



# HOUSE OF REPRESENTATIVES

**STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS**

**Reference: Greater autonomy for Torres Strait Islanders**

**CANBERRA**

**Tuesday, 25 March 1997**

**OFFICIAL HANSARD REPORT**

**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.

## WITNESSES

<b>AYLIFFE, Mr Dennis Charles, Director, Border Programs, Australian Quarantine and Inspection Service, PO Box 858, Canberra, Australian Capital Territory 2600</b> . . . . .	<b>226</b>
<b>BUCKLAND, Mr Peter Raymond, Assistant National Operations Manager—Quarantine, Australian Quarantine and Inspection Service, PO Box 858, Canberra, Australian Capital Territory 2600</b> . . . . .	<b>226</b>
<b>KILLESTEYN, Mr Edward, First Assistant Secretary, Overseas Clients Services Division, Department of Immigration and Multicultural Affairs, PO Box 25, Belconnen, Australian Capital Territory 2616</b> . . . . .	<b>243</b>
<b>LAMBERT, Mr Scott, Assistant Director, Environmental and Indigenous Tourism Section, Office of National Tourism, Department of Industry, Science and Tourism, GPO Box 1545, Canberra, Australian Capital Territory 2601</b> . . . . .	<b>252</b>
<b>PHELOUNG, Dr Paul Christopher, Assistant Program Manager, Northern Australian Quarantine Strategy, Australian Quarantine and Inspection Service, PO Box 858, Canberra, Australian Capital Territory 2600</b> . . . . .	<b>226</b>
<b>PRIESTLEY, Mr Graeme Matthew, Director, Environmental and Indigenous Tourism Section, Office of National Tourism, Department of Industry, Science and Tourism, GPO Box 1545, Canberra, Australian Capital Territory 2601</b> . . . . .	<b>252</b>
<b>SYKES, Ms Christine Margaret, State Director, Department of Immigration and Multicultural Affairs, 313 Adelaide Street, Brisbane, Queensland 4000</b> . . . . .	<b>243</b>
<b>WITBREUK, Ms Trudy, Papua New Guinea Desk Officer (Torres Strait contact), Department of Foreign Affairs and Trade, R.G. Casey Building, Barton, Australian Capital Territory 2600</b> . . . . .	<b>235</b>

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ISLANDER AFFAIRS

*Greater autonomy for Torres Strait Islanders*

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Present

Mr Lieberman (Chair)

Mr Campbell

Mr Marek

Mr Dondas

Mr Melham

Mr Entsch

Mr Quick

Mr Lloyd

The committee met at 3.41 p.m.

Mr Lieberman took the chair.

**CHAIR**—I declare open this public hearing on greater autonomy for Torres Strait Islanders and welcome witnesses and any members of the press and public who may be present. This is the sixth public hearing on the inquiry. We have received 32 submissions to date, with more promised. I would like to take the opportunity to say a few words about the inquiry.

Terms like ‘self-determination’ and ‘greater autonomy’ mean different things to different people. The object of this inquiry is to find a meaning for greater autonomy which can meet the needs of the communities, representative bodies, governments and all others involved, taking into consideration the view of the people in the Torres Strait and those people who live on the mainland. The outcome of the inquiry may not satisfy everyone. Some may find the process to be slow and frustrating, but it is not all bad news.

What I can promise is that all the members of this committee bring to the inquiry immense goodwill towards Torres Strait Islanders, wherever they may live. We will listen carefully to what you have to say, we will be searching for solutions which will bring benefits to all Torres Strait Islanders and we will do this to the very best of our ability.

**AYLIFFE, Mr Dennis Charles, Director, Border Programs, Australian Quarantine and Inspection Service, PO Box 858, Canberra, Australian Capital Territory 2600**

**BUCKLAND, Mr Peter Raymond, Assistant National Operations Manager—Quarantine, Australian Quarantine and Inspection Service, PO Box 858, Canberra, Australian Capital Territory 2600**

**PHELOUNG, Dr Paul Christopher, Assistant Program Manager, Northern Australian Quarantine Strategy, Australian Quarantine and Inspection Service, PO Box 858, Canberra, Australian Capital Territory 2600**

**CHAIR**—Welcome. The committee has received your submission. We thank you very much for it. Do you have any amendments or additions you wish to make to the submission?

**Mr Buckland**—No amendments or additions, Chair.

**CHAIR**—Would you like to make an opening statement before members of the committee begin asking questions?

**Mr Buckland**—I would like to stress on behalf of AQIS that AQIS's indigenous officers are an important element of Australia's quarantine efforts, as is the access to their traditional areas. We employ 21 officers from Aboriginal and Torres Strait Islander communities as part of our quarantine team in that special quarantine area. We would be quite happy to answer whatever questions we can for the committee.

**CHAIR**—Thank you very much. I have a few questions I would like to put and my colleagues will also join with me in asking questions. Your submission urges that the present central management of issues system, which you describe in your submission and which covers quarantine, Customs, immigration and police in the Torres Strait, be continued. I think you state that Torres Strait Islander input comes through an advisory group and that you believe that should continue. Could you give us some details as to how the advisory group works? You have three Torres Strait Islanders on it, don't you, out of a total of 12 members?

**Mr Buckland**—I will defer to Mr Ayliffe on that.

**Mr Ayliffe**—I believe that is the case, yes. I am not familiar personally with the advisory group operations. Have you come across it, Paul?

**Dr Pheloung**—Not really. I have not had any direct dealing with any advisory group as such so I cannot really assist there.

**Mr Buckland**—We operate the north Australian quarantine strategy out of Cairns now. We have moved our management further north rather than operating out of Canberra.

**CHAIR**—I will give you a series of questions now. You can get them from the transcript, so you do not have to write them down. I ask that you arrange for an urgent written response to these questions we are going to ask you, because it is very important from the committee's point of view and the inquiry's point of

view that we have more information about how the advisory group works because of its obvious link with input from Torres Strait Islanders and the link with the question of autonomy. That is the reason why I am asking these questions, to which I would like your quick response in letter form.

How often does the advisory group meet—say, over the last three years? Who are the present members of the advisory group? Are they members who have just been appointed? What has been their term of office? How were they appointed? From memory and my briefing notes, I think it comes from an island council election, but I would like you to tell us.

How many people competed for election or appointment from each island? If you have only three representatives, were there nominees from the other islands? How did the process arrive at the fact that the islands had three representatives only? Have you had requests from the islands to add representatives from each of the islands or more of the islands to the advisory group? Can you give us details of those requests, when they were made and what has happened with them—and why they cannot be agreed upon, if they have been made. Perhaps they have not been.

From memory and my briefing notes, I think the total management group is 12. I do remember vividly that the three Torres Strait Islander representatives were well and truly outnumbered. I would like you to explain to me, firstly, how that came about. What were the reasons for giving them a minority representative capacity? Why did they not have more? Has there been any request to increase the number of Torres Strait Islanders? If so, when, from whom, and what has happened with that request?

I have asked you how often the group meets. Unless there would be some breach of confidentiality, in which case I will respect that, can you give us details of the issues that were addressed by the advisory group, say over the last year. The reason I ask that is to give us the flavour of the sorts of things that are referred to the group for discussion. Are there any guidelines as to what is referred and what is not referred? Have there been any requests from anyone, particularly Islanders, to expand the types of issues referred? If it is merely discretionary, on demand type referral, who decides when it will be placed on the agenda? Or is it just up to an ad hoc call from someone to say, 'Hey, I want that on the agenda'?

There may be other information that you would like to add to those general questions but you will see from the line of questioning it is not a witch-hunt, it is just that we need to know, in the question of autonomy, how effective it is. It might be improved. Even if no-one is asking for it, it may be possible to expand it. The chairman, I think, is not a Torres Strait Islander. Why is that the case? Is it just the way it was? What would be wrong with having a Torres Strait Islander as chair of that group, for example?

