

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Budget estimates 2020–21 (Williams)

Melbourne—Friday, 27 November 2020

MEMBERS

Ms Lizzie Blandthorn—Chair

Mr Richard Riordan—Deputy Chair

Mr Sam Hibbins

Mr David Limbrick

Mr Gary Maas

Mr Danny O’Brien

Ms Pauline Richards

Mr Tim Richardson

Ms Nina Taylor

Ms Bridget Vallenge

WITNESSES

Ms Gabrielle Williams, MP, Minister for Aboriginal Affairs,

Mr Tim Kanoa, Executive Director, Aboriginal Victoria, Social Policy Group, and

Ms Elly Patira, Executive Director, Treaty, Aboriginal Affairs Policy, Social Policy Group, Department of Premier and Cabinet.

The CHAIR: The committee is ready to resume its consideration of portfolios and in particular that of Aboriginal affairs, so we invite the Minister to make a 5-minute statement and that will be followed by questions from the committee. Because it is a time slot of less than an hour the questions will not alternate by person, it will alternate by government, opposition and crossbench. So we will invite the Minister to make a presentation, followed by questions.

Ms WILLIAMS: Thank you, Chair. Before I begin, please let me acknowledge the traditional owners of the land on which we are all gathered today and pay my respects to elders past, present and emerging, and I want to particularly acknowledge my Aboriginal colleagues on either side of me here today from DPC: Tim Kanoa to my right and Elly Patira to my left.

Visual presentation.

Ms WILLIAMS: I will flick through to the next slide, thanks very much. The Andrews Labor government is committed to resetting the relationship between government and the Aboriginal community, and I think it is fair to say that relationship has not always been a strong one. Victoria is leading the nation in advancing Aboriginal self-determination by ensuring Aboriginal Victorians are at the heart of decision-making on the matters that affect their lives. I am proud to say that a commitment to self-determination is a core principle of the Andrews Labor government, with a record \$356.5 million in this budget to progress treaty and advance Aboriginal self-determination across government. As I will come to shortly, this represents more than a tripling of funding from last year's budget and, in line with our commitment to self-determination, it provides funding certainty, with the majority of funding committed to longer term funding agreements.

To the next one. There is no doubt that outcomes for Aboriginal people are better when they are led by Aboriginal people, and that is why the Andrews government is backing Aboriginal communities with record investment, about \$82.1 million in new funding over the forward estimates for my portfolio alone in Aboriginal affairs. I want to be clear, though, that this new funding in my portfolio as Minister for Aboriginal Affairs is part of that much larger whole-of-government investment that I just mentioned which is a spread right across the budget papers, and that is very important that it does. This is about meeting community aspirations and putting power back into the hands of traditional owners, and this investment ensures we are supporting Aboriginal communities as we begin our state's recovery from COVID-19, but it also acknowledges the deep-seated injustice that continues to shape the lives of Aboriginal Victorians.

Through treaty and the development of a stolen generations redress scheme, the commitment to Australia's first truth and justice process, protection of country, economic empowerment and much more, the Andrews Labor government is taking real and tangible action to address these injustices so that we can build a new shared future that all Victorians can be proud of.

As Minister for Aboriginal Affairs I also have the unique role of ensuring better outcomes for Aboriginal Victorians across government or advocating for that outcome. This includes, for example, responsibility for Victoria's implementation of the national agreement on closing the gap. This is about strategic oversight and coordination to better address inequity and deliver stronger outcomes both for and with Aboriginal Victorians.

I am so proud of this budget and for what we can achieve in partnership with Aboriginal Victorians. Building a fairer future for our state means making sure Aboriginal Victorians get the support they need and the say they deserve as well. That is why this year we are delivering Victoria's biggest investment in Aboriginal communities ever with that whole-of-government investment of \$356.5 million.

I will flick forward to the next one, thank you. We are backing the First Peoples' Assembly and treaty process, a once-in-a-generation opportunity for reconciliation. This additional \$20.2 million investment will enable the

Assembly to strengthen engagement with traditional owners and Aboriginal Victorians, enhance its operations and provide strong representations in the treaty process. As Assembly co-chair Marcus Stewart reflected:

I cannot emphasise enough the importance of this \$20m budget commitment. It consolidates the First Peoples' Assembly of Victoria as an equal to Government.

