

CORRECTED TRANSCRIPT

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into 2004–05 budget estimates

Melbourne – 24 June 2004

Members

Mr W. R. Baxter

Ms C. M. Campbell

Mr R. W. Clark

Mr L. A. Donnellan

Mr B. Forwood

Ms D. L. Green

Mr J. Merlino

Mr G. K. Rich-Phillips

Ms G. D. Romanes

Chair: Ms C. M. Campbell

Deputy Chair: Mr B. Forwood

Staff

Executive Officer: Ms M. Cornwell

Witnesses

Mr G. Jennings, Minister for Aboriginal Affairs;

Mr T. Healy, deputy secretary, people and community advocacy;

Ms A. Jurjevic, director, Aboriginal Affairs Victoria; and

Mr S. Gregory, chief finance officer, Department for Victorian Communities.

The CHAIR — I officially welcome attendees to the Public Accounts and Estimates Committee hearings on the budget estimates for the portfolios of Aboriginal affairs and aged care. I welcome Mr Gavin Jennings, Minister for Aboriginal Affairs; Mr Terry Healy, acting secretary, people and community advocacy, Ms Angela Jurjevic, director, Aboriginal Affairs Victoria; and Mr Stephen Gregory, chief finance officer, Department for Victorian Communities; departmental officers, members of the public and the media. In accordance with the guidelines for public hearings, I remind members of the public that they cannot participate in the committee's hearings. Only officers of the PAEC secretariat are to approach PAEC members. Departmental officers, as requested by the minister or his chief of staff, can approach the table during the hearing. Members of the media are also requested to observe the guidelines for filming or recording proceedings in the Legislative Council committee room. All evidence taken by this committee is taken under the provisions of the Parliamentary Committees Act and is protected from judicial review. However, any comments made outside the precincts of the hearing are not protected by parliamentary privilege. All evidence given today is being reported. Witnesses will be provided with proof versions of the transcript early next week. I also ask that all mobile phones be turned off and pagers be switched to silent mode. Minister, it is over to you.

Overheads shown.

Mr JENNINGS — I thank you, Chair, and the Public Accounts and Estimates Committee for the opportunity to outline the important undertakings that the Victorian government is making to indigenous Victorians each and every day, which is an important role that underpins community development for Aboriginal people but which also plays a very important role in underpinning the wellbeing of the entire Victorian community by supporting reconciliation — and we are all better off for in fact achieving better outcomes for Aboriginal people.

I would like to outline for the committee relatively quickly a presentation to give it a snapshot of our priorities and our directions. In regard to our strategic directions in Aboriginal affairs, the government is committed to undoing the damage of the past, strengthening Aboriginal communities and building a positive future. We do this through increased recognition and respect, partnership and collaboration, and by doing our best to ensure we have a whole-of-government, coordinated and consistent approach that builds on those principles. Our specific priorities in this portfolio at this point in time are in fact to ensure that we have appropriate programs to address the dispossession of land and culture, to redress that sorry history, to deal with other injustices such as the impact upon the people of the stolen generations, and to reduce family and community dysfunction.

We want to make sure that we provide support for emerging Aboriginal leadership, so that the capacity and wherewithal of some fantastic people in the Aboriginal community in Victoria is enhanced to provide that leadership for their community organisations and for their community more broadly and to give us all-important messages about how we as a community can appreciate the Aboriginal experience of this country. Indeed it is consistent with our approach to indigenous capacity building that we try to provide support not only to individuals but to community organisations. As I indicated to the committee, it is very important that we understand that we actually have joined up government and make it a reality rather than a piece of rhetoric and make sure we play a supportive role rather than a destructive role in the lives of Aborigines.

In the last year we have gone a long way in terms of trying to make demonstrable progress on a number of those endeavours. We have allocated \$1 million in relation to indigenous community capacity building grants and supporting broad initiatives such as the CEO network of Aboriginal organisations to try to ensure they have greater capacities. In fact we have already outlined that we have supported a number of leadership programs, including such great programs as the Koori Network for the Future, the Victorian Aboriginal Community Services Association Ltd program, which is organised in cooperation with the Royal Melbourne Institute of Technology. We have supported a very important Council of Australian Governments trial in Shepparton, where we try to bring together all tiers of government — commonwealth, state and local — to try to provide support to directions that have been set by an Aboriginal facilitation group within Shepparton.

We provide important heritage partnerships, and in the cultural heritage program we have achieved great things in partnership with the Aboriginal community. We have provided over \$2.4 million worth of support in terms of indigenous community infrastructure over that period of time, providing support to services right around the breadth of Victoria. We have received the outcomes of the Victorian Indigenous Family Violence Task Force. An important initiative of this government for the past two years has been to support Aboriginal self-determination over outcomes and directions of measures to address family violence. We have established a stolen generations organisation, after receiving advice from the task force that was charged with that responsibility; and we have made

some improvement in terms of meeting our obligations in making sure the Victorian public sector is an exemplar of employment practices and encouraging participation of Aborigines in the work force. We have made some inroads in that regard.

