenter, to deal with the important topic of the institutional structures and service delivery in the Torres Straits.

Mr Lui—Thanks, Clyde. Perhaps if I can just say from the outset that I really do not feel that we should wait until there is a constitutional change at the anniversary of Federation. What I will be addressing is really a policy change with governments—state and Commonwealth. I will touch on, first of all, on a structure that we already have in place and look at the local government councils. The state government has already given that degree of autonomy to the local councils in our communities where they have the total decision making and the control over essential services and basically the welfare and wellbeing of our communities. So that is already in place.

The next step after that is looking on a regional basis where you have the Island Coordinating Council and the Torres Strait Regional Authority. Both are basically the same, except for the legislation that they come under, Commonwealth and state—one, as I see, with the authority as a financier and the Island Coordinating Council as more of a developer. As an example, I would say that what is happening now, say, with the water supply, for instance, is that the funding comes through the authority to the ICC and the ICC is then responsible, basically in consultation with the community councils, to make sure that the water supply program is in place. It has been monitored by the TSRA and, at the end of the day, it is handed back over to the local councils to administer as their responsibility.

I see that it is very fundamental that there needs to be some policy change in government. It does not really need any drastic change, because we have a governing structure already in place. It is a matter of how we resource it to make it become more

effective and efficient and responsive to our communities and the people. When I say a change in policy direction, we have a structure in place already. I would just like to give an example, for instance, of something we have mentioned about housing.

When you look at land tenure, land on the islands itself is under DOGIT so you cannot sell your land or use it as collateral to get loans to purchase your homes. The best thing for government to do is to change its policy in terms of giving Torres Strait Islanders the benefit of being able to purchase those homes.

One way around it, I would see, is for the government to agree to change the Commonwealth's state housing agreement to take in Torres Strait Islanders and basically give, say, the TSRA the capacity or the authority to make grants to community councils. The community councils, in turn, would make loans to community residents to purchase their homes. That way seems the more appropriate way, where funds will be revolving in that community and not being syphoned off by outside interests. Those are some areas where policy needs to be changed by government. We cannot do it at this stage because of the Commonwealth's state housing agreement.

Another thing concerns, for instance, all areas of developments such as fisheries. People are talking about coexistence with the Wik in the debate at the moment. We have coexisted with commercial fishermen since the ratification of the treaty and we have worked through issues that probably could have become contentious between us. But I think, at the end of the day, government should now recognise that we are talking about controlling all those resources. Therefore, we would be seeking a change of government policy in that direction as well. We cannot be used as a rubber stamp to just endorse licensing arrangements and be part of a management structure with fisheries when we do not really have a direct say in that. This is something that the government needs to look at.

When you look at the submission that was given to this committee from the scientific advisory committee, they have said the income to this area in fisheries was over \$30 million which is leaving this area without anything being put back. If the government was genuine in terms of picking up the shortfall and enhancing the budget of the TSRA, for instance, it could give back what has been taken out of the area and give it more strength. Then surely we could use that extra funding for other economic developments in which at this moment we cannot be competitive in terms of industries and so on.

On education, let me just say that everyone says that we want to create a career path for all our children. One of the things that is stopping us at the moment, of course, is that you say you will give us good schools, but when we ask for accommodation for our children, you say it is not part of your policy that you should build accommodation. Once again, we are being set back behind the eight ball. All it needs is a change in policy direction.

With health, we have a health strategy that has been put in place. People know about the mortality rate and everything that goes with health, but we do not get the resources to meet the needs of the communities. What we are in fact getting is basically 20c worth of income, or 20c worth of resources, and they are expecting 40c worth of outcomes. I am afraid that the way it works up here, if you give us 20c worth of resources then you will get 20c worth of outcomes. I think it should be more measured by the needs of communities up here.

We are not looking at reinventing the wheel in any shape or form, but it is about time the government, if it is genuine in its approach about greater autonomy for us, for Torres Strait Islanders, really should have to look at a policy change. We cannot have policy driven by Canberra or Brisbane, we have to become more influential in those policy decisions that have been made. When you look at how we define autonomy, we have said that the authority and the capacity to manage our own affairs and to maintain our identity as a separate race of indigenous people and to maintain our cultural heritage and so on.

I do not think that the government is genuine enough, or certainly has moved in that direction. Everybody is saying that yes, we will give you autonomy, but they have not really looked at the structure that we have and the delivery of services. There is no real coordination in the Torres Strait by government departments. That needs to be addressed. There is still the mentality of government departments working in isolation from each other, although everyone is working towards the same objectives, which is to benefit our people.

I might also add here that thinking back over the years, when they scaled down the state department of Aboriginal and Torres Strait Islander affairs, instead of handing across the powers that that department had at that time to either local councils or to the ICC or whatever, what they did was to streamline it and now you are a very scaled down department that cannot respond to the needs of our people.

I believe that there was not enough consultation in mainstreaming Torres Strait affairs with the people because we would have had a different sense of direction to put to government. So it all goes back, as far as I am concerned, to the point that there needs to be a drastic change, a change in direction in government policies both in the state and in the Commonwealth. We need to get state and Commonwealth to be working together if we are to achieve any measure of autonomy in the Torres Strait. I would like to leave it there and thank you all very much for your attention.

Mr Goodreid—I am the Director of Intergovernmental Relations with the Department of the Premier and Cabinet. Firstly, I would like to thank Mr Lieberman, the Chair, for inviting me to this particular session today. I have the somewhat dubious honour of appearing before the committee in Brisbane to coordinate the Queensland government's presentations. I would like to start with a few introductory remarks. Would you appreciate that I try to be a good Westminster public servant and I am not a

politician. I can only talk about what the government does in terms of its administration and not what it does in terms of actually making its policies, although I do have a strong influence on the development of those policies.

I note that this session seeks to examine the structures which exist to provide services and representation to Torres Strait Islanders and to discuss ways of providing better and more efficient representation and service delivery in the region. It is quite clear to me, and it is in the Queensland government submission to this inquiry, that there are a great number of resources put into this area, into this region, and into the people by both the Commonwealth and the state government. I do not have a measure in real terms of the Commonwealth government contribution and I do not intend to address that but I do intend to address the state's contribution.

The state at the moment has a considerable number of initiatives, policies and programs, across almost every department of the Queensland government that in some way contributes to the Torres Strait. When you look at that, you have to be very mindful of the fact that government in this country has worked under the federal system for a number of years now—we may wish to change it—but while it does, any changes in the way these things are delivered requires a change in the bureaucracy; that is, a change in the education or the culture of the way people operate.

What has become evident to me by way of the original submission that we put to the inquiry, and a supplementary submission which is soon to go before the inquiry—in fact, I trust it will be signed off by today—is that there is a lack of coordination as Mr Lui says—and I do agree with him—across a number of departments. If you asked anywhere in central government if anybody knew exactly what was contributed by the Queensland government to this region, they could not actually tell you in real terms.

In fact, I would even venture to suggest that they could only tell you what they knew of their own particular areas of interest, whether it was to do with straight out infrastructure, such as infrastructure planning, or whether it was to do with research, or whether it was to do with the provision of services like health or education.

Having said that, there are at least some very significant changes occurring at the moment in terms of Queensland's administration. We are looking at educating the bureaucracy to change in developing policies. We are looking to actually remove a great deal of the overlap and duplication between departments. That is occurring through departments such as my own and it is also occurring in relation to departments of the Commonwealth government where we have similar roles and responsibilities.

The budget process in Queensland is now being driven by a state strategic plan and this strategic plan—which I cannot, unfortunately, present to the inquiry today, but it should be available before the end of this month—identifies quite clearly strategies which involve specifically Torres Strait Islanders. It looks at the issues that need to be developed,

it looks at the issues of coordination and it looks at the basis of economic development.

The second thing that has recently occurred, and it is indicative of the way departments perhaps do not coordinate at times, is that there is a strategy being developed—an economic development strategy specifically—for Aboriginal and Torres Strait Islanders by the Queensland government. It has only just been put before cabinet and it has four specific aims.

The first is an increased number of Aboriginal and Torres Strait people obtaining education qualifications and vocational skills. The second is increased employment opportunities for Aboriginal and Torres Strait people. The third is an increased number of Aboriginal and Torres Strait Islander people owning and/or participating in successful enterprises. The fourth is a strengthened capital investment base for initiating and sustaining economic development.

It is very important that this strategy is developed in close consultation with the people of Torres Strait so that you get a say in how it is developed and you have an understanding of how it might be progressed. It is quite clear that the government is serious about its commitment in this area. That particular economic development strategy will fit very neatly with the state strategic plan that I referred to previously.

A couple of other issues that I wanted to raise in relation to this particular session today are the points that I have noted in a very steep learning curve that I have gone through in working on Torres Strait issues over the last 18 months.

Firstly, the coordination of any of the activities that we do hear of has implicit in it funding implications and those funding implications must always be coordinated across departments. There must be some transparency. Again, as Mr Lui says, if you only ask for 20c worth that is what you will get—you cannot expect 40c worth if you only pay 20c.

I think it is incumbent upon the state government to make sure that it is certainly getting its 20c worth out of the money it spends as well and, if it is not, then it has to redirect those funds into areas that are certainly higher priority than the ones where it is not.

The second thing I would particularly raise here is that the Commonwealth government and the Queensland government need to sit down and consult more widely on roles and responsibilities in relation to Torres Strait and funding. It has taken me some time to understand the roles and responsibilities of the TSRA and the ICC. Again, I could not put it any better than Getano Lui—he understands it very well. But I believe that, from time to time, the bureaucrats both in Canberra and in Brisbane do not have the same understanding and, therefore, they work in isolation from the problems that occur.

The third point that needs to be considered is that, if you are going to shift from

the current roles and responsibilities to something much more significant in terms of self-government, as the honourable Clyde Holding indicated this morning, then it has to be done progressively and it has to take account of the issues that come out in terms of roles and responsibilities. It is fine, in one sense, to change the constitutional structure perhaps and you have self-government; but I have been involved in the Northern Territory negotiations over the last two years and I can tell you that all the good intentions may not go very far unless you have a very strong political will behind them.

The fourth point I would raise is that simply referring funds and services to a regional body will not necessarily improve the economic or the autonomous operation of a region. It must be done so that it can share in the broader policy directions of the Commonwealth government and the Queensland government. I will leave it at that point, because I am sure there will be questions which may arise.

I am also very interested that, as a result of the initial discussions, a number of domestic issues were raised in the inquiry based on perceptions of programs and policies. The one thing I can offer to people—and I certainly have offered it to the Torres Strait Regional Authority and the Island Coordinating Council where I believe we have a much better a working relationship now—is that the branch within the Department of Premier and Cabinet that I maintain has a particular role and interest in this and I have no problems with the idea that people bring individual and domestic issues to us so that we can at least address them from a coordinated perspective. Thank you, Mr Chairman.

Mr HOLDING—The next contributor is Dr Will Sanders of Canberra.

Dr Sanders—I will be very brief. I would like to indicate my agreement with Getano Lui's position that it is not wise at this stage to wait for constitutional change, though that should not be ruled out as a possibility. There is enormous potential for policy change within existing structures and within incrementally adjusted existing structures.

One of the things that struck me about Getano's characterisation of the existing institutional structures and the way in which local government autonomy has to a large extent already been established, and the way that the regional basis is divided between the ICC as the developer and coordinator of the local governments and the TSRA as the financier, is that there seems to be nowhere yet that is really identified as the regional policy forum for debating the sorts of policy issues and policy changes that Getano is suggesting. The TSRA is made to sound more like the treasury department than a parliament. Perhaps it needs to be something like a parliament and an open policy forum as well. I will just leave that thought with you there.

Mr HOLDING—We now have some 20-odd minutes for discussion, so I would appreciate it if you could make your contributions short, sharp and to the point. Any contributors?

Mr TONY SMITH—Mr Goodreid, you spoke about an economic development strategy and a number of elements as part of that. Is there any intention to look at the islands from an overall point of view by way of a study or assessment of the future economic and developmental potential of the area?

Mr Goodreid—I do not believe so at this stage. I note that this proposal that has gone before cabinet is an Aboriginal and Torres Strait Islander economic strategy. So it is broader. There is to be a first phase of consultation. I am sure that, were there to be a strong push towards a study along those lines, the government would look very favourably on that, particularly in relation to any strategy such as this that they would want to develop.

Mr TONY SMITH—Probably the second point is in terms of a study in relation to infrastructure and, also, capacity to improve that infrastructure, such as water conservation and things of that nature.

Mr Goodreid—Specifically, if you divide the two issues here, the conservation and environmental issues are being looked at by the Department of Environment. They are working quite closely with a number of the resource areas that we are concerned with and are continuing the funding of the research they have been doing.

In terms of broader infrastructure issues, such as provision of water, power and those sorts of things, that is being coordinated through the Department of Local Government and Planning, in conjunction with the Department of Housing and Works. They are part way through the development process at the moment. They have recently taken to cabinet the major joint water infrastructure policy that is in the phase of implementation. There are a number of other issues to follow. I have details of some of those here today. I would need to take a little bit of time to go through them and give you the information separately on that.

Mrs Kennedy—Will these studies hinder us in our bid for self-government? We know about these kinds of studies. They take a long time and they hinder us. That is the government's way of doing things when they do not want to proceed with anything. Getano, did you say that we asked for that 20c you were talking about or they gave it to us? What were your words? Mr Goodreid said what you were saying—that we asked for it.

Mr Lui—I believe that the resources that we get now from government are not enough for us to have a measured outcome in terms of health, education, housing and everything else. This is because of the funding levels that we are getting and the lack of cooperation between state and Commonwealth in terms of joint funding.

Mrs Kennedy—All right, now I understand what was said. Speaking personally, it is very hard for me to understand that Queensland is trying to do something good for us. I

was a National Party member for over 20 years in Nicklin's time. When I listen to Mr Borbidge, I do not feel he is doing anything good for us—what he is doing to the Aboriginals. You cannot extinguish natural rights to land. I know that they went to court and made up a law and can do it now. I cannot believe that that same government is going to do good things for us. They will have to prove it to me.

Mr Mills—Chris, one of the things you and Getano mentioned in your brief deliberation is coordination between government agencies. I think there was an IDC set up initially by ATSIC some time ago that was headed up by an interdepartmental committee on the Torres Strait. That was set up and ran for a number of years, but I do not think it went anywhere.

Referring to what you said about offering the Office of Premier and Cabinet the branch that you are heading up as another link, I think one of the problems we have in the Torres Strait is not so much the structures that relate the different program areas of the community to the different departments; it is the coordination, as you mentioned. Setting up another link from the Torres Strait direct to the Premier's department does not offer any solution in terms of coordination at the local level and certainly at the state level.

I think one of the things that should happen is that we should review some of those structures that are currently in place and see whether there is any real functional relationship between their establishment and responsibility and what outcomes, as Getano refers to, the government expects and certainly the community expects. I do not think just setting up another link between the Torres Strait and the Queensland government will address a lot of those problems that you are talking about.

Mr Goodreid—Perhaps I should make it clear that I am not suggesting another link. I was merely establishing an opportunity that, quite clearly, I would not leave this meeting. Because I did that at the last meeting when there were some domestic issues raised which I quite clearly believe should be the province of either the TSRA or the ICC, and where they cannot resolve them, they perhaps have to go back to the relevant line agency.

Unfortunately, governments or any particular organisation from time to time are not always as efficient as they should be, and there is an opportunity to ensure that the issue is addressed. That is really what I am referring to, so I am not suggesting another link.

In relation to the IDC that you referred to, the IDC does exist and the IDC has met this year. The IDC has been more concerned with major policy issues, such as the Torres Strait treaty, the issue of the transferral of the fisheries responsibility to the Commonwealth and a number of other issues. I believe that, as the IDC progresses and as we get a lot of information together directly as a result of this inquiry, that IDC can be much more effective in its operation and can address a larger number of issues that need

to be addressed in terms of the whole of government perspective.

Mr Mills—You are talking about two different IDCs. That IDC is set up under the charter of the treaty and it focuses on the bilateral arrangement between Australia and Papua New Guinea in managing the treaty. The IDC I am talking about is the interdepartmental committee that was set up under the ATSIC umbrella to look at domestic services that are in the Torres Strait that the Commonwealth and state have responsibility for.

Mr Goodreid—Accepted.

Mrs Fischer—I support the rate of autonomy of the first session. I am involved in the health of our people in the Torres Strait. Just in case everyone does not know, we are the only race of people that are dying younger—it is earlier than any indigenous people in the world. When I sit and think about that, I think our people never ever have been given the privilege of decision making right across the board, and up until now that has involved both the state and federal government.

They have never given our people the chance. Our people are crying out. Our leaders are crying out for autonomy. Yet the two governments are still holding back. When it comes to the nitty-gritty, the domestic, never once have they given that to us as an indigenous people—even though it has been said here. We have got the ability to manage and make a decision for our own people. The health of our people is because of lack of decision making, and that is from both governments. Our people are crying out for autonomy and we are still sitting around and talking about it.

It is about time we got together and, from a community level—from our people's level to our leaders—whether through the local government, ICC or the regional authority, take what we want as regards autonomy, the service and the infrastructure to the government. And both governments should sit together and support that because of the statistics on the health of our people.

Ms Fuji—I am the President of the Port Kennedy Association. I would like to support the concept of definition of roles and responsibilities for a policy area versus the allocation of funds. Until that is settled, we can take our directions from there. But there needs to be a clear definition of who has the responsibility for funding and whether we come under the state or the Commonwealth.

