

VERIFIED TRANSCRIPT

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into budget estimates 2010–11

Melbourne — 19 May 2010

Members

Mr R. Dalla-Riva

Ms J. Graley

Ms J. Huppert

Mr W. Noonan

Ms S. Pennicuik

Mr G. Rich-Phillips

Mr R. Scott

Mr B. Stensholt

Dr W. Sykes

Mr K. Wells

Chair: Mr B. Stensholt

Deputy Chair: Mr K. Wells

Staff

Executive Officer: Ms V. Cheong

Witnesses

Mr R. Wynne, Minister for Aboriginal Affairs,

Mr Y. Blacher, Secretary,

Mr I. Hamm, Executive Director, Aboriginal Affairs, and

Mr S. Gregory, Chief Finance Officer, Department of Planning and Community Development.

The CHAIR — On behalf of the committee I welcome Mr Yehudi Blacher, secretary; Mr Ian Hamm, executive director, Aboriginal Affairs; and Mr Stephen Gregory, chief finance officer, Department of Planning and Community Development. I ask the minister to give a brief presentation of no more than 5 minutes on the more complex financial and performance information relating to the budget estimates for the Aboriginal affairs portfolio.

Mr WYNNE — Thank you very much, Chair. I am pleased to be joined by the secretary of my department, Yehudi Blacher, as well as the executive director of Aboriginal Affairs, and you have introduced my colleague who is with us, replacing Terry. I will make a brief presentation.

The first thing to say is that the fundamental objective of the government — and again I say this is on a bipartisan basis — is that we deal with the fundamental issue of closing the gap. We had I thought a very important ceremony in August 2008 where on a bipartisan basis both sides of politics signed on and said, ‘Yes, this is an outcome that this Parliament thinks is quite fundamental’.

Ms PENNICUIK — There are more than two sides of politics, Minister.

The CHAIR — Minister, to continue without assistance.

Mr WYNNE — Ms Pennicuk, it depends on how you frame these issues, I guess.

The CHAIR — Just ignore it, please, Minister; it is unparliamentary.

Mr WYNNE — The life expectancy rate for Aboriginal people in the state of Victoria is 12 years less for males and 10 years less for females, and that is just not acceptable in a civilised community. The year 12 completion rate for Aboriginal young people is 50.9 per cent against that for the non-indigenous at 80 per cent. Youth unemployment is 2.3 times that of non-indigenous people. These are stark figures, but it is always worth reminding ourselves of them and what some of our challenges are going forward.

We operate in a broad framework which is national, state and very much community. Our national responsibilities are to the COAG agenda, which has been articulated very well by the government. At a state level we operate within a framework which is the Victorian indigenous affairs framework, which has set 5, 10 and 15-year targets. We are the only state in Australia that publishes every year in the Parliament its outcomes for Aboriginal people, warts and all. We think that is important in terms of accountability and transparency.

We have a ministerial task force which brings together, often in this room, all of the ministers who have a direct responsibility for dealing with outcomes for Aboriginal people, and that committee is chaired by the Deputy Premier, Rob Hulls. We also have a secretaries group, which Mr Blacher is obviously on on our behalf, which deals at a departmental level to address the issues that come through the VIAF targets and also through the ministerial task force.

I want to briefly touch upon some of the VIAF outcomes. We must remember that these targets are 5, 10 and 15-year targets, but already we have had some quite important improvements: increased participation by Aboriginal three and four-year old children, a 10 per cent increase for four-year-olds in 2009 and a 130 per cent increase for three-year-olds in the first year of operation. This is really important work. One of the crucial things you can do for young people is keep them engaged in school, whether they are Aboriginal or non-Aboriginal, but we know that for Aboriginal children it is a specific challenge. The Wannik strategy, which Minister Pike has put in place, is, I think, a really fantastic initiative, because it goes to tailoring individual learning outcomes for every Aboriginal child going through school and is also supported by homework and tutorial schemes as well.

Rob Hulls, I suspect, would have spoken to you earlier in his presentation about outcomes for indigenous adults in remand and custody and the work that he has done in rolling out alternative justice outcomes through the Koori courts that have now been established at the magistrates level and also the Koori County Court. We know there is an extreme overrepresentation of Aboriginal people in the criminal justice system, and quite simply we have to do better. I do not need to remind any of you of the enormous zeal with which the Deputy Premier has worked on these issues, particularly around alternative outcomes in the justice system for Aboriginal people.

The CHAIR — You probably need to move on to the last page, I think, in terms of the budget outcomes.