Committee members will see from the slide presentation that there has been a quantum shift in the size of the Aboriginal affairs budget since 2001–02 to this current day. I am sure members will want to go through some of the ins and outs of that budget preparation, but there has been rapid and sustained growth in terms of the AAV budget. In this coming year we will focus on improving cultural heritage. That will be a major priority. We were going to do a major review of cultural heritage legislation — currently it is subcontracted out to our friends in the commonwealth — and we are interested in trying to make sure there is a rigorous cultural heritage and regime in place in Victoria. We want to very significantly embark upon negotiated agreements with Aboriginal communities in terms of opening up access to land and natural resource management and to provide support for social and economic development in relation to that land management for Aboriginal communities.

We will indeed deliver on our commitment to support the stolen generations organisation, and there will be a new service delivery model for members of the stolen generations within the course of the year. And of course we will be implementing a well-considered and comprehensive response to the Victorian Indigenous Family Violence Task Force recommendations. Very shortly the government will be outlining the way in which it will respond to that. We will continue with our important work in providing those leadership programs. We understand that we play a role in making sure that we enhance the rigour and the wherewithal of Aboriginal community organisations, and that will continue to be a feature of our resource allocation and capacity building.

The CHAIR — Thank you, Minister. In terms of clarification?

Mr FORWOOD — Thank you for the information, Minister. In terms of clarification and comment on the presentation, I make the point that this is the first time ever that we have received a presentation that does not contain a one dollar figure at all.

The CHAIR — This is not an appropriate point to make. The minister has outlined facts and figures — —

Mr FORWOOD — Of course it is, I am just making a request.

Mr DONNELLAN — What is the chart there? That has dollars on it. That must be monopoly money.

Mr FORWOOD — It would be useful to the committee if next year you could put beside them, as many other departments do, the dollar commitments that the government intends to spend on each of its initiatives or the money that spent on its achievements.

The CHAIR — You might like to put this as your first question, but we are moving on.

Mr JENNINGS — I could have responded to that by suggesting that if Mr Forwood was listening as distinct from reading at the time he might have actually discerned that.

Mr FORWOOD — I did hear some of the figures, but my point is that you have got them, so why are they not on the screen?

The CHAIR — You can ask that as your first question. It is fascinating. Thank you.

Mr JENNINGS — The permanent record is the Hansard record and it will be there before we leave today.

The CHAIR — Good on you, Minister, and thank you. I would just like to take up the indigenous family violence issue. I am conscious that your role within government is a coordination role, so you might like to make some preparatory comments before you actually answer my question which goes to the Victorian indigenous family violence project and the funding allocated to it. Could you outline how the money is going to be spent in that program and what your role is as Minister for Aboriginal Affairs, given that so much of this money is delivered through a range of portfolios?

Mr JENNINGS — I thank the Chair for the opportunity to outline what has been an undertaking by the Bracks government for the last two or three years in providing a structure for the Aboriginal community to

determine outcome processes and programs which address the sorry incidence of family violence within the community. I well and truly understand that this was not a feature of the traditional way of life, but is now an all too common occurrence today with many of the stresses and strains faced by members of the Aboriginal community. That is not in any shape or form to justify any actions, but in fact to put a context by which we understand the dimensions of some of the issues which underpin this. The task force spent a long period of time in consultation with the community to try and ascertain what the dimensions of these issues were and how we could best design programs to respond to them.

The involvement of the Minister for Aboriginal Affairs and Aboriginal Affairs Victoria was commenced by the undertaking of my predecessor Keith Hamilton to provide the funding and support for the work of the task force to commence. Beyond that there has been \$4 million put into the Aboriginal affairs budget over four years to support that work. This led not only to facilitate the work of the task force, but to provide the resources for the employment of a statewide coordinator and nine local coordinators to support the local communities to develop the appropriate programmatic responses.

These 10 positions, whilst funded out of the Aboriginal Affairs Victoria budget, were physically located within the Department of Human Services, in the community services division of that department. Since this program commenced there was already an enmeshed relationship between AAV and community services as they are the service providers. It is clearly understood that service provision in terms of counselling and other support services linking into day-to-day programs that may be addressing the needs of families from all ends of the spectrum in terms of the service needs; that is how they have been funded up until now. We recognise that in responding to the ongoing programmatic needs of those services that are recommended by the task force it is more appropriate in future years that the funding for the programmatic responses be obtained within community services.

This is the last budget, I believe, where money will be allocated to Aboriginal Affairs Victoria because we in effect, whilst being the facilitators and promoters of this program, have been for all intents and purposes the postbox of the funding; and the undertakings that were made in this budget, which include the \$10.2 million that would be allocated to address these responses to add to the \$4 million, will be allocated to the Department of Human Services and will be funded through community services in the years to come.

The CHAIR — In the years to come will the department be given \$10.2 million plus the \$4 million?

Mr JENNINGS — Yes.

Mr FORWOOD — I refer you to pages 241 and 242 of BP3 for your output group. At the outset I make this gratuitous comment: that the annual Aboriginal affairs report tabled in Parliament indicating that 1, 1, 1, 1 as the performance measure is nonsense. Turning to the total output costs shown on page 242, and also on pages 15 and 16 of the department's response — Stephen will be expecting this question because he knows what I am going to ask — could you provide the committee with a break-up of what the funds have been spent on in the previous year and the programs they will be spent on in the forthcoming year? I note that there was a increase this year from 14.6 per cent to 16.9 per cent which is shown to be on the notes as largely the result of the Treasury advance for achieving reconciliation. Could we have the break-up of the difference between the two?

