

NSW Legislative Council
Standing Committee on Social Issues

INQUIRY INTO CLOSING THE GAP – OVERCOMING INDIGENOUS DISADVANTAGE

Submission from the
**Dharriwaa
Elders
Group**

a charity approved as a deductible gift recipient
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Term of Reference 1. (a) policies and programs being implemented both within Australia (States/Territories/Federal) and internationally aimed at closing the gap between the lifetime expectancy between Aboriginal people and non-Aboriginal people (currently estimated at 17 years), with the assessment of policies and programs including but not limited to: New Zealand, Canada, North America, South America, and also considering available reports and information from key NGOs and community organizations.

The Dharriwaa Elders Group is a non-profit association of elderly Walgett Aboriginal people. Currently we have 31 living members. Four have died since the Group first formed in 1999, two of emphysema, one from diabetes, one from heart disease. Our community is unusual in Aboriginal Australia¹ for 5.8% of its Aboriginal population is over the age of 65, compared to 3.5% of NSW's Aboriginal population, 4.1% of Bourke's Aboriginal population and 3.3% of Australia's.

We claim that membership of the elders group has extended the life of the Aboriginal elderly in Walgett. We are working to improve the lives of all Walgett age groups.

Our organisation receives no government support in its own right. Every year we piece together operating costs with difficulty from a pooled range of NSW and Commonwealth funded projects. We gratefully receive in-kind contributions made by individuals and services. See www.dharriwaeldersgroup.org.au/sponsors.htm for a list of our current financial contributors.

The Dharriwaa Elders Group² ("DEG") operates a fledgling cultural centre in Walgett which provides:

1. **Support for elders' leadership activities.** All activities are based on decisions made in monthly members' and Elders Council meetings. They include working for the development of the community, troubleshooting and problem solving. The DEG encourages and welcomes service providers to the town and works with them to meet community needs. The DEG provides Aboriginal cultural leadership and the only Walgett independently-constituted³ forum for local Aboriginal governance. It provides elders' advocacy services and a centre for elders to meet and spend time together. An important duty of the Group is to confirm the Aboriginal identity of community members as required by government agencies from time to time.
2. **A nationally significant collection and archive.** The National Library of Australia has funded the DEG to develop with UNE Heritage Centre a Collection Management Plan. Significant parts of the collection include video recordings of local elders' cultural knowledge; wooden and stone artefacts; a multimedia site register which locates places of cultural significance within a Geographic Interface System and which contextualises elders' recordings; a photographic archive; research locating items and information about Walgett Aboriginal culture in Australian and international institutions; a small collection of first edition rare books documenting local Aboriginal cultural matters; a policy reading room. The DEG aims to provide informed access to its collection for younger generations with the purpose of keeping Walgett Aboriginal cultural transmissions alive and strong. Exhibitions and guided information sessions for this purpose are planned for the future.

¹ Australian Bureau of Statistics 2001, 'Walgett (Indigenous Location) 2006 Census QuickStats', viewed 21 November 2007, <<http://www.censusdata.abs.gov.au/ABSNavigation/prenav/LocationSearch?locationLastSearchTerm=Walgett&locationSearchTerm=Walgett&newarea=ILOC0201501&submitbutton=View+QuickStats+3E&mapdisplay=on&collection=Census&period=2006&areacode=ILOC0201501&geography=&method=&productlabel=&producttype=QuickStats&topic=&navmapdisplayed=true&javascript=true&breadcrumb=PL&topholder=0&leftholder=0¤taction=104&action=401&textversion=false&subaction=1>>

² an incorporated association who's full members are Aboriginal people living in Walgett over the age of 60

³ i.e. the association was formed and incorporated locally, independent of government, land council or ATSIC.