Mr Misi—Regarding institutions and service delivery, there have been a lot of studies and research into the economic and social problems we have. It is all tabled, and we have the interdepartmental committee report. When we look at all the problems we have faced for many long years, we find that what we are trying to do is to fix the symptoms. When you go to the doctor, he asks what symptoms you have got and gives you medication, and you are okay for a while and then you get sick again later on,

probably.

We have a situation here where a lot of our people have talked about self-determination. Uncle George Mye there and Getano Lui talked about self-determination, and it was mentioned that we should have self-determination by the year 2000. We know what we want: we want to change the structure. The institutions in place now are not working for us. If there are termites in the house, you do not just go and put a plasterboard there or something to cover it. You break it down and you rebuild it. This is what we are saying.

To give us good delivery of service, we need to set up the proper institutions. This is what we are talking about now. This is our opportunity to change this system, and we have a structure that has not been working for many years. It has been very expensive for the government, and what the government is looking at is a cost-effective system, and this is what we want put in place.

As I said before, there have been other places whose lead we can follow. This is what we should be doing—looking at these places—and most of us have looked at them and they are in government reports. We need to not only talk about these things but set a realistic time, so that we have a realistic goal so that we can work towards these ends. Maybe in that way we can change the agencies and the structures that are in place that are not working and put in something that is cost effective and is working for the people. I would like your comments on that, please.

Dr Sanders—I will expand on my comment about the lack of a policy forum. It does seem to me that, when you get into this area of talking about service delivery, there are an enormous number of agencies that do different things, and each of them will develop their own ways of doing things and get on with that job pretty much in isolation from other organisations over time. Unless you have a public policy forum which is keeping some public pressure on them, they are likely to continue to do things in their own way without being necessarily all that responsive to change.

From the discussion that came in the previous session about housing, it seems to me that there is quite clearly a very significant service delivery issue there, which one would think would be a major topic for debate in a public policy forum, were such a forum in existence here in Torres Strait. I guess I do not have a sense that that is something within the institutional structure, a sort of place to go to, that is like a parliament, to raise those issues, to put pressure on the service deliverers in the way that parliaments put pressure on government departments to keep their services responsive. If you do not have that policy forum then it is understandable that these myriad of government departments that are delivering particular services essentially go on and do their own thing without much oversight.

Mr Misi—I would just like to respond to that. I think part of the problem is that

we have a government mentality that, when they do allocate funding, that funding is based on per capita funding instead of looking at specifically the needs of the people, the distance from the mainland and the cost in price because of transportation, airfreight and things like that.

We need to stay in this structure so that we have an effective delivery of service here in the Torres Strait, run by the Torres Strait people and also working with the governments in places. This is what I am trying to say: we need to look at this realistically. It is no good trying to talk about changes and greater autonomy if we are not looking at it realistically. We want to have something that is effective, that is workable, so that we can contribute in a positive manner. It is no good trying, like I said before, to build a house just by covering it with plasterboard when it is rotten to the core.

We need to restructure the old process of institutional service delivery. When we look at it, it is not working, it has not been working for a hell of a long time. We need to put something in place, realistically assess the problem and evaluate ways and means of accomplishing what we are trying to do. If we do not do these things, this problem will be existing in another 10, 20 or more years.

Mr Lui—I think you are saying that, for the simple reason that the TSRA has taken their first step in a single line allocation from government, hopefully—I am still yet to be convinced that we will get an increase in the budget—that would give us an extra added advantage, if you like, to negotiate budget for Torres Strait. We hope to get away from per capita and look at the needs basis rather than the way we are set up now.

As far as the policy issues are concerned, can I just say that that is the problem. What we have at present is that, because of the budgetary constraints, TSRA had to take its cuts in its administrative structure from 30. The ceiling for the regional authorities should have been 39. We have now been reduced down to 25. That is what I am saying about these 20c worth of resources that people expect from us or wanting 40c back in outcomes. That is the sort of thing we are up against.

One of the things that is lacking in the authority at present is that there is no policy unit to develop policies. What you have is an operational plan but no policy unit to drive those operational plans. In fact, we have adopted policies from ATSIC, so therefore there is still that ATSIC culture within the TSRA, and we have to get away from that. That is what I am trying to say. The ICC does not have an operational plan but they have policies in place, which seems silly to me. This is where you have that differentiation in terms of the role and responsibility of both organisations. Somehow, we have to centralise that and make sure that if it is going to be policy driven then government has to recognise the needs from here, not from Brisbane or Canberra.

Mr LIEBERMAN—You missed out the Torres Shire Council when you made that overview. Could you make some comment about that?

Mr Lui—I think we might have to realise that the three legislations definitely define the roles and responsibilities. You have the ATSIC Act, which the division comes in with the TSRA being established, and you have the community services act under the state. You have the Torres Shire Council, which is mainstream and it looks after—like we said this morning—the multicultural area. There are no differences, if you like, with the ethnic backgrounds of people. The ICC can do that as well, whereas the TSRA is limited under the Commonwealth policies, which is just to cater for Aboriginal and Torres Strait Islanders—that is where you again have the difference. You have something that is mainstream trying to fit into what we have now in place with the authority and the ICC.

Mr LIEBERMAN—Can I ask you for your opinion as to whether there should be just one, not these separate organisations that we have just—

Mr Mye—With all your experience, Getano, now that you have said all these things, what have you got to tell us now—what direction? What are you going to recommend? We would like to hear back from you.

Mr Lui—I think it is not going to happen, because what I have in mind is going to take a lot of work between now and the year 2000. What we need is what the chairman of the authority said this morning about setting up a task force. But setting up the task force has to be recognised, not by bureaucrats, believe me; it has got to be recognised at the very top level of ministers or Prime Minister and premier. We have got to have that sort of endorsement before the task force can work, because that is the sort of level you want people to work at so that anything that comes out of the task force must be taken on board.

I think we heard those comments here this morning about whatever the people want should go up and be adopted by government—never mind questioning whether it is going to work or it cannot work. We have adopted the deeds of grant in trust. Mr Mye was chairman at the time. He keeps saying the same thing. We have accepted it in sufferance, but we have turned it around and made it work for us. It is the same thing I would see in any structure that we put in place: it is not going to be a hundred per cent perfect, but it is a matter of people getting behind whoever is there and making it work. But we have got to look at some sort of governing structure or alternative governing structure that will cater for all the needs.

Mr Mye—With the question that Lou Lieberman was directing at you there—one body—are we going down two streams or are we going to have one body? Bear in mind we have got the same people in ICC, the same people in Torres—that is one fault; that is clear, and more clear now from where you sit down now.

Mr Lui—I was just going to say that it is really a matter for the state and the Commonwealth government. If you are genuine about this autonomy thing, then we really need to look at a structure. I know states would be very protective of their state rights and,

by giving anything away, would be giving away part of Queensland, so to speak. The Commonwealth would be reluctant to even step in, and that is why we are having this conflict with policies between state and Commonwealth.

Mr Mye—Don't you think that, to right things, the initiative is with us?

Mr Lui—Yes.

Mr Elu—I would just like to make a couple of comments and then ask Will a question. It is just like Getano said to us then, that the state government and the federal government have to come together and see where they can merge as far as Torres Strait is concerned. Over the past maybe 10 or 13 years we have had a lot of conflicting scenarios from the state and the federal government. When Gerry Hand was coming around selling ATSIC, his comment to us was, 'It will not take away our state rights, it will just be a conduit of funding from the federal government to the Torres Strait.'

But over the years ATSIC, through its policy development, has made it more than a conduit. It is actually a service provider now. That made TSRA into a being, as it is now, which is I think what Will was referring to as a public forum; but it is not a complete public forum. What I see happening in the Torres Strait is the TSRA is now moving into what used to be the ICC roles of infrastructure and other service provisions to the outer island councils, whereas those sorts of provisions were done here in the inner islands. So TSRA is taking on that role again.

I would just like to ask Will what could this policy body look like. Would it be an extension of TSRA? What would happen to ICC's policy making decision as far as the state government was concerned, because every time TSRA tried to open its mouth the state government said, 'We want to hear this from ICC'?

Dr Sanders—It comes back to Lou's comment about there being these three bodies here now—the TSRA, the ICC and TSC—and each of them, in a sense, speaking for a particular constituency or particular issues. But because each of them is speaking about particular constituencies and particular issues, none of them quite has the clout of speaking decisively for the region as a whole.

In some senses, that is a bit of problem because, through these sorts of policy issues that Getano raises, if you want to speak authoritatively to governments at the Commonwealth and state level about renegotiating arrangements in relation to fisheries or education or housing, you need to be seen as having a high degree of local authority. Although the authority is in the name of one of those three organisations, it cannot quite claim to have full local authority. As Lou says, there is this issue about it bringing in all the island councils, but it does not bring in the Torres Shire Council.

I notice that, in one of Pedro's submissions to the committee, he is again calling

for the mayor of Torres Shire to be made a member of the TSRA. So there is this issue there about none of these three different forums quite having the authority to really speak with one voice to the governments out there. I think that is a real institutional structures issue that needs to be addressed and I think that is what Lou is focusing on.

Mr Elu—You are saying that, if you take on the advice or the submission of the mayor of Torres Shire, there will have to be a change within the local government act of Queensland for them to be appointed or be part of an organisation which is embedded in a federal government act. What it comes down to is responsibilities that are statutory, which get bogged down within bureaucracies. That is where we are coming from. We can set up a body that represents people, but the functional powers of these bodies will run across five, maybe 10, sets of legislation.

Mr Mills—I just point out that one of the things I am hearing is that we are talking about trying to pick up on some of the questions that the review committee is asking us, but we are bogged down in getting some of the process issues straight. I think the committee is asking us, as Torres Strait Islanders, what we want. I do not think I have heard any position being taken that gives us a clear concept of what we want in terms of further autonomy.

Secondly, the task force has been set up, and I understand that what Lou is proposing is probably a collapse of the current structures into one central body. But I am also hearing that there is a possibility that you may choose the lowest common denominator of that body and you will probably end up with an administrative structure rather than a governing structure which influences policies. Going back to my first question—Getano, I think George asked you the question—what do we want for the Torres Strait?

Mr Lui—Centralised structures.

Mr LIEBERMAN—I just make a comment that one of my favourite reflections is on the words of people that have got a lot more wisdom than I have. The concept of ‘by the people for the people’ is the one that drives me very much in this inquiry. I would hope, with your advice, that the political administrative model that the committee supports and recommends is one that is by the people, for the people. I make that comment because any thought of a lowest possible denominator is just not on. I think I can safely say that is the view of the committee. Thank you.

Mr Mills—Getano, you mentioned a central government, a central structure, but I guess I was talking about the model of autonomy more from your perspective than from Johnno’s perspective.

Mr Lui—As I said, my aim at the moment is a change in policy direction in terms of giving us greater autonomy than we have now. We are not being influential at all in

terms of decision making departments. Until such time that they recognise we have the capacity to do that immediately, if given the opportunity, then that is a stepping stone and it is a way of proving to government that we can manage our own affairs, without going in a big way saying that we want to be a territory or whatever.

Mr Mills—But you have some sort of a goal that you are working towards.

Mr Lui—Ultimately, yes.

Mr Mills—What is that goal?

Mr Lui—I would not like to say a territory, a state or anything like that, because I do not think any governing structure that we will put in place would be, I suppose, duplicating other models, whether it is South Pacific or the territories, or anything like that. It has to be something that is unique to this area.

Mr Mye—We know what we want. Just give us the time and opportunity to get together, to put all our heads together, to tell the government. That is all we want.

Mr HOLDING—At this point, we have to leave this session. Thank you all for your contribution to this session.

Mr LIEBERMAN—Thank you very much ladies and gentlemen. I enjoyed that last session particularly. Some very good things came out of it, at least for me. I hope you felt the same way. It is my pleasure to welcome you to the third panel on issues concerning Torres Strait Islanders living on the mainland. My good colleague and friend Tony Smith will steer the discussion through. I will be in the background on this one. Tony, would you like to introduce your panel members?

Mr TONY SMITH—Yes. This session concerns another element of our terms of reference, namely: what are the implications of any greater autonomy for Torres Strait Islanders on those Torres Strait Islanders living outside the Torres Strait? We have Francis Tapim here, who is the interim chair, national secretary of the Torres Strait Islander Organisation Ltd and executive officer of Magani-Malu-Kes; we have George Mye, respected elder and former Chair of Darnley Island Council; and Terry Waia from Saibai Island, whom I met when we were last there. Terry, welcome. With the quite important issue here of the numbers of Torres Strait Islander people who are living outside the Torres Strait, this is a very important part of the overall discussion. I welcome contributions, first of all, from George Mye.

Mr Mye—As I said earlier, my presentation is indigenous specific. I will start by saying that Islanders of the diaspora, or Islander people living on the mainland, must receive equal consideration in all matters concerning the Torres Strait. There are at least as many traditional landowners or their heirs resident on the mainland as remain in the

Torres Strait. We need to be reminded of the fact that Torres Strait Islanders are no less Melanesian than those of Bougainville when it comes to the realisation that their lands are being used to support an autonomy which brings no direct benefit to them or their clanspeople.

My presentation to this inquiry, as I said before, is based on an indigenous specific viewpoint. As for anything beyond that, one would need to have the mandate of Torres Strait Islanders by a referendum. The functions and composition of OTSIA, Office of Torres Strait Islander Affairs, and TSIAB, Torres Strait Island Advisory Board—members of the advisory board are responsible for our people on the mainland—would need to be reconsidered.

I would like to suggest that either OTSIA become to our people on the mainland a TSRA equivalent to serve mainland Islanders who are removed from ATSIC or their officers possibly made Public Service officers within the Department of the Prime Minister and Cabinet and a new body created by statute to fill the role as a TSRA equivalent to serve the needs of our people on the mainland. The two things I am suggesting here are either OTSIA becomes the body that is equivalent to TSRA in the delivery of services to people on the mainland or it moves over to the Department of the Prime Minister and Cabinet and a new body created by statute to serve the needs of the people on the mainland.

That body will be the same kind that we have for the Torres Strait at home—the TSRA. The members of TSIAB will become elected members rather than appointed members. Those members should represent areas where there is a density of Islander population on the mainland—north Queensland, south Queensland, the Northern Territory and Western Australia. Because there is a lesser Islander population in New South Wales, South Australia, Victoria and Tasmania, they could come under one representative. Then you will have the whole spectrum of our people on the mainland covered by representation on the new board to be created—the equivalent of TSRA.

The functions of OTSIA will be within the Department of the Prime Minister and Cabinet. I suggest the Department of the Prime Minister and Cabinet because of representation. The Torres Strait is a unique area and should have the oversight of the Prime Minister. It is the only part of Australia bordering on a foreign country. OTSIA will monitor programs and coordinate meetings and conferences.

I would like to call OTSIA the new name of National Islanders Affairs Conference because from its position, its new station, it will bring the two peoples together—Islanders on the mainland and Islanders in the Strait—to provide a link or bridge upon which our people can walk to the mainland and back to the islands.

There is a proposed link in the current TSRA legislation. The commissioner elected by TSRA automatically becomes the chairman of the Torres Strait Islanders Advisory

Board. That is undemocratic because it is elected by one set of people to do business with another set of people.

I think that to allow for that to happen will be a stronger link for our two people. At periodic meetings, say, once a quarter, you get these two people together and they talk about Islander problems. The TSRA is fully responsible for everything. The TSRA—you could reconstruct it and come up with another name—will be fully responsible for everything in the Torres Strait. The other mainland body will be fully responsible for people on the mainland.

The benefit that would come is whatever there is in the government purse, if the Torres Strait Islander people in their numbers on the mainland vote there. Islanders on the mainland, in the majority, are not looking in this quest for a better form of autonomy for them. They do not look at dollar signs. They want only what rightfully belongs to them. How big or how small does not make any difference, so long as it belongs to them. When it is finished, it is finished. They have to sit down and wait for the next budget. That is a very big benefit to those people on the mainland. Right now, with this existing legislation, they come second best. There is no equality, according to them and to me.

I think it is in the rough form there. At least they have got their own representative. They go direct to government. The exercise would be exactly the same as here but on the mainland. I think I will stop there, Mr Chair.

Mr T. Waia—This inquiry will open other doors of opportunities about new policy directions and administrative changes to ensure equality and provision of services to Torres Strait Islanders wherever they live. This issue also represents an unfinished business. We can talk about the things in a circle. Surely there is an answer for all this somewhere, but we are not picking up on one. We need to think, from where we are, that we are Torres Strait Islanders first of all. That will make changes within ourselves to give us answers to what we want.

This will also pave a way for total restructuring of a relationship between TSI and ATSIC and the Torres Strait Islanders on the mainland. We talk about access to equalities in respect of Aboriginal organisations run on the mainland, and our people are not benefiting.

There may be a need, education wise, in respect of our best two people in work if they go for one organisation outside of Torres Strait. Our people on the mainland are in numbers of 30,000 and 20,000; us up here, 6,000. That needs to be taken into consideration. I do not know how. Those two people need to come together somehow because we cannot run away from the fact that islanders down there, all people down there, have something within arm's reach but somehow it is not seen that way. There may be something down there that we up here do not know.

But with this inquiry we might come up with answers to clarify to our people down south that because they are within that frustration they cannot see further than they are. So by helping our people down there we need to resurrect this idea, the way we look at things, and see an equality in the services that are provided by so-called ATSIC. When you read those letters, there are the Torres Strait people in there as well.