Mr JENNINGS — I can do it now

The CHAIR — Mr Jennings has probably come prepared for this.

Ms GREEN — You said you wanted numbers, Bill. You are going to get them.

Mr JENNINGS — Within the break-up of the \$15.7 million of this year's proposed budget there would be in heritage partnerships, \$3.17 million, indigenous family violence strategy, \$1.9 million, community infrastructure, \$2.275 million, indigenous community capacity building, \$1.48 million, business management processes, \$1.46 million, Bringing them home, \$790 000, whole of government policy and planning, \$1.12 million, communication and awareness programs, \$140 000, and our corporate contribution to the Department for Victorian Communities makes up the residual payment.

In terms of the reconciliation of the original budget allocation in 2003–04 and the revised budget outcome, there is a difference of \$2.2 million, which is a carryover from the previous year. That \$2.2 million has been totally expended within the year 2003–04 through activities that we funded; for the indigenous community capacity

building program, \$0.9 million; the indigenous family violence strategy, \$0.7 million; and for the Bringing them home response, \$0.6 million. The reason those issues were carried over — anticipating the supplementary question — was that I outlined during my presentation to the committee that these major initiatives in terms of scoping the demands and issues within the Aboriginal community were left to the responsibility of community-based task forces that were established by the government to undertake that work. That work was important and had to run its complete distance. The government had allocated money to be expended in response to the recommendations that came from those significant reviews, and in fact it would have been totally inappropriate for the government to pre-empt the outcomes of those reviews that took a little bit longer than the government would have anticipated. However, whilst there is a healthy tension between the government and community-based reviews that may be undertaken for us to encourage the speediest outcomes of those reviews, it would have been inappropriate to pre-empt the outcomes and start funding programs that did not actually come through that rigorous consultation and recommendation process. That is the reason why those programs I have outlined tripped over from one financial year to the other, but as I indicated to the committee the \$2.2 million has been fully expended within 2003–04.

Mr FORWOOD — Are there any carryovers this year?

Mr JENNINGS — We are a bit early to be able to anticipate whether there might be any carryover processes, but I am sure Public Accounts and Estimates Committee members will know that the final budget figures will be coming to them during the second half of the year.

The CHAIR — I am glad the department is anticipating our work.

Ms GREEN — Minister, my question relates to the significant changes to ATSIC made by the federal government, and I refer to your media release of 7 May following the meeting of the Ministerial Council on Aboriginal and Torres Strait Islander Affairs. Could you please elaborate on the Victorian government's position on the abolition of ATSIC and likely budget effects for the state?

Mr JENNINGS — The Victorian government has been able to maintain, through a very turbulent period for ATSIC, a very constructive and productive relationship. We understand that nationally Aboriginal communities have expressed some concern about the effectiveness of ATSIC in terms of its focus and its ability to respond to the pressures of community life, but also its ability to successfully make transactions and have a working relationship with the commonwealth government, which was its creator and the prime jurisdiction within the nation that should in my view have maintained a productive and constructive relationship. Clearly that relationship has broken down over the last few years, which has led to the announced demise of ATSIC. However, in Victoria we have worked, as I have indicated to the committee, very productively. Indeed the elected arm of ATSIC in Victoria, made up of the commissioner, Troy Austin, the chairs of the two regional councils within Victoria, Daphne Yarram and Tim Chatfield, make up the representation from the Aboriginal community on the Premier's Aboriginal Advisory Council. I am very happy to have joined with the Premier and those elected members of ATSIC to do a lot of constructive and productive work in developing levels of understanding and agreed programmatic outcomes over the last the term of the Bracks government. They play an important role in many advisory bodies that we currently establish. For example, Daphne Yarram, the regional chair, played a great role in facilitating the COAG trial in Shepparton and so had a very intense interaction — and maintains an intense interaction, being the facilitator in the early days of the coming together of that facilitation group — in focusing Aboriginal organisations on trying to determine what the shape of that program would be. She played a very constructive role not only for the Victorian government but indeed for the commonwealth government in that context as a partner in the COAG trial.

We believe there are great dangers in terms of the wellbeing of Aborigines right across the nation, but certainly in Victoria, from the demise of ATSIC, because there has been a lack of opportunity for an elected representative national body to have a say in the way in which program allocations will take place. I say that is a particular issue for the state of Victoria because all of the headline indicators that have been established through the COAG process looking at relative levels of disadvantage place Victorian Aborigines at a similar degree of disadvantage to other communities right around the nation, which is an extraordinary proposition given that many of those communities in other states live in remote areas.

In terms of life expectancy you might at first glance expect that for Aborigines in Victoria it would be far in advance, in accordance with the more urbanised community that is locked into infrastructure, of those who live in remote communities with no infrastructure and no job opportunities. Life expectancy is virtually the same, which is

an extraordinary feature of life. We are worried that the commonwealth may use this as an opportunity in the demise of ATSIC to skew resources. In fact there have been many indications that it intends to skew resources to other states that deal with remote communities at the expense of urbanised populations. That is a major problem, and we keep on saying to the commonwealth, 'No, the level of disadvantage is acute. Clearly address those problems in remote areas, but do not do them at the expense of Aborigines in Victoria'. It is very important that ATSIC should have an ongoing role, or an elected body should have an opportunity to make those statements on their own people's behalf.