3. **An elder's school program.** The DEG began its activities in 1999 co-ordinating week-long youth and elders culture camps which offered a program of cultural learning incorporating identity and family links, native natural resources, Yuwaalaraay and Gamilaraay languages, respect and leadership, local Aboriginal history, places and practices of Aboriginal cultural value. The curricula of the camps have been widened to a year-long school program with the Primary School, which varies in its implementation depending on Walgett Community College personnel and policies. It aims to revitalise local Aboriginal cultural knowledge and practices, improve Aboriginal student's education outcomes and encourage ongoing learning.

4. **An Aboriginal language program.** This program aims to increase local knowledge of Yuwaalaraay and Gamilaraay languages. It incorporates work with the schools, correctional institutions, resource production and supporting the fragile network of Aboriginal language teachers in Walgett.

5. **A monthly community magazine.** Yundiboo magazine is a 16-page A4 colour publication which has been distributed monthly since January 2001. It is used to promote the aims and work of the DEG's programs and is distributed to schools, community members on request, corrections facilities, state and national libraries.

6. **An environmental and cultural heritage management program.** This program involves regular elder's trips to monitor and identify sites of significance, and conducts a program of authentication regarding places and practices of Aboriginal cultural significance. It produces explanatory audio visual resources to share Walgett's Aboriginal cultural heritage with the community and visitors, and advises all tiers of government, miners and landholders regarding protection of areas of high Aboriginal cultural significance. The program works with scientists and landholders to map areas of high conservation value in the area of the internationally significant wetland Narran Lakes and is developing a Plan for the management of Aboriginal cultural heritage including biodiversity. A valuable tool used by this program is the DEG's multimedia site register, which links video clips and html pages to sites mapped on GIS data.

7. **The only Aboriginal arts and crafts shop in Walgett.** This project was developed in 2006/07 in recognition of the needs identified by the DEG, by Walgett Shire Council⁴ and the Biaime Dreaming Network Aboriginal cultural tourism development project⁵ for:

- a. public awareness of local Aboriginal culture;
- b. to create an economic opportunity for the Walgett Aboriginal community;
- c. to provide the fora for Walgett Aboriginal elders to inform younger generations about art styles and forms they learnt from previous generations;
- d. to support new forms of Aboriginal cultural expression.

This project has developed with legal advisers Gilbert + Tobin a local Aboriginal arts and crafts authentication policy and process, to improve the quality of cultural product in Walgett. It assists elders to assert local art styles and practices and work to develop quality and communication with artists who previously worked in isolation, selling their work in ad hoc ways to travellers and other retail outlets. The project also works to inform awareness of Aboriginal cultural intellectual property issues to elders, artists and customers, and provides a ready exhibition space to promote local Aboriginal culture and the outcomes of the DEG's other projects, and, in the future, its substantial cultural collection, to visitors and the community.

8. **Weekly health sessions for the elderly.** The DEG offers a weekly health program for elders by bringing together the NSW Outback Division of GPs, the Walgett Health Service, the Walgett Aboriginal Medical Service and a local masseuse.

⁴ Walgett Shire Council has identified the need "to develop a diverse tourism product and promote local Aboriginal culture" and is "developing an Indigenous Tourism Product Action and Implementation Plan to preserve and promote Aboriginal Culture and provide it to interested parties in a respectful and accurate way." (Alana Douglas, Walgett Shire Tourism Destination Strategy, 2007 - 2010).

⁵ led by Roxanne Smith NSW Dept of State and Regional Development

The Dharriwaa Elders Group (“DEG”) believes that non-profit Aboriginal elder’s organizations would benefit other communities within NSW and is happy to share its model.

Key to the success of the DEG is its aims to maintain integrity and transparency, guard against corruption, support the voices of members, attract dedicated staff – and its patience in the face of local racism and many who “just don’t get it”!