This submission approaches issues from the perspective of the Torres Strait Islander Advisory Board, established under the Aboriginal and Torres Strait Islander Act 1989, and continues a particular operation of board maintenance to improve the way the Torres Strait Islanders are living outside the Torres Strait to participate in programs and deliver services. I have said that.

They will also continue to strengthen the argument of mainland Torres Strait Islanders being linked with an autonomous Torres Strait regional authority or commission and may depend on TSIAB, the Torres Strait Islander Advisory Board, being enhanced, restructured and accepted within the ATSIC framework to ensure more equality of outcomes with Torres Strait Islanders living outside the Torres Strait Islands.

Bringing all Torres Strait Islanders under one administrative umbrella has an attraction to Torres Strait Islanders living on the mainland to ensure the achievement of both objectives and, in particular, the preservation of their heritage and culture for present and succeeding generations. The practical difficulties of this are a re-examination of, firstly, the role of OTSIA and TSIAB and how they will be linked in the future with the Torres Strait.

As others were saying, a commission of the full TSRA is undemocratically representing them down there. That is true. We might be looking into maybe changing that to the reverse, because we cannot run away from the fact that once those things are laid down there its first job is to make it workable under TSRA. So it gives services to people in the region, which we all know has been left out for some time and we have not been getting certain privileges. At the same time, I am thinking of our people down south who are bigger in numbers and maybe we need to change that around.

Other people have already mentioned electing a person within TSIAB and that they become a commissioner. It is going to have a link from mainland Torres Strait and TSIAB to TSRA, which is a peak organisation in the Torres Strait, and at the same time mainland Torres Strait Islanders have an access through ATSIC as well. So we are just reversing that set-up.

I will go on to the principles in this regard. The first is the recognition of Torres Strait Islanders as a separate race of indigenous people in Australia. We have fought for a long time to have this recognised at high levels of government. With this inquiry the government is now looking our way. We have now to make sure that what we give them is what we really want and that it is going to be working for us.

Torres Strait Islanders nationally claim and seek recognition of their own rights, separate identity and their own pathways with common goals relating to all these peoples. All along we have been talking about oneness. Honestly, here in the Torres Strait this word 'oneness' comes. Is it really here? I know why sometimes people do not look at that word, and it is because there is always an argument.

If you look at that argument itself, among certain issues, we ask ourselves why. At one time I gave some advice to people. The argument arises because there is a lack of information. The information is not there. One thing that the chairman of OTSI mentioned was sending a certain number of people around the Torres Strait to talk about this.

Look at this meeting or tomorrow's meeting and the people will come. The location of meetings is such that the information does not go far. Again, when we are talking about oneness we are talking about culture. All that information can be delivered. Things like this in black and white—this is not our culture. So we can change the things to make sure that the message is out there by personally going out there.

I know that there is the implication of money that needs to be spent in taking information around. The Torres Strait is so big and you cannot drive a car from island to island. Money will be made available, but we have to find something that can take that information out to the people.

I have said some of the things that have already been said by Uncle George. I will just go into a recommendation from this that, while I am talking as a commissioner on mainland thinking, there should be a separate and independent Torres Strait regional authority or commission constituted under its own act of parliament and separate from the Aboriginal and Torres Strait Islander Commission.

Most of this I have said, but I want this inquiry to hear this and take it on board. As we all know, at this stage TSIAB is just a body that advises government about issues on the mainland. Look again at the numbers of our people. We are 30,000, but this is still small compared with the number of our Aboriginal brothers and sisters down there.

So we all know the role of TSIAB is to redefine to incorporate actions now specified in the ATSIC act for OTSIA. TSIAB is to be the focal point for all advice to the minister and to ATSIC in respect of Torres Strait Islanders living on the mainland and coming within the ATSIC structure. Members of TSIAB would be elected at the same time as ATSIC regional council elections are held.

TSIAB would be provided with a block fund to administer culturally specified programs for mainland Torres Strait Islanders. A full-time chairman of TSIAB would be elected. The chairman of TSIAB would be a commissioner, replacing a Torres Strait commissioner. The chairman of TSIAB would be an ex-officio member of TSRA so that every time TSRA meets the chairman and commissioner of mainland Torres Strait

Islanders sits within TSRA meetings.

Mr TONY SMITH—Thank you. I apologise for not properly introducing you. You are an ATSIC commissioner for the Torres Strait region and also chairman of the Torres Strait Island Advisory Board. Francis would like to say something.

Mr Tapim—Thank you. First of all I just want to acknowledge the Kaurareg tribe for their land. They are traditional owners of this land. The Hon. Lou Lieberman, the chairman, members of the House of Representatives committee, commissioner Terry Waia, TSRA chairman John Abednego, ICC chairman Mr Lui Jnr, Torres shire mayor Pedro Stephen, brothers and sisters who are at this place and ladies and gentlemen, thank you for allowing me as a representative of mainland Torres Strait Islanders to be with you and give a viewpoint from mainland Torres Strait Islanders in relation to this very important issue to us—autonomy.

Let me say from the outset that Torres Strait Islanders on the mainland support autonomy. We want a structure that encompasses all of the Torres Strait Islanders, because when you say Torres Strait Islanders, you come up and go down with Torres Strait Islander oneness. The same oneness as on the mainland. Because whatever decision is made culturally in relation to land affects us down on the mainland, and that is why we speak. We want autonomy, but we want to work close together with the heads for this place. So everybody think one way.

I speak from first hand information because we on the mainland feel that kind of thing. They will come back and make cuts in funding, which is a very important issue. People cannot get funding on the mainland simply because of the fact that we are a minority in the ATSIC structure. From the regional council right through, the majority are Aboriginal brothers and sisters. There might be a few along the east coast of Queensland where you have Torres Strait Islanders on regional councils. For instance, in Townsville you have got three—myself, Richard Moseby and Bill Lui. When issues are discussed about Torres Strait Islander organisations, one or two of us have to leave the room because of pecuniary interests, money interests.

That is why we want the same as our brothers and sisters here in this place. We talk about the structure, one big structure, namely, Torres Strait Islanders. Do not limit them by saying TSRA because when you speak Torres Strait Regional, you mean the big region. Open it and make it broad, all Torres Strait Islanders. Torres Strait Islander organisation has to go. A lot of people come to support them. So though people go down there, there is still that link back to a homeland. We need to talk about it, so through that structure there, that person there talks about that land.

The ATSIC guidelines and policy are geared to the majority. Torres Strait Islanders have no say. If you apply for anything they look at the guidelines and they say you don't come within that guideline. Why? It is because the policy and the guidelines have been

developed for the majority and we have no input in it, nothing. Just lately funds have been cut off from an organisation. Two of us were out of the room. The others made a decision to cut funds from a Torres Strait Islander organisation. They cut off funds and gave those funds to an Aboriginal organisation.

I said that was blatant discrimination. That is the reason why mainland Torres Strait Islanders want to be part of this autonomy. Decisions can be made this way about housing and anything, we acknowledge that, but when it comes to traditional and cultural issues that involves all Torres Strait Islander people, we like to be involved. Issues such as native title, traditional adoption, the education system and the education policy, health policy, they are the types of thing that both parties need to be involved in. But some issues up here are your issues, and you can deal with them yourselves.

With regard to the CYS program that ATSIC had just got in, most of our Torres Strait Islander organisations comment that that program from the mainland was cut off. So where will we go for funding? We have got no way for funding. That is why we strongly want to be part of this autonomy. On the funding issue, while I am speaking, you can have that funding leaflet that came up here outlining the \$30 million or \$41 million or whatever it is. We understand that. Part of that should be earmarked for Torres Strait Islanders living on the mainland and put into that particular structure. When a decision is made, you can put the society up under that structure and then the society can become that distribution body for funds.

We want funds for cultural centres, so that we can maintain our culture, and for economic development. We do not want to go begging to government for money. We do not want funds to start a new health service or housing: we have got them. The kind of thing we want funding for is a national conference, so that we can come together. We want funding for those kinds of purposes, and not to start or duplicate another service. I will leave it there, thank you very much.

Mr TONY SMITH—Thank you, Mr Tapim. We have not got a great deal more time. Lunch is at 12.30 p.m., but people may wish to talk a little longer. I will open the batting by tossing this one around. If the ultimate expression of autonomy is a territory of the Torres Strait with some sort of parliament or representative body, how do people see the role of mainland Torres Strait Islanders in that concept?

Mr Akee—I am from the Torres Strait Council and also from Torres Strait Employment Curriculum Strategy. I have got a problem when people refer to mainland Torres Strait Islanders: I always thought that, if we are talking about oneness, everyone, regardless of where they are staying, is still a Torres Strait Islander when they go away. That is what I have got a problem with. As an observation, I have a problem when members on the panel talk about setting up a new body, in that 20 people are currently on the Torres Strait Regional Authority and are representing 5,000 people. How are you going to work out five people, from what Uncle George Mye was saying, with those reps

from the states representing 25,000 people?

Mr Mye—I have been leaving that part for questions. While all this thing is moving into place, according to my view on this business, homeland Torres Strait itself would need to have some form of restructuring—maybe not a big one but a small one. With that restructuring, I would think that TSRA, as I mentioned before, has the same people as ICC has. You cannot run away from it, because what shoulder are you going to cry on if you are stuck in trouble, or you have got a problem? I could see this one coming for a long time, and it has become much clearer now. With that small restructuring in the homeland itself, I would suggest that the 20 members, or whatever they are now—ATSIC, ICC—can be reduced down to five, representing the five cultural divisions.

I keep my talk still on specific indigenous matters. If you go for anything beyond that, you run away from me, and I will let you go. If you want me to share with you, you have to come down to specific indigenous matters. With that five and that five from the mainland, that meet periodically, you have your bridge and your oneness. Otherwise, that number may be too big to bring the people together.

That is where you can talk and sit down as countrymen, one with another, with full understanding about what is going on. They are going to learn from you and me from here what is going on in the Torres Strait. You and I are going to learn from them what is going on in the mainland, what is going to affect them. You have to formulate things to take into government, that is the body—five from the place and five from there, in equal numbers.

In the Torres Strait region, you talk about day-to-day things. Some people on the mainland only talk about day-to-day things there. But if you look at those things as a link, then you must move on, and you might come to some agreement as a result. People come from two points as one and come out with a resolution that is suitable to all parties, both mainland and those here.

Mr Tapim—Just to answer your question, there is a system in New Zealand where the Cook Islanders can stay in New Zealand and, if there is an election in Cook Island, they can vote in New Zealand. The danger is you get mainland people running the Torres Straits because that majority is there. Because you have more people on the mainland, they can direct what is going on there. You can vote people into parliament.

The view from the mainland is: the homeland structure stays, whatever the homeland you want to decide on. If the homeland decides to stay with the structure of TSRA—I am talking about the numbers—then the mainland speak. We can either have the numbers for TSIAB members or we have the national secretariat that we have now established. We have 10 members elected from each region on the mainland and states to represent the states.

Basically, those 10 members can look after the day-to-day running of all the mainland Torres Strait Islanders. What are the names of those other 20 or 25 you have here? For issues such as those there you mention, the people need to come together and discuss them, and get one position for all Torres Strait Islanders.

Ms Mam—Just listening to the panel of speakers, it is very true that everything for mainland Torres Strait Islanders living on the mainland is at arm's length. We can knock on the doors of departments for housing and all those things, but whether or not we actually receive those things is another question to look at. We may have all these things at our reach but the problems that Torres Strait Islanders are experiencing on the mainland is that they are not accessing and they are not receiving equitable funds or services from those areas.

Structures have been in place. One of the structures that comes to mind is a structure that would complement both mainland Torres Strait Islanders and Torres Strait Islanders who live in this zone here. There is a structure at the moment within ATSIC. It is not the perfect structure by any means. We have one representative from the Torres Strait, the Zone Commissioner, on the board of commissioners of 20 who come from 35 regional councils. They are elected commissioners from regional councils throughout Australia.

The point I want to make is that there was a question raised at one stage about whether or not Torres Strait Islanders living in the mainland would have the right to decide upon what happens in the Torres Strait zone. The copycat example would be that, with the current ATSIC structure, you have 20 commissioners who make policy decisions and funding decisions for 300 Aboriginal language groups. They are also supposed to take into consideration the Torres Strait people on the mainland.

That is what I want to put to the panel. I think the question was asked of me in Brisbane; I attended the inquiry there. I want to come back to that issue and say that in any relationship, whether it is up here or down there, there has to be some sort of equal balance, otherwise there will be no relationship—there will be a strained relationship. To have something running smoothly, I believe you have to have equal partnerships with anyone. It is about taking and giving. It is about something for the people by the people. All those things are taken into account as well.

I would also like to say that as a former ATSIC commissioner who sat on the board and as a regional councillor for the past two terms, the issue of Torres Strait Islanders living on the mainland accessing programs and accessing funding from ATSIC has always been a very controversial issue. Torres Strait Islanders are forever being told by their regional councils and by their commissioners and chairpersons that they perhaps are receiving two bites of the cherry. I say 'two bites of the cherry' because that has been the view expressed by the chairperson of ATSIC and through a number of regional councils and chairpersons and regional councils alone. They say that Torres Strait

Islanders are perhaps receiving two bites of the cherry in that we have the Torres Strait Regional Authority and we are also a part of the ATSIC structure, which is really not a fact—it is actually false.

Torres Strait Islanders on the mainland cannot access funds that are available here and to the Torres Straits. This always seems to be perhaps a cop-out for not funding Torres Strait Islander organisations. Perhaps the other reality is that there is never enough funding for indigenous affairs in this country.

Also, in talking about Torres Strait issues on the mainland and on regional council, if we sit in this forum here today and I talk about songs and dances from the Torres Strait, from the western island group or the eastern island group, we sing and we dance the same songs and dances down there on the mainland. That is a oneness; I believe our culture is something that really links us and strengthens us both physically and spiritually in our Torres Strait culture and our identity.

I believe that these sessions are a very limited time to discuss the issues which are going to have a major impact on our lives as Torres Strait Islanders, whether we live here in the Torres Strait or in mainland areas. It is a very limited time and there are a number of serious issues that we have not even touched on. For example, one of the issues here is whether mainlanders of mixed Torres Strait Island and Aboriginal ancestry are concerned that the creation of a commission to represent all Torres Strait Islander people would emphasise the differences between Aboriginal and Torres Strait Islanders more than ATSIC does presently.

I am very qualified to say that I am an Aboriginal woman from Palm Island, from the Bulgamin area, or from Guugu-Yimidhirr in Cape York. That is my Aboriginal bloodline and my right to being an Aboriginal woman. I have got eastern and western Torres Strait bloodlines. So I have no problem in where I fit into this forum, because I believe I am connected to just about everyone here, through bloodlines or through any other avenue. I sit here because I am interested and I want to ensure that the issues of the Torres Strait are going to be addressed fully, whether we live on the mainland or whether we live up here.

My Aboriginal side will come out when I choose to discuss Aboriginal issues. In this forum, we are looking at the issue of greater autonomy for Torres Strait Islanders. Within myself I may be one of a kind, or whatever, but I am sure there are other Torres Strait Islander people in Queensland who, like myself, have got mixed Aboriginal and Torres Strait blood. There is a time for Torres Strait Islander issues where I will speak up and promote those issues, because I am fiercely protective and proud of my Torres Strait blood. The same with my Aboriginal blood, and there is a time for me to address the issues as an Aboriginal woman.

The problem a lot of times is that governments and bureaucrats in government

departments try to put you into little square holes when you are round pegs, or whatever. That is when it becomes difficult. Not for me, not for my people, but for people who do not understand the culture properly. If we look at the government policies that have been put up which are supposed to reflect and be representative of Aboriginal and Torres Strait Islander issues, the Torres Strait issues are sometimes overshadowed by our Aboriginal issues. That is always going to be a fact of life if we are going to go the same way that we are going now. Our issues are being overshadowed.

Mr TONY SMITH—We are running out of time—

Ms Mam—I know.

Mr TONY SMITH—and there may be questions to be asked of other people.

Ms Mam—If I could say finally that maybe a suggestion would be to keep the 20 councillors that you have at the moment here in the Torres Strait. My personal view is that it should not be about excluding people, it should really be about including everyone. So keep the 20 councillors that you have at the moment and, out of those 20, perhaps pick five who sit with a board that would have five representatives from the mainland. They are long-term things that could possibly be looked into further down the track.

Dr Wasaga—I am from Horn Island and I am a Kaurareg person. I would like to thank Francis Tapim for that acknowledgment. My young daughter over there is in the same position as we are, which I call a catch-22 situation. She is of Aboriginal descent and fifty-fifty Torres Strait Islander—maybe not fifty-fifty—and in between that there is Tanna blood from Vanuatu. So I ask: who am I?

I have been in Townsville for many years and I know the problem. Nobody can tell me. You get nothing if you ask ATSIC for money for something. I want to form this structure here to help those people down there. I support it fully. Whether you like it or not, government is very tricky. It is a question of funding. When it boils down to a question of funding, you are looking at numbers. My question is: will we have to divide the lump sum or will Torres Strait Islanders down there ask for their own funding? The idea is should we ask for our own funding? I just want to put that question forward. Will that funding come in a lump sum and are we going to divide that funding into 30,000 or 5,000?

Mr Mye—We only have 5,000 people inside this region. Altogether, Torres Strait Islanders number 30,000. About 25,000 Torres Strait Islanders live on the mainland. Right now, I do not know what formula they are working with to give people the funding on a per capita basis or whatever. I am not privy to the formula that they use. Whatever it is, the money that is supposed to go to Torres Strait Islanders goes to the organisation where none of them lives.