Mr WYNNE — I will, but I have to roll out my bit of paper here, because this is actually important. I just want to indicate to the committee, which obviously cannot be done on the Hansard transcript, that 56 per cent of the state is now represented by Aboriginal — —

Dr SYKES — It is upside down.

Mr WYNNE — No, it is not.

The CHAIR — Change your perspective, Bill.

Dr SYKES — I will, on about 27 November.

The CHAIR — We need to get on to questions.

Mr WYNNE — Fifty-six per cent the state is represented by registered Aboriginal parties. Of course from the point of view of the government it is quite fundamental that we want to make sure that we have the right people speaking for country across the state, and the Heritage Council is grappling with the remainder of the state to put in place to put in place registered Aboriginal parties going forward. But it is a great outcome to have 56 per cent of the state covered by the Aboriginal community.

Quickly, on the last slide, if I can perhaps go into a bit more detail as we go forward, Chair. Cultural heritage management plans will receive \$3.5 million. There will be infrastructure upgrades for new indigenous organisations. This has become a significant challenge for us, particularly around the co-ops. Some of them are really getting very run-down, if you look at them in Dandenong and in regional Victoria. We are hoping to get a better partnership with the commonwealth around getting some capital funding into some of the co-ops. It is a modest amount, but it is a start in terms of dealing with some of the crucial issues that the co-ops have. We will continue the support for Lake Tyers and Framlingham, two of our crucial Aboriginal communities.

Leadership and capacity building is, in our view, the best investment you can make in Aboriginal people, because you have to be in the space where you are supporting the vast range of Aboriginal organisations by ensuring that we get new leaders. Some of the leaders are of course getting older, and we are looking to get the younger people coming through, trained in governance, trained in leadership, trained in mentoring, so they can come and fill those spaces of some of the very well-established and known names in Aboriginal communities, who of course are getting older and tired. They are moving on in their lives. There is support for stolen generations. Can I indicate that the government will be making a significant statement in relation to economic development for Aboriginal people — —

Mr HAMM — Next Wednesday.

Mr WYNNE — Next Wednesday, I think, here in the Parliament.

Mr HAMM — Here in Queen's Hall.

Mr WYNNE — We will make a significant statement around economic development as well. I will stop there, Chair.

The CHAIR — Thank you, Minister. As I have asked you already in another portfolio, what are your plans and strategies? You have actually mentioned some of them in the presentation.

Mr WYNNE — Yes, I have.

The CHAIR — Are there any changes since last year? Obviously there is a statement next week as well, but is there anything more you wish to add to that in terms of plans and strategies?

Mr WYNNE — I would. The fundamental thing to say is the indigenous affairs framework is the fundamental strategy that guides the work of not only Aboriginal Affairs Victoria, but the government more generally. Whether it is through the strategic targets that we have put in place over the next 15 years or through the secretaries group or through the ministerial group or through the work of the task force itself or Aboriginal Affairs Victoria itself under the leadership of Ian Hamm, these are the guiding principles and these are the guiding targets that the government seeks to achieve.

Could I just briefly touch on what are some of the outcomes that we have achieved through the strategy? I will just snapshot half a dozen, if I can, Chair. VIAF indicated the percentage of indigenous babies with birth rates below 2500 grams — improving; increased school attendance in primary and secondary schools for indigenous students — improving; increased reading and numeracy levels at years 3, 5, 7 and 9 national testing through the Wannik strategy — improving; decreased proportion of indigenous people who are convicted within two years of their previous conviction — again, improving. I can go on and on with those.

You will say, ‘You are only talking about the upside’, and there are downsides — of course there are. There was a decrease in the school transition rate of year 10 for indigenous students going forward. That remains an area of concern. Young people who are dropping out at year 9, year 10, how do you keep those young people engaged? Because we know that if we can get those people through to year 12 successfully, get them into a training program, get them into another pathway, their life chances exponentially increase. That is a self-evident point, but this is an area still of concern. There was a slight increase in the proportion of indigenous adult offenders sentenced to prison — 34 per cent in 2007–08. It has gone up marginally — 34.5 in 2008–09. Again, that whole alternative justice outcome still remains an increasing challenge for us.

Areas where we have to get better data availability are indigenous perinatal mortality rates, transition of indigenous young people to further education, and the police response to indigenous family violence. They are still areas that a lot more work has to go into.