We believe that Walgett Aboriginal elders deserve support in their last years as some form of compensation for their difficult earlier years spent as some may refer to as “prisoners of the state”. Our members were forced with their families to live in humpies either on Reserves or station camps, with inadequate access to medical services, legal services, fresh water, sewerage, nutritious food, bedding and clothing. Some were lucky enough to be living in camps on their traditional lands, but most had to move off traditional lands that had now become inaccessible and privately controlled by landholders who typically had no respect for Aboriginal culture. Some were taken from their families and sent to Kinchella Boys Home and Cootamundra Girls Home and subject to cruel treatment for no good reason. Most were made to feel ashamed of their Aboriginal identity, language and cultural practices. They survived through poverty and with little formal education. They worked from childhood establishing the wealth of the landholders through stationhand work, shearing and as housemaids and childminders. Some volunteered their time to establish the Aboriginal community organizations that were needed because mainstream services were not servicing Aboriginal people. These are the Aboriginal medical and legal services that serve the whole community today. Today some find themselves caring for extended families on the pension. Most are troubled by the loss of culture, unemployment, substance abuse, violence and family breakdown they witness around them.

Most Dharriwaa Elders Group full members weren’t educated past the age of 11. No Dharriwaa Elders Group full member has been the recipient of stolen NSW Government trust fund compensation, or been bestowed with land rights or native title. Some members are returned soldiers who were never included in ballots after returning from world wars.

The Dharriwaa Elders Group provides a respite from these troubles, a place where elders can sit and yarn about the old times which could be considered the only form of trauma counseling they receive. The DEG provides opportunities for elders to travel and meet with family and like-minded elders. Members also realize that together they might be listened to when they want to act to improve their families’ lives.

We find that Aboriginal elders in Walgett are more likely to have a work ethic and more likely to want to volunteer for community leadership activities, than other age groups. Perhaps this is because we were all workers from an early age, and are more aware of how urgent community needs are. Perhaps it’s because we were lucky to be raised by elders who themselves spoke the language, lived the old ways and had a work ethic themselves.

We believe that government can more effectively implement programs in Aboriginal communities when it accepts the advice of local Aboriginal elders. This includes advice of the simplest of matters (e.g. spelling of place names on road signs), advice regarding staff selection, program development and implementation through to the big issues like natural resource management and enterprise development. **When Aboriginal elders are offering leadership and assistance to government in this way – why not accept it and use it?**

Regional communities with sizeable Aboriginal communities⁶ and the Aboriginal communities in Sydney should be facilitated to form elders groups that are appropriately resourced.

⁶ e.g. Moree, Cummeroogunga, Cowra, Queanbeyan, Bateman’s Bay, Nowra, Caroona, Tamworth, Gunnedah, Narrabri, Tingha, Armidale, Tenterfield, Walcha, Inverell, Glenn Innes, Lismore, Kempsey, Gosford, Lightning Ridge, Coonamble, Bourke, Brewarrina, Wilcannia, Dareton, Wentworth, Wagga Wagga, Dubbo, Enngonia, Weilmoringle, Goodooga, Bogabilla, Coonabarabran, Bathurst,

- a. **Recommendation: That elders groups be facilitated to form in Aboriginal communities around NSW and appropriately resourced to meet regularly and support elders in their community leadership activities.**
- b. **Recommendation: That the NSW Government return monies owed to elders and their descendants deposited in NSW Government trust fund as a matter of urgency (before those affected have died)**
- c. **Recommendation: That the NSW Government review the Aboriginal Trust Fund Scheme and resource it so that it can, with certainty, acquit the NSW Government's responsibilities in this matter as a matter of urgency (before those affected have died)**
- d. **Recommendation: That the NSW Government investigate, prosecute and compensate the victims of the criminal treatment of Aboriginal wards of the state at Kinchella Boys home and other institutions as a matter of urgency (before those affected have died)**
- e. **Recommendation: That the NSW Government assist Walgett Aboriginal elders to benefit from the resources of the NSW Aboriginal Land Council**
- f. **Recommendation: That elders groups be the first port of call for government when they come to Aboriginal towns like Walgett.**

Term of Reference 1.(b) the impact of the following factors on the current lifetime expectancy gap:

- (i) ***environmental health (water, sewerage, waste, other)***
- (ii) ***health and wellbeing***
- (iii) ***education***
- (iv) ***employment***
- (v) ***housing***
- (vi) ***incarceration and the criminal justice system***
- (vii) ***other infrastructure***

The Dhariwaa Elders Group (“DEG”) believes that all the above factors impact on the current lifetime expectancy gap. We would be very interested to assist researchers to measure the impacts in the Walgett community, especially if the results of the research were used to target future government spending. We would also be interested to learn how the impacts in our community compare to others.