There can be no reconciliation without treaty, and Victorians can be proud of the progress we have made so far. We are also in the process of establishing a landmark stolen generations redress scheme to address the trauma and suffering caused by the forced removal of Aboriginal children from their families, and this is about delivering members of the stolen generation the recognition, respect and most of all support they deserve and acknowledging how deeply damaging this policy was and continues to be for so many.

The budget provides a significant investment in Aboriginal community organisations. I am not going to detail every initiative, but there is \$183.8 million in additional funding in this budget to support and strengthen Aboriginal community organisations. That goes to reform services for Aboriginal children in out-of-home care and a \$40 million fund over two years to expand the Aboriginal community health and family violence workforce, with Aboriginal community controlled organisations continuing to drive local responses, directing support wherever they think it is most needed.

There is nearly \$100 million to enable traditional owners to care for, protect and speak for country. This is about empowering traditional owners to have a greater role in the management of country and the environment, including in managing waterways and growing jobs in land restoration and carbon storage.

And we know that this has been a tough year for our young people, particularly students, so over \$25 million is committed to Aboriginal young people achieving their full potential, including deploying new tutors for Aboriginal students, supporting Koori learners in vocational settings and supporting the implementation of the Marrung education plan.

Finally, there is \$18 million to improve Aboriginal health and wellbeing outcomes, and I know that I am at the extent of my time, so those are outlined in that slide as you see there.

The CHAIR: Thank you, Minister, and I will pass to Pauline Richards, MP.

Ms RICHARDS: Thank you, Minister, and thank you, officials. I would also start by acknowledging the traditional owners of this land and in a parochial indulgence also acknowledge the traditional owners of the land of the community I represent in Cranbourne and pay my respects to elders of that community—and how grateful I am for the terrific work, especially recently. Minister and officials, we know that Aboriginal communities are likely to be disproportionately impacted by the social, economic, cultural and health implications of this COVID-19 pandemic we have experienced this year. I refer you to budget paper 3 and page 10, and I am interested in understanding the support for the Victorian Aboriginal community during the coronavirus, COVID, response and recovery phase initiative—table 1.6 and also 1.2—and how it has supported our community in the ACCHO sector during the pandemic.

Ms WILLIAMS: Thank you, Ms Richards, for the question. Throughout the pandemic Aboriginal communities and the government have worked in really close partnership, and I think—it is clear from the data alone—the fact that the impact on the Aboriginal community in a health sense has been minimised shows how beneficial and valuable that partnership has been. We established the COVID-19 Aboriginal community task force in March, which was done as a way to drive a really comprehensive but coordinated and also culturally safe response to COVID-19 impacts on Aboriginal Victorians. That membership was spread across government and also traditional owner groups and Aboriginal committee organisations as well—a very genuine partnership. I am proud to say that the rapid mobilisation of Aboriginal organisations and communities working in partnership with government has resulted in very low rates of COVID-19 within the Aboriginal community, as I just alluded to. It was really a consequence of those efforts through that task force that have helped to keep those case numbers low but while also making sure the community remained strong and connected.

But we knew our response had to be about more than just keeping the rate of infections low, as important as that was. We knew that it had to reach into areas of support for Aboriginal people in all aspects of their lives, which is why, in consultation with the task force, we developed a \$22.6 million Aboriginal-specific COVID-19 package to support self-determined and culturally safe responses. That included a \$10 million COVID-19 Aboriginal Community Response and Recovery Fund to support—very importantly—community-led

initiatives across emergency relief, outreach and brokerage, social and emotional wellbeing and also cultural strengthening. It also ensured that Aboriginal health services could deliver clinical treatments and culturally safe testing in order to prevent and manage any outbreak.

And we know ensuring that those services had capacity was very important given how widely used they are by the Aboriginal community and how trusted they are by our Aboriginal community. So that included \$4.2 million for Aboriginal health services to respond to increased demand for clinical services and to provide frontline workers with PPE, \$4.68 million for IT capability and capacity uplift for Aboriginal health services to ensure that Aboriginal Victorians have remote access to culturally safe primary health care and also other related services, \$750 000 for patient transport services to ensure Aboriginal Victorians have access to hospitals and medical services during the pandemic and a further \$616 000 to deliver outreach in-home care supports for Aboriginal elders, which also fosters social connection. As you can tell from that, the package is very comprehensive and was very much designed to provide that wraparound support that community would need during a really, really challenging time.