I am sorry to hit you with all those, but you will be glad that someone else will have to answer them and not you.

**Mr Buckland**—That is fine.

**CHAIR**—We would be very grateful if we could have that because we are going to the islands early in May and I am sure members would like to have that information before they go there.

**Mr Buckland**—Okay. I will take all that on notice.

**CHAIR**—This is perhaps something that you could respond to now. Do you think it would be compatible with greater autonomy for Torres Strait Islanders for local people to manage, as AQIS officers, the quarantine role in the region? Is this what happens at present?

**Mr Buckland**—If I could go back to some of the questions you had on notice and say that that is a formal way of getting views of the community. There is also an informal mechanism and part of that comes to us through the AQIS officers that we have already engaged in the Torres Strait. For instance, the head of our office, Pedro Stevens, on Thursday Island is actually mayor of Thursday Island, so he is aware of community issues. We have just appointed a number of officers to each of the islands and those officers come from that island and are accepted by the leader of that community.

From the quarantine point of view, we already have a very good rapport with the Torres Strait Islanders, mainly because they are a part of our work force and, hence, they bring to us the traditional issues that we need to take account of. Mr Ayliffe might want to add some more to that.

**Mr Ayliffe**—That is certainly the case. Over the last 12 months, as part of an expansion of the northern Australian quarantine strategy work force, we now have a quarantine officer on every island that has an airstrip, and that officer is drawn from the local community. Their responsibilities are to monitor traffic to and from the island so as to check that there are not prohibited imports coming in and also to inspect material that is going out, particularly direct to the mainland if it is being flown that way.

We think we have a very good foothold in the community up there. We seem to be appreciated for the provision of employment and infrastructure and we value these people very much.

**CHAIR**—How are they trained and selected?

**Mr Ayliffe**—The training is undertaken out of the island, initially, in basic quarantine science which is, I guess, botany with a little bit of zoology involved. They are equipped by AQIS and there is also top-up training on site as well. The training courses can vary, but they generally run for about one to three months. The selection of these people is done on a merit basis, plus there is consultation with the community, I understand.

**CHAIR**—Are the positions keenly contested?

**Mr Ayliffe**—I have not been involved in selection processes myself, but I understand from my senior officer in Cairns that they are keenly sought after, yes.

**CHAIR**—Is the actual appointment done under the public service provisions?

**Mr Ayliffe**—Yes, they are permanent officers of the Australian Quarantine and Inspection Service under the Public Service Act.



**CHAIR**—I will hand over to my colleague, Mr Dondas, who has a question.

**Mr DONDAS**—When we visited the Torres Strait Islands a few months ago, I was quite impressed by the way AQIS officers met us at the airport, not that they were really meeting us, I think they were really meeting the aircraft. They were very well presented—neat and tidy and efficient.

**Mr MELHAM**—They were excellent.

**Mr DONDAS**—But my question refers to the political and military dispute which is going on in New Guinea at the moment—and which could escalate; let us hope it does not—and the closeness of our Australian responsibility. Is AQIS, with Immigration, able to step up and put additional people in there at a moment's notice if it is required? I ask that question because, as we all know, when the tide is out you can almost walk across from PNG to that island—

**Mr MELHAM**—Some people think they can walk across there when the tide is up!

**Mr DONDAS**—Not me. I was just wondering whether there was a strategic plan that may be in place, in the event that there is an escalation of movement between the two areas. One person, obviously, would not be sufficient. I wondered whether the persons from the other islands would have the capacity of getting there quickly enough: that is the question. Have you thought about it?

**Mr Ayliffe**—Yes. In fact, there have been two meetings between the border agencies—that is Customs, Immigration and Quarantine—in the past week to discuss just that issue. At the moment there are strategies being developed for how that issue would be addressed on the ground, particularly in the northernmost islands. That would involve the placement of additional staff if it was thought necessary.

**Mr DONDAS**—Would that decision come out of Cairns, or would it come out of Canberra?

**Mr Ayliffe**—As far as quarantine is concerned, we would be acting with the advice of our people from Cairns, but the final decision would be made in Canberra.

**CHAIR**—Mr Lloyd might want to question you shortly. You talk about the free movement between the Papuans and Torres Strait people. Have you any idea how many people actually have settled in the Torres Strait islands from Papua and other countries, rather than just passed through and returned? Any ideas at all on that?

**Mr Buckland**—That is a good question. Some of the Islanders have family ties, as you know, particularly in the northernmost islands. They will come and stay for a period of time and then return. Under the Torres Strait treaty there is allowance for that traditional free movement of people, so from a quarantine point of view we do not keep a track of the actual numbers moving but just make sure that the goods they are carrying are those that are permitted throughout the special zone. It is a moveable feast.

**CHAIR**—Does this impact on quarantine risk?

**Mr Buckland**—The natural movement?

**CHAIR**—Yes.

**Mr Buckland**—It definitely does; hence the reason why it is a special quarantine zone through that area. But at the same time we have to be sensitive to the traditional movement of people. That has to be allowed to occur. I think we have very good officers there, who meet the small boats as they come across and do discuss it with them. We have good signage, as you would have seen if you have been to the islands.

**Mr MELHAM**—There would also be a network there that would let you know if it was being abused.

**Mr Buckland**—That is correct. On one occasion when I was there someone came around and said, 'We have just seen a small boat drop something up around the mangroves,' so our inspector went back around there and was able to collect those goods. There is a network in place.

**CHAIR**—Were they drugs?

**Mr Buckland**—No, it was just some food that they wanted to use for a ceremony.

**CHAIR**—Do you know whether the statistics indicate that there has been an increase of Papuans visiting and remaining in the Torres Strait islands over the last couple of years, or is it about constant?

**Mr Ayliffe**—We might have to get back to you on that. Just off the top of my head, I would say that the incidence of interceptions has not changed a great deal, despite the fact that we now have more staff in those areas. There is quite regular intelligence flowing down, plus reports of interceptions of people coming in, but whether that has increased or not I do not know. I will have to get back to you on that.

**CHAIR**—I would appreciate that.

**Mr Buckland**—Is Immigration appearing before the committee?

**CHAIR**—Yes, they are.

**Mr Buckland**—They have an officer on Thursday Island. They might be able to answer that for you.

**Mr LLOYD**—To deal specifically with autonomy and with the situation that we have in New Guinea at the moment, as far as AQIS is concerned would you see more problems or fewer if the Torres Strait island people had a greater deal of autonomy? You say now that you are monitoring the situation in New Guinea and if there were developments there you could immediately move in and put more people in or whatever you have to do. If Torres Strait Islanders were determining more of their autonomy, would you perceive problems in situations such as we have now, particularly if that escalates?

**Mr Buckland**—The answer is yes. But it would not be only for quarantine. There would possibly be

defence and immigration concerns and human health concerns. It would have to be coordinated as a whole of government approach, I would think, on the advice of the local community.

**Mr DONDAS**—How many apprehensions would you have made in, say, the last 12 months, in terms of illegal imports?

**Mr Ayliffe**—From Papua New Guinea?

**Mr DONDAS**—Yes, or whatever. There are a few yachties floating around as well, and ships at sea. Would it be a large number?

**Mr Ayliffe**—I would have to get back to you with an exact number. To be honest, there are not many, but I do not know of what order of magnitude that would be. It is not a regular thing and it is not a high number.

**Mr DONDAS**—Would it be possible to include that in one of the answers?

**Mr Ayliffe**—Yes, certainly.

**Mr DONDAS**—Is there any reason why, from an AQIS point of view, the committee should not seriously consider granting more autonomy to the Torres Strait island people?

