

**Parliamentary Joint Committee on  
Native Title and the Aboriginal and  
Torres Strait Islander Land Fund**

**Indigenous Land Corporation  
Annual Report 1999-2000**

**Submission No: 1a**

**6 March 2001**

**Ms Sharon Firebrace**

**Chairman**

**Indigenous Land Corporation**

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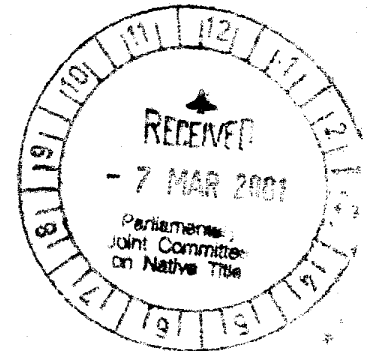
**E-mail:**



6 March, 2001

INDIGENOUS LAND CORPORATION

Mr Peter C Grundy  
Committee Secretary  
Parliamentary Joint Committee on Native Title  
and the Aboriginal and Torres Strait Islander Land Fund  
Parliament House  
CANBERRA ACT 2600



Dear Mr Grundy,

#### **THE OPERATION OF THE ILC**

I refer to your letter of 12 February, 2001 which I received on 23 February, 2001 at my Victorian office following the correspondence being onforwarded from the ILC Canberra office.

Firstly, I must express my concern with the tone of your correspondence, especially your statement that I made a "misleading if not untrue assertion". I would expect after considering this letter that you might have a different perspective on this matter.

Secondly, I am responding to your correspondence in the belief that it is personally directed to me and intended for my personal response. I mention this as a previous response in similar circumstances led to other ILC directors levelling an allegation of misbehaviour against me for despatching a personal, rather than Board response - albeit the contents having been cleared by the CEO of the ILC.

Accordingly, in response to your specific questions I advise the following:

#### **ANAO Report and Roebuck Plains - AFP**

In respect of my "assertion of 2 August 2000 that ..... the ILC Board did not resolve to refer any matter to the Federal Police", the statement stands factually correct. That is, the Board made no resolution to refer any matter, including that of the leak, to the AFP. The Board noted in its minutes of meeting that it "is taking what it considers to be appropriate responses to the issues raised by Dr Nicoll and Mr Miller" (this was a reference to several issues including the apparent leaking of the ANAO draft report). Any suggestion that my statement was misleading is purely mischievous.. That the ILC Board now maintains it did not discuss the question of referral of the leak to the AFP ignores the fact that Mr Bill Miller, Director Evaluation and Audit, ATSIAC, briefed the Board on 8 May, 2000 on his view that the matter should not be referred to the AFP as it would be a futile exercise. Clearly, the Board of the ILC considered

Mr Miller's viewpoint and decided not to pursue AFP action at that time.

I also advise that my letter of 2 August, 2000 was drafted in consultation (by telephone) with Mr John Wilson, CEO of the ILC who agreed with the contents of the letter and also that I, and not the Board or CEO, should respond to your enquiry as it was addressed to the Chairman personally. The telephone consultation was made in the presence of a witness who is prepared to swear on oath that the circumstances I am advancing are true and correct. Mr Wilson has since denied any part in the consultation.

My comment in the press regarding an AFP investigation into Roebuck Plains acknowledges the fact that an AFP investigation was proceeding at that time, and as I understand, is still proceeding. That the ILC Board did not contemplate or discuss such an investigation is irrelevant to the AFP's commitment to an investigation following allegations it received privately.

#### **Street/Rogers Inquiry**

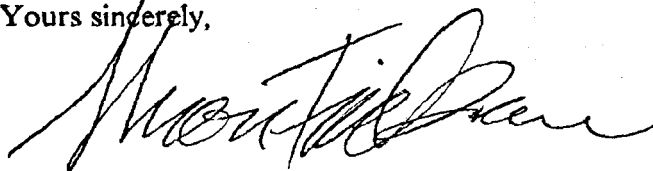
At the time of Mr Rogers' initial contact regarding a meeting with him I was concerned that due process needed to be followed and that his appointment to conduct the Inquiry had not been formally ratified by the Board. Accordingly, I declined to meet with him under those circumstances. I undertook to review my position when, and if, his appointment was ratified by the ILC Board. Upon the subsequent ratification of his appointment I assumed Mr Rogers, who had responsibility for the conduct and processes of the Inquiry, would make early contact with me. A meeting and subsequent telephone discussions have since taken place.

I have noted your desire to obtain a copy of the Rogers Report when available.

#### **ILC Annual Report 1999-2000**

Thank you for your invitation to attend the public hearing on the operations of the ILC during 1999-2000. I will be working all day in Melbourne on 27 March, 2001 but intend to travel to Canberra that evening in order to attend this hearing. I understand the CEO of the ILC has already notified you of my availability for the hearing and also advised the identities of ILC staff who will attend.

Yours sincerely,



Sharon Firebrace  
Chairman