More broadly I would have to say that the indicators are strong. I do reiterate: we do publish every year a warts-and-all report on how we are going. I am proud of that. It does not say we do everything well, because if you look at this and you look at the dislocation of Aboriginal people in the state of Victoria and successive policies of governments to dislocate Aboriginal people from country and from their associations with country, this outcome that we have achieved here, I think, is starting to make a difference. If we look back, perhaps in 10 or 15 years time, to how those measures longitudinally have progressed out, you would hope there would be not only steady improvement but in fact dramatic improvement in the lives of Aboriginal people in this state.

The CHAIR — Is the Auditor-General happy with the performance framework? Maybe just take it on notice for something for the department to follow up with the Auditor-General.

Mr WYNNE — We have had no commentary from the Auditor-General of an adverse nature at all.

Mr DALLA-RIVA — Minister, in your presentation you mentioned, and the map of Victoria there, about the — —

Mr WYNNE — Registered Aboriginal parties.

Mr DALLA-RIVA — That is it; the RAPs. I note the highlights. You say RAPs are represented in over 56 per cent of Victoria known to date. On page 30 of budget paper 3 there is mention there of ‘strengthening indigenous communities’, \$3.6 million over four years in terms of building the skills of RAPs to fulfil their obligations under the Aboriginal Heritage Act. What I am try to do is just flesh out a bit more that particular issue. I am trying to work out in the forward estimates how many you are expecting to establish, how many regions do not have RAPs, what you see as some of the issues that has about causing lengthy delays and blow-outs in developmental costs, and also the division between Aboriginal communities where there may be some overlap. Basically I am just trying to get a bit more of an idea of, from the forward estimates, some of the issues and concerns that might fall out from that.

Mr WYNNE — That is a good question. This morning I was in fact meeting with the chair of the heritage council, Eleanor Bourke, where some of these issues were canvassed, because you actually have competing claims over sites here. It was a most interesting conversation I had with her, because some of these go to the question of both boundaries — where are the boundaries of particular claims — or where you have got overlapping claimants, and how does that then intersect with the aspirations of traditional owners around native title claims.

As you know, we, through Professor Dodson, seek to put in place a different conversation between the Aboriginal community and governments around what are in many instances incredibly modest claims that Aboriginal people have got for native title. We have an alternative native title framework, which the commonwealth has been actively involved in by way of observing the process that is being established. We

think with a commitment of \$50 million by the state and \$50 million by the commonwealth over a period of 10 years we could settle every native title claim in Victoria, non-litigated! That is a fantastic thing. We are still awaiting a final proposition from the commonwealth government as to their preparedness to sign onto a partnership with us in this, but I certainly think the work that Professor Dodson has done with traditional owners and indeed with the federal courts and native title aspirants more generally has been quite groundbreaking and is going to make a huge difference.

Mr Dalla-Riva, in relation to how many RAPs we might end up with, I cannot be prescriptive about that because ultimately it will depend upon the heritage council's consideration. These are quite challenging issues for them because they go to questions about people establishing their connectedness to land. As you know, the successive strategies of governments to move people and to dispossess people has meant, self-evidently from a native title point of view, if you cannot establish connection to land, you cannot even get into the game of native title, given the high bar that has been established through determinations of the Federal Court for establishing your native title, for want of a better word, credentials. This is a really significant problem.

I think that the heritage council has quite some challenges around competing and overlapping claims, which they are systematically working through. Of course what they are seeking from claimants is that they come to the conversation, and come to the council, with well-articulated and well-researched documentation as to the veracity of their claims. I think in that context Native Title Services Victoria has played a very important role, particularly with traditional owners. I think there is an interesting question about how we can better bring together the work that Native Title Services Victoria is doing around establishing native title claims versus the claims that people seek to also enjoin in relation to registered Aboriginal parties, and that is a challenge that the council has put before me. It is impossible for me to be prescriptive about what the final make-up will look like at this stage.

Ms GRALEY — Minister, I would like to refer to budget paper 3, page 167, with the indigenous community and cultural development major outputs. I am particularly interested, as I think many people are, in representative arrangements and governance training for indigenous people. I would like you to advise the committee on what the government is doing to establish local indigenous representation groups and what moves we are making. The government's issues, I think, are important as well.

Mr WYNNE — This actually fleshes out how we want to go about really heeding the voice of people who may for a whole range of structural reasons have been shut out of the conversation with government about what their aspirations are. You have got very sophisticated, highly articulate, groups that are pursuing native title outcomes, you have got very well established co-ops that are working in the area and you have got a very significantly resourced Aboriginal housing association, which is managing a very large number of Aboriginal houses.