**Mr Buckland**—From a quarantine integrity point of view, we view Torres Strait as part of Australia—because that is what it is. What we need to do is to be able to have access to those islands and those areas to maintain quarantine integrity across the whole of Australia.

**Mr DONDAS**—In other words, if more autonomy is granted, there has got to be a definite stipulation of access for AQIS?

**Mr Buckland**—We would be looking for no diminishment of that access.

**Mr DONDAS**—That is very important.

**Mr Ayliffe**—As far as we are concerned, the Torres Strait region has a very high risk, as we have seen from things like papaya fruit fly incursions. All the islands in the strait have monitoring sites on them and trap sites for insects, and we would obviously need to maintain that network and improve it as time went by. So for that purpose alone, access is very important.

**Mr DONDAS**—I did not mean to interrupt you but I have got to go soon.

**Mr MAREK**—I would like to talk about dogs and worms. In the many Aboriginal settlements we have been through there are massed dogs everywhere. They have all got worms and they are passing them on to the kids. Up in the Torres Strait we see people taking their dogs from one place to another. Has AQIS got any sort of a program put together? This may be for another department, but do you have any idea if

anything is happening about trying to quell the problem of the dogs going from one place to another—people taking them from one place to another—or even treating the dogs for the worms and the problems they are having?

**Mr Buckland**—Is this on the mainland?

**Mr MAREK**—No, just on the Torres Strait islands themselves.

**Mr Ayliffe**—Movement between islands is not an AQIS responsibility. As long as it is—

**Mr MAREK**—What about on the mainland? The mainland will be fine.

**Mr Buckland**—No, the movement of domestic animals is still not an AQIS responsibility. The only time we would get involved would be if a dog were to be moved from, say, Thursday Island down to Cairns. Then we would want to have a look at the situation.

**Mr MAREK**—So you would find out about that? You would know about it?

**Mr Buckland**—Yes. A permit for the movement has to be advised.

**Mr Ayliffe**—It is because you are moving out of one of the Torres Strait zones into the mainland. Aircraft, for example, are met at Cairns by quarantine officers.

**Mr MAREK**—On the mainland you might have a group of Aborigines moving from one area down to Woorabinda, say, in my electorate of Capricornia. Is there nothing like that at all?

**Mr Buckland**—The reason is that there are three zones which manage the Torres Strait. There is the Torres Strait Island special zone, which is a quarantine protected zone; a quarantine zone around Thursday Island; and the mainland. Movement within those zones is free. But, with movement between those zones, there is a quarantine concern. So, on the mainland, goods can—

**Mr MAREK**—The reason I ask is that we have spoken to many people and health issues are becoming apparent all the time. When you go there, you see so many problems: kids have worms and those sort of things that are being spread by dogs.

**Mr Ayliffe**—It seems to me to be a veterinary public health plus a human public health issue. We would be interested in that if the movement of the animals were from the western province of Papua New Guinea across, because we are essentially interested in national quarantine integrity rather than in intrastate integrity.

**CHAIR**—Are there any other issues that you want to raise with us at this stage?

**Mr Buckland**—Not from our side, Mr Chairman.

**CHAIR**—Thank you very much for your attendance today. We look forward to your help in getting those responses quickly to us, and I wish you well with your very important work.

**Mr Buckland**—If you are heading to that region and we can be of any assistance to you when you go, please let us know.

**CHAIR**—Yes. The committee is going to have lots of discussions, hopefully in the second week of May, on the islands and mainly at Thursday Island, and you or your representatives would be very welcome to sit in at any time on all or any of our discussions. It is our wish to bring people together, as it is the last stage of our inquiry and we want to swap notes and be very focused on the issues. You are very welcome to be with us, if you wish.

**Mr Buckland**—Thank you for that.

[4.08 p.m.]

**WITBREUK, Ms Trudy, Papua New Guinea Desk Officer (Torres Strait contact), Department of Foreign Affairs and Trade, R.G. Casey Building, Barton, Australian Capital Territory 2600**

**CHAIR**—Welcome. The committee has received a submission from the Department of Foreign Affairs and Trade, dated 11 October 1996. Do you have any amendments or additions you wish to make to the submission?

**Ms Witbreuk**—No, Chairman.

**CHAIR**—Would you like to make an opening statement before members of the committee begin asking questions?

**Ms Witbreuk**—I would, actually. I would first like to apologise for the more senior members of our section who, as you can understand, are tied up with other matters in PNG right now. While I am happy to answer any questions you may have, I should point out that I have been in the PNG section all of three weeks. I am perfectly happy to take questions and reply to you in writing, if necessary.

**CHAIR**—Thank you. Can I indicate that the committee is very aware of the extra work and pressures and sensitivity at the present. If it would help, we are happy to let you come back and give evidence at another time. If there are particular issues today—

**Ms Witbreuk**—No, if I am aware of the issues that the committee wants to raise, it would be better to press on. If I cannot answer then I can get back to you with a response.

**CHAIR**—You have been kind enough to brief us in your submission about the Torres Strait treaty. How is it working at the moment?

**Ms Witbreuk**—It is functioning reasonably well as far as I can gather. We have, as you know, a liaison officer posted to Thursday Island who is responsible for the oversight of the implementation of parts of the treaty. Once a year we have a joint committee meeting of all the people under the treaty—the Papua New Guinea government, the Australian government, the Torres Strait Regional Authority, and other members of that committee who meet to discuss particular issues. With Papua New Guinea that takes place on a regular basis. In that we raise specific issues with the government of Papua New Guinea. It functions as it is intended, if perhaps not as efficiently as the Australian government would sometimes like.

**CHAIR**—I understand the treaty requires Australia to consult with Papua New Guinea on specific matters.

**Ms Witbreuk**—Right.

**CHAIR**—What about consultation with the Torres Strait Islanders?

**Ms Witbreuk**—We also do that. There are formal mechanisms in place. They are not under the treaty

itself, but there are consultations amongst the Torres Strait Islands Regional Authority that take place annually. There other meetings, and I would have to check the names of them for you. There are at least three sets of annual consultations that involve our officer on Thursday Island, the various authorities on the Torres Strait including the Torres Strait Islands Regional Authority and various island chairmen and the PNG authorities.

**CHAIR**—You will probably want to take this on board and reply in writing to us. Having regard to our terms of reference which, of course, you are familiar with, I want to look into the question of greater autonomy. I would like to ask how those consultations are structured. Maybe if I list the questions now on the record and you will get the transcript later on.

First of all, who is involved in those consultations? Is there a document that sets out the protocols for them? If so, can we have a copy? How frequently do the meetings occur? How are the representatives of Torres Strait chosen or elected? What has been the history in relation to that? Have there been contested elections or concern about the people not being representative? We would appreciate any information in relation to that.

Also, subject to matters that you would require some confidentiality about and which we would respect, can you brief us on the types of issues that are the subject of consultation and perhaps give us an overview of the issues raised during the last 12 months? Can you give us the flavour? Have there been any requests from people on the Torres Strait islands to expand the consultative process? If so, from whom, in what regard, and what triggered it off? What was the issue or issues?

Does the department feel satisfied that the arrangements for consultation are suitable for the present? Can they be improved and, if so, in what way? In particular, does the department feel that the Torres Strait Islanders have adequate input into the issues. If not, where could they be improved and how could they be improved? That is the gist of what we wanted answered.

**Ms Witbreuk**—I will take those on notice.

**Mr LLOYD**—My question is similar to the question that I asked the representatives from AQIS in relation to the situation at the moment as far as national security is concerned. I do not expect an answer from you, but I would like it taken on board. What increased difficulties could there be if the Torres Strait Islanders were given more autonomy in situations as we have at the moment? We are at a time where I think it is very opportune that we examine the difficulties that may be occurring now and whether it may be advantageous for more autonomy, or less advantageous, in the eyes of Foreign Affairs.