If you set it at 25,000 people, all that money that is supposed to go to those 25,000 people only goes to them. Money for you and me should come to you and me. All that money for them should go to the Aboriginal organisation. The first thing is that people grab that money from the bucket. They just want money for themselves. They don't share. There are 5,000 people in this region. That is how I see it.

Mr Tapim—I want to make a comment. I have gone through that annual report of the TSRA, last year's one, and the problem is \$41 million will come here this way. That includes program and administrative costs, operating expenses. We do not want to touch that \$41 million. Let that come off the top towards you people, that is yours.

What we want to see is a percentage of the global money that goes into ATSIC for Aboriginal and Torres Strait Islander people. Similarly, we want a percentage to come off the global one for Torres Strait Islanders living on the mainland. We want it set aside for TSRA or another structure we might have. We want it set aside inside that body, and it is earmarked for me and others.

Hypothetically, if \$20 million came off the top, that \$20 million would be used on the mainland for established organisations to look at the economic base and to do other things without touching that \$41 million.

Mr Abednego—Or take out what is ours from the national bucket. You could combine our figures.

Mr Tapim—Yes; that is another option we can have a look at. That is one of the issues for us as leaders to talk about and come to some agreement on.

Mr W. Waia—I am with the TSRA native title office. I have a brief point to make to the chairperson of this inquiry. A question of autonomy is currently in place amongst the government leaders and the Torres Strait Islanders, regionally and nationally. It is a matter of looking at the legislative outlay of the ATSIC legislation. A recommendation has been made here to have separate legislation looking into the particular interests of Torres Strait Islanders.

Mr Lui had initially suggested a task force, which I perceive would be one of the mechanisms to look at the duplication of services between the Commonwealth and state bodies in the region. Also, whilst looking into the legislation concerning Torres Strait Islanders it could address the interests of the mainland community of Torres Strait Islanders being part of their homeland community. Through that legislation, the questions of funding dissemination nationally for Torres Strait Islander communities will obviously emerge and then be assessed as per population per region of Torres Strait Islander communities.

On a practical note, the interpretation of those policies will be set in place by that

legislation, which I think should be devised in an appropriate manner, tying into the interests of the state and Commonwealth and at the same time the interests of other bodies like, for example, the Torres Strait Council. These issues need to be addressed whilst devising that legislation.

Mr TONY SMITH—Our time has gone. There will be an opportunity in the closing session at about 4 o'clock for people, if they wish to contribute further on this, to say some more, and that would be welcome. I thank you for your participation.

Luncheon adjournment

Mr HOLDING—This session deals with the question of land and sea. In the five-page documentation that is set out in the material that you have, I think it quickly and adequately covers some of the issues we have to consider in view of the fact that this area of Australia not only is resource rich in terms of fish but also has been traditionally a major factor in the diet of Torres Strait Islanders and is an important resource both in terms of the local economy and, indeed, in terms of the lifestyle and culture of Torres Strait Islanders. I am not going to say anything more than that because, I have to confess, quite frankly, any fish I catch have to have suicidal tendencies for me to be successful. But it is an important issue.

Before I move into that detail, I should also say this: before we complete these meetings, the committee is anxious to be in a situation where we have had very important discussions. We do not want to go back to Canberra and speculate about what it is we thought you said and put our interpretations on it. It would assist us enormously in our work, because we have covered a great many issues, if there were motions from the floor which could be discussed and debated so that what we have is basically a decision that has been made by the wide range of representatives who represent Torres Strait Islanders' hopes and aspirations. So, before we conclude our meetings with you, don't be shy. We are all politicians; we have all won and lost arguments.

We have come this distance not merely to hear you but also to get in concrete terms what it is you want to happen. We do not want to go back to Canberra and sit around saying, 'That's what I thought they said,' while somebody else is saying, 'Well, that's not quite what I agreed with.' It is up to you. There is no restriction on whatever it is you want to move. You can work on the basis that, if it is carried by this meeting, it will no doubt be given very serious attention by the committee and also it will be related to the relevant ministers. This is an important opportunity for us to put you on notice of what we are looking forward to are a series of discussions, debates and motions. I now call on Henry Garnier to open the discussion on the issue of land and sea.

Mr Garnier—The Hon. Lou Lieberman, members of the committee, chair of TSRA, chair of ICC, elected members, community elders, ladies and gentlemen, good afternoon. I am the chairman of the Hammond Island community and I am also the

portfolio holder for marine and fisheries. I am very pleased to speak to you today about the land and sea of the Torres Strait, especially the sea, for the sea has been my life since the age of 15. I have been involved in pearling trochus and, for the last 25 years, crayfish.

In relation to fisheries management, as a TSRA portfolio member, I believe that fisheries management in the Torres Strait is one of the most important ways our region has to develop a sustainable economic industry. The marine and fisheries environment of the Torres Strait is very diverse. The number of species fished commercially include prawns, crayfish, mackerel, pearl shell, trochus and beche-de-mer. There are other species fished on a smaller scale.

The Torres Strait fisheries is estimated to be worth between \$20 million and \$30 million per year. I cannot emphasise enough the importance of the Torres Strait Islander people being involved in all levels of management and decision making which affects the fisheries industry in the region.

Presently there are few Torres Strait Islander people employed full time in the commercial fishing industry, partly because of the seasonal nature of the industry. Page 18 of today's discussion paper shows the percentage of Torres Strait Islander people involved with the various fisheries. For the Torres Strait to achieve greater autonomy, Torres Strait Islander people need to be involved in daily and long-term decision making on all levels. I believe the vehicle to achieving community participation for fisheries management is a more autonomous body which will give greater control to the people of this region.

The benefit of the autonomous body is that it can draw on the knowledge of the Torres Strait Islander people as traditional inhabitants of this region and also provide an opportunity for input from the grassroots level. The people living in the island communities whose families have fished in these waters since time immemorial have an opportunity and an active say in decisions that affect their lifestyle.

Drawing on the knowledge and expertise of the Torres Strait Islander people living in the region will also ensure the decisions made affecting commercial fisheries are for the benefit of the people living in the Torres Strait. A more autonomous body would make a coordinated approach to the management of fisheries by ensuring the outside agency involved in the industry and take into account the feelings and needs of the people living in this region. This reinforces that the decision making process stays in the region and the decisions are made by the Torres Strait Islanders for Torres Strait Islander people.

I believe that a more autonomous body would also ensure the coalition government's pledge to work with the TSRA and Queensland government agency to ensure the Torres Strait Islanders obtain greater benefits from the local fisheries. Decisions made by people living in the region will promote greater involvement in the commercial fisheries by the Torres Strait Islander people. It is important that Torres Strait Islander people fully participate in the management of the fisheries, because they will ensure the economic benefits, come back into the region and provide an opportunity for the

traditional ways to be maintained.

On environmental management and protection, the sea and the land are the most important part of the Torres Strait Islander culture. Without our precious land and sea environment the focus of our culture is empty. There is the reason that environmental protection and management of the region will be better achieved if the people who have a stake in the outcomes are included in the relevant decision making processes.

A more autonomous body would be in a position to decide on the feasibility and cultural appropriateness of environmental management and protection program. I believe that Torres Strait Islander people living in the region are more likely to accept environmental outcomes if they have played a part in the initiation and decision making processes.

As portfolio member for the TSRA, I have personal knowledge of the projects that TSRA is involved in addressing environmental management issues in this region, including the marine strategy for Torres Strait environment and resource strategy masters, which is a community initiative that began in 1991 and has now established itself as an effective mechanism for researching and coordinating environmental and natural resource issues in the Torres Strait.

The integrated natural resources policy framework, funded by the Department of the Environment, Sport and Territories and the Queensland government, has commenced through the TSRA. The Torres Strait conservation planning project is coordinated by the Queensland Department of Environment and the CSIRO. These projects I have just mentioned are an example of the possibilities for the regional coordination of environmental management programs. Government and environmental management authorities can greatly benefit from indigenous cultural perspectives and the use of indigenous land management techniques.

Also of concern to the Torres Strait Islander people is the international shipping channel that runs through the Torres Strait. As the shipping is governed by the international maritime organisation, it is extremely difficult at present for Torres Strait Islander people to effectively communicate concerns at an international level. A more autonomous body would give Torres Strait Islander people greater ability to negotiate on the international level. Without this power of autonomy, Torres Strait Islander people are continually negotiating on the back foot, because concerns are reaching these international organisations second hand. A more autonomous organisation will enable Torres Strait Islander people to communicate their concerns effectively and accurately representing all levels of the community.

On threatened and endangered species management, the Torres Strait is an unique environment and unfortunately possesses species that are endangered or threatened. Two species that are considered to be endangered include the dugong and turtle. Both these

species are important cultural food for the Torres Strait Islander people and play a big role in ceremonies unique to our culture. Trawling, gill nets and pollution are contributing factors to the decrease of turtle and dugong numbers. Mining ventures in Papua New Guinea and Indonesia as well as the international shipping lane all have had diverse effects on our waters. I believe this is where a more autonomous body is essential by representing the concerns of the Torres Strait Islander people to heads of government and Australian government departments.

As I have mentioned earlier, it is our unique environment and the creatures living within it that are the basis of our culture. In order to protect our environment the people of the Torres Strait need the opportunity to express their concerns at an international level about environmental especially with the protection of turtle. This is because the turtle travel to the waters of Indonesia where they are heavily harvested. A more autonomous body would give the people of the Torres Strait a true voice to represent concern at international forums to protect species such as the turtle. I have already said that our culture is entwined with the land and sea and the creatures who dwell in it and any harm that comes to our environment actively affects our culture.

In conclusion, I believe that greater autonomy for the region, especially in these most important areas of fisheries and environment, means that Torres Strait Islander people have greater participation and control over the implementation of programs developed to address the needs of our unique land and sea environment. Torres Strait Islander people need to become more involved in decision-making. At the moment Torres Strait Islander people sit on a big range of advisory committees where they are in an advisory role not a decision-making role. This is where it is so important that a more autonomous body be established to protect not only our land and sea but ultimately our culture and heritage for our children and our children's children. Thank you.

Mr HOLDING—Before we proceed further I would like on behalf of all of us, and particularly on behalf of the committee, to welcome Pedro Stephen the mayor of Torres Shire Council. We are very pleased you are here and we look forward to your participation in our deliberations. Thank you very much for being here. The next speaker is Bill Shibasaki.

Mr Shibasaki—Chair, dignitaries, visitors, ladies and gentlemen, it is a privilege to be here today as Deputy Mayor and on behalf of the Torres Shire Council to say a few words. Firstly, and in all due respect to the Kaurareg tribe, Torres Shire Council say welcome to you all. We hope that what is being discussed today will achieve the goal that we are looking for. If there is any business concerning the Torres Shire Council let me say that I have just been elected in March so I am not really up with the council's business. Thank heavens Mr Pedro Stephen has arrived. I think he will be able to answer all these questions.

Yes, I am highly involved in the pearl culture industry—a billion dollar industry. At this stage we are missing out on the gravy train because we have a problem with

getting enough live shell to continue with the industry to make it a viable proposition.

If you go to places like Broome, Darwin or another pearling town, you can buy pearls and you can do this, that or the other. But if you come to Thursday Island, sadly, you are not given that opportunity. One of the reasons is because of the lack of shells. The other one is that we need to have more involvement from the Torres Strait Islander side of this community to be able to have a say in how the cultured pearls are marketed. With those comments, I will just leave it with the floor now for any questions they may wish to ask.

Mr HOLDING—We will have Mr Arthur next and then we can have questions.

Mr Arthur—Thank you very much for inviting me. Thank you very much to the Kaurareg people, whose traditional lands and seas these are. I will not say very much. I guess I would like to repeat what Clyde said. I am very interested to hear what your ideas are and what you mean by greater autonomy with respect to the land and the seas.

With respect to the seas, I wondered if you mean that you want to be more involved in the fisheries. Perhaps you might want to have more of a say in the regulation of the fisheries, as I think Henry has referred to. Or you might be considering extracting a resource rent from other fishers who come to this area. I would be quite interested to hear what your ideas are about autonomy with respect to the fisheries.

With respect to management, it is the case that islanders seem to be quite heavily involved in the protected zone joint authority and its various management committees. Of course, if that is not satisfying your ideas of autonomy, it could be quite useful today to hear in what ways it is not satisfying those aspirations.

Mr HOLDING—Again, I refer you to the documentation which sets out all the issues in respect of the relationship between the land, sea, culture and economic development. Mr Stephen, would you like to make a comment on any aspect of this?

Mr Stephen—Yes, thank you, Mr Chairman. Since the last hearing where I had the opportunity to address the committee—that was at the TAFE—I think we actually put forward a position from the Torres Strait Shire Council. I think there was always a question mark in that the committee was continuing to ask us what sort of form of autonomy would encompass the land, sea, culture and heritage. In this afternoon's session I would like to move a motion on a form of autonomy that I hope, after talking to a lot of people, is workable and will encompass all the different headings that we will be discussing and which have been discussed during the day.

After reading through the transcript of our last meeting at the TAFE, I would be up-front to actually say that in my mind the Torres Strait Shire did support a form of autonomy. Also other agencies and other government bodies have talked about autonomy.

I see in the transcript that the Murray Island Council and Mr Francis Tapim are the only two that really said that the concept of autonomy would be a territory status. The Torres Strait Shire was concerned about the form of autonomy that would take place in the Torres Strait, which would also encompass the non-indigenous people as well as the indigenous people. Everyone agreed that with the actual situation we are in, our location, the treaty agreement that we have between Papua New Guinea and Australia and the boundaries that are around Torres Strait at this time, we would fully support a territory status in a form of autonomy for the Torres Strait.

Mr HOLDING—Thank you very much. Any other comments upon the paper or the statements made?

Mr Misi—I am with the island fishing organisation and we are very concerned about controlling the waters here because most of our economy is based on the sea. We would like to be in control and we would like to see it being developed to its fullest extent within reason. We would like conservation issues to be considered. When we do become a territory, we would like to work in with the present Queensland government so that we take it in stages. We are not expecting development or establishment of a territory to work overnight. We are realistic to the fact that it will take time, but we do not want to make it happen over more than 20 years. Ten years would be about the right time. That is my guess, but it is up to the people to look at it realistically.

Torres Strait Islanders, being on the fringe of the Australian continent, share the same problems as many indigenous people throughout the world. Torres Strait has a majority of people who are non-indigenous and the only way that the government can effectively control the economic and social development in these areas is to give the people a form of self-government, whether it is as a territory, or as a government in its own right, like the Aboriginal people of Queensland. This is what we want.

When we look at the ICC and the TSRA, we have the skeleton there which needs to be expanded a bit further and to take into consideration what our mayor said here. We want to take them along, too, because regardless of whether we are indigenous or non-indigenous, we have lived in the Torres Strait, we will die here and our children will carry on. We would like to see something in place that will contribute towards nation building because we do not want to become a burden to the taxpayer and depend on handouts.

These are the issues that we are looking at. The social and economic problems that we touched on here will never be overcome unless we look at a realistic picture and a realistic plan to put into place a state or a territory. A state would be better, but a territory, yes, we would go for that.

Mr HOLDING—Any further comments?

Mr Nona—I am a fisherman of Torres Strait. To all the ministers, the mayor, and

to my Kaurareg brothers, my big concern is that we are speaking good words here, but we have never looked at the young people. If you are talking about autonomy, we have got to start looking at the young race of fishermen because our concern is that there is not enough input from our leaders addressing issues to us.

As we know, in Torres Strait we are in a crisis with AIDS, drug problems and alcohol. These are the things that are affecting our young generation. If we are talking about 10 years from now, there will be no generation left. There will be just old folks running around, and what can old folks do for Torres Strait? So we have got to combine because I have been talking about autonomy with the young kids and young adults. So if we are really serious about autonomy, when the young people come and approach the leaders as respectable human beings, give them a chance and listen.

I have a couple of things placed here at the front of me which I would like to put to the committee. If you see the structures which have been set by the government for the advisory body for ICC, it is not working. The big problem is for us is that our people have been failing to deliver the right message to our young people. The way we are going there will never be autonomy.

I will have to finish now but I will ask you to have a look at the young point of view and the visions of the young Torres Strait Islanders. Remember this: you can never survive without the strength of the young men. We can never survive without the wisdom of the old. My advice to the committee is: please take this seriously because if there is nothing done for our young generation, by the time we reach autonomy people will be talking about a coup. I know our people: when it is down in the heart too long, the frustration builds up and you will see results. Thank you.

Mr HOLDING—Can I direct the audience to the statement on page 16 which points out that on the issues of native title, it has been made clear by the Mabo decision and reinforced by the Wik decision, native title can also extend to the sea. I think that might be worthy of consideration.

If we go to page 18, where we set out the species of fish, islander percentage of catch and non-islander percentage of catch, those figures show some important economic aspects. One of the things it does not show is how many islanders are in fact involved professionally as fishermen. I know it is part of the culture—you are able to catch fish and live on them—but what percentage of islanders are actually involved and employed in the fishing industry at any level? That includes all aspects. I was wondering if there is anybody present who could give us some insight into that?

Mr Newie—I am president of the Torres Strait fishermen's association. From the statistics, the Torres Strait fishermen are not fully part of those figures, because Torres Strait fishermen are only I think about 5 per cent in the working part of the fishing industry. In Torres Strait, the islanders are just workers again; we are just part of the

working process—we are not buyers, we do not own boats and we do not make decisions on laws that cover the fishing industry in Torres Strait. That is why there is a minimum input by Torres Strait islander fishermen in the fishing economy of Torres Strait.