Mr CLARK — You mentioned in your answer the importance of the Premier's Aboriginal Advisory Council. Page 242 of budget paper 3 on service delivery shows that that council was expected to meet 10 times during 2003–04 but is now expected to meet only three times and again only three times in 2004–05. Can you tell the committee why the targeted number of meetings did not occur and why the target remains at three meetings for 2004–05?

Mr JENNINGS — Thank you, Mr Clark. It is an opportunity for me to indicate to the committee that it is much better to deal with things when you are here than allow them to be followed up at a later point in time, because in a follow-up to last year's hearing in response to the questionnaire this issue was raised at that period of time because the output measure or the measure that you have highlighted was the accumulation of the Premier's Aboriginal Advisory Council and an interdepartmental committee with the original designation of four meetings of the Premier's advisory council and six meetings of the interdepartmental committee. That was clearly flagged last year, and the response to the questionnaire from last year — and I have it here before me — to the Public Accounts and Estimates Committee said that that measure was there in error last year, because in fact it should not have combined those two features, and — —

Mr FORWOOD — So you repeated the error this year?

Mr JENNINGS — No, we did not repeat the error this year.

Mr CLARK — It does appear in this year's budget papers, the 2004–05 budget papers.

Mr JENNINGS — No, we have reported it is as three, which is in fact the outcome in relation to the Premier's advisory council, which we believe is appropriate to be held every four months.

Mr CLARK — You have repeated the target figure of 10. It should have been footnoted and explained, given it was an error.

The CHAIR — Page?

Mr CLARK — Page 242 of 2004–05 service delivery, budget paper 3.

Mr JENNINGS — My answer still holds that there was an error last time. We indicated to the committee that it was an error and that it will not be replicated again.

Mr FORWOOD — I am sure it will not.

Ms ROMANES — Minister, in regard to the issue addressing dispossession of Aboriginal land and culture, I refer to budget paper 3 on page 303, where there is an allocation of \$300 000 for Aboriginal land acquisition and management consultation funding — an initiative provided for in the 2004–05 budget. Could you tell the committee more about this initiative and give any examples in Victoria of land and management outcomes or partnerships with indigenous communities?

Mr JENNINGS — I thank you, Ms Romanes, for the opportunity to outline what may appear to be in the budget papers in terms of the number that is allocated in dollar terms to this process a trace element of importance, but it is an extremely important allocation which will underpin, I believe, a major quantum leap in terms of justice to Aboriginal people in the state of Victoria. The reason I say that is that this is to facilitate consultations and negotiations with the Aboriginal community to establish some degree of land justice, which has been a major undertaking of the government to address dispossession, and to provide for ongoing access to land management and social and economic development that may be associated with land development.

Most interested and concerned observers of Aboriginal wellbeing know that there is a fundamental connection between the Aboriginal people and the land, both in terms of spiritual and cultural value, and in fact there is a major longing in the Victorian Aboriginal community for there to be some justice in this regard. Victoria has the sorry situation, in my view, of there being only about 6000 hectares in the control of Aboriginal people, compared with Tasmania, which has 60 000 hectares, and New South Wales, with over 250 000 hectares, and so it goes through other states across the nation. Victoria has a paucity of land in Aboriginal community control. This process will support, in the first instance, a round of consultations that will be undertaken in July to alert Aboriginal communities to the possibility of proactive negotiated outcomes on these land justice matters, as distinct from going through native title. Native title, despite the best endeavours by at various times the commonwealth government or the High Court in relation to achieving land justice outcomes, has not delivered to Victorian Aborigines. In fact it is the view of the Victorian government that the benchmark that has been established through the High Court processes of uninterrupted continuity of connection to land is an impossible benchmark to achieve in Victoria where the feature of every Aboriginal community has been to have been removed at some time from their land.

There is clear correlation between the hopes and aspirations and the ongoing lifestyle and connection to country within Victoria, but in fact it has been an impossible benchmark to satisfy in the High Court. We think we can proactively enter into negotiations, such as those my colleague the Attorney-General and his team within native title and justice have had with the Wotjoboluk people. We think that agreement and the Yorta Yorta agreement that has recently been achieved will provide the opportunity for us to build on that model to achieve some land justice for Aborigines.

Ms ROMANES — Minister, can you tell us more about the kinds of expertise you take along to those discussions, or is it just opening up the issues in a broad sense?

Mr JENNINGS — Early in my presentation I indicated to the committee that one of the important things we want to be seen by the Aboriginal community to have achieved in Victoria is a whole-of-government approach, so yes, indeed, I and my team from Aboriginal Affairs Victoria will be working cooperatively and constructively with people from native title within Justice and from Sustainability and Environment in relation to land matters. We want to be walking, talking and acting as one in response to the aspirations that may be expressed by the Aboriginal community.

Mr FORWOOD — Minister, if you look at the table on page 303 of budget paper 3, which allocates the \$300 000 for this project, you will note it is only shown as being funded in 2004–05. Of the remainder of the items in that output initiative group some go for three years, some go for four, one goes for two, but the only item on the list that is funded for one year is this one. Is this intended to be a one-off program for this year and this year only?

Mr JENNINGS — As I have indicated to the committee, these are the first baby steps of a process that we anticipate will lead to negotiated land settlements, so it is to establish the framework by which those negotiations will take place and the scoping of those issues.