**Ms Witbreuk**—I am happy to give you a more considered response, and I will do that. But I suspect very strongly that our department would react very much the same as AQIS; we would not want any less access or control over things like national security, for example, organising movement of people to and from PNG, if necessary. In the current situation we would want as much access and input as we now have. I will certainly give you a more considered response from the department on that.

**Mr QUICK**—The treaty came into effect in February 1985.

**Ms Witbreuk**—That is right.

**Mr QUICK**—Have there been any major amendments?

**Ms Witbreuk**—No.

**Mr QUICK**—So everybody is exactly—

**Ms Witbreuk**—It was a very long time in the drafting, as I understand it, and a long time in the agreement. I do not know of any efforts to amend any of it, either from our side or that of Papua New Guinea. There is certainly no history of complaints from the Papua New Guinea side, as far as I am aware. I would have to check that.

**Mr QUICK**—In the event, unlikely as it may be, that relations break down due to the current state of play in PNG there does not appear to be anything in this treaty to put in place some guarantee that the rights of the people we are responsible for are maintained. Would that be a fact?

**Ms Witbreuk**—That is probably true, although it should be pointed out that mostly the way the treaty functions in practice is what the Australian government does for the people it is responsible for in the protected zone and those people from Papua New Guinea who are also in the protected zone. The level of services, and so on, on the other side are of a standard that is so much less than ours that it would perhaps create more pressure on the Torres Strait islands under Australian sovereignty.

**Mr QUICK**—I am saying that if there is a worst case scenario and there is internal turmoil in PNG, and regions decide to break away, there might be, for example, an exodus of people in close proximity to Torres Strait who decide for their own wellbeing and safety that they might head south.

**Ms Witbreuk**—Are you asking if there is any mechanism in the treaty to deal with that?

**Mr QUICK**—Yes. There is not?

**Ms Witbreuk**—No. It is a cooperative treaty, largely. We would have to be talking with the PNG authorities.

**Mr QUICK**—Is that being raised in any shape or form in current negotiations?

**Ms Witbreuk**—Not at the moment.

**Mr QUICK**—We heard from AQIS before. We know what it is like with the boat people, and that is only 10 or 15 vessels.

**Ms Witbreuk**—I gather that issues like this are going to be raised more and be looked at more closely after the current events have settled themselves in one way or another. From a DFAT point of view, we have not done anything else but look at the current situation for the last six weeks; no kind of ongoing



planning as a result of those questions has been going on.

**Mr QUICK**—If we do grant greater autonomy to the Torres Strait island people, they are going to have to assume some responsibilities that currently reside here in Canberra.

**Ms Witbreuk**—I think we would be reluctant, from a DFAT point of view, to be giving up some of those responsibilities because of these potentialities.

**Mr QUICK**—So there is a likelihood that with some of these pretty basic things, like traditional customary rights and protection of marine environment, there would have to be something included?

**Ms Witbreuk**—If the relationship with Papua New Guinea becomes very troublesome, then this and a whole bunch of other arrangements that are in place with Papua New Guinea may well come under review and will obviously be much more difficult to implement. This will be part of an ongoing difficulty in dealing in a relationship that is deteriorating if that, indeed, is what happens.

**Mr QUICK**—In the 12 years since this has been implemented, how many meetings—

**Ms Witbreuk**—There is a formal annual meeting under the treaty provisions.

**Mr CAMPBELL**—I wonder whether you have any idea how such an unequal treaty was ever negotiated. Was it because we were negotiating for both sides? You see here islands of which Australia had sovereignty literally within a stone's throw of Papua. How did this come about?

**Ms Witbreuk**—I would have to go and look. I do not know. I am happy to research it for you, if you like, but I do not know the answer to that off the top of my head.

**Mr CAMPBELL**—In hindsight, would it not have been much more conducive to our national security if our sovereignty ended much further south, preferably south of the Murray Islands?

**Ms Witbreuk**—I cannot answer that question.

**Mr CAMPBELL**—It seems absolutely bizarre that we have sovereignty right up to within a stone's throw of New Guinea. It was not just a power grab by DFAT, was it?

**Ms Witbreuk**—I do not think that I was even alive when it happened or, certainly, I was not old enough to know. I am happy to find out for you.

**Mr CAMPBELL**—I would be interested to know how such an unequal treaty got negotiated.

**Ms Witbreuk**—Certainly. Let me do some research. I can get back to you on that one.

**CHAIR**—Perhaps the department might give us a letter stating the reasons for the boundary having been chosen. There would have been some discussion and research on that.

**Ms Witbreuk**—I can do that.

**Mr QUICK**—Following on from Mr Campbell, it does seem strange that something was negotiated pre-1985 and there has been no amendment at all.

**Ms Witbreuk**—Part of that maybe that treaty amendments with Papua New Guinea tend to be a very tortuous and long process. We have done it with a few other agreements including our bilateral trade and economic agreement.

**Mr CAMPBELL**—I think that it is possible that a plebiscite was conducted of the islands and they looked into the Australian Social Security and said, 'We want to stay with Australia.'

**Ms Witbreuk**—It is possible.

**Mr CAMPBELL**—I would like to know.

**Ms Witbreuk**—Yes. There is no problem.

**CHAIR**—I have noted what you have said about DFAT not wanting to see any departure from the present involvement of DFAT in the Torres Strait Islands. Subject to that caveat, does DFAT have any view as to how the people on the islands may be given more input into their everyday life and issues affecting them in respect to their everyday life?

**Ms Witbreuk**—I will have to take that one on notice.

**CHAIR**—I would be grateful if DFAT would give us their opinion on that. Is DFAT also aware of any complaints or requests for modification from the Torres Strait Islanders concerning the input that they have, or might not have, into their everyday decision making process?

**Ms Witbreuk**—Not that I am aware of, and not that I have read on the most recent files, but I will check that as well.

**CHAIR**—Okay. We would like to be briefed if there are any. As you probably heard, the committee is going to the islands in early May. We would be very grateful if you could let us have your letter urgently on those points.

**Ms Witbreuk**—Yes.

**CHAIR**—We have decided that we will be on Thursday Island on 7 and 8 May. As we have said to others from government agencies and departments, you are most welcome to be present at any of the discussions we propose to have on that last visit by us and to have input into any of the informal discussions that will also be carried out.

**Ms Witbreuk**—Certainly. Thank you. I will make sure our liaison officer is aware of that meeting as

well.

**Mr QUICK**—In the second last paragraph you talk about ‘a continued Queensland and Commonwealth Government presence is required to effective border management.’ Can you give us some details about the liaison role and what sort of presence is there? Is it basically coastal surveillance by aircraft or Australian—

**Ms Witbreuk**—There are Coastwatch, DIMA, DFAT and the quarantine officials. There is an AFP officer stationed on Thursday Island now, and there are Queensland police—I do not know how permanent their presence is and how often they come in and out. That is all I know off the top of my head. There are probably more. I would have to check.

**Mr QUICK**—You mentioned that once a year you have consultations about the treaty. With regard to the consultations between the various groups, do you meet six monthly?

**Ms Witbreuk**—The consultation between groups actually on Thursday Island or in the Torres Strait is much more frequent and much more regular, depending on what issues are going on. The meeting under the treaties with senior government officials of both sides takes place once a year, but there is a great deal more frequency of contact between people on the ground, if you like, than an annual meeting. I am happy to try and provide a diary of formal meetings that takes place, but there is also—I gather, from speaking to our liaison officer on Thursday Island—a general ad hoc process of consultation between agencies, between Torres Strait islanders themselves, between community groups, and so on, whenever an issue arises.

**Mr QUICK**—So it is reactive rather than pro-active?

**Ms Witbreuk**—That is a judgment I cannot make. I have not been looking at it long enough.

**Mr QUICK**—Because, as you say in the last paragraph about the range of Commonwealth government agencies, there are heaps of them.