Current spending shouldn't be wasted. Experts in all fields should be doing what they are supposed to be doing. Often they are not, and the Dhariwaa Elders Group doesn't like to see valuable resources allocated to Walgett, wasted. We see a lot of incompetent non-Aboriginal and Aboriginal people working in Walgett who need to be supervised better in order that their jobs achieve desired outcomes. Better still, if we were consulted as part of local workers' selection and performance reviews, there would be a higher likelihood of their competence.

We believe that if government seriously implemented programs proposed by the DEG over the years to prevent crime, create community housing, create local Aboriginal employment, improve education, health and wellbeing, then the current lifetime expectancy gap would have been decreased. We also believe that while the short-term financial cost of our suggested programs would be high, a long term cost-benefit analysis would prove the positive benefits to the community and long-term cost savings to the state. The jails would not be overflowing today with Aboriginal people, the hospitals would not be so stressed and our people would not continue to die so young.

Projects recommended by DEG not currently implemented in Walgett include:

- increased activity and employment for 17 – 24 yr olds to prevent suicide and manage depression

- all service providers undertake age specific training to manage depression in all age groups of children
- increased activities for children 6 – 16 yrs
- children's safe house
- community night patrol
- a crime prevention support program for men returning from jail and rehabilitation
- a comprehensive local employment and training youth program incorporating new enterprise creation and mentoring youth through training and local employment
- extensive local Aboriginal language learning projects
- effective literacy and numeracy programs for all ages but particularly children
- education standards comparable with the rest of NSW
- immediate moratorium on land clearing
- prevention of any further land being developed by mining, cropping or other non-sustainable industries
- protection of biodiversity and places of high Aboriginal cultural heritage value and high conservation value
- regular community transport provision including registered clubs courtesy buses
- regular cultural awareness staff induction programs for all government agency staff conducted locally and in training institutions before they arrive
- new enterprises which employ young Aboriginal people particularly in natural resource management, climate change prevention areas, cultural and ecotourism
- locally-owned circle sentencing for adults and juveniles
- a workfarm for young families
- a Walgett dialysis service
- supported accommodation services for youth
- more community housing
- regularly tested drinking water that reaches Australian Standards
- more affordable access to medication to assist giving up smoking - a big factor in high incidence of heart disease
- home nursing support, and palliative care in the home so families can cope caring for their dying elders in the home
- support for more control over funeral ceremonies and caring for deceased loved one
- management of crown lands currently managed by Rural Lands Protection Boards, be managed by new Aboriginal employment and training enterprises
- a program to develop trust and respect between Walgett Shire Council and its Aboriginal communities
- a community education campaign to increase our Aboriginal community's participation in all levels of government

The impacts on Aboriginal people of the following should also be examined:

- poverty⁷
- the failure of mainstream Australia in the Walgett area to face up to its racist past
- the constant negotiating of access to lands and dramas involved in protecting them
- shame about culture and identity
- barriers to accessing mainstream services
- not knowing your meat (your identity and totem), your language or your tribal group
- social isolation brought on by contemporary lifestyles which mean many elders are spending a lot of time on their own in isolation if they don't have a place like the Dharriwaa Elders Group to go to

a) **Recommendation: That a research program be implemented across north west NSW to assist the Aboriginal communities to better understand the needs of their communities, which measure the above impacts, with full participation of the Aboriginal communities involved.**

⁷ The unemployment rate for Aboriginal persons in the LGA 2004, was 27.5%. The SEIFA index rates Walgett 4 highest LGA in NSW, and consequently health risk factors high (AIHW 2004). Generations have lived in poverty – the majority of Aboriginal people in Walgett have a weekly individual income of \$150-\$249 (ABS 2006 Census).