What Henry said before is that Torres Strait fishermen have to make laws on the fishing industry in Torres Strait and be part of all fishery concerns, whether it is prawns or farming fish. That is why at the present moment all we have is the protected zone joint authority which has not consulted Torres Strait fishermen. They have gone under their own steam, listening to a minority of commercial fishermen in Torres Strait. We still have the problem of the middleman coming into Torres Strait and ripping all the benefits out of Torres Strait to the point that Torres Strait fishermen do not have any control whatsoever in the development in the fisheries in Torres Strait.

Mr HOLDING—Are you saying you are looking at less than five per cent of islanders who would be gainfully employed in the fishing industry?

Mr Newie—I think it is more self-employed. If you look at the people employed in the fishing industry in privately owned boats and stuff like that, they are just—from my point of view—slave labourers. We have organisations here in Torres Strait who bring Papuans over from New Guinea and use them as cheap labour in the fishing industry. That is what we are trying to stop here in Torres Strait. We are heading towards the year 2000 and we still have black slavery in this country. It is a cheap shot at people. It has to be stopped. That is what we are trying to say. We need to control Torres Strait. We do not need, in the future, to have the Australian government telling us what to do or how we should make laws.

This country belongs to us because, under the native title Mabo decision, we own this land. We own the territorial sea boundaries because we know where they are. It is part of a global change that everybody in humanity, no matter where they live, now has the right to land. We have that right. We have the right to sea; we have the right to control every resource, whether it is above or below the ground. That is part of survival upon this earth. Going back to fishing, I say what Henry said before: Torres Strait people have no control over fisheries in Torres Strait. Thank you.

Mr Misi—I would like to expand on what Angelo was saying. The problem is that we have no infrastructure in the Torres Strait. In most of the communities, we do not have the necessary infrastructure there. For example, I can speak of Mabuiag. This is crayfish country. We have a lot of people going there. We do not take any offence to that, because we are affiliated to them through our blood lines and our totemic system and we know our genealogy. A lot of our people have come from Mabuiag—their grandparents, et cetera. What we are saying is that we would like to see the infrastructure being developed, not only in Mabuiag but also in the outer communities, on the other islands.

The problem we have is that we have the CDEP mentality, which is good, if it is

there for a purpose. It really does not help the people in the long run. It is a short-term problem. It is a short-term structure to try to fix a long-term problem. This is why we are saying it is good that we have to look at it realistically, look at forming a better institution for the Torres Strait and look at self-determination. If we do not build that structure, we will perpetuate this problem of depending on the government for handouts.

We need to develop the fisheries in the Torres Straits. We need to control the fisheries in the Torres Straits. We need to have some positive input into the decision-making process. It should also come from the traditional grassroots fishermen, because decisions made affect the fishermen out there. Half of the time, the people do not know what the decisions are and yet they get persecuted for some reason or whatever.

If we integrate the system by forming a better self-government process then the people who are Torres Strait Islanders will participate not only in making decisions, but also in running the different institutions and people will listen. It is as simple as that. When you look at the present structure now, we have immigration and we have different other bodies, like customs. If you are not a Torres Strait Islander, you do not know who is coming into the country. It could be a Papua New Guinean. We are very similar in features. We are Melanesians basically and we can tell just by looking at them or just by listening to the language they speak.

This is the practical need for us to develop something that is positive, something that is going to be workable. Again, I stress the point that this is part of nation building. Australia cannot make decisions elsewhere for other world communities without looking back at the people and trying to make the correct decisions there, because it is hypocritical. If you cannot help somebody else, you do not help your own people. It is a very serious matter and we do look at becoming self-governing in our own right.

Mr HOLDING—Is there any other comment?

Mrs Kennedy—The government seems to be looking after the others. They do not seem to worry about us. They worry about the commercial fishermen and all those kind of people. We have got nothing here.

Mr HOLDING—But assuming, for example, there was a government grant, is there the capacity in this community—and I would suspect there is—to run a fishing fleet? I would rely on your judgment for that.

Mr Misi—There is the capacity. That is not a problem. The problem is the opportunity.

Mr HOLDING—I have an answer to that. Are there no Torres Strait Islanders employed by the department of immigration? I thought I had organised that, if I had not done anything else.

Ms Malone—I am a Torres Strait Islander and I am the regional manager for immigration. I look after this Torres Strait region on behalf of the department.

Mrs Kennedy—How much money do we get from pearl culture? Does anything come to the people here?

Mr HOLDING—I have no figures on that. If you look at page 18 that basically tells you what the infrastructure of the fishing industry is here, but it does not tell you how many islanders are either directly or indirectly employed and it does not tell you what the revenue is in terms of the catch.

Mr Bishop—I am with the Australian Fisheries Management Authority and the local officer here on Thursday Island. In terms of counting the actual number of Torres Strait islanders involved in the fisheries, it is difficult to do that exactly. We have at the moment some 740 people in the Torres Strait holding a master fisherman's licence. The vast majority of those would be islanders. However, there are also many thousands of islanders living in communities which hold community licences for fisheries. It is difficult to estimate exactly how many of those are active in the fisheries.

I think though that it would be fair to say that, with the exception of the prime fishery, in all the other fisheries Torres Strait islanders would make up the majority of participants and islanders can actually enter any fishery at any time either under community arrangements or by obtaining a licence for \$20.

However, some of the points that Charles made before in regard to infrastructure do have a bearing. If you look at them community by community, it would be true to say that in some communities such as Badu, where they have two locally owned freezer operations which are owned and run by islanders, there is a great deal of active participation in commercial fishing. Yet there are other islands where perhaps a combination of the CDEP program and the lack of a freezer has resulted in less activity in those communities.

As I stressed before, under the current management arrangements any islander may enter any fishery at any time. For non-islanders there is limited access. That means that a non-islander would have to buy the fishing right off another person which, depending on the fishery, would cost something between \$50,000 to \$100,000 in the lobster fishery perhaps and several hundred thousand dollars in the prawn fishery. For that reason, the non-islanders who are in those fisheries—that small number—do tend to be a lot more active and account for a higher catch per person than you would find in the islander sector.

Mrs Kennedy—Do they export their fish?

Mr Bishop—The ability to export the fish depends on the condition of the freezer. More and more islands at the moment are upgrading to export standards, which enables

the fish to be exported.

Mrs Kennedy—How many are now exporting?

Mr Bishop—Nearly all the product from Thursday Island is exported. Also Badu and Yorke and Murray Islands and I believe Warabi is getting close to export standard at the moment.

Mrs Kennedy—How many people are exporting and getting the money?

Mr HOLDING—Could you give us some idea of the size of the catch, for example, with things like lobster?

Mr Bishop—Lobster at the moment is about 200 tonne a year. That has been fairly stable, give or take 10 per cent over the last five years or so. That is in tails. There is a growing trend in the Torres Strait for live crayfish, of which the tail accounts for 40 per cent of the weight. So with roughly similar prices being paid per kilo, the fishermen are making two and a half times as much per crayfish. That is starting to come across Torres Strait. It was non-existent three years ago.

Mr HOLDING—Where do the crayfish finish up? Where does it go? Do they export it live?

Mr Bishop—It is nearly all exported. Crayfish goes to the United States and the Asian market. Most of the other products from here go primarily to Asia.

Mr HOLDING—When they go to Asia, do they fly them out from Melbourne?

Mr Bishop—Yes, it is flown out from Cairns. It is flown out either as frozen product or increasingly as live product.

Mr HOLDING—Live product is bringing something like \$40 to \$45 a kilo in the Chinese or Hong Kong market.

Mr Bishop—It is a lot more than that now.

Mr HOLDING—It varies.

Mr Bishop—Yes, depending on the species. You are right.

Mr HOLDING—I have a crayfish operator in my electorate. That is what he tells me he gets in Hong Kong.

Mrs Kennedy—I saw them on sale in New Caledonia for \$128. They buy them for over \$100, I believe. And that is rubbish crayfish; not as good as ours. Their fishing fleet is really good, even though the French are no good people. The islanders are making a lot of money.

Mr LIEBERMAN—Could I just ask one question of the officer? In Brisbane we took some evidence from people representing the fishing industry of Queensland. I would recommend to members of the seminar today that they get a copy of that transcript. Ask the secretary and make sure you get it. It should be read. I remember that one of the aspects of the evidence given was that increasingly the trend in the industry is not to catch, unload at a freezer, process them, load them back onto a boat and take them to Cairns. Rather the trend is to keep them on the boat and take them straight to Cairns. Can you elaborate on that? Is that happening?

Mr Bishop—It depends on the fishery, but it would be true to say that a lot of the commercial operators load straight onto mother ships rather than to freezers here. They go straight through to Cairns, which amounts to the same thing as what you are saying there. Yes, that is right.

Mr HOLDING—Do they freeze them on the mother ship or keep them alive?

Mr Bishop—It depends on what product it is. The majority is frozen on the mother ship, certainly all of the prawns and most of the crayfish. However, an increasing amount is being kept live.

Mr HOLDING—What about prawn fishing? That is a fairly lucrative exercise.

Mr Bishop—The prawn fishery is certainly a lucrative one. It is probably the most valuable fishery here. There are three licences which have been kept aside for Torres Strait Islanders through the ICC. As yet they have not been taken up. There are a number of physical difficulties to be overcome to get into prawn trawling.

Mr HOLDING—What are the physical difficulties?

Mr Bishop—One is the expense of getting hold of a trawler. Most of the fisheries that people are involved in here involve working straight from a tinny, so you have got a very low capital outlay, and you can become a cray fisherman or go for trochus, beche-de-mer or line fishing—whatever. For prawn trawling, you need to acquire the vessel. There is also a fair amount of training and skill required to be a prawn trawl skipper, compared to other fisheries.

One of the other issues is probably a cultural one, which I am not an expert on but other people in the room may well be. In the prawn trawling fishery you need to work every night, regardless of the weather—it is a night fishery. It is certainly a less pleasant

fishery to work in than being your own boss and working in the daytime in other fisheries. In that sense, I think it would be true to say that a majority of Torres Strait Islanders would not be interested in being prawn fishermen. That is not to say all of them, I should stress; I am just saying that that is another factor in the equation.

Mr Garnier—With regard to opportunities given to the Torres Strait Islanders, I was involved in fisheries for the last 25 years and 15 of them was as the skipper of a cray boat in the Torres Strait. I worked on the boat for a company for 15 years. The annual amount it brought in was something like \$700,000 to \$1 million a year. If the opportunity was given to Torres Strait Islanders, they could do similar things. They could bring in that amount into Torres Strait, to the communities. But we were not given the opportunity. Grants were not there when Islanders wanted to start their own businesses.

But we have to take into account that accountability plays a major part in that. We have got to be accountable for all the dollars that we get from the government. So it is a two-way street. I might have been successful in that venture. Just recently a fishing organisation went down because of accountability, so we have to take those things into account. If we are to give our people the opportunity, accountability is going to play a major part in it.

Mr Newie—Over the last 20 years we have always wanted the prawn trawlers out of the Torres Strait because in that time we have seen the decline of mackerel and ups and downs in cray stocks. We have read reports that, even in the central island group, the seed beds are getting wrecked and different species are being caught in the nets.

Torres Strait does not benefit out of the prawn fishery in the strait, only wherever the trawlers come from—Cairns, Townsville or Brisbane. They fish out the central group, so we do not benefit from it. And when we talk about funds from the government, we have Australia giving overseas aid—it gives \$1.5 billion overseas—but the Australian government cannot even give us that amount of money.

Mr Nona—Just to answer Mick Bishop's question, our forefathers have worked from six to six on the pearling luggers, plus when they cleaned the shells after six they go to about 2.30 in the morning, 4 o'clock in the morning. We work long hours. We just said that we cannot work at night. We have done that. But it was another genocide by the government to take us out of the pearling industry, then give us hand-outs like CDP, and now they are trying to tell us that we cannot do things, to rely on the government.

To be honest with you, we can do it. They have not managed the system properly, the fisheries. We just lost a boat recently, a dinghy, with two ladies in the dinghy and a young Torres Strait boy, a child actually, and two older blokes. Three of them died but the two ladies survived. If this fishery was managed by the Torres Strait Islanders, we would have things placed on every island so that if you are stranded, you swim onto the island, there is a shed there, you go up there and you get an EPIRB from the shed, just in an

emergency, and in a couple of hours you could be saved. But with the fisheries management structure they have got in place now they sit in here, they patrol the area every two weeks and they only go out to a certain area of the Torres Strait and come back and the other part of Torres Strait they do not see for about two months.

So what we really need is AFMA and other fisheries here to train people out on the islands to be based out on the islands, because we got placed everything on Thursday Island and out on the Torres Strait people are suffering. That is what I said to you, that if nothing is done there is going to be a coup by the year 2001 because the frustration builds, and I know how black people think. Thank you.

Mr Bishop—Just a very brief comment to clarify. In no way was I implying there that the Torres Strait Islanders are less able to work at night or in prawn trawling than anybody else. What I was trying to imply—and forgive me if I was misunderstood—is that, by and large, prawn trawling is a pretty nasty business. If you took a large group of non-islander fishermen involved in other fisheries, I believe that they too would have no interest in prawn trawling. The only thing I can say is that the fleets are constantly losing their crews.

People come out thinking prawn trawling is a great thing and they leave and the fleet have great difficulties replacing them for that reason. As I say, I think there would be a far smaller number of islanders interested in that fishery than other fisheries. However, I agree with Mr Garnier that there would still be islanders there who would be interested and I would like to see them have the opportunity.

Dr Wasaga—I just want to throw a question to the floor. As an individual, I am a bit scared of taking live crayfish from the Torres Strait, especially selling it overseas to the Asian area. One of the reasons is this: if these people over there find a way to farm this species, down the track there will be a downfall in the financial situation as we cannot sell cray overseas. So my feeling is that we should keep live cray here and just sell the tails overseas for market. It is a scary situation. Once they get a farm going, they have got technology, and I am really scared.

I would like to put a question to Uncle Billy there. I just want to know why you do not get the live shell. Are there not people swimming for it or is there disease in the waters?

Mr Shibasaki—We are prepared to buy, but there are not enough divers around fishing the shell. What we are finding at this stage is a downturn in the production of pearls because of this situation. Some years ago we fished from early October to about late November and we had our full quota of shell. With about 50,000 to 80,000 live shell, we would employ something like 30 Torres Strait Islanders on the pearl farm, plus the people who are working the boats. Yes, it is an industry that creates employment, but sadly, for some unknown reason, we are not able to get the shell. It is partly crayfishing

that people are looking towards rather than live shell. It is only done when the crayfish season is off.

Also, we are finding it difficult with the shell. The grounds are not regenerating as they have been in the past. As an example, just after the war we had many luggers out fishing and there were always shells there. Today, there's Buckley's chance. Whatever boats that are here, you can count on one hand. We do not have any shells.

This is the problem I have been trying to get across to whoever I speak to on the issue. Just going out and looking for shell is okay, but there is a lot of wasted time as well. We know where the grounds are. I think what needs to be done, and maybe government can come to the party and help us out on this, is research into why the actual live mother of pearl shell is not regenerating. There is a problem in the spatfall and no-one seems to know what is causing it.

We have turned to a hatchery type operation and while they have success over in Western Australia and in the territory, we do not seem to be able to have that success here. We get it to a certain stage and they die on us. Put simply, if we have the shell there will be more employment. We haven't got the shell so we are playing it low key at this stage.

Mrs Kennedy—Maybe you are not paying enough money.

Mr Shibasaki—It is \$20 a live shell. It is up to the pearl fishermen who want to work it.

Mrs Kennedy—One thing I would like to say about live fish is that they fish with cyanide, and that is very bad if they are going to do that. You will have to put a stop to that. Do not allow it. They use cyanide and it kills the reef.

Mr HOLDING—We have almost run out of time.

Mr Passi—I am from Murray Island. I am a nobody, but I am affected by that basket that gets tossed around, that too hard basket. I don't believe in these statistics. We are not here to talk about statistics, we are here to talk about autonomy, control of a region, the land and sea. It is controlling the sea and the resources. That is what is happening on Murray Island. We are kicking out commercial fishermen to keep them away. They are our resources.

These things are not correct. What we are talking about is bringing the decision making back from Canberra, or outside, back here. As for the statistics in Canberra, they are not right. We are talking about turtle being an endangered species. If you come to Murray Island, they are wrecking the island. We do not have to go out in a dinghy for turtle, you can sit on the beach and they come up to the village. There are that many.

They are a pest on Murray Island.

The main thing is we are talking about what we are bringing back into Torres Strait. What I am concerned about is that we are looking at blocking off a region. We are talking about a region. We are putting a regional status on people who grew up and were born as a nation. That is why there are problems.

When people go down south, they do not go and become Queenslanders, they do not become Western Australians, they do not become South Australians; they are Torres Strait Islanders living in those areas. So we are a nation. So when it comes to sea rights, it is control of the sea. We have the expertise to run the sea or to fish it. We were born fishermen, we will die fishermen. We do not need licences. That is one problem with Murray Island. We have people coming in saying they have a licence to fish this area. All right, but we want control of the area. That is our sea. Native title says common law recognises traditional law. It is only in half. It recognises land not sea.

Mr HOLDING—No, the native title covers the sea.

Mr Passi—Native title, as far as I am concerned, is only the high water mark.

Mr HOLDING—It might be as far as you are concerned, but I assure you, in terms of the High Court decision in *Mabo* and the discussion that has taken place, if you read the judgments in *Wik*, it is possible. Many communities have made claims in terms of native title that covers the sea adjoining their lands.