Mr FORWOOD — So I can take it that in the out years there will be significantly more funds than the \$300 000 in the years going forward?

Mr JENNINGS — In terms of this funding I go back to my answer in relation to the family violence matter. I will take responsibility for being the prime mover, the facilitator and the coordinator of the actions of the whole of government in relation to this matter. The final substantial budget allocations may end up in somebody else's portfolio. Funds may be made available to enable these projects to reach their conclusion. For instance —

Mr FORWOOD — Justice might.

Mr JENNINGS — Justice might. In relation to the Yorta Yorta agreement and the Wotjoboluk agreement, the allocations have come within the Justice budget. The interesting aspect of the agreement with the Yorta Yorta people is in fact it is an agreement between the Minister for Environment and the Yorta Yorta people, yet I do not know that he is necessarily the repository of the funding for the agreement. However, in future years I encourage the Public Accounts and Estimates Committee to note what I hope —

Mr FORWOOD — Look out for which output group funds it.

Mr JENNINGS — Yes, and I would be very keen because I am anticipating it would be a substantial quantum.

Mr DONNELLAN — Following from those previous questions, I note in budget paper 3 at page 241 under the 'Indigenous community and cultural development' output that the focus in 2004–05 is to develop a whole-of-government policy framework, which you mentioned briefly before. Could you advise the committee on how you hope this will be achieved?

Mr JENNINGS — We have spent a lot of time within government in the last year trying to give some sense and meaning to this whole-of-government talk, because it has been around for a long time. In fact members of the community have seen trickles of it in the past, and we want to see it come out as being the major method that can be understood by members of the Victorian community. In fact that goes to the heart of the establishment of the Department for Victorian Communities and why Aboriginal Affairs Victoria is part of the Department for Victorian Communities. We see it as one of our core objectives and our core rationale for living to make sure we make those lateral connections across whole of government, joining up programs from disparate parts of government to make it a reality. We have made sure that we work this through senior management within the public sector, through the appropriate processes with my cabinet colleagues, to actually have an agreed view on how we will get our act together to achieve those responsive, integrated outcomes.

Part of my responsibilities over the next few months, in terms of the consultations I have outlined to the committee previously, will be to have a high-intensity interactive process with the Aboriginal community to get its response to these notions and how we get the appropriate voice, particularly at a time with the impending demise of ATSIC. What will be the appropriate replacement structures that will be the interface between the whole of the Victorian government and Aboriginal communities? We will be seeking advice from those communities about whether there need to be statewide bodies, regional bodies, whether they be bodies made up of elders or representatives of community organisations. We will be wanting to get their input into how they see the most appropriate interface at this time. That will form the critical element that will enable us to have all the pieces joined up in the framework.

I have already indicated to the committee that there are a range of headline indicators which have been established by the commonwealth in cooperation with all state jurisdictions and which are regularly monitored by the Productivity Commission. So they are setting some of the overarching headline issues that we need to address — maybe life expectancy, school completion rates, hospitalisation rates, morbidity patterns. We need to make sure that within our whole-of-government framework we have all the elements that are relevant within government joined up, that we have input from the Aboriginal community in determining how those indicators will be addressed in programmatic terms and that they have a proactive and concerted voice in making sure we set a direction together.

The CHAIR — How do you reconcile their indicators with bodies like Treasury and the Public Accounts and Estimates Committee?

Mr JENNINGS — That is a very interesting question. I recognise the responsibility of the Public Accounts and Estimates Committee and the important role you play, the process plays and the Auditor-General plays in terms of public accountability to the Parliament and the people of Victoria. I am very supportive of recommendations that come out of the Public Accounts and Estimates Committee, but it does beg the question. In this context, when we are talking about such profound levels of disadvantage, where there are headline indicators established across jurisdictions between states and the commonwealth and from my perspective in cooperation with the Aboriginal community, I must say to the Public Accounts and Estimates Committee, without wanting to be insulting in any shape or form, that they will continue to be my priorities in terms of making sure that we get the programmatic responses in place. In terms of the performance measures in relation to the Public Accounts and Estimates Committee, I see that as appropriate but perhaps the next stage of the total integration to see how that framework works. They need to be related, but perhaps they have not been my headline issues in terms of my priority for those performance measures.

The CHAIR — Sensitivity in terms of key performance indicators which are meaningful in your context does not necessarily mean they will be at odds with the Public Accounts and Estimates Committee.

Mr JENNINGS — I recognise that.

The CHAIR — It is just an interesting tussle, I imagine, at times with us and Treasury and what others see as priorities.

Mr RICH-PHILLIPS — I would like to ask you about the performance measure on page 242 of budget paper 3 'Heritage projects jointly developed and carried out with Aboriginal communities'. Last year you had an actual outcome of 11 projects and this year the budget papers show it will be 5, which is consistent with the target set for those two years. Can you tell the committee please which projects have been run under this program this year, which are the 5 projects? What level of funding has been provided? How are projects identified? Is the Aboriginal community coming to the department with project ideas or is the department developing the project ideas? What is the reason for this decline? Is it a shift in policy that you have gone from targeting 10 projects a year to only targeting 5?