- b) Recommendation: That the NSW Government seek out effective Aboriginal leadership in each of the NSW communities and help implement the solutions they develop to address their community's needs**
- c) Recommendation: More training and supervision and improved selection of NSW Government workers and funded programs so that programs achieve outcomes**

Term of Reference 1.(c) previous Social Issues Committee reports containing reference to Aboriginal people – and assess the progress of government in implementing adopted report recommendations

We are unable to comment.

Term of Reference 1.(d) the Federal Government intervention in the Northern Territory and advise on potential programs/initiatives that may or may not have relevance in terms of their application in New South Wales

At the NSW Aboriginal Alcohol Summit in 2004, the DEG recommended the introduction of a smart card system to be used by welfare recipients who displayed neglect of their children. We still believe that this would be a useful measure to introduce in Walgett if the smart card was able to be used in all supermarkets, chemists, petrol stations, newsagents here and in our regional centres (e.g. Dubbo and Narrabri). We hear that a system of controlled spending has been introduced in the Northern Territory for every Aboriginal person in a community. We believe the use of the smart card should not be widespread but targetted. Aboriginal and non-Aboriginal welfare recipients neglecting their children should be targeted by this program. We recommend that the smart card system should target the behavior – not the colour Australia wide.

The biggest crime here is domestic violence, mostly alcohol-related⁸. We believe this is because alcohol is the most available mood-altering drug. There is a high incidence of depression and boredom in our community so people use drugs to escape. The DEG is involved with the Walgett CDAT and Liquor Accord and believes these are useful initiatives that assist in the long term. But other immediate government initiatives are required to assist this crisis situation.

We cannot see how a dry community initiative can be practically introduced in NSW, so believe it more appropriate to address the reasons why Aboriginal people want to drink unsafely. We need to prevent excessive drinking, and to minimize the impact of problem drinking on children and families. This can be done by providing men's support and rehabilitation programs, a children's safe house and activities, and a smart card so food money isn't wasted on grog.

Another source of stress in our community for Aboriginal people is welfare money being poured into poker machines. Aboriginal communities need to be able to fund social infrastructure like the provision of air-conditioned community meeting places and leisure

⁸ The Walgett LGA had second highest rate of incidents in NSW in 2004 of domestic violence assaults, break and enter dwelling, sexual assault and assaults (NSW Recorded Crime Statistics Jan04 – Dec 04). In 2005 the recorded rate of Assault - Domestic violence related in WALGETT Local Government Area was ranked 2 out of the 143 Local Government Areas that have populations greater than 3000. (NSW Bureau of Crime Statistics). Walgett Police Crime Statistics 2002/2003 prove the need for programs to reduce re-offending, domestic violence and alcohol-related crimes performed by Aboriginal men - "Over 2002 & 2003 Walgett had approximately 80 repeat Domestic Violence Offenders with an average of 4.1 offences per offender." "Over 2002 & 2003 Walgett had approximately 328 repeat Juvenile Offenders with an average of 4.7 offences per offender". "A total of 1194 Prisoners went through the Walgett Custody Facility in 2002 & 2003 - 77.6% were Male, 88.7% were ATSI, 24.2% were Juveniles, of the Juveniles, 91.7% were ATSI". "31% of events occurring in 2002/2003 in Walgett were Domestic Violence Related. (912 Events), 53% of Charges laid in 2002/2003 in Walgett were Domestic Violence Related. (350 Charges)."

activities without having to rely on income from poker machines. This income comes at the expense of children going hungry, and the social cost of problems like the mental illness caused by poor childhood nutrition and other forms of parental neglect from those addicted to poker machine gambling. It is not right that a town with a population of little over 2,300, a majority being welfare recipients, has the local RSL Club earn over \$1million annually in poker machine revenue alone. Keno, TAB and the sale of lottery tickets by the local newsagent are other legal forms of gambling which attract disproportionate revenues from Walgett. A smart card system needs to take poker machines, Keno, TAB and excessive purchase of lottery tickets into account. Two out of Walgett's three ATMS are located in registered clubs – providing an unhelpful temptation for gambling addicts.