Mr Passi—Well, we are having a problem with Fisheries. Mick here can tell you. We had Fisheries and police out at Murray Island. We are fighting over the same thing: our control over the sea.

Mr HOLDING—The purpose of this discussion is to open up all these issues.

Mr Passi—At that same meeting was the commissioner for police. I said to him ‘How come there is no police station out at Murray Island?’ He said ‘Murray Island is a beautiful place’. We have got one police station to cover 48,000 square kilometres—one police station. In Brisbane, they have got one in every suburb. Now he says, ‘Oh, there are no problems out at Murray Island. It’s paradise. I would live here any time’. But that is not real. What information they get down south is not what happens out in the islands.

Mrs Fischer—The land and sea as one, I believe, goes back to the autonomy again or a separate region here to control our own fishing and all that land and sea. At the moment the infrastructure that we have got is not serving the needs of our people on the ground for employment, for training to work in that industry. It is all controlled by government, by management and people who work for government, and it is not culturally appropriate.

As an islander, when you go for a licence, the first thing the white men do is give you papers and say that you have got to go and identify yourself as an islander. Then you have to go and look for leaders. You have got to have three signatures. You have to run around looking for leaders to sign to say you are an islander. For one, I have to go to the community and say to the community, 'I'm an islander. Sign your name here'. I have to have a petition to go into the fishing industry as a woman.

There are all sorts of problems in there: selfishness, greed. But it is all for outsiders, for people working in the government to fill their own pocket. There is nothing to develop local environment and there is no infrastructure in place to support. So it is all about autonomy. It is governed and controlled by the wrong people. Our own people can manage, whether management knows that or not. There are a lot of middle management people in that area who can manage it according to how we want as a people. At this moment, I have got a petition from a lot of our young men who are working full time in the fishing industry. They are frustrated because they cannot work that industry full time to support their families.

Mr HOLDING—Just let me make this clear before we wind up. We are conscious of these problems and that is why we opened it up with a discussion paper. Before we came here we had to consider as a committee what the issues are which we think you would want to discuss—and that is the reason. There might be other issues that you want to discuss, but the purpose of opening this up was to get your view of this matter, because clearly it is an important matter, not only culturally but economically. To the extent to which we have had that input, I am glad we put it on the agenda, because we have got a very positive response.

Again, I come back to the point that we are hoping that, before we leave, there will be a series of resolutions in which you speak for yourselves in order to tell the committee those things you think we ought to be taking with us back to Canberra and building into our report to the government. Thank you very much for your input into that topic. The next topic is culture and heritage.

Short adjournment

Mr LIEBERMAN—I would like to hand this section of the seminar over to my colleague, Paul Marek. I will leave it to Paul to introduce the panel and to guide the discussion. I ask that we be mindful of the time. I know that you all have commitments and it is important that we finish as close as possible to time. Do not forget that as soon as this segment finishes, we will have an open session to wind it up. If there are any resolutions that anyone wishes to put, we will look forward to getting them.

Mr MAREK—Thank you, Mr Lieberman. Out of all of the sessions today, I think culture and heritage are probably the most important. They will play an extremely large role in the near or distant future, particularly when we start moving into greater autonomy

or even self-government, which I hope happens very soon. Our panel members today are Ms Thomasina Mam from Brisbane, Mrs Flo Kennedy and Mr Terry Waia.

Ms Mam—First, I would like to acknowledge the traditional people of this land that we are meeting here on at present. I would also like to acknowledge my elders present in this forum here. I do not have to name who you are or where you come from or how I am connected. I believe that everyone here has a very important role to play in terms of what greater autonomy means for Torres Strait Islanders as a nation of people.

I would also like to pay tribute to those elders and those Torres Strait Islanders that have gone before us and have paved the way for the future in which we are about to proceed. I would like to also acknowledge chairperson Abednego from the TSRA, commissioner Waia from TSRA and also chairperson of ICC Mr Lui. I also acknowledge the chairpersons of all the outer islands as well as all of my brothers and sisters that are here today. I also acknowledge the honourable Lou Lieberman, as the chairperson, and the House of Representatives standing committee which is here present with us today.

When I was first asked last week to address this session on culture and heritage I was very surprised that I would be asked by the committee to be the first presenter. I am of the personal belief that I am a young Torres Strait Islander who happened to have been born in Brisbane and raised in Brisbane. I discussed this with my community in Brisbane to see whether I should perhaps leave this to someone else who would be more informed about the cultural and heritage issues of Torres Strait Islanders.

The view of my elders in Brisbane was that I am here to represent what we are down there, that so long as the blood in my arms and body is of the Torres Strait, I have got the mandate to come here and sit and talk. My perceptions are that of someone who has grown up on the mainland but nevertheless I am very fiercely proud and protective of my Torres Strait culture, as well as my Aboriginal culture. As an individual, I have every right to speak on both cultures.

From listening over the past few hours to the issues and the concerns of Torres Strait, I hope that they will be taken into consideration in the final report of the standing committee on greater autonomy for Torres Strait Islanders.

On page 21 of the seminar discussion paper, I look at the expectations that I, as the number one presenter, would look at those issues mentioned there. If I count them, they come to about eight or nine points, which would give me one minute on each of those points. I have tried to dot point and summarise where I can. As the saying goes, 'Pawpaw can't bear mango, pawpaw have to bear pawpaw.' I have a way of telling a long story before I get to the point but hopefully today I will not do that; I will get straight to the point.

Australia is a very lucky country in terms of the indigenous rights of Torres Strait

Islander and Aboriginal people. If we look at Australia as it stands now, Australia is in the unique position of having two indigenous races of people. I mentioned earlier that we are not the second race of indigenous people in this country but that we are one of two indigenous races. That in itself says quite a lot about the indigenous people of Australia. The international arena has in the last five to 10 years received Torres Strait Islanders in that international arena. When people are talking about indigenous issues in the international arena, they know that in Australia there are Aboriginal people and there are Torres Strait people.

What is Torres Strait culture and heritage? To me, as an individual, and as someone who was born and raised on the mainland, it is a combination of things. It is a combination of belonging to the land. It is about where you come from, whether you come from eastern or western, or whether you come from central islands, or whether you have a combination of blood lines to that area. It is about belonging to a race of people, where you come from, the blood line, the language group. It is also about being one nation of people, which I believe we are.

We are Torres Strait Islanders first and foremost. We have a very strong culture which has not been affected to the extent of the indigenous people of Australia. Torres Strait Islanders have, in one sense, kept their languages and their songs and dance intact. They have kept it together. Whereas in the Australian mainland, Aboriginal people have been very much affected by colonisation in relation to their languages. If I look at my own background, my mother's people came from the Cape York Aboriginal people who were taken to Palm Island.

In one of the reports it mentions that Torres Strait Islanders came south because of better opportunities. Let me tell the panel that better opportunities does not mean being sent from Torres Strait to a penal settlement such as Palm Island. We had Torres Strait Islanders sent all over the country on punishment. I do not regard as 'better opportunities' being sent unwillingly, and through the evacuations in the earlier years, to another man's country. I do not regard that as better opportunities for Torres Strait. I think that is something that the committee needs to take into consideration.

Some of the submissions that have been put in have been prepared by non-indigenous people who have been employed to develop those papers. That is why it is good for the committee to come and meet and hear the views. Whether they are views that we like to hear, or whether they are going to make people feel uncomfortable, it is a good forum where you can sit and listen to those constructive criticisms for the betterment of Torres Strait Islanders.

I believe that there is a Torres Strait Islander culture and that it is unique to the Torres Strait Islanders and the Torres Straits. The culture and the language and everything that we call culture in Torres Strait is something that I believe you do not read about it; you do not buy it and you do not sell it. It is something that I have received, and everyone

else has received from generation to generation, something that cannot really be written down. It is only through life experiences, and the experiences of our grandfathers, our great-grandfathers and our great-grandmothers, our aunties and our uncles, that we have learnt and we have carried on the traditions and the cultures and the customs of Torres Strait.

Do the Torres Strait Islanders on the mainland maintain their culture and heritage? If so, what assistance do they receive? I believe that the Torres Strait Islanders continue to practise their Torres Strait Islander beliefs. I do not think that they, as a race of people living on the mainland, are any different from the Torres Strait Islander people that live up here in the Torres Strait. Only the geographic area where they are living is different.

I believe that if we are Torres Strait Islanders and we are practising what we believe is Torres Strait Islander culture, as elders we are passing that information and culture on to our younger people and, by the same token, our young people are actually asking and wanting to learn about their culture. It is a two-way street.

I happened to stand up at a forum in Townsville last month when some of our young people who, for whatever reasons, were questioning things about Torres Strait Islander culture. I believe that it is just up to every individual, and to us as a community, to make sure that we are passing on that information to the younger generations. Younger people are always saying that we need to know more about our culture but, by the same token, I believe that it is also up to those individuals and those younger people that say they want to know about their culture, to come up and learn about their culture. It is up to them to come up here, or go to their own communities on the mainland, to learn more about their culture and to practise it.

Unfortunately, on the mainland, there are a lot of Western influences that, perhaps, prohibit us from practising traditional hunting rights to the extent that we would like to practise them. There have been people who have been taken to court for practising their Torres Strait Islander culture by hunting traditional foods—as in turtle and dugong on the eastern coast of Australia. Recognition of Torres Strait Islander customs and practices really needs to be taken into consideration.

The role of the education department is of great importance. I believe that the education department has a role to play in the maintenance of culture and heritage, but I believe that that is also a relationship which should be further enhanced with the Torres Strait Islanders of those areas. In most of the schools, nine times out of 10, it is non-indigenous people that are doing the cultural awareness sessions with children in the education systems.

The current status of traditional adoption is that customary adoption practices are still not recognised by the western law system. In the last few years, there have been steps taken to have traditional adoption practices recognised—Torres Strait Islander recognition.

I do not know whether everyone has seen this booklet. It is about the report to the Queensland government on the legal recognition of Torres Strait Island customary adoption. That was actually developed in 1991.

The state government funded the preparation of this report, which includes the areas of greatest concern, which were birth certificates not reflecting the customary adoptive status of the child, the lack of inheritance rights for adopted children and the lack of formal means for resolving disputes over adopted children. That was one of the reports prepared.

Last month there was a meeting called with representatives from throughout Queensland and interstate to look at the issue of traditional adoption once again. The government at this stage is taking the issue of traditional adoption very seriously. A report is being developed for the cabinet submission which will go to government at the end of the year. Magani-Malu-Kes was the host organisation this year to organise and prepare that report, and Francis Tapim here is the executive officer of Magani. There is going to be a report he will ensure everyone here gets a copy of. That report is looking at the issues of concern about traditional adoption practices and at government hopefully recognising the traditional adoption practices.

Government policies in relation to social relationships and family life often do not reflect Torres Strait Islander cultural values. If greater autonomy existed, these policies would be totally focused on Torres Strait Islander issues. The importance of inclusion rather than exclusion of Torres Strait Islanders from the mainland is that when we would be sitting down discussing policy issues and funding, we would be totally focused on Torres Strait issues rather than it being at the moment where it is on the mainland. There is a distraction from looking at Torres Strait issues to the bigger picture.

Torres Strait is a multicultural society. How can culture and heritage issues be a unifying force in a multicultural society? I believe that our life does not depend on multiculturalism. We have kept the culture and heritage from time immemorial and I believe that it will continue in that respect. Whilst we respect and recognise the issue of multicultural people, I believe it is a policy of assimilation and we are the indigenous people of this country. We have to be recognised as what we are, as Torres Strait Islanders, not as part of a multicultural group or an ethnic group. We are indigenous people. We are one of two indigenous groups in this country.

The issue of racial discrimination, of the Racial Discrimination Act and its relevance, is that we have to accept that this is an act which is relevant to all peoples, whether they be Aboriginal, Torres Strait Islander or non-indigenous people. This act is there, as I understand it, to protect the interests of all those peoples who are affected, whether it be by race, by religion, by the colour of their skin or by their practices. I think that is something that will always be there.

On the issue of identification as Torres Strait Islanders by those of mixed cultural ancestry, including those with both Aboriginal and Torres Strait Islander backgrounds, I mentioned this morning that, having a Torres Strait father and an Aboriginal mother, I do not believe that I have to make a choice or that people have to make a choice for me. I firmly believe that I have the right to practise the Torres Strait Islander culture and I believe that I also have the right to practise Aboriginal culture. I do not think it is about whether or not you are supporting this because you are a Torres Strait Islander. There are times when you have to talk totally Torres Strait and there are times when you are going to have to talk Aboriginal, and there are times when they are complementary.

I think you are in a unique position if you have both Aboriginal blood and Torres Strait Islander blood, but then it all comes back to you as an individual as to how you present yourself, how you identify and promote yourself. No-one has the right to make a choice about what you are. If you are an Aboriginal person by bloodline and if you are a Torres Strait Islander by bloodline, that is your identity and no-one can take that away from you. It is just like with other Australians: some of our visitors to this country regard themselves as Australians, some regard themselves as Chinese, and some regard themselves as whatever nation of people they come from. That is their right, to choose how they wish to identify themselves.

People, governments and public servants at some time throughout the process have been at fault for projecting stereotypes with regard to what a real Torres Strait Islander looks like. In my eyes, a Torres Strait Islander can have white skin, blue eyes and pussy-cat hair. That is a matter for that individual; it is not for anyone to pass judgment as to what a real Torres Strait Islander should look like. At times, it has also been a question of what the perceptions of other people are: what do you really have to look like to be a Torres Strait Islander; what do you have to look like to be an Aboriginal person; if I look this, maybe I look too much like an island man? That is just people who have got their own ideas about identity.

As long as we remember exactly where we fit into the picture, it is like a jigsaw puzzle. We all have a little piece. We all play a piece in this country. We all play a piece even in our own communities, whether we are Aboriginal people or Torres Strait people or whether we are both. We can fit into both of those races of people because we are what we are, and that is what we are.

Mr MAREK—Thank you very much. Terry, I believe you have some statements to make.

Mr T. Waia—Thank you. I will try and be quick. Some of us may think that I will be addressing things to you people sitting in front of me, but it will be for the inquiry so that it can be taken down to the government. What is a Torres Strait culture? It is the link between a land and sea environment. A Torres Strait Islander culture is a strong and enduring one, fundamental to the way of life of Torres Strait people in the region. Island

custom refers to the body of custom, tradition, observance and beliefs of all of the Torres Strait Islanders living in the Torres Strait region, including such custom, tradition, observance, beliefs relating to a particular person, area, object or relationship. A Kriol word, custom covers the variety of mixing of culture, features and the practices that form the basis of social organisation among Torres Strait Islander people.

There is a diversity of island cultures and the TSRA recognises the need to devise a system suited specifically to those cultures. The TSRA seeks to maintain a defining relationship between Torres Strait Islander people and the environment and to promote and protect island custom as a source of inspiration and strength.

Concerning the impact of greater autonomy on the maintenance of cultural identity, a centralised and distant political structure is not able to protect the language, culture, custom and the way of life of Torres Strait Islander people. The culture of Torres Strait Islander people can only be maintained by Torres Strait Islanders themselves. Therefore, the TSRA believes that the decision making structures must be regionally based and Torres Strait Islander people must be involved.

Island custom is the defining element of Torres Strait Island identity. The preservation and protection of island custom properly rest in the hands of Torres Strait people. TSRA's recommendation to the inquiry is as follows: the Commonwealth government should confirm its support for greater autonomy for the Torres Strait region; the Commonwealth government should establish a task force to examine options for the greater autonomy for the Torres Strait region.

The terms of reference for the task force should include the requirements to examine the role and responsibilities of more autonomous regional authority; a requirement to examine the possibility of further enhancing the powers and operation of TSRA as a basis for achieving greater autonomy and the extent to which any additional responsibilities will impact on the budget and staffing levels of the Torres Strait authority; a requirement to examine options for the delivery of greater autonomy, including the desirability of a regional authority, being governed by legislation separate from the ATSIC act; a recognition that the model of a greater autonomy in the Torres Strait must be culturally appropriate to the region and formally recognise the rights and practices of the island custom; a requirement to examine the desirability of the possible future amalgamation of the ICC and TSRA under joint Commonwealth-state legislation and the development of a timetable for achieving an agreed form of regional autonomy for the Torres Strait.

TSRA's recommendations continue: that the task force consist of Commonwealth and state officials, with invited participation of all stakeholders, and be chaired by the TSRA; that it complete its review within one year and report to the federal Minister for Aboriginal and Torres Strait Islander Affairs and the Queensland Premier; that pending a review of legislation by the task force, the current process of electing people to the TSRA

be retained, with, however, the Torres Shire Council being given representation on the TSRA; that the Office of Torres Strait Islanders Affairs, OTSIA and ATSIC, be given block funding to administer programs for mainland Torres Strait Islander people and the Torres Strait Islander Advisory Board, TSIAB, be given authority to allocate funds; that OTSIA be changed from being an appointed body to being an elected body with representatives elected by the Torres Strait Islanders resident on the mainland; that the ATSIC commissioner for the Torres Strait be retained as head of TSIAB to maintain a strong bond between mainland Torres Strait Islander people and those that remain in the Torres Strait; and that consideration be given to the formal recognition of links between mainland Torres Strait Islander people and the Torres Strait Islander people living in the Torres Strait. This would take the form of a memorandum of understanding between both groups under the auspices of TSRA and TSIAB.

Mr MAREK—Thank you very much for that very good presentation. Just before we go to questions, did you want to say a few words, Mrs Kennedy?