Mr JENNINGS — The critical issue in relation to this matter is it is a two-way street — there is a coming together of Aboriginal community aspirations and our recommendations of where these partnerships could take place. In fact sometimes they are determined spontaneously. I say that because while the major bushfire incidents in Victoria generated a lot of destruction, they also generated an opportunity for archaeological surveys to be undertaken in those bushfire regions. Clearly a lot of our effort in the past year, certainly in the second half of the financial year, was about making sure that we responded to those bushfire incidents and undertook extensive archaeological surveys in partnership with the Aboriginal community. Indeed many Aboriginals were trained in that scheme during the course of the year. In answer to your question about the change of number, this reflects the intensity of how we are trying to undertake those programs. Until now there has been a bit of an overlap with the projects themselves and the training performance measures, because significant training has been undertaken in some projects.

To specifically answer your question about which projects have been funded, we have undertaken those activities with the Drouin cultural heritage skills training program; there has been an overall statewide heritage inspectorship training program; regional IT systems have been put in place to bring together people from the community right around Victoria; and we have undertaken training workshops at the Koori Heritage Trust into heritage site recording processes. Particular programs took place on the ground — beyond these which involved some practical application — in the Grampians region at the Gariwerd ACHIP program, which is the Aboriginal cultural heritage investigation program; in Robinvale and Bairnsdale; in the bushfire area assessments I have indicated; and two more will be implemented during the course of this month. We will slightly overachieve in terms of our target for this year, but, as I indicated to the committee, we want them to be seen as relatively discrete areas of activity rather than for there be overlap in the future. That is more in accordance with what the expectations of the Public Accounts and Estimates Committee may be on discrete performance measures. We will not be, in one sense, double counting in the future.

Mr RICH-PHILLIPS — So the nature of those projects is more one of collaborative, heritage-related training activities rather than specific heritage projects, objects, locations et cetera? It is more training related?

Mr JENNINGS — A bit of both. That has perhaps led to our wanting to pare back the performance measure. They play both of those roles. They provide an opportunity for directors of the local cultural heritage program to make recommendations about what areas of interest or significance should be explored and investigated, and we then bring together the expertise and the training component. We may go out to the regions and the areas I have described, and then we bring in people to be trained on the job during the course of that investigation. The projects serve both purposes. In total, in the order of 174 people have participated in these projects.

Mr RICH-PHILLIPS — The other part of the question was the funding.

The CHAIR — Do you have that with you?

Mr JENNINGS — The funding goes back to my first answer. In terms of the cultural heritage programs, it is funded within that component. I do not know the absolute discrete amount, but it was in the cultural heritage partnership program, which includes the funding for the projects I have outlined and beyond that the broader responsibilities and scope of the cultural heritage program. In the outgoing budget the total money for heritage partnerships was in the order of \$2.873 million. In this proposed budget it is \$3.17 million.

The CHAIR — A question in relation to sites: you referred to the sites which have come up as a result of the bushfires. My question goes to the definition of 'site'. How big an area are we talking about when we identify a site of significance?

Mr JENNINGS — It can vary. It depends whether it is a complete, uninterrupted site. Lake Condah is one of the most dispersed sites, but there is demonstrable evidence of habitation for thousands of years, perhaps tens of thousands of years, within a continuity of what are described as the tributaries of Lake Condah. These are eel traps which were built and which maintained a community right along those tributaries of Lake Condah and stone huts which were built nearby. They can be dispersed over miles. However, because of the nature of destruction, sites are often isolated bones, relics and archaeological material which may be in relatively discrete areas the size of the table. They can vary.

The CHAIR — Do you have a figure for what you might call sites that have been identified following the bushfires? You might like to take that on notice. As you said, there are often opportunistic times that provide you with Aboriginal culture and heritage that you could not really program into the budget very early.

Mr JENNINGS — Clearly you cannot, but there are significant findings. There are thousands of those sites entered on the Victorian register. In fact that is one of our responsibilities: we are charged with maintaining a register of those recognised sites, and through these programs that I have outlined, including the bushfire program, we have added significantly to the number that are on the register.

Mr FORWOOD — Minister, I refer to the governance breakdown of the Gippsland and East Gippsland Aboriginal Cooperative, the battle between the CEO and the directors, and in particular the complaint made to Consumer Affairs Victoria a couple of days ago about the board meeting on 18 August when four directors got together for 10 minutes and allocated two of the directors alone \$300, a cash cheque was raised and they walked out the door with it. What mechanisms do you have in place to ensure there is proper governance in the communities you represent?

Mr JENNINGS — The items that Mr Forwood has specifically drawn to the committee's attention and my attention I am unaware of, and therefore I am unable to validate the veracity of the matters he has put before us. However, I do recognise there is a general issue and that we have to be mindful of those governance arrangements. Indeed I have already indicated to the committee that one of the programs we have invested in significantly in the last year is to bring together CEOs of organisations under the community capacity building program to make sure they are trained and supported, to ensure they have a breadth of understanding of their formal obligations as incorporated bodies, and to ensure they have the appropriate skills and attributes that you may expect of a CEO. Similarly in the community capacity building program we have had submissions made by a number of boards of community-based organisations throughout the state seeking support for their training, and there is a very high correlation between those applications and what has been funded under the scheme. Indeed in future iterations of the community capacity building scheme we will try to drive a very rigorous concerted program of governance improvement across the state.