**Ms Witbreuk**—There are.

**Mr QUICK**—And knowing other interagency approaches, it tends to be rather reactive rather than pro-active, and considering—

**Ms Witbreuk**—I suspect that on a place like Thursday Island, it often depends on who is there. You can get some very good officers who can get a lot done off their own volition and that often happens, as I understand it.

**CHAIR**—I have one final question. Some years ago there was a movement by some Torres Strait Islanders, not all, to separate from Australia. Does DFAT have any evidence that that movement is still there and, if so, to what extent? Or do you think that it has abated and is no longer an issue?

**Ms Witbreuk**—I have gone over the briefings for about the last 12 to 18 months and it has not been

raised anywhere that I have read. This suggests to me that it is not a recent issue in front of our department at the moment.

**CHAIR**—Certainly, the evidence that we have had indicates that the people seem to confirm very strongly that they wish to remain part of Australia, so you have confirmed that. Thank you very much for your attendance and we wish you and your colleagues good fortune in the next little while.

**Ms Witbreuk**—I am sorry that I could not be more directly helpful.

**CHAIR**—Your letter will be very much appreciated.

[4.53 p.m.]

**KILLESTEYN, Mr Edward, First Assistant Secretary, Overseas Clients Services Division, Department of Immigration and Multicultural Affairs, PO Box 25, Belconnen, Australian Capital Territory 2616**

**SYKES, Ms Christine Margaret, State Director, Department of Immigration and Multicultural Affairs, 313 Adelaide Street, Brisbane, Queensland 4000**

**CHAIR**—Thank you for attending today. I do not believe that you have made a submission.

**Mr Killesteyn**—No, we have not.

**CHAIR**—I take it that you wish to make a statement?

**Mr Killesteyn**—No, other than to say that we are more than happy to answer any questions and to assist the inquiry in any way we can.

**CHAIR**—You are not going to give us pearls of wisdom?

**Mr Killesteyn**—I think we would prefer to try to assist you in your inquiries, Mr Chairman.

**CHAIR**—I will open the batting. Are you familiar with the terms of reference?

**Mr Killesteyn**—Yes, we are.

**CHAIR**—I am aware that your department has a very significant role and presence in the Torres Strait region. Can you give a brief outline of the department's involvement with the Torres Strait Islander people in the operations of immigration in the Torres Strait region?

**Mr Killesteyn**—Our responsibility is to monitor the movement of people across the Torres Strait. Essentially, as with any other non-citizen moving into Australia's territory, we are concerned that they are engaging in bona fide activities. In the case of people moving from Papua New Guinea across the Torres Strait into Australian territory, our concern is to ensure that those people are engaging in activities of a traditional nature. That would include activities such as fishing, gardening and other low-key trade and barter activities.

That is the context in which immigration ensures that people are in that part of Australia's territory in a bona fide capacity. To give effect to that, essentially we have permanent staff located on Thursday Island and a range of people employed as movement monitoring officers. Their role is to act as our agents in the field to ensure that we have appropriate information about people movement across that part of Australia's territory.

We operate in conjunction with the island councils and tribal chiefs in Papua New Guinea. Through the cooperative activities of those two groups, and supported by the movement monitoring officers, we come

to conclusions about the nature of the activities that people engage in.

**CHAIR**—Can you tell me how many officers of the department are engaged in activities on the islands on a full-time basis?

**Mr Killesteyn**—We have three departmental officers and 30 movement monitoring officers. Movement monitoring officers are employed not as permanent officers but rather as agents of the department.

**CHAIR**—How many of those people are Torres Strait Islander people?

**Ms Sykes**—All of them are Torres Strait Islander people.

**Mr Killesteyn**—I think one useful point for the committee to note is that the regional manager, who has just been appointed in the last 12 months, is also an indigenous person to that region whereas previously the regional manager had been an appointment usually from Canberra or another state office.

**CHAIR**—That is certainly good to note. Was that appointment as a result of a deliberate policy of the department to involve Torres Strait Islanders more in the affairs of the department on the islands?

**Mr Killesteyn**—It was not necessarily a question of our dissatisfaction with previous regional managers, but because of the unique nature of the activities and the movements of people through the Torres Strait, we thought it would be appropriate to look for someone who had the relevant background. I guess we were lucky enough to find someone who we could engage as a permanent officer who also had an indigenous background.

**CHAIR**—I know it is obvious but I will ask the question for the record: does the department see that as an advantage to the department in meeting its objectives and discharging its responsibility? Also, does it assist the Torres Strait Islander people to be more involved in their everyday affairs?

**Mr Killesteyn**—Most definitely. If we have someone who understands the culture and the practices of that particular region I think it is a much better environment in which we can manage the movement and also deal with some of the unique problems that often arise in that area.

**CHAIR**—Without disrespect to people who are not Torres Strait Islanders, and who are obviously very able officers, from your observation and experience, would you recommend it to other government departments and agencies involved in regular duties in the islands? Would you recommend that they, as far as possible, seek to train and employ Torres Strait Islander people?

**Mr Killesteyn**—I would be loath to be telling other government departments how to do their job, but I think you would have to say that there are certain advantages with an employee who is competent, not only across the responsibilities that normally go with a migration or customs officer but also has the relevant background. You can get that background through other means, but if you have got someone who has lived and grown up in the area that is one part of the competency set that comes ready made.

**Mr QUICK**—Are there movement monitoring officers anywhere else in the northern parts of Australia or just in the Torres Strait?

**Mr Killesteyn**—Not that I am aware of. It is peculiar to that part because of the geography and the proximity of Papua New Guinea and the nature of the people movements throughout that area.

**Mr ENTSCHE**—What training do you put monitoring officers through?

**Ms Sykes**—We have increased our training efforts with the movement monitoring officers. For your information we recently advertised all of the movement monitoring officer positions and engaged them on new contracts. As part of that process we set up a two-day training program for them in all aspects of their job. The permanent staff on Thursday Island, of whom there are three who are also indigenous to the area, provide training and backup to the movement monitoring officers on site on their islands as well as bringing them in several times a year to Thursday Island for specific training.

**Mr ENTSCHE**—Basically it is a two-day training program?

**Ms Sykes**—Yes.

**Mr ENTSCHE**—Do you feel that that is adequate?

**Ms Sykes**—I think it is adequate. Certainly my understanding is that the range of things covered in those two days is very good, but it is not the only training they do. They also get support in the field from our officers.

**Mr ENTSCHE**—What sort of remuneration are they on? Are they on some special package?

**Ms Sykes**—It is a contract. They are paid an hourly rate.

**Mr ENTSCHE**—An hourly rate for when they are actually on duty?

**Ms Sykes**—That is right.

**Mr ENTSCHE**—Given the part of the culture of the people in the region with, I guess, their allegiance to their own particular family groups, do you find that nepotism is a problem with regards to the capacity within their respective communities?

**Ms Sykes**—We are certainly not aware of that problem. Other than through anecdotal evidence, there is no specific evidence of that. What we have is 30 movement monitoring officers for 14 island communities, so there are several monitoring officers as backup for each other on each of the island communities. What we get from those people is local knowledge. That is what is of value to us: recognising what is going on in the area, knowing who people are and giving us that information. I am certainly not aware of it being a problem; it is more of a benefit to us.

**Mr ENTSCHE**—That is acknowledged. If you want to look at positive outcomes, look no further than the contributions from people like Terry Waia on Saibai. I know that Terry has been calling for some time for a more permanent presence and backup on islands like Saibai and Boigu which are so close, they are really the front line. What are your views on a permanent presence on one of those islands and/or some greater professional backup?

**Ms Sykes**—That is an issue that was raised by the Torres Strait Regional Authority with us and, as you say, by some of the island council chairmen. It is something that we are currently investigating.