Ms RICHARDS: I would like to unpack that a little bit more and perhaps have a greater understanding of the \$10 million investment to establish the COVID-19 Aboriginal Response and Recovery Fund. Specifically, I am hoping you can provide the committee with some examples of how this fund has been utilised.

Ms WILLIAMS: Sure. Thank you to the member again for the question. Not to over-labour the point, but it is a very important one—self-determination is the key policy approach that drives all of our work, and we knew that our interventions in combating the pandemic had to be self-determining in order to be effective in order to get the best possible outcomes. So that is really the thinking behind the establishment of the \$10 million COVID-19 Aboriginal Community Response and Recovery Fund—try to say that 10 times quickly—to ensure that Aboriginal communities were resourced to develop local, very place-based responses to address key impacts of COVID-19. And I think that localised and place-based emphasis is really important. We have already delivered \$3.1 million across 24 successful applications from the first three rounds of funding, with of course more to come.

In terms of those examples that you were looking for, Ms Richards, successful organisations across the state include, for example, \$250 000 for Wathaurong Aboriginal Co-operative in Geelong for mental health support and telehealth sessions with Aboriginal children up to the age of 15; \$40 000 for Ramahyuck District Aboriginal Corporation in Morwell for cultural strengthening and community participation through art—again, cultural connection is very important for emotional and mental health and wellbeing; and \$64 000 for the Ballarat and District Aboriginal Co-operative for emergency relief. That was things like food, clothing and other essentials for families, and we all know how important that is. There was \$200 000 for Elizabeth Morgan House’s Koori women’s HEART program to support Aboriginal women in crisis accommodation, including helping them secure long-term housing. It also included a bit over \$111 000 for Dardi Munwurro to foster increased connection to community and to country and \$220 000 for Aboriginal Community Elders Services to employ community engagement workers in each metro Melbourne region to connect with and support elders living across Melbourne. That in particular has been incredibly important given the significance of elders in the Aboriginal community and the concern that existed on all sides of that partnership for elders in the Aboriginal community, given the role they play in community and the enormous wealth of knowledge and of history that they hold. I know it was front of everybody’s mind to ensure elders in particular, given where we knew the impact of COVID was being most heavily felt, were protected during this time but also were able to be connected to community during this time. Social isolation, as we know, is difficult at the best of times for some communities, and given cultural practices of gathering it is even harder again. So funding that supports that connection with family, with community, is incredibly important.

Ms RICHARDS: I would like to go a bit deeper again and really get some understanding of the direct support to ACCOs and ACCHOs. You mentioned some of the direct support for the frontline services as part of that \$22.6 million initiative, and we know that COVID-19 and the restrictions that were necessary to bring down the infection rates required a broader response to ensure people’s health and wellbeing was considered. So can you provide the committee with some further detail on how this was distributed? And in particular, I am interested in having an understanding of its impact.

Ms WILLIAMS: Thank you, Ms Richards. I am really proud of the interventions from our frontline Aboriginal community organisations—like VACCHO, the Victorian Aboriginal Health Service, VACCA and

First Peoples Health and Wellbeing; I know many members will have had interactions with many of those organisations or at least some of them—and the fact that those interventions and many others have meant that Aboriginal COVID-19 case numbers were lower than the proportion of the Aboriginal and Torres Strait Islander population in Victoria. I think it is important that we celebrate that achievement—and it really is an achievement of community in stepping forward and taking the measures that needed to be taken to protect community while also keeping connected. So it is such a wonderful achievement.

However, in the longer term Aboriginal Victorians will likely be disproportionately affected by not only the health impacts but also the social, economic and cultural impacts of this pandemic, and so although we are 28 days with zero cases, we still cannot turn a blind eye I guess to those longer-term impacts. So we knew we had to provide funding for broader wraparound supports, which is why we delivered \$440 000 for additional homelessness outreach support workers; \$1 million to support ACCOs to deliver outreach support to Aboriginal public housing tenants; \$1.74 million for VACCHO to deliver telehealth and online social and emotional wellbeing supports; \$440 000 for Dardi Munwurro men's hotline, which is the only anonymous 24/7 Aboriginal men's phone support service in Victoria and such an important service as well; \$877 000 for both the Victorian Aboriginal Legal Service and Djirra to respond to increased service demand as a result of this pandemic; and \$403 000 for the COVID-19 Koori community outreach support project. Of course these efforts are supported by the historic whole-of-government Aboriginal affairs investment in this budget, which I have alluded to already in that \$356.5 million.