Mr FORWOOD — I am pleased about that. Minister, on 28 May the chair of that organisation wrote to the CEO saying they were about to move a vote of no confidence in her ability to manage the day-to-day affairs and listing a number of reasons why. Are you telling me that despite the issuing of this letter at the end of May, Aboriginal Affairs Victoria is not aware of the governance breakdown at Gippsland and East Gippsland Aboriginal Cooperative?

Mr JENNINGS — Mr Forwood, you were very specific about a particular meeting and particular events that you allege took place at that meeting. I am aware of a breakdown of relationships, and I am aware of concerns generally about governance arrangements in that organisation and the effectiveness of that operation, but what I actually wanted to be very specific about was your specific allegations.

Mr FORWOOD — About the loan; yes. But given that you are aware of it, what are you doing? Given that there is a governance breakdown which you say you know about, what action have you taken in relation to this matter? Have you been down there, have you sent someone down there, have you written them a letter or have you rung them up?

Mr JENNINGS — I personally have not undertaken any of those matters. I have not, but I have a very high expectation off the top of my head that any number of people from Aboriginal Affairs Victoria have been in

regular conversation with people about that matter. Understand that my interest in this is a very deep interest, but I do not have primary responsibility for incorporated associations. I am not walking away from my interest and my commitment to improve governance arrangements, but I am not responsible for the wellbeing of cooperatives in a formal sense and in a legal sense. Indeed I think you will find that I am not a major provider of resources and support to that organisation either.

Mr FORWOOD — But they are a funded organisation.

Mr JENNINGS — They are not funded by Aboriginal Affairs Victoria as a major program allocation. We may have one-off programs and small projects, but we do not provide their recurrent budget and we are not a major funder of their resource allocation. Again, I am not saying I am disinterested — I am interested, and in fact I have no doubt that officers of this department have actually been discussing this matter — but formally I am neither a major funder nor responsible under the Associations Incorporation Act. I am an interested observer, supporter and facilitator, but I am not the formal person where the buck stops.

Mr MERLINO — Minister, I refer you to the total of \$31.8 million provided over four years to address indigenous disadvantage. Could you outline to the committee the Labor financial statement commitments that have been funded in the 2004–05 budget?

Mr JENNINGS — Thank you, Mr Merlino, for the opportunity to indicate to the committee that despite an earlier allegation that perhaps I was not interested in numbers and their budget allocation, I am acutely interested in them.

The CHAIR — You are very interested in numbers; we know that.

Mr JENNINGS — Less so than I used to be in some contexts. However, in this budget not only did Aboriginal Affairs Victoria receive the significant investment that I have already indicated to the committee whereby our budget has grown exponentially to \$15.7 million in this current financial year, there was \$31.8 million — —

Mr FORWOOD — Exponentially?

Mr JENNINGS — Back to the growth.

The CHAIR — Interjections are disorderly.

Mr JENNINGS — Maybe pinned on a technicality. I actually know it goes like this. It is not an absolutely smooth curve, but it is a pretty impressive trend line, Mr Forwood, even if you want to hit me on a technicality about ‘exponentially’. Beyond that, there is \$31.8 million for indigenous capacity building of which, as I have indicated, \$3 million is in the Aboriginal affairs budget before you. There is significant investment in prevention of indigenous family violence — \$10.2 million — and I have already indicated to the committee that those funds will be managed and implemented to respond to the Aboriginal community’s aspirations through the Department of Human Services budget. There is an additional \$12.7 million that builds on the fantastic work of the Aboriginal justice agreement, which not only provides a forum for people to come together — in fact it is a forum that has been very well responded to by members of the Aboriginal community in regions right across the state as a clearing house of issues — but it has also funded great works in terms of support to younger people in the juvenile justice system by establishing Koori courts and other processes in Victoria. The justice agreement will continue to go from strength to strength. Also \$3.8 million has been allocated to the Koori Business Network, which is in the Department of Innovation, Industry and Regional Development, to provide support and the wherewithal for Aboriginal enterprises.

There is significant investment right across those departmental responsibilities. Of course some \$2.25 million has been allocated for land management issues, which I have mentioned to the committee today, in terms of the Yorta Yorta agreement; the land and resource management program that I have talked about; and also something I encourage all members of PAEC and indeed all members of the community to look out for in the lead-up to the Commonwealth Games — a very prominent commemorative place that we are seeking to ensure will tell the story of the Aboriginal history of this land. All of those people who come to the Commonwealth Games will be able to understand the longevity of that connection, and it will be to the benefit of all Victorians and anybody who comes

here in the future to understand that history. We will be funding that commemorative place in this budget and the budget to come.

Mr CLARK — In a previous answer you referred to the fact that as minister you considered yourself to be the prime mover and motivator of whole-of-government initiatives relating to indigenous affairs. In that context I refer you to a performance measure of the Department of Education and Training relating to the percentage of year 3 indigenous students reaching national benchmarks in reading. That performance measure shows that there was an actual percentage of achievement of 77.9 for 2002–03, a targeted expected outcome for 2003–04 of 70 per cent and again the same target of 70 per cent for 2004–05. You may also be aware of a report being carried by ABC NewsRadio this morning of a study by Dr Katrina Alford that has found that ‘indigenous students are dropping out of school at an alarming rate and in some cases at a very young age’. Given these indicators and the report that I referred to, it would seem that at best there is no sign of marked improvement in relation to educational achievements by indigenous students. The figures are well below those being achieved by the student population generally. I presume that is a source of concern to you. Within your portfolio and within the scope of your influence, what action are you and the government taking to address this issue?