**Mr ENTSCHE**—Are you aware of a self-imposed curfew that they are trying to implement on Saibai and Boigu because of the problems with that travel? You are aware of that?

**Ms Sykes**—Yes.

**Mr ENTSCHE**—Only one other question. The indigenous person that you have in charge of your department—how has the rest of the broader Torres Strait island community accepted that person's position? Is there any disquiet? Are they happy with it? Are there problems?

**Ms Sykes**—I think it is a difficult area to work in. All of the agencies in that area need to work very closely together, and there are sometimes different views on how a job should be done. Certainly, when I met with the Torres Strait Regional Authority last year they were very happy that we had appointed an indigenous person and were very supportive of that role.

**Mr ENTSCHE**—The reason I asked that question is this: I am also very supportive of self-empowerment within the island communities but I get considerable feedback that suggests that, while they want their people in there making decisions at the highest level, they also feel very strongly that there should be independent adjudicators that have no alliance with any particular group within the island. They feel it gives more balance. I say that just as an observation that has come from a whole range of community leaders up there. They are very, very appreciative of the fact that people are being empowered, but they also feel that we must be careful that we do not remove that one that has not got any association with any group. They see that as a very vital part of it.

**Mr Killesteyn**—It is a worthwhile observation. I would suggest that that is also part of our concern at the time that we are making a selection of the person that should be appointed to the position. We have every confidence in the person that has been appointed. There was a proper interview process; that was an issue that we were concerned about. It is an issue that we take into account in every appointment to our people who go offshore, if I can put it that way, whether it is to the Torres Strait or whether it is to Italy or wherever. We are looking for people, notwithstanding their background and culture and so forth, who can exercise independence. They are making decisions every day that affect, in this case, the free movement of people; in other cases, it is whether they are getting a visa to come to Australia. So the independence of our officers and the exercise of an independent decision is paramount in our thinking.

**Mr ENTSCHE**—I would just make the observation that strategically the Torres Strait is, from a monitoring point of view, probably the most important position of any in the world where we would like to



send someone, given its strategic position in relation to PNG and other places. We have got to be very, very careful in what we do there.

**Mr Killesteyn**—Yes.

**CHAIR**—How many illegal immigrants would attempt to enter every year?

**Mr Killesteyn**—If you are talking about illegals as persons not from the Papua New Guinea area—third country nationals—then I think the figures that we have are that there have been no successful illegal movements through the Torres Strait actually reaching the Australian mainland. But some 40-odd have been detained within the Torres Strait since January 1995.

**Mr ENTSCH**—In view of the Iranians that have started to turn up in that area, is there a concern that there may be some sort of organised attempt to start to pull these people down through the Torres Strait?

**Mr Killesteyn**—It would be hard to conclude at this point that there is a well-organised continuous activity to bring third country nationals through that area. There is no doubt there was some organisation involved, however, in relation to the Iranians. But we do not have any evidence of a continuous organised activity at this point. Bear in mind that we are still talking small numbers, relatively; given that the figures are somewhere of the order of 40 in the last two years, at this stage the evidence does not suggest that there is a major issue there. That is not to say that we are not concerned about its potential. Certainly, our compliance activities are focused on ensuring that it does not become a problem that is unmanageable.

**CHAIR**—Can I just interrupt. Two of our colleagues have to leave for other commitments so a formal resolution for a subcommittee is required.

Resolved (on motion by Mr Quick, seconded by Mr Lloyd):

That the committee form a subcommittee of two, comprising the chair and Mr Quick, for the remaining part of the hearing this day.

**Mr QUICK**—What are the traditional inhabitants of PNG required to carry in the way of documentation? Is there any requirement, or is there just a perception that they are a different ethnic group and therefore they are easily identifiable, and therefore they must be kosher? That is in simple terms.

**Mr Killesteyn**—The Immigration Act specifically exempts people who are engaged in traditional activities in Torres Strait from carrying any form of documentation. Normally, any non-citizen entering Australian territory would be required to carry some form of identification like a passport, and also a visa. But our act specifically exempts them in this case.

**Mr QUICK**—So in the worst case scenario of PNG erupting and people deciding to flee south, they are traditional inhabitants and they have got some rights. Is there anything in place from DIMA in light of the current situation in PNG? There might be, in a worst case scenario, an exodus of people who figure that things are going to get worse before they get better and, because they have been used to coming down this part of the world, it seems to be reasonably easy to do. No-one gives them a hard time. They are easily

identifiable. They have been doing it for years. The families are known—backwards and forwards. Has anything been put in place by DIMA for a worst case scenario?

**Mr Killesteyn**—The documentation will not stop that. The fact that you carry a passport or any form of identity will not stop people from moving across that particular area, if they have a reason.

**Mr QUICK**—So traditional inhabitants include everybody in PNG, do they?

**Mr Killesteyn**—No.

**Ms Sykes**—No.

**Mr QUICK**—So how are you going to differentiate, for example, people in PNG? If I were living up there and we were going to withdraw our Australian nationals, people would say, 'Well, look, there is a well-worn little route down through the Torres Strait.'

**Mr Killesteyn**—What we have in place is a pass system, I guess, to give it some description. Essentially that is where the tribal chief on the Papua New Guinea side provides some certification that the particular person who is crossing the strait is engaging in traditional activities. There may be some relationship there—friends and relations and so forth—or they may have been traditionally involved in the sorts of activities that are acceptable under the act. Essentially, it is an agreement that exists between the tribal chiefs in Papua New Guinea and the island chairmen, whereby they determine the sorts of people that would normally be expected to be engaged in traditional activities. Without a pass, while it is not determinative, it is certainly prima facie indicated to the movement monitoring officer that the person is engaged in traditional activities.

That pass system has been in place since the 1970s, I believe. It was designed between the tribal chiefs and the island chairmen. It has worked very, very well over that period to provide a basis for movement monitoring officers to make an assessment of whether the person is engaged in traditional activities or not.

**Mr QUICK**—With regard to the treaties that are signed between Australia and PNG, according to DFAT the Torres Strait treaty has not been updated since it was implemented in 1985. You are one of many Commonwealth agencies involved in treaty provisions. Have you seen any need to update the treaty in any shape or form? Article 16 looks pretty simplistic in light of the current movement of people all around the world, especially people trying to access Australia. WA seems to get most of them, obviously because of its isolation and because it does not, I suppose, have movement monitoring officers in Aboriginal tribes.

**Mr Killesteyn**—The treaty, notwithstanding its simplicity, is actually quite a sophisticated document. One of the things that it provides for, as you will see, is that persons who enter either Australia or Papua New Guinea illegally can be returned. There is an obligation on both parties to return those people to the country that they crossed.

What we are trying to do to support that, in some negotiations that are currently underway with the

Papua New Guinea government, is to introduce a safe third country agreement between Australia and Papua New Guinea. That particularly was an issue that was prompted by the arrival of the Iranians just recently. So, while the treaty may not have been revamped, it is constantly being supported and provides a basis for return of nationals who are entering illegally.

**Mr QUICK**—What do you mean by a temporary stay—three months? Do the movement monitoring officers say, ‘Look, you guys have been down here for the last two years, is it not about time you went back home?’

**Ms Sykes**—It is up to the island council chairperson how long a person can stay on the island. Usually it is three weeks, but often fewer.

**Mr Killesteyn**—One needs to go back to the underpinnings of the treaty, and that is essentially around traditional activities. The definition of a traditional activity focuses on those sets of things that a person would do over a relatively short term. We are talking about fishing and market gardening, those sorts of things which do not involve, as you say, two years residence. They are very short-term focused activities.