The CHAIR: Thank you, Minister, and sorry to interrupt, Ms Richards. The time has expired. I will pass to the Deputy Chair, Mr Richard Riordan, MP.

Mr RIORDAN: Thank you, Chair, and thanks, Minister, for coming along today. The first issue I would like to move through, and you have touched on it briefly in your presentation, is budget paper 3, page 170, Indigenous primary education. Indigenous primary school children exceeded the government's target of 24 missed school days in this budget cycle. I just refer then to the ongoing trend that is here. Since 2015 in every year attendance rates have deteriorated, so they have gone 9.8, 10.4, 10.9, 11.1, 12.6. In your own budget estimates, despite what you have labelled as 'record spending', you are still not even prepared to budget to aim to get that back to where it was in 2015. Why is that?

Ms WILLIAMS: In responding to your question, Mr Riordan, it would be remiss of me not to note that the education outcomes, obviously, of students are a matter for the Minister for Education, so I would direct you to probably get to the details of some of his spending when he comes before this committee. I am sure he would love to elaborate.

I think the broader point that you go to and what I can comment on is that persistent issue of educational attainment, which I think you are speaking to, and the fact that sadly, whether it be education or indeed justice outcomes or any range of others, Aboriginal Victorians are being left behind. This is something that we have not ever shied away from acknowledging. It is something that has given cause for us to reflect on how we do things, given there has been persistent effort across many governments to try and address these very issues and, I think it is fair to say, we have not achieved the outcomes that we would hope to, which is why in Victoria in recent years what we have taken to doing across government in a range of different settings, whether it be directly in my portfolio in cultural heritage, for example, or indeed whether it be in education through policies like Marrung, is to put Aboriginal voices at the centre. That is policy that is underpinned by self-determination and community-led approaches, understanding that when Aboriginal voices and decision-making and self-determination are at the centre, the outcomes are bound to be better. This is an approach that we are incredibly committed to across government in the hope that those persistent measures that you have referred to, we can start to see really meaningful changes in. What I can allude to in terms of in my portfolio areas that goes towards improving those outcomes—and again, as I said to you I will leave your specific question about the education budget allocation to Minister Merlino—

Mr RIORDAN: But can you do that, Minister? I mean, you know, you have talked about all of the empowering you are doing, all the money you are spending—record amounts of money—and yet in six years it has only gotten worse educationally. Can you really separate out educational outcomes, particularly for primary school children, our most vulnerable? I represent a regional electorate, so this may not be a big issue for a lot of city electorates, but it is a big issue—attendance and truancy. We all know there are a variety of reasons. With

the hundreds of millions you are spending in this area, are you telling me that you do not take responsibility for getting that on par with where mainstream Victoria is?

The CHAIR: Mr Riordan, before the minister answers, she has explained that your specific question—I think she is agreeing with your point, but your specific question—is a question that falls within the portfolio responsibilities of the Minister for Education, so if you allow the minister to add what she can to that—

Mr RIORDAN: Excuse me, Chair, I do not need your commentary. The minister—

The CHAIR: Mr Riordan, it is not commentary. I can rule your question out of order if you would like to say that it is commentary. The point is that your question is—

Mr RIORDAN: Chair, please stop the clock. This is getting silly. You are doing this to our side. You do not interrupt with the others.

The CHAIR: Mr Riordan, your question is a question for the Minister for Education.

Mr RIORDAN: The minister put \$3.6 million up as an investment in tutoring and in education. She acknowledges that her department has a role in supporting education for Aboriginal students in Victoria. My question is simple. Every year that this government has been here it has gotten worse. This money is investment. Can we expect better outcomes for our most vulnerable Aboriginal children in this state?

The CHAIR: Mr Riordan, the minister is trying to speak your question. The specifics of your question belong with—

Mr RIORDAN: And you have gobbled up a good minute of it.