The Dharriwaa Elders Group has often been a lonely voice against child abuse, fearful of retribution from the violent perpetrators who are surprisingly protected by their extended families. Some perpetrators remain free in the community and we have to be vigilant and advise regularly changing youth services staff not to employ them in paid or voluntary capacities. This is a burden we don't undertake lightly. We believe that there are vigilant elders in every Aboriginal community who, if they were listened to, could help remove abusers from our communities. If our leadership is not accepted or listened to, then the government has no choice but to intervene to alleviate the emergency. In Walgett's case, DoCS and the Police never seem to have the resources to act on our intelligence. Known perpetrators have carried on for years despite previous jail terms, because somehow they were not entered onto the pedophile register, police are not allowed to reveal information about their previous offences, and local employers and their funding bodies (both government and NGO) seemed to be ignorant about the law in relation to prohibited employment for offenders. We know our community is targeted by predators and we need assistance to recognize them and expel them from our communities before they cause too much damage.

Like in the Northern Territory, there is a constant shortage of health and other service providers in Walgett NSW. The GERRS project auspiced by the Barwon Darling Alliance was a successful short term project which deserves extending. It worked to implement measures to attract and retain quality service providers to our region. A recent NSW government pilot project to provide subsidized housing, access to broadband, computer and other benefits to NSW government agency staff was applauded by the Dharriwaa Elders Group. We believe it should be made a permanent program, and expanded to include NGOs and Commonwealth agencies. There are many other initiatives that could be developed in consultation with the DEG to attract and retain the police, teachers, doctors and other vital service providers we so badly need.

We have recently experienced various community health checks undertaken by a combination of health service providers, usually led by the Walgett Aboriginal Medical Service. We are advised that while health checks are useful and there is always more work to be done to attract Aboriginal people to be checked, many more resources are needed to follow-up the health issues found in the health checks. In particular mental health, drug and alcohol facilities and counsellors and smoking cessation resources were identified as lacking in the region after the recent Men's "Pit Stop" health check.

While we acknowledge that we are in crisis in our town we expect to advise government regarding solutions and to be listened to rather than be subject to the desperate vote catching exercise that happened in the NT. Most organizations and agencies with experience in our town know what the solutions are and should be given the opportunity to pursue them with active assistance from outside experts.

We hear of the closing of the CDEPs around Australia and believe this is part of the Howard Government trend to withdraw financial support from representative Aboriginal organizations in favour of directly dealing with individuals and families. The problem with this is they are not replacing this community infrastructure and opportunity to work with anything better. We observe Job Network providers making large profits while skills and employment barely improve in our community. CDEPs should be fixed if they are dysfunctional, or a better employment, training and enterprise development initiative put in their place. We have heard of no plan for this to occur.

- a. Recommendation: That communities and service providers are regularly educated about child protection issues**
- b. Recommendation: That immediate action is taken on advice from elders in the community regarding child abuse**
- c. Recommendation: That a smart card is introduced for use by targeted welfare abusers, both Aboriginal and non-Aboriginal, which prevents excessive alcohol and gambling purchases**
- d) Recommendation: That ATMs be provided by banks in remote communities – not by registered clubs or other gambling venues**
- e) Recommendation: That closer scrutiny and regulation be made of newsagent's sales of lottery tickets**
- f) Recommendation: That attractive incentives are offered to all professionals coming to work in Walgett, at least equal to those offered to teachers and police**
- g) Recommendation: That more work is done to attract and retain quality professionals to the region**
- h) Recommendation: That resources be devoted to address the health issues identified by regular community health checks**
- i) Recommendation: that the crisis in North West Aboriginal NSW is recognized and quality long-term responses are planned using solutions proposed by the community**
- j) Recommendation: That the CDEPs be improved to achieve better outcomes in their communities**
- k) Recommendation: That the Job Network provider framework be redesigned so that sustainable employment, training and community enterprises are fostered in Aboriginal communities in north west NSW**

Term of Reference 1.(e) opportunities for strengthening cultural resilience within Aboriginal communities in New South Wales with a focus on language, cultural identity, economic development and self determination

Aboriginal elders provide the lore regarding identity, culture and language and must be involved in a leadership role in any activities that use Aboriginal culture.⁹ They are the resource on which the rebuilding of integrity and cultural pride must be built.