Mrs Kennedy—Yes—a little more than a couple of words! First of all, Thomasina, when you hear that you are a Torres Strait Islander, it is because your mother married a Torres Strait Islander and, in our culture, she goes where he goes. She is his wife. If Aboriginals marry our women, the women go where the men go.

I said before—and I will not say anything different now—that everything should be run from here, because the islands and the seas are here. The money comes here, and then you can do what you like with it. Everything should be done from here. Others have said everything, but you can ask questions on culture and heritage—those kinds of things. Our heritage is the not just the sea but everything in the sea, so we should really have a good fishing fleet. If there is anything else that you would like to know, just ask us questions and we will get Mr Marek to answer them!

I would like to say something here and now about multiculturalism. Do not laugh too quickly, because I am going to disagree with some of you. Some Torres Strait Islanders are very quick to talk about multiculturalism. What is the matter? Are you ashamed of your Torres Strait blood? I have never said that I was anything else but a Torres Strait Islander. I am a Torres Strait Islander and I have one grandmother who is a Torres Strait Islander. I went to New Caledonia with Philip, George and everybody else who is related to me. Some of my ancestors were from Kingston in Jamaica, and others were from Louis Island in Scotland. They were highlanders at one time and then they came here.

This chart shows my Polynesian genealogy. Someone says that it covers the whole of the Pacific. It goes back to 700 AD, and we have just had word that the archives in Salt Lake City say that we go back to 2 AD. We found this information ourselves. My sister never shows this chart, because all the brothers and sisters at the top married one another! This one comes down to me. If you were a Polynesian, from different clans, you

would find out

Mr T. Waia—What are you?

Mrs Kennedy—I am a Torres Strait Islander. That is all I wanted to say. Now you can ask us questions.

Mr MAREK—Flo, I think that was a wonderful presentation and it really showed exactly how it is.

Mrs Kennedy—One more thing. With the one from the Caribbean that come through Pitt, this one, and we do not advertise this one, he was in charge of the British Navy and he was a descendant of Pitt. This is the illegitimate side. He was a first cousin I think to Pitt the Younger, who was Prime Minister of England at that time. I think his name was Jeremy.

Mr MAREK—That was well done. Do we have any questions or do you want to make a few statements on this?

Dr Wasaga—I would just like to thank Auntie Flo there for being honest and truthful and for showing her identify like that. It is being honest and then you lay your foundation as a Torres Strait Islander because I believe that we all have the same background. You are looking at an Aboriginal man, a Torres Strait Islander, a New Guinea man and a Tanna Island man from Vanuatu. That is who I am, but I have chosen Kaurareg. I can say to government it is all mine but I will share with my people.

Mrs Kennedy—That is another thing about sharing now, they are having a lot of problems—

Dr Wasaga—Thank you.

Mrs Kennedy—The Prime Minister is having a lot of problems down south with farmers. If they got together they could work this out. It is just like we hope to get together to work out our things here, maybe not today. But down south I am sure the government can work things out together. It is the way they are speaking to one another, that is where the problem is, because those Aboriginals are not mission Aboriginals any more, they are smart boys now. Just talk to them properly. I am sure they can share things out.

If anybody is here from that CJC system, the community justice system, I want to say this. As for some of those things you think are our cultural punishments, they were mission punishments, not cultural ones. As for cutting hair, we never had scissors. Cutting hair so people are bald and all that kind of thing was mission punishment. They said they were going to punish the young boys if we take over the punishment. Don't give them

those punishments, they are not our punishments, they are mission punishments which started when the missions came in. Cut hair, flog them, and more things.

Mr MAREK—Good on you.

Mr A. Bon—I am from Thursday Island. Mr Waia, I just wanted to ask you a question. If funding to indigenous Aboriginal and Torres Strait Islanders for Abstudy and the dole is stopped by Canberra, where do we go from there? If the government says ‘We won’t give black people any more money’, where do we go? We have Pauline Hanson who wants one nation, one flag and one people.

Mr T. Waia—I think OTSIA is there to advise government in the affairs of law to mainland Torres Strait Islanders. As you know, the joint commissioner from TSRA sits with that, which is a linkage from us to them. I do not know if you heard me talk about linkages in the previous discussions. At the moment, we have TSRA in the region. The commissioner is elected—and, as was said by some speakers, undemocratically—but it is within the system that sees fit that these linkages can be done at this time.

If changes need to be done to better that process, we need to put it to this inquiry here really. Like I said earlier, there is an information breakdown somewhere. Those things should have been told or been delivered a long time ago. We are at the moment in a different process; we are talking about autonomy. We could aim to put it in whenever we want to instead of repeating ourselves. We have wasted enough days. Those things we talk about, we know it anyway. Those people know it anyway.

I have the chance to address this properly one time. It is the afternoon and some of them are still not understanding because we are talking for ourselves. Maybe it is impossible in our minds that it can ever happen. They should give it anyway. They could give a wish list or something about what they want so we can see it realistically. That is what we want but it is not there. How can we make it possible if we call ourselves Australians here? For example, what do you want to call this autonomy? A state? A territory? Or what? Who designed this thing?

We are talking about culture. That is one of the sessions that they will recognise. It has been recognised so far, but our best thing has got to fit in so legislation can be changed to accommodate what we say. At the moment, legislation cannot be drawn around it. You talk about health; you talk about law. We are not naturalised.

At the moment, we are trying to link ourselves to the system we call TSRA. It is not complete. We need to complete this thing somehow. I have forever been saying that there is an information failure every which way. That is why frustration arises. Arguments come about because we do not understand each other. We are aiming at personality. All of us know that there is a core problem that needs to be solved, but we are not looking at it that way. It is just something that led down there and it can be noticed by all people that

come.

As I said earlier, this paper I presented here recently is not final. It is something that can be worked on. What are the guys from TSIAB talking about? They talk about things like fishing and culture. You name those things; they will fall into places. We try to aim at something up there some way. Some of us can see it and some of us cannot see it because so many of us know something around the place. We are full of information here. This is our place. Just lay one thing on the table and work towards it. What is it? One thing can be laid in the middle of the table and we can then work towards it.

The OTSIA thing that you talked about this morning could change this commission person around. Maybe in the next 36 months there will not be a joint commissioner. The commission will be left down there. The implication is that the mainland will pick somebody to represent them and that will also be a link to TSRA if TSRA is still around.

That is a decision for the Torres Strait people. But it is still something that he said, that he was sure that there was information nobody knew—and earlier there was mention of sharing that information. Our people should be taught again, with regard to culture. Most of the things are not written down; they are passed through the ages. But we are missing out on something. If we are saying the culture is important, listen well when someone is speaking about culture.

Ms Mam—Let me add to that. During the last six national Torres Strait Islander seminar workshops that we have had on the mainland, the delegates that have attended those conferences have always said that their money should be taken out of the ATSIC budget and brought back up here because that is what the views have been from some regional councils and some chairpersons and some commissioners for the area. Torres Strait Islanders should sit down and talk about funding and cultural issues, rather than looking at services that we are entitled to as indigenous people on the mainland.

It is not about setting up a separate legal service in Brisbane and a separate housing service and a separate medical centre—it is not about separate services. It is actually about funding. That is the problem that a lot of people are getting confused about in talking about funding issues. We are talking about representation for all issues, whether they be in the national, state or international arenas, and we need to have Torres Strait islanders represented there.

We have the ILC which is the Indigenous Land Corporation that is headed up by David Ross. From the time that the ILC was born there has been no Torres Strait Islander representative on the national ILC board. With regard to the recommendations that have come from the national conferences, as well as from commissioners, when the minister comes to get advice from the board of commissioners, it is a very isolated place around the board of commission table if you are a Torres Strait Islander and you are wanting to push the issues.

There are some commissioners that are very supportive, and we have strong connections with certain commissioners that can lobby for us while there is no representation. One lonely Torres Strait Islander on the board of commissioners is very isolated and sometimes you are not in a very good position. Still today there is no Torres Strait Islander represented on the ILC which was a result of the High Court decision, the Mabo decision. So, there are issues like that that still need to be taken on board each time and they are still falling on deaf ministers' ears.

Mr MAREK—There is one thing that I would like to run past you and I have asked quite a lot of people on the inquiries we have been in—and I must express that this is about culture and heritage. Everywhere the conversation has gone, it has always gone back to money and ATSIC and funding. This is one of the questions I have asked a lot of people, and I think quite a few people have expressed it here today. You would rather have your own administration, not involved with ATSIC. It would be run from here and maybe have branches throughout the best part of the country where the Torres Strait people are. You would directly link with the Commonwealth government and you would not have to be so heavily involved in the bureaucratic system that ATSIC currently ties you into. Very simply, is that how many of you feel?

Mr Noah—Yes. I am from the local radio station here on TI, Radio Torres Strait. We do a lot of coverage to the outer communities in the northern peninsula area. We are doing channel sharing at the moment with the Australian Broadcasting Corporation and we do about 20 hours per week over broadcasting. I would see my organisation as being one of the organisations where we preserve culture through our radio programs, whether it is done by Creole broadcasting, or language broadcasting.

I take point the panel members are saying. Passing on the cultural information is very important. However, I just want to add that we must go out of our way now to reinforce and put our culture, especially in the media network, whether it is through radio, print or television or video. We have got to have that type of programming for our people to make them understand that this is the cultural way that we were brought up. I think our cultural knowledge, through the keepers of cultural knowledge with the elders, is slowly dying. We need to establish a keeping place.

I was just talking to a fellow from Arts Queensland the other day and saying that the only recording of traditional music that was done back in the 1960s was by Jeremy Beckett and, I think, in the myths and legends book by Margaret Laurie. These are the only two recordings I can think of that have been professionally done and archived for generations such as ourselves to look back and to say that our grandfathers and our elders sang into the recording of the vinyl.

All in all, there is nothing being set for how we can utilise the media to record all these traditional and cultural ways of our people. That is why it is important for us to get away from the current system because the organisation like Saima again comes into

combat with the way that ATSIC divides us with the funding of the national programming. We cannot tap into any national program because the organisation always says to us that we have to go back to the Torres Strait Regional Authority. At the same time, we are missing out on dollars and our Aboriginal colleagues are getting value for money and we are not. We are missing out on the point of recording traditional information.

That is why I want to recommend to the parliamentary committee to utilise indigenous media wherever you go and, if it comes to the end when you are giving the inquiry report, I think indigenous media would be the one for you to utilise to get that information across.

Mr MAREK—Yes, I appreciate that. That reinforces the statement I was just making in relation to ATSIC and the Torres Strait people. From speaking to a lot of people, I personally think it does not really represent you people the way that it should. Flo was quickly going to say a couple of comments on that.

Mrs Kennedy—Just a few months ago the magistrate and the police sergeant were going around and the school is doing quite a good job—not everything but quite a good job—and they went around and spoke on law. I either went before them or after them and we did the rounds and I spoke on traditional law.

I want to say here to you parents, do not rely on schools and things like that. I learnt mine from my father and mother. You should be teaching yours to your children. Your children should know all about these things. Our culture starts with kindness, courteousness and consideration for others. It starts right there with your brothers and sisters. I learnt my responsibility to my brothers and sisters and my family. It just goes on and on until it is to strangers too. You do not know how many people eat at our place who are strangers here—white boys that people pick up on the beach or something—and we feed them. My father used to say, ‘When you see anybody that needs anything, give it to them, because there is a certain amount of pain in asking.’

Mr MAREK—Thank you. We are really going to have to wind this up now. Unless it was something that was only going to take two or three seconds, we are going to have to let this topic go because it is now just after 4 o’clock and we have a lot of recommendations and things. I guess if people want to make a comment there is always the opportunity in that bracket. Is that all right? Can we wind this one up now?

Mr A. Bon—You raised the question about greater autonomy. What I was going to say is that it is good to look towards TSRA for guidance, but how can we monitor or how can there be a body that sits where it can question how the money has been spent? If we set up a territory and we have our opposition to how the money would be spent, I think that is how we could control our rights. Thank you.

Mr MAREK—Thank you very much for that. That is great. We have an open

session and, if people want to make statements or bring some points of view forward, they can. I just want to wrap up this session on culture and heritage and hand the chair back to Lou. Thank you very much.

Mr LIEBERMAN—I realise that some of you would like to ask some questions. I anticipate Getano would like to ask a question. We have a closing session that is 20 minutes late. During the closing session it is intended that members of the panels through the day might like—they are not obliged—to offer some final comment. Members of the audience are welcome to as well. There are a couple of commonsense rules. I would like to limit the time that people speak for this session because it is the last one for the day—people have to get away, there are transport arrangements, et cetera—to 1½ minutes. Therefore, I open this final session and invite, firstly, any members of the panels through the day who would like to make an observation or a comment.

Mr Lui—I would like to ask a question to the committee because I thought Paul endorsed the sentiments around the table about the Commonwealth role. That is fine and I understand that what you are doing is really looking at the Commonwealth within your jurisdiction. My concern is that I do not think there has been enough input from the state. We may be here raising expectations about autonomy and not really looking at what the state response will be. Chris gave us that, but I do not think he really touched on what autonomy is all about. I would like to ask the committee: how are you intending to approach this relationship between state and Commonwealth?

Mr LIEBERMAN—That is a good question. The committee has received a submission already from the Queensland government and that has been published. It is available and if anyone would like to have a copy they are welcome to it. Chris—and I must thank him very much for his support throughout the inquiry, particularly his evidence in Brisbane, his follow-up and his presence here today—indicated to you in the panel session today that a further submission will be given to the committee, perhaps as early as today, but certainly in the next couple of days at least. Unless that is a confidential submission—and it is not—it will be received by the committee when we get back to Canberra. We will be publishing it and it will be available to everyone who wants to have a copy. We anxiously await that.

Thirdly, none of the members of the committee have ever thought that our final deliberations would be complete without having regard to the obvious role and link-up with the Queensland state government. We are aware that the question of autonomy has to involve the Queensland state government. We understand the message you are giving us. I anticipate our recommendations will be based on our consideration of what you have said, what the Queensland state government has said and our own judgment, finally, on those sorts of things.

Mr Tapim—I have a comment to do with the culture on point 3—the Torres Strait Islanders on the mainland maintain their culture and heritage. I know my sister Thomasina

mentioned that earlier. I just want to give an example of how we try to maintain our culture on the mainland. Our school children go to secondary education. They are constantly asked the question, 'Where are you from?' They say the Torres Strait and the question is asked again for them, 'Can you demonstrate what makes you a Torres Strait Islander?'

I have heard that comment, so what we have tried to do is start up some language programs which will identify them as Torres Strait Islanders, and we are starting with children. We have got a pilot program that has been endorsed by the federal health minister. There were five pilot projects going around Australia to do with after-school care and vacation care programs.

There was one established in Townsville that Magani sponsored. It was to do specifically with Torres Strait Islanders. And we are starting to maintain our culture, teach our culture with our children, by having those sessions. Those pilot projects have gone right through Australia. There is only one pilot project left, and it is one on Torres Strait Islander cultural activity.

Mr Misi—Like I said before, we are talking about how we are going to solve this problem. What is happening in the Torres Strait is that we have got an agency in place, we have got our regional councillors, our commissioners, which is good, but what we are saying is that we want to upgrade the system because we have got no representatives in parliament.

If we have a political structure in place, which can be a territory or it can be a state, we will have two politicians in the House of Representatives and two representatives in the Senate. This is where you should start so that people, especially non-Torres Strait Islander people, listen to our qualms, what we would like to see in the Torres Strait, the social and economic problems we are facing. This is how effective it can be.

What we are trying to put in place is not something that is going to start from the bottom up; it is going to start at the very top. We would like that political structure in place and then we can address the specific problems we do have here, we do face, because of the impact of Western society.

We are talking about arts and heritage and we would like our people to control what is happening. We would like our languages introduced into our schools. This is what we are on about. We do not want something that is going to be working for only a couple of years and then is forgotten. We want our culture, our identity, our very being, presented to people, so that people can identify where we are coming from.

This is what we are on about. I am trying to put into words what everybody is trying to say, because the only way we can look at true progress is by coming up with a structure in this Western democratic society that is workable. We have been sitting back and looking at other Pacific nations across the Pacific and elsewhere. We have looked at

governments. The Cook Islands government, for example, is falling down. Also we want to put in something that is comprehensive and functional and that will represent the views of the people. Thank you.

Mr Mye—Could I move a motion from the floor?

Mr LIEBERMAN—Yes, George.

Mr Mye—About your committee making representation on our behalf to the government to get X number of dollars to organise this first talking stage on autonomy for the Torres Strait between our two peoples. And maybe it can be organised to bring our two peoples together.

Mr LIEBERMAN—The floor is yours, George. Go ahead.

Mr Mye—That is it.

Mr LIEBERMAN—I do not know whether our secretary has got that. Did you get that down?

Mr Mye—Will your committee make representation to the government, to the minister, about funding to bring our two peoples together—homeland and mainland—for a conference to start the ball rolling on this talk of greater autonomy for the Torres Strait?

Mr LIEBERMAN—I understand.

Ms Mam—Also, to strengthen that argument, that money should not come from the already existing budget in indigenous affairs. I believe it should be something over and above that indigenous affairs money.

Mr LIEBERMAN—The resolution put forward by George is that the committee support a suggestion that a conference be held between mainland and island Torres Strait Islanders and that the Commonwealth be asked to assist with the cost of that conference. Is there a seconder for that motion? As there are plenty of seconds, I take it that the motion is supported. George, that is a recommendation that I am sure the committee will treat with great sympathy.

Ms Fuji—I would like to make a recommendation that there needs to be a clear definition of roles and responsibilities of the peak bodies.