The CHAIR: The specifics of your question, as she has explained, belong with the responsibility of the Minister for Education, and I am sure, as she has indicated, he will happily answer them.

Mr RIORDAN: So do you think her presentation is irrelevant? Is that what you are saying, Chair? She put up \$3.6 million for tutoring.

The CHAIR: Mr Riordan, you are not giving her an opportunity to speak to her presentation.

Mr RIORDAN: No, because you will not be quiet.

The CHAIR: Minister.

Ms WILLIAMS: Thank you, Chair. As I have outlined, the actual budget spending you are referring to, the item line, is a matter for the Minister for Education and falls directly within his line of responsibility.

Mr RIORDAN: The one that you put up.

Ms WILLIAMS: Obviously, as I have sought to explain, I have the great privilege of holding three portfolios that have a very strong advocacy role across government. What I have also highlighted within my funding discussions is the component of that \$356.5 that sits directly within my responsibilities as the Minister for Aboriginal Affairs, which is \$82.1 million and which is for the purposes of this committee I understand the component that you could reasonably ask me very specific detailed questions of given it is in the budget papers that relate to my area of responsibility. However, in saying that, you raise a very, very, very important issue in educational attainment, and in acknowledging that persistent issue and the raft of attempts over many governments to try and shift the dial on some of these very poor outcomes and the fact that, not just in education but in a range of other areas, progress has not been achieved as quickly as we would all like points to the need to do things differently, that is why I was then talking about taking a self-determined and community-led approach. What I was then going to pivot to was to say this is why, which is relevant to my portfolio, we have also invested in treaty and a truth-telling process. In terms of—

Mr RIORDAN: Sorry, I have not asked that question. With 16 seconds—

The CHAIR: Mr Riordan, it goes to your question. The minister can complete her answer.

Ms WILLIAMS: What I was going to say was that the purpose of those mechanisms is really to drive the conversation forward and the outcomes forward in these measures. You cannot talk about treaty or indeed about truth without talking about it as a practical mechanism to get real change on persistent measures where, sadly, Aboriginal Victorians have continued to trail over decades. I hope I will get another opportunity to talk more fully to that and why that is meaningful and why that actually goes to the very issues you are talking about, Mr Riordan.

The CHAIR: Thank you, Mr Riordan. The next 5 minutes are with the crossbench, who would like to split their questions, so I will pause the clock at 2½ minutes to facilitate that. Mr Limbrick, would you like to go first? Or Mr Hibbins?

Ms WILLIAMS: Who is going first?

Mr LIMBRICK: Mr Hibbins can go first.

Mr HIBBINS: All right. Thank you.

Ms WILLIAMS: You are very accommodating.

Mr HIBBINS: I note budget paper 3, page 10, ‘Aboriginal community-led responses within the youth justice system’, so I know you are interested in responsibility for Aboriginal justice. Now, there were some critical comments in regard to the budget from the Victorian Aboriginal Legal Service, and I will just quote from what they have said:

The Budget demonstrates a commitment to a law and order approach that has never improved community safety and has only led to an increase in Aboriginal overincarceration and more Aboriginal deaths in custody.

And:

It is utterly shameful that Victoria’s Aboriginal and Torres Strait Islander imprisonment rates have more than doubled between 2009 and 2019.

Minister, do you accept that the law and order policies of the government that are resulting in the mass incarceration of First Nations people are actually undermining progress in the budget initiatives that are actually designed to help the Indigenous communities?

Ms WILLIAMS: Thank you, Mr Hibbins. Just to clarify the question, I know that you started that by referring to a statement that was made by—was it VALS?

Mr HIBBINS: Correct.

Ms WILLIAMS: Okay, but your question actually went to the outcomes. Can you just repeat the actual question? I was just trying to work out what the connection was between the two.

Mr HIBBINS: So the question is: do you accept that the law and order policies of the government that are resulting in the mass incarceration of First Nations people are actually undermining government programs and initiatives that are designed to actually help the Aboriginal communities?