**Mr QUICK**—What about native title, where there are hassles and claims over sole right to seabeds and all that sort of thing? Say that autonomy is granted to the Torres Strait people and they decide to put in a native title claim and are successful. What is going to happen to the treaty? Will it have to be renegotiated in the light of the native title application? I know that in Western Australia Aboriginal groups are saying, ‘We have had traditional right to this and we want sole access—excluding all others—to this.’

**Mr Killesteyn**—That is an area that is certainly outside immigration’s competence. It is a matter that is really between the Prime Minister and Cabinet and the Department of Foreign Affairs and Trade. Essentially, it is a treaty that was negotiated between governments. Our responsibility, in effect, is focused on managing the movement of people. How the treaty might be upgraded—

**Mr QUICK**—I understand that, but, in your Commonwealth interagency discussions, has native title in that area not come up at all?

**Mr Killesteyn**—The issue has not been raised with me.

**CHAIR**—The number of Torres Strait Islanders living on mainland Australia is estimated to be in excess of 20,000. I am not saying the next point I am about to make is fact at all, but can you indicate to me whether you are aware of the number of people on mainland Australia who claim to be Torres Strait Islanders but in fact are illegal immigrants?

**Mr Killesteyn**—We would have no figures on that at all.

**CHAIR**—You are not aware of that?

**Mr Killesteyn**—No.

**CHAIR**—Has it ever been suggested to you that that is the case?

**Mr Killesteyn**—Clearly the possibility exists, Mr Chair, that there are some illegal ethnic Papuans. But, given the arrangements that we have in place to monitor movements across the Torres Strait, and notwithstanding the comments that have been made earlier about the movement monitoring officers, there is a strong network. There are 30-odd people, plus three DIMA officers, covering some 13 islands. We are quite confident that illegal migration, if I can put it that way, ending up in permanent settlement on mainland Australia is nowhere near the 20,000 figure that you are suggesting. I would not even want to hazard a guess as to what the figure might be, but I think it is either nil or very, very small.

**CHAIR**—Thank you very much for your attendance, and I wish you well.

[5.20 p.m.]

**LAMBERT, Mr Scott, Assistant Director, Environmental and Indigenous Tourism Section, Office of National Tourism, Department of Industry, Science and Tourism, GPO Box 1545, Canberra, Australian Capital Territory 2601**

**PRIESTLEY, Mr Graeme Matthew, Director, Environmental and Indigenous Tourism Section, Office of National Tourism, Department of Industry, Science and Tourism, GPO Box 1545, Canberra, Australian Capital Territory 2601**

**CHAIR**—I welcome the witnesses from the Department of Industry, Science and Tourism. Thank you for attending. I am going to read some questions to you and invite you to respond to them by letter to the committee as quickly as possible because it would be more appropriate to do it in that form. You have made a submission to the committee.

**Mr Priestley**—There was a submission addressed to you.

**CHAIR**—Do you have any amendments or additions that you wish to make to the submission?

**Mr Priestley**—Not so much an amendment or anything like that; we would like to elaborate on it.

**CHAIR**—Would you like to do that first, then I will read the questions to you that I would like a written answer to.

**Mr Priestley**—That letter which was addressed to you, Mr Lieberman, raises the issue of the difficulty that indigenous enterprises—this is in general, not just the Torres Strait Islanders—are having in establishing and running businesses. It also raises the fact that there is a strategy, the national Aboriginal and Torres Strait Islander tourism industry strategy, otherwise known as NATSITIS, which at that point in time was being developed to assist, at least in part, indigenous enterprises. What we were hoping to do today was to elaborate a bit on that.

**CHAIR**—Please proceed.

**Mr Priestley**—You may have actually heard some of this from ATSIC.

**CHAIR**—No. We would like you to elaborate on that and proceed with that now, thank you.

**Mr Priestley**—I will refer to it as NATSITIS. I know it has a funny sounding name to it—like a disease.

**CHAIR**—Like mastitis with natsitis.

**Mr Priestley**—The strategy, which has now been finalised and been agreed to by the ATSIC board, has yet to be agreed to by Minister Moore or Minister Herron. So it is not publicly released as yet. We do

not have an exact time frame, but it will probably be a few months before that happens. The strategy was developed with very extensive consultation between a large number of bodies in Australia—Commonwealth, state and territory governments and indigenous bodies and indigenous enterprises. The outcome of that was a draft, which was widely circulated again. Subsequently, using a different consultant, it was finalised to the form that we have now. I am not sure whether you have access to this at this point of time or that we need to give it to you.

**CHAIR**—We have not got it, but we would be pleased to get it.

**Mr Priestley**—Shall we arrange for you to get a copy of that?

**CHAIR**—Yes, if that is clear for you to do that.

**Mr Priestley**—For this committee I do not see a problem, but I will check that.

**CHAIR**—We have a time constraint. You can help us, Mr Priestley, by getting it to us as urgently as possible.

**Mr Priestley**—Yes. All being well, we can probably arrange for that tomorrow. The point that we really want to make is that we do recognise that the indigenous people—and particularly the Torres Strait Islanders, which are a distinct group in their own right—are struggling to establish themselves in any businesses to give themselves sufficiency and self-determination. That strategy sets out a number of approaches which can be used to deal with that. I do not think I need to go into the background of where this came from in the first place. I think that you understand all that.

There are ten areas of support proposed under the strategy. They basically deal with: supporting networks, the spreading of information, training, planning, physical infrastructure, product development, business development, managing the impact of tourism enterprises on the indigenous community, marketing and research. I probably do not need to go into them in detail now because I am informed that we have very little time. You will be able to pick them up out of that strategy itself.

What has to happen now, we believe, is that the Commonwealth will draw up a position—when I say ‘Commonwealth’ that is us and ATSIC—and provide that position to the states so that they can develop a position. At the end of the day we can develop a national approach and then we can go to our respective governments. At this stage, the usefulness of this strategy is question marked because we do not know how the respective parties will be able to respond in dealing with the issues that are raised there. I would like to make the point that it could be difficult—we do not know yet—in putting some of these recommendations into effect.

What is actually there at the moment from our own portfolio is a national tourism development program. In that is a category dealing with indigenous enterprise. At this stage of the game, there is a \$5 million program each year for two years and in there, there is about \$400,000 available for the indigenous community. It sounds like a small amount of money, but we know from the pilot studies that were done in developing NATSITIS that there are probably not all that many examples that we can draw on to demonstrate

what Aboriginal enterprise is capable of doing at this stage of the game. The support that is available at the moment looks fairly small, but experience has told us that the enterprise capability is such that we do not think there are all that many good ones that we can use as models for the rest of the indigenous enterprise community.

**Mr QUICK**—How much of the \$10 million is allocated for the Torres Strait? Is there any particular amount, or is it dependent upon whoever comes up with the best models?

**Mr Priestley**—It is like an open competition. It is a public competition, if you like, for anyone who meets the applicant criteria. In a case of this category, it has to be a state tourism commission in conjunction with an indigenous body and/or an indigenous enterprise. It is competitive. They come in and there is an examination process with assessment and a ranking or priority given to them. We liaise with the states to determine what they believe are their priorities in conjunction with this, as well. At the end of the day, a decision is made. Torres Strait Islanders are not singled out for specific focus. They are part of the indigenous community in the context of this category.

**Mr QUICK**—We have the native land fund under the Native Title Act where traditional people are able to purchase land which is traditionally theirs. This \$10 million, obviously, is not for the purchase of land for the purpose of setting up a tourist venture.

**Mr Priestley**—No.

**Mr QUICK**—There is an assumption that there is a spot for this venture to be placed on top of—

**Mr Priestley**—That is correct. It is to help them develop existing indigenous enterprises.

**Mr QUICK**—So if, for example, on Thursday Island an Aboriginal group said, 'We want to build a three-star motel. It is going to cost \$1.2 million,' they would not get the money?