The development of local indigenous networks is not my initiative; it is the initiative of my predecessor Gavin Jennings. He understood, as a person with a very long history in working with the Aboriginal community, that often the voice of local Aboriginal people has not been adequately heard. The 2007–08 budget allocated \$10.8 million over four years for the development of what we call local indigenous networks. We have 38 of these now that are across the state and they are really focused on trying to garner at a very localised level what the issues are of concern to local communities and to then bring them up through a regional indigenous council. The localised conversation will come up into a regional setting and then form the basis of an opportunity for community to come together, as we have done on a number of occasions in a cross-portfolio way, to come and talk to government in bigger forums. You will get people who come who have never been here, never been to this place, never had an opportunity to talk to members of Parliament and never had an opportunity to really have their voice heard, and it is fantastic and it is very empowering.

We have also some other structures in place, including the Premier's Aboriginal Advisory Council, where the Premier meets on a regular basis with members of the Aboriginal community; and separately the deputy leader, Rob Hulls, and I meet with the PAAC group as well at the alternate cycle. We think it is absolutely crucial that the voice of Aboriginal people is heard at the highest level of government, with the Premier of the state — or alternatively the Deputy Premier — and obviously myself, representing the voice of the Aboriginal people within the cabinet, and that that voice is informed through the local indigenous networks because that is absolutely crucial to really hearing what is happening on the ground.

The work that people like my cabinet colleague Lily D'Ambrosio did in relation to family violence and the work that she did at a local level — now Ben Hardman has taken over that responsibility — has been absolutely fantastic, and I think it is making a huge difference at a localised level, and I think it is making a real difference in local communities.

Ms PENNICUIK — Minister, on the last of your slides, 'Budget outcomes and focus 2010–2011', you have a dot point 'Support members of the stolen generations', which does not have a budgetary allocation next to it.

Mr WYNNE — It is \$6.2 million.

Ms PENNICUIK — Could you outline what the details of what that actually means?

Mr WYNNE — It means that, if you are going to question what has happened to Stolen Generations Victoria, the government allocated \$6.2 million over four years for Stolen Generations Victoria. As I am sure you are aware, Ms Pennicuik, Stolen Generations Victoria undertook itself some auditing last year, which indicated that there was an amount of money that could not be properly accounted for. Subsequently the director of Aboriginal Affairs Victoria instigated a forensic audit, which established some further questions around funds and also some governance questions as well. The amount of money involved — and this is all on the public record — was in the order of \$97 000. Stolen Generations Victoria itself resolved to not continue. It was a stand-alone company of its own, but its sole funding source obviously was the state government of Victoria. It did, I think, get some philanthropic funds.

Mr HAMM — A very small amount.

Mr WYNNE — It was a small amount. A new organisation called Connecting Home Ltd, which is again a stand-alone company, was established with a seamless transition of services from Stolen Generations Victoria to this newly established organisation. The government has put in an interim board, of which Mr Hamm is one of the directors, until such time as we can establish, through, again, consultation, not only with the stolen generations community but more broadly with the Aboriginal community, what a suitable structure and advisory process ought to be for this new organisation. We were very concerned to ensure that the services that were provided by Stolen Generations Victoria were maintained in a seamless way and that the existing staff were seamlessly transitioned to the new organisation, and that has occurred.

Mr DALLA-RIVA — The \$97 000 from the forensic examination, which, from my fraud squad days, would be reviewing where the money went, has that been referred to the fraud squad?

Mr WYNNE — Yes, it has.

Mr DALLA-RIVA — It has?

Mr WYNNE — It has been referred to Victoria Police.

Ms PENNICUIK — Chair, just on clarification — —

The CHAIR — We are trying to get on to local government actually.

Ms PENNICUIK — My question was about what supporting members of the stolen generation means; I did not really get an answer to that.

The CHAIR — If you can take some additional matters on notice and provide that to the committee, that would be the best way to handle it.

Ms PENNICUIK — Yes, that would be fine.

Mr WYNNE — I will give you three short quickies: improving access to records by stolen generation members through the public records office — the public records office has been fantastic in this space and works really well; improving access to government-funded services, including counselling and family reunion, which is absolutely fundamental for members of the stolen generation; and resources to the Koori Family History Service managed by the Koori Heritage Trust. There are three. Education and awareness of stolen generation issues, including representations to a whole range of — —

Ms PENNICUIK — And this is through this new organisation?

Mr WYNNE — They are new and old.

The CHAIR — If there is anything more to add to that, Minister, you can provide that on notice. The committee would appreciate that.

The CHAIR — I thank Mr Hamm for his attendance.

Witnesses withdrew.