Ms WILLIAMS: Thank you, Mr Hibbins. Look, in two parts, obviously the justice policy and justice budget item lines fall outside of my direct area of responsibility and outside of that \$82.1 million that does sit within the Aboriginal affairs portfolio, but I would make a couple of comments which actually neatly segue from the comments I made—or was about to make—in response to Mr Riordan’s remarks, which go to poor areas of attainment and persistent poor outcomes across a range of areas. Mr Riordan was talking about education and you are talking about justice, and I think it is fair to say, particularly in the context of my work and the commitment that the Victorian government has made in treaty and now more recently in truth telling, that a part of that is recognising that many of our systems, many of our government systems, have not only not served Victoria’s Aboriginal community well but they have been discriminatory to Aboriginal Victorians. Whether that be in measures like the way that laws, for example, like public drunkenness, are applied—and of course the Attorney-General is leading a body of work on that—or any other number of examples around incarceration rates, I think it is fair to say that the system is not operating as we would like to see it. I hope, and the intention is, that through a truth-telling process which runs side by side with phase 2 of treaty that we can then use the honest conversation about such issues, and that the honest conversation then allows us to feed into

treaty negotiation phase 3 and, given the timing of those two processes, that we can be in a position through treaty to be having some of those discussions around some of the systemic issues that we know lead to bad outcomes for Aboriginal Victorians. Whether that be in justice or in education or in any number of other areas in terms of—

The CHAIR: I am sorry to interrupt you there, Minister, but given the crossbench would like to split their time, I will now pass to Mr David Limbrick, MLC.

Mr LIMBRICK: Thank you, Minister. That is a very neat segue for me. I realise this cuts across multiple portfolios, but I was very happy to see the commitment to removing public drunkenness laws, as you have outlined. But one thing that I do not understand—maybe you could expand on this a bit—is that there is a \$16 million line item for that, and it said that \$15 million of that was held contingent for things. It says:

This will include expanding Aboriginal Community Controlled Services, providing a culturally safe service delivery response to both Aboriginal and non-Aboriginal people.

This is on page 71 of budget paper 3. Could you maybe expand a bit on what that actually means?

Ms WILLIAMS: Bear with me, Mr Limbrick, while I try to find your reference there.

Mr LIMBRICK: The description is on page 71 and the line item is on page 63.

Ms WILLIAMS: I think our issue here, Mr Limbrick, is that it is not an allocation that sits within my portfolio as Aboriginal affairs minister. It sounds like, if it is linked to the public drunkenness work, it would be a line item that is under the responsibility of the Attorney-General, so she might be able to explain how that relates to the broader reform that she is working on. To speak broadly to that and what it might go to—but again I would refer you to her for a more detailed answer—is that that reform comes in two parts. One is the decriminalisation and the legislative part of that. The second part is about building a new system with a health and wellbeing focus rather than a punitive focus, which is very much what that broader reform piece is about. It is about recognising that the issues that public drunkenness goes to are not best dealt with in the justice system but are best dealt with through a health and wellbeing lens. I say that only to direct that that may go to the broader piece of work that exists behind that reform, but you might be best advised to direct the specifics of that line item to the Attorney-General.

Mr LIMBRICK: So how does that interact with your portfolio? Because it is a number of portfolios—so there is the Attorney-General part, the health part and then the Aboriginal affairs part—how does this change in the law interact with your portfolio then?

Ms WILLIAMS: As I was identifying before, in all of my portfolios there are both areas of direct responsibility and then there are effectively advocacy pieces because the primary policy area falls elsewhere. So in that case because it relates to a change in the law, a legislative change in a justice setting, it sits with the Attorney-General because the primary function of that reform is effectively a justice reform. Then obviously in terms of the broader reform around the health and wellbeing focus and what that looks like in terms of the therapeutic nature, of course the Minister for Health would then be brought in but I as Minister for Aboriginal Affairs, given I have that advocacy and sort of broader coordination role as things relate to Aboriginal Victorians, would be a part of those discussions too. So they are done in partnership, as a lot of reform areas are across government, in much the same way that in cultural heritage often I work very closely with the minister for the environment.

The CHAIR: Thank you very much, Minister, and thank you to your officials for appearing before the committee today in relation to this portfolio. The committee will follow up on any questions taken on notice in writing, and responses are required within 10 working days of the committee's request. The committee will now take a short 5-minute break before moving to consideration of the prevention of family violence portfolio.

Witnesses withdrew.