Mr LIEBERMAN—Every one of them? Please include that.

Ms Fuji—Mainly ICC, local government and TSRA. There should not be any duplications whatsoever.

Mr LIEBERMAN—That is noted. That is a very significant recommendation.

Ms Mam—I mentioned before the funding that we are asking the committee to look for. I know the first thing that will happen is that they will go back to ATSIC and say, ‘ATSIC, provide the money for this conference to happen’, or ‘TSRA, provide the money for this to happen.’ If the government is fair dinkum about looking at greater autonomy for Torres Strait Islanders, then the government should find the money, but not from within the existing budget.

Mr MAREK—It is government money anyhow, isn’t it?

Ms Mam—It may be government money—ATSIC’s money—but what I am saying is that it should be over and above that amount because they only have limited dollars and that is what we are concerned about now.

Mr LIEBERMAN—Thank you for that suggestion.

Mr Akee—In 1987, we had a call for independence and then there was a resurgence in 1988. We have had a number of representations with a number of committees regarding issues affecting the Torres Strait and now we have got this session today. How committed is the committee to making these things happen for our people? The TSRA goal is to have self-management by the year 2001. I have had 20 years of my life associated with these issues and I have not seen anything come out of it.

Mr LIEBERMAN—I think I can speak for all the members of the committee, including those who are not here today because of good reasons that prevented them from being here. The committee was delighted to receive the terms of reference from the minister. Over 12 months, the inquiry has, I think you are all aware, involved the committee in extensive discussions and travel throughout the whole of Australia. This is our second visit here.

I hope that you will have seen that the committee takes the matter very seriously. It is a real challenge for us to be able to take on board the advice you are giving and the requests you are making about your future autonomy. And, whilst I cannot pre-empt the final recommendations of the committee, I am the chairman of it and I have a very strong feeling—an intuition—that the committee is going to fight very hard for greater improvement in autonomy.

I personally find it very frustrating to see opportunities, particularly for your young people, as we go into the next century being delayed, frustrated and even denied because of the levels of government and bureaucracy that have built up over many years in good faith—not to retard you but simply because that is the way it has been.

I think we have a wonderful opportunity to come forward with some advice and

recommendations to government and the parliament. That was why Clyde Holding and I were particularly keen that you tell us, in some form of resolution or a series of resolutions this afternoon, the specific courses that you would like to take. Obviously we will add our own or complement yours, but your own views are more valuable than mine in this whole process.

In fact, the history of indigenous people is that it has been the white man who has told the indigenous people what to do. That is a clear error, a mistake, that has been made in good faith over many years. We know that that has sapped your self-reliance and caused many problems, and we want to address that. I think I have answered your question, David.

Mr Newie—I want to make a resolution here and put the government on notice about the urgency of change in Torres Strait. It needs to be hurried on a bit. We have had meetings and lots of talk about independence, self-government, autonomy, and all of that. I think it is now up to our people to make the final decision on how we should govern ourselves. I agree with what Mr Mye said before, that we should have our people from the mainland come here to the Torres Strait to have a bigger conference, to finalise it and make that last decision, and then present to the Australian government the blueprint for the Torres Strait government. The people have to make that decision.

To put the government on notice, this committee should tell the government that it is time to hurry up. We are running out of time because things are getting overtaken in a way. The Torres Strait people are prepared to work because we no longer want to sit back and to um and ah about everything that goes on around us. It is time to get on with the job; it is time to develop and plan our future. Thank you.

Mr LIEBERMAN—That is good advice. Thank you.

Mr Stephen—I said earlier that I would move a resolution and I would like to do it now. After listening to what Terry and others have said, not only today but in the previous meetings, I would like the committee to look at the concept of territorial status as a form of greater autonomy for Torres Strait Islanders. I think that is a workable solution that covers ownership and control of Torres Strait Islanders' affairs. Thank you.

Mr LIEBERMAN—Can I undertake that the committee will examine that. It has always been my view that our report will hopefully examine the alternatives that we believe are available that would bring about greater autonomy. So I am very confident there will be deliberation on that. What our final recommendation will be I am not sure, of course. Thanks, Mr Mayor, for your vision in that regard.

Mr Stephen—I kept in mind what Paul said when, listening to different people, he summarised with that single line about the answer for administration and funding, but not to lose our goal of autonomy. And there was also what Terry said, about looking at

something there that we do not lose, that we work towards. I think that is a practical aim that we can actually look at.

Mr LIEBERMAN—I know the media are here and I know that they are very responsible but I want to make it clear—so there is no misunderstanding about what I have said—that, in the discussion we had with senior public service officers from the Queensland government, it was confirmed that the Queensland government wishes to continue to be involved with the Torres Strait Islands. The Queensland government—I hope I am reflecting the words of the representatives accurately—wanted it to be known that it did not wish to step back or abrogate its responsibilities to the Torres Strait Islander people. That is the understanding that I have from the Queensland government.

Mr MAREK—I will quickly say a couple of words about what I have picked up from not only the people here today but also from people in other places about your administration and about walking away from ATSIC. At the end of the day, it all has to go to the final result. I guess that would be pushing towards greater autonomy and possibly towards self-government. There has to be a starting step, and Uncle George indicated that to us on our previous trip. I think it is moving in the right direction. The sooner it happens, the better.

Mr D. Bon—Do not fear, I think the time is here for Torres Strait to make a move to be a territory. That is my personal feelings towards this business we are talking about. It is all leading up to this area of becoming a territory now. We have heard the professional people speak. We feel the time has come for us to be a territory. The Torres Strait Islanders need to stand on their own two feet and make decisions for themselves. We are not coming out from Queensland, we are still Queenslanders, but we want to be recognised as a people, a race, a nation and we want to work together for this big country of ours.

Mrs Fischer—From all I have heard today, I support the resolution that our mayor has stated, that Uncle George has mentioned and that brother Terry was sharing about this territory, that we be separate but still part of Queensland and still part of Australia. Both government's have a responsibility for the lives of our people, because of the statistics and because of the condition that we are in regarding our health. What we have said here affects the lives of our people. The other thing that needs to be considered is our leaders. We, as a people, are confused about the structure within the ICC, local government and TSRA.

Mr LIEBERMAN—And so am I, and add the other ones—that is, ATSIC, the Commonwealth and the state. You and I are exactly of the same view.

Mrs Fischer—Not only me but the grassroots people. We are all in the same predicament. That is why the health of our people is the way it is. As Uncle George mentioned this morning, we have got to do our homework. All of our leaders have got to

sit together, respected leaders today, and look at the three government departments. The departments we have got today, TSRA, ICC and local government, outer island, and there is a discrimination with Torres Shire Council. There are problems in that.

Our people here need to look at that. We need to give our leaders time to look at that and sort ourselves out. As Uncle George said, we have got to do our homework. Our leaders have got to go to each community on every island because each island is unique in its own right. Culture and tradition, all our leaders have got to come back to that and, in the light of what we discuss here, go back to each place—not only here in the Torres Strait but the mainland have to do the same, because that is the passing. Leaders cannot just make the decision, they have to go back and sit with their people, because each island is a unique island. In health, we have got a representative in health because each one has got to make a decision where they live to work with their leaders before it comes up.

In the light of this autonomy, you have got to give us time, give the leaders time. People have to have that say, otherwise we are going to still sit here. Why do we keep on sitting here? Because people have not got their say. There is never time to go to individual islands so each individual island can look at the local government in the light that they need to understand what legislation they come under, how it affects them, from there until now on which way we want to go. Right across, whether it is the ICC, whether it is local government, whether it is TSRA, people have got to decide whether to change the structure, then the leader has got to take it back.

That is where we have got to come from: go back to the people, whether it is mainland or here, and start from the grassroots and come up. It is no coincidence that the election will go that way to have two different leaderships, ACC and TSRA leaders. It is for you to decision because life will be at stake. Our people are dying younger because of the decision, the structure we have had before until now. Today that structure needs to be changed. People have got to have a say in the structure that we want.

Mr LIEBERMAN—Charles, were you going to ask me to go fishing with you?

Mr Misi—I think the tide is wrong. I have five principles and I will read them quickly and I will sit down and listen to comments. They are stressing the need for training and participation rates of Torres Strait Islander people in possibly a new government designed by Torres Strait Islander people to serve us.

The first one is the right of Torres Strait Islander peoples to protect our collective identities to public government structures which acknowledge and safeguard our particular cultural, linguistic and other rights in perpetuity. The second is the right of Torres Strait Islander people to manage, protect and benefit from traditional economic resources and the environment to collective Torres Strait Islander institutions.

The third is the right of the Torres Strait Islanders and Torres Strait Islander

political bodies to share in the assessment, management, design, financial benefit and impact control of resources development projects in their regions. The fourth is the right of Torres Strait Islander peoples and Torres Strait Islander public institutions to receive formula funding adequate to make basic programs possible, enabling them to plan and to decide their own priorities.

The fifth and final one is the right of Torres Strait Islander people to conclude comprehensive claim settlements which protect social, cultural, economic and local government rights in perpetuity as an underpinning for the participation in public government structures shared with others.

I would like to leave that with you guys and take it down there. Basically, what I am saying is we would like these five principles to be put into place because we would like to build a process towards self-government. I would like you to consider these principles, and I would like them to be passed as a resolution.

Mr LIEBERMAN—I think the form, if you are happy, Charles, is that the recommendations you have just read out be examined by the committee and incorporated, hopefully, in their recommendations. I think that is what you are saying, in effect.

Mr Misi—Yes.

Mr LIEBERMAN—Okay, that will be done and I am sure everyone will be happy with that.

Mr Lui—First of all, I want to endorse the mayor's resolution, because that is certainly going down the track that we are on already. If he does not mind, I would like some comment on it. I would just like to add a couple of parts to it rather than having separate resolutions to it. One is that I think the next step from here, a practical step, is that the committee should immediately recommend to the government a separate legislation for Torres Strait, because everybody has been talking about it but nothing has happened so far. Knowing the machinery of government and how it operates, it takes years, and we certainly do not want to wait for the year 2000 before we get a new legislation in. So that needs to be an immediate recommendation.

Secondly, I still say there is that need—because of what sister is saying—to have a task force set up with representatives from ICC and TSRA mainland islanders, the Torres Shire and representatives from the local government, from the state and the Commonwealth. I believe that is probably the quicker approach: to try to have a look at the legislation and the legislative framework as to how best we can meet the needs of our people. I just thought I would put that on the floor as well.

Mr LIEBERMAN - If I have understood it correctly, your recommendation is that the committee recommend to the parliament and the government that separate legislation

be introduced through the Commonwealth parliament that would establish a separate body responsible for the Torres Strait Islands; and that the implementation of such a policy be done in conjunction with a task force with all of the participants and all of the governments—Commonwealth, state and local government and otherwise. Is that in effect what you are saying?

Mr Lui—Yes. There will be a need for a look at complementary legislation from the state to mirror the Commonwealth one.

Mr LIEBERMAN - Yes, and it would be understood that the Commonwealth and state parliaments be asked to legislate accordingly.

Mr Noah—For the record, I would like to move a motion that the final report of the inquiry be summarised—and I emphasise the word ‘summarised’—in languages that are culturally appropriate to this region so that it will inform our people on the committee’s findings, which will lead towards whatever form of autonomy. Thank you.

Mr LIEBERMAN - The conclusions of the report, the recommendations of it, yes.

Mr Noah—Yes.

Mr LIEBERMAN - That is a damn good idea.

Mr Newie—I would like to make a comment there about Mr Lui saying that we should let the government make the legislation. How can the government make the legislation when we want to get into self-government? Are we going to let another government legislate for us? We should make the legislation. What Mr Mye was saying before is that we need to have a people’s conference and then we make the decision and tell the Australian government what we want. It is as simple as that.

Mr LIEBERMAN - I think in essence what everybody is saying, if you put it all together, is that that is in effect what we are trying to do. But it is a matter of handling the process. Because you are part of a federal system and you have got a state and federal government, the process has to go through.

Mr Newie—It has to allow the people to—

Mr LIEBERMAN - That is what Clyde was saying.

Mr Newie—We need to sit with each other and discuss this.

Mr LIEBERMAN - That is what Clyde was saying for the committee earlier, and I want to emphasise again: this committee does not want to write a report that is solely its own vision. Sure, our vision will be injected into it. We would prefer to write a report

commenting on the specific direction and vision that you have for your people and for this country, this Australia, that you are all part of. That is really common ground.

Mr Newie—That is how I saw the committee, as a fact finding committee, to come and listen to our people and take it back to the government in Canberra.

Mr LIEBERMAN—When I became chairman of this committee, one of your people said to me, ‘Lou, I suppose you’ll be like all the other white people: you’ll tell us what you think.’ I said, ‘I bet you I won’t. I’ll try as hard as I can to support what you want within the bounds of my responsibilities.’ I will not tell you who it was until later. When we can help you get what you want up here, would you help me by coming down to Victoria and helping me to clear up the mess down there? Who is going next?

Mr A. Bon—I would like to, because the Murray Island situation is a very unique situation, even today. I would like to quote one of our Meriam laws, as our cousin the late Eddie Mabo used to say: ‘Tag mauki mauki, deta mauki mauki.’ At one stage on Murray, I walked into somebody’s land and I was embarrassed and prosecuted. Our uniqueness could be the reason that Torres Strait Islanders will respect elders, whether from the eastern, central or western areas. The eldership is the top people, as in the parliament. Whoever it is in the TSRA, ICC and those government agencies, the young people would have that respect for our elders.

Dr Wasaga—On behalf of Kaurareg elders and Kaurareg tribes people, I would like to thank every one of you for that recognition throughout this seminar. I can feel that we are starting to put the needle and cotton into getting together as one unified nation. Kaurareg itself, situated in the Torres Strait, is 17 islands, a nation by itself, with the kerrnge law to guide us. Our native title claim is based on kerrnge law. It is going well. It will not leave anybody out. We know that, above all, with all these different races, we are Aussies, Australians.

So you have really lifted me today. This afternoon, when I go back, I will be proud to be able to tell my elders and people over there of the feeling among all Torres Strait Islanders now for the Kaurareg people. So a big thankyou is all I can say. I know that when we do things like this, we can start working together, and it is a green light for the betterment of our people. I know that my elders will fully support the territorial resolution put forward by our mayor. Thank you.

Mr LIEBERMAN—Are there any other comments? More on fishing?

Mr Misi—This is about the sea. We have to get back to it, because most of the Torres Strait is the sea. This is about economic development, economic and social independence. It is all integrated, as we all know. What I would like to raise at this point is that the news media is talking about building a gas pipe to the Torres Strait. One of my recommendations is that we would like to benefit from the things that come out of it.

When we are talking about regional development and political development, we are also talking about recognising native title, which includes the sea.

I would like the committee to take these thoughts back to their different governments and discuss this matter. We are not only talking about what will be built through the Torres Strait and where that benefit will flow, but also that in future, because we know there is oil under the water, we would like to have a say in that. It is not that we want to mine it, because that will destroy our environment. But we would like to make people aware that we are against that, because this is our land and our seas. We would like to have an accurate idea of what is happening. Should the government be interested in coming here, they must approach us as a people and take it from there. As a people we will probably say no. I would like that to be considered because it is a very important issue. It is an important issue not only for now, but in time to come for our future generations. Thank you.

Mr LIEBERMAN—Thank you very much. Ladies and gentlemen, that brings us to an end of today's proceedings. First of all, may I pay special thanks to the staff of my committee—Judy and James and all the others in the team. They have done a wonderful job in helping to organise these proceedings. It is very complicated, a lot of people are involved, and we are indebted to you all. Thank you very much.

Hansard, the quiet ones in the corner, are always very efficient. I am sure those of you who read the transcripts of these committees must admire their work, as I do, because it is very difficult to pick up and identify the speakers and to try and blend it all in. The outcome is always something of a very high standard. Thank you, *Hansard*.

Thank you to my colleagues—to Clyde for helping me chair today and to my other colleagues for sharing the panels and for being supportive throughout the whole of the proceedings in the last 12 months. Our hard work is just beginning in the sense that we have to put it all together. We have a very big responsibility to do justice to you all. We will do our best, we promise you.

Of course I must emphasise, as I did as the opening today, that the committee system in the Commonwealth parliament is a very important function, but our recommendations do not bind the parliament or the government of the day. The government and the parliament can do what it likes with our recommendations. So we must keep our feet on the ground, be mature and understand that the process ahead of us is one that is not going to be completely guaranteed in what we might report. But we will be doing our very best, as you know. It will be up to all of you to support the recommendations in whatever way you think or to comment on them in a constructive way as well. The process will be there.

As to timing, my colleagues will make the decision, not me, as to when we complete the report. But my hope is that we will have it ready for presentation to the

Australian House of Representatives in about June or July. It is a pretty tight schedule, but we will be doing our very best.

I would particularly like to mention how important it is for us to understand the support and encouragement that the Queensland government has been giving the committee in this inquiry. Their assistance is absolutely imperative. As you know, whatever we do recommend will probably involve, and require, the support of not only the Commonwealth parliament but also the Queensland parliament. So thank you very much, Chris Goodreid, and our appreciation to the Queensland Premier who has written to me personally and given all the cooperation of the Queensland government to this inquiry. I have probably left out a lot of other people who should be thanked.

Tonight we are having a dinner after 7 o'clock and I know many of you have to leave, but those of you who are still here would be most welcome to join us for dinner. Thank you very much and, once again, to my colleagues for your support, thank you very much. I will now officially close this part of the inquiry.

The meeting ended with a prayer -

Committee adjourned at 4.53 p.m.