Mr JENNINGS — I certainly did not want to pump myself up at the expense of my ministerial colleagues who share my concern about these issues. I have every confidence that the education minister recognises the appalling statistics that you have referred to as being totally unacceptable and as something that she and her department will take many measures to address. As an example, I believe she has implemented a number of reforms trying to find ongoing and sustainable funding arrangements for the KODE schools, which are Aboriginal-specific schools in a number of locations throughout Victoria. From my perspective those schools have been doing it a bit hard since their creation in terms of having continuity and certainty about their ongoing funding, and she is addressing that issue. There has been a very rigorous network through VAEAI, the Aboriginal education peak body, making sure that it taps into the local learning groups to be very evangelical about the need for supportive and responsive environments to the needs of Aboriginal children.

One of the initiatives that I can indicate to Mr Clark, the committee and hopefully the Victorian community is a major summit that is going to be convened shortly in Shepparton under the auspices of the COAG trial which will be drilling down and trying to identify — crystallise — where the best practice may be in terms of making that break through to get higher retention rates in schools, higher levels of enthusiasm for Aboriginal students and examining the most effective teaching mechanisms that are appropriate for Aboriginal children. Within that malaise — and I acknowledge that it is and has been a malaise that is not acceptable — there are some inspirational things that happen, and I would just like to leave the committee with this story. I visited a school in Echuca earlier in the year — the Hare Street school, which has one of the highest participation rates of Aboriginal children across the state. I spent time in the company of some fantastic kids who are part of an IT network with other indigenous students across Victoria. They regularly go online and read stories to one another over the Web. So that is an additional hi-tech promotion of reading ability with indigenous colleagues across the state. It was pretty awe-inspiring. Those kids are fantastic and their school in Echuca is doing great work. It is not all downside; there are some great insights and great capacities out there, but it is totally unacceptable. Where you started I will finish: the figures are totally unacceptable.

Ms GREEN — Minister, I refer you to budget paper 3 and the output listed under indigenous community and cultural development. I note the performance measure regarding community consultations with Aboriginal communities concerning community building and cultural heritage management activities and government issues. Could you elaborate the nature of these consultations?

Mr JENNINGS — There are a number of formal consultative mechanisms that I have outlined and the Premier’s advisory council is clearly one of them. There are mechanisms within cabinet processes that I will not talk extensively about, but I can assure you that the opportunity for discussion and teasing out of these issues is regularly and rigorously applied — for example, the education issue. In terms of the whole-of-government framework, as I have indicated to the committee there will be a need in the climate of post-ATSIC to work out whether we can try to provide ongoing support for those regional structures that are currently being funded by ATSIC, and whether that is an appropriate model to continue and whether the role of elders or community organisations should be the mechanisms by which people engage. I will be a fairly busy person during July because it is my intention to go to all regions in Victoria to provide opportunities for input from the Aboriginal community about those issues, the best way we can interface, and how we can perhaps maintain a correlation between the stakeholder bodies such as VAEAI in education, which will be the major adviser to the Department of Education

and Training — just as there is one in Human Services — to make a similar peak body, and to make sure that we do not totally reinvent the wheel, but to have an overarching whole-of-government approach and an interface with the community that it finds satisfactory and can deliver real and sustainable results.

The CHAIR — You talked about whole of government and also with your overheads you said that indigenous employment in the Victorian public service has improved. Have you brought those figures along, and if you have not, could you send them to us? If you are developing this whole-of-government approach and framework, in my view it is important that there are indigenous employees throughout the Victorian public service, not just in Aboriginal affairs or assigned to projects that are nominally funded out of Koori projects or AAV. So you might like to take that on notice.

Mr JENNINGS — No, Mr Forwood has already seen me take that question on notice once, and I came back and reported back to the Parliament, but I do not think that the questioner actually heard the answer!

We have made a commitment to increase the number of Aborigines within the Victorian public sector by July 2005. We set a target of 230 across government agencies. Up to March 59 indigenous staff have been employed on a fixed-term basis and 33 indigenous full-time positions have been created, making a total of 92. That is not exactly exponential, but a significant increase and a significant step along the journey. Beyond that we have provided opportunities where we want to create full-time jobs. There have been 14 traineeships and the bushfires, which we described as a spontaneous event, created opportunities for 8 people to be employed and we are hoping to use their expertise. So we have identified a total of another 22 positions that we hope will lead to ongoing positions. Beyond that we have spent time with the Office of the Commissioner for Public Employment to ratchet up our effort and extend it through the public sector. I am pleased to say that Peter Solway is embarking upon this process with vigour, and I meet regularly with him to pursue this matter and make sure that we reach our target and beyond. It is important not just to meet the target; we are interested in ongoing and sustainable employment.

The CHAIR — I foreshadow that I will raise that in the budget outcomes questionnaire to all departmental secretaries. Minister, thank you very much. To the departmental officers who are leaving us, thank you for your attendance this morning. Please pass on the committee's appreciation to the staff who have prepared those copious information packs for the minister and the Public Accounts and Estimates Committee.

Witnesses withdrew.