**Mr Priestley**—Their problem is scale. That \$400,000 I mentioned applies across Australia. If they came in with an amount of \$1.2 million we might have some flexibility, but I do not think we could move from \$400,000 to \$1.2 million. This is a matched arrangement as well, so whatever we agree to put in at the end of the day has to be matched from a non-Commonwealth source.

**Mr QUICK**—So there is Commonwealth, Aboriginal and state—

**Mr Priestley**—The state government could provide money; a private source could provide money if they so desired. The matching money can come from sources other than the Commonwealth, so the various state bodies and private sectors could get involved in that if they so wanted—or any other source, if there is one.

**Mr QUICK**—And the model will include, obviously, some training in the skills of hospitality and—

**Mr Priestley**—Training is part of it, yes. What else is part of it—we need to look a little bit more

nationally now—is studies of what the travelling community, both internationally and domestically, are looking for in terms of tourism experiences in an indigenous environment. We have some ideas of what that might be; we do not have any clear ideas at this point in time of what the tourism community is actually looking for.

**Mr QUICK**—Currently, how many models do we have that have stood up over a period of, say, the last three or four years and are working successfully in Australia, with the indigenous people?

**Mr Priestley**—The number of enterprises?

**Mr QUICK**—Yes.

**Mr Priestley**—Have you got a figure, Scott, that you can put on that?

**Mr Lambert**—It is a small handful, really. There is a small number of enterprises that have been operating successfully over the last few years, but in quite a few cases there has been some degree of government subvention to those enterprises. There are not too many enterprises that have been operating wholly independently on a profitable basis for a while.

**Mr QUICK**—So these grants are one off, in the belief perhaps that it is up and running and viable and the money can be repaid. Is it a loan?

**Mr Priestley**—No, it is not a loan, it is a grant. We are looking at grants of between about \$40,000 and \$70,000—in that range, approximately.

**Mr QUICK**—So it is a two-year pilot program at the end of this?

**Mr Priestley**—When I say two years I mean that the program runs for two years. There is this year, for which we provide grants, and then next year we will go out and invite proposals again. They will go through the same process and they will get a grant. They do not get a second grant on top of what they have already been given.

**Mr QUICK**—Are these calendar years or financial years?

**Mr Priestley**—Financial years.

**Mr QUICK**—So we are starting from July 1997 and going to what?

**Mr Priestley**—The second year of this program will start on 1 July this year.

**Mr QUICK**—So we have almost had one year?

**Mr Priestley**—That is right. The closing date for the first round was 28 February. The process of examining the proposals that we have got is now in train.



**Mr QUICK**—Has it been going for one year?

**Mr Priestley**—This is the first year of it now. We are examining the first year's proposals now.

**Mr QUICK**—You said that there was \$5 million each year. How much of the \$5 million has been given away, and to how many projects?

**Mr Priestley**—The \$5 million is spread over four categories, one of which is the indigenous category. \$400,000 is devoted to the indigenous category.

**Mr QUICK**—What are the other categories?

**Mr Priestley**—Category A deals with rural and regional tourism. Category B deals with managing tourism in natural environments. We can send you these guidelines too, if you need them.

**Mr QUICK**—Okay. So Torres Strait can cover the whole lot?

**Mr Priestley**—Torres Strait could, depending on what they are doing, fit into category A or B—as well as category C, which is indigenous. Category D deals with things that are more national. They might be development of standards, accreditation systems and so on. We will be dealing with various tourism organisations to sort those ones out, so put that one aside. But the Torres Strait Islander one, depending on what they want to do, could fit into category A, B or C.

**Mr QUICK**—What if they develop national standards? If, for example, a venture on Thursday Island was able to prove that it was able to train indigenous people to become tourist operators or whatever it might be—tour guides or something—and that met the national criteria, it could get access to D too, couldn't it?

**Mr Priestley**—You could probably do that under category C. I suspect that it would fit in there. With category A the problem is that the proposals we are asking for are about a quarter to half a million dollars in size, which has to be matched. That is the large-scale infrastructure, out in rural and regional environments. We are trying to move tourism from the gateway out. It is not quite what we are looking for with Torres Strait Islanders. To our minds, they need to develop their skills in terms of starting up and managing the businesses, getting hold of information which will enable them to determine what sort of business they want to be in and how the mainstream market is actually behaving and working—those types of things.

**Mr QUICK**—We heard from the other federal departments about the interagency liaison in this particular area. How is this strategy operating with, for example, the land fund? They have got \$45 million a year to purchase land. Do you have discussions with them or the groups that you are dealing with? Are they aware of perhaps other avenues to get some of this matching money?

**Mr Priestley**—We did not have discussions with them. Our communications have been, in terms of the indigenous side, with people like ATSIC, to get the guidelines out. We actually sent it directly to a large number of indigenous enterprises that we are aware of, and also to some indigenous organisations themselves, to get it out as far as we could in order to encourage them to apply. Part of the problem we found in this is

the indigenous people's capability to prepare good quality proposals. That was of concern to us. I think in hindsight there was some value in having, for instance, the state tourism commissions involved because they could at least have a look at and help them develop a decent proposal.

**Mr QUICK**—Do you have field officers in Queensland going out to the various islands saying, 'Are you aware this money is there?' We heard from Immigration that they have got 30 people called movement monitoring officers, who are paid a retainer to keep an eye on people wandering backwards and forwards. Do you have field officers going out?

**Mr Priestley**—We do not have field officers as such but we use various state bodies, like state tourism commissions. I cannot off the top of my head think of the names of the other ones. We brief them beforehand as well, so they would have that role.

**Mr QUICK**—But would the state tourism people not be interested in promoting already established areas? That is the easy way for them, surely—to be on the safe ground. We are talking about entrepreneurial things establishing in the newer areas. The state people, I would assume—not to be disparaging—would tend to act on the principle that it is easier to promote things in already established areas rather than going out to establish new places.

**Mr Priestley**—Thus far we have not seen any evidence of that. We have seen some concern expressed by the state bodies about proposals that had not come through them initially and we have redirected them because of a misunderstanding of the guidelines. But we did not see any preference given in the way you are suggesting it might be.

**Mr QUICK**—That is good.

**CHAIR**—I take it that one of the areas of need on the island is more training for people, to encourage them to run their tourist enterprises with more focus and more of a business plan. Is that what you are saying?

**Mr Priestley**—I think that is part of it. A lot of the area dealt with which involves the Torres Strait Islanders is very remote. There are problems with access and there are problems with accommodation.

**CHAIR**—But training will have to be an ingredient of a successful strategy.

**Mr Priestley**—Training, yes. Whatever happens, the Torres Strait Islander people will have to think seriously about some form of regional strategies.

**CHAIR**—I just want to jump quickly to another issue and then we will wind it up.

**Mr Priestley**—You said you were going to write to us as well, so we can pick up your questions from that.

**CHAIR**—Yes, the secretary will write with a number of questions, if you would not mind helping us

by responding to them quickly as we have a time problem with our inquiry. I just wanted to get it on the record that Torres Strait Islander people are actually asking your department to be helped to become more involved in the tourist industry. Is that actually what your department has found to be the case, that Torres Strait Islanders are actually asking to be involved?

**Mr Priestley**—Scott may have a different view, but I have not seen anything directly which says that.

**CHAIR**—So yes or no?

**Mr Lambert**—There is very little development of tourism in the Torres Strait at the moment. We know of some communities that are particularly active—the Seisia community on the north of Cape York, for example.

**CHAIR**—Is this move to expand tourism a thing that the department—government as well—wants to initiate but which is not being requested by the Torres Strait Islanders, by and large, as far as you know?

**Mr Priestley**—As far as we know.

**CHAIR**—Thank you very much for your attendance.

Resolved (on motion by Mr Quick):

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

**Subcommittee adjourned at 5.40 p.m.**