The Dhariwaa Elders Group (“DEG”) recommends that Aboriginal communities be facilitated to invite elders of all family groups to meet and form an elders group in order to manage Aboriginal cultural business in the community. Opportunities for strengthening cultural resilience must be based on the leadership of elders, and provision of local Aboriginal employment.

⁹ Currently this is not happening enough in language – e.g Walgett Yuwaalaraay and Gamilaraay elders are still the last to know if linguists are conducting Yuwaalaraay or Gamilaraay language teaching activities in Sydney, tertiary institutions or language centres outside of Yuwaalaraay and Gamilaraay countries.

One activity of the DEG is to confirm the Aboriginality of local Aboriginal people. Confirming identity or meat is a powerful way of reinforcing belonging – having trust in elders to confirm their identity.

Opportunities for new enterprises in climate change work, natural resource management, Aboriginal art & craft retail and Aboriginal tourism and ecotourism product development are currently under explored and underdeveloped. We are aware that NSW government has resourced Catchment Management Authorities to produce a number of education, research and catchment management outcomes. Aims include repairing damage done by past agricultural industry, assisting agricultural industries to adapt to the challenges of climate change and assisting regions to develop new more sustainable land use industries. Aboriginal cultural knowledge and the large underemployed Aboriginal workforce in regional areas should be harnessed to assist government to achieve these outcomes. New Aboriginal employment enterprises in rural and remote NSW should be contracted to supply to CMAs and other agencies climate change, new tourism product development, natural resource management, education and research services.

One source of underlying sadness is the failure of local government to respect advice from Aboriginal elders regarding cultural matters.¹⁰ This is an opportunity for strengthening cultural resilience which is unrecognized by most northwest NSW local governments.¹¹

Another difficulty is the effort required to persuade NSW Dept of Environment and Climate Change to do the work necessary to carry out the NSW Threatened Species Act and NSW National Parks and Wildlife Act when it comes to protecting and managing places, wildlife and native vegetation of Aboriginal cultural significance. We believe this department is not given the resources it requires to fulfill its obligations under these Acts in our region. Because of this, we believe the Narran Lakes wetland system is threatened by opal mining encouraged by the NSW Dept of Primary Industries.

Another underlying sadness is the control of Aboriginal lands by private landholders and government agencies. Why are landholders allowed to clear so much land unregulated when they put up a fence? Why is opal mining considered of more value than native vegetation of Aboriginal cultural value? Why were mound springs destroyed and rivers allowed to be drained? “If they’d listened to us in the first place there wouldn’t have been so much land clearing – there would still be water in the rivers and they wouldn’t be in so much trouble today.”¹²

Walgett Aboriginal community has not greatly benefited from the resources of the NSW Aboriginal Land Council and the NSW Land Fund. Family groups control the land council and its office resources. The DEG is unaware of any successful land claims that have been made for the Walgett community. Community housing is provided by the land council but not to the extent that it is needed. No-one is prepared to step in and assist the local land council to sort itself out and develop the skills it needs to successfully negotiate a fair distribution of NSWALC resources for Walgett residents. To our knowledge this seems to be the case for many communities in North West NSW.

- a. **Recommendation: that Aboriginal communities be facilitated to invite elders of all family groups to meet and form an elders group in order to manage Aboriginal cultural business in the community**
- b. **Recommendations: new Aboriginal employment enterprises in rural and remote NSW be fostered to supply to CMAs and other agencies climate**

¹⁰ Attached for the information of the Committee is the discussion paper written by the DEG, which we propose forms the basis of an MoU between Walgett Shire Council and the Dharriwaa Elders Group – “ATTACHMENT 1”.

¹¹ See the recent submission made by the Dharriwaa Elders Group commenting on Walgett Shire Council’s Draft Aboriginal Community Development and Reconciliation Plan 2007 – 2010”. It can be found at www.dharriwaaeldersgroup.org.au/reports.htm

¹² George Rose OAM, Speaker for the Dharriwaa Elders Group

change, new tourism product development, natural resource management, education and research service

- c. Recommendation: That local governments formally respect advice extended by Aboriginal elders groups.
- d. Recommendation: That opal mining is not valued more highly than internationally significant wetlands in NSW
- e. Recommendation: That royalties collected from miners by Lightning Ridge office of DPI for a failed native title claim in the Narran Warrambool opal fields be accounted for and made available for the benefit of local Aboriginal communities
- f. Recommendation: That NSW Dept of Environment and Climate Change be given the resources it needs to administer its Acts to our satisfaction. This includes the resources it needs to purchase more lands to be gazetted as Nature Reserve at Narran Lakes.
- g. Recommendation: NSW Government encourage NSWALC to provide equal services and resources to all NSW Aboriginal communities
- h. Recommendation: Aboriginal employment and training enterprises co-manage travelling stock routes and public watering places and other crown lands currently managed by NSW Rural Lands Protection Boards
- i. Recommendation: That Aboriginal elders are assisted to negotiate unimpeded access to culturally significant places on freehold and western lands
- j. Recommendation: That NSW legislation regarding natural resource management be amended to recognize and value the Aboriginal cultural value of native vegetation, biodiversity and landscapes
- k. Recommendation: That royalties from mining, use of airspace, land and water use be collected and used for the benefit of Aboriginal people and to reduce the life expectancy gap

Term of Reference 1.(f) the experiences of the outcomes of the COAG Murdi Paaki trial but also take into account the other COAG trials occurring across Australia and their outcomes/lessons learned.

The Dharriwaa Elders Group is in a good position to report on the experiences and outcomes of the Murdi Paaki COAG trial. Our experience has been a negative one.

A number of Walgett elders were elected onto Walgett's inaugural Community Working Party when it was set up by the Murdi Paaki ATSIC Regional Council in 1996 (before the DEG began) as part of the implementation of the *Murdi Paaki Aboriginal Housing and Infrastructure Regional Agreement* of 26 November 1996 - a joint agreement between Murdi Paaki Regional Council and the NSW Government on housing and environmental health infrastructure. George Rose OAM (now the Chair of the DEG) was its Chair.

"The aim of the Agreement is to establish and maintain a new procedure for the delivery of housing, environmental health infrastructure and related services which improve and sustain the health of Aboriginal people within targeted communities. As a Regional Council initiative, the Agreement brings together ATSIC, State and local Government, and other relevant agencies in a partnership approach to the delivery of these services."

“The Regional Agreement is a significant departure from the past planning and development practices. Planning in the past has been imposed on our Aboriginal communities by outside agencies. This new approach to planning and development by the Murdi Paaki Regional Council brings participation to the grass-roots level so that, through our elected representatives, we, the Aboriginal and Torres Strait Islander people of the Murdi Paaki Region can make significant steps towards achieving self determination, self-management and self sufficiency.”¹³

Pilot housing and infrastructure projects were started in Bourke, Coonamble, Dareton, Goodooga, Walgett and Wilcannia. Walgett was allocated funds of \$2.4million from TRIP and 5 houses from ARHP. The agreement was endorsed by the Regional Council 25 & 26 June 1996 and 11 & 12 September 1996. The agreement was endorsed by NSW State Government Cabinet Committee on Aboriginal Affairs 24 June 1996.

Walgett's Community Working Party flourished and developed into an information-sharing forum that discussed many other issues of concern to the Aboriginal community, not just housing. It was well-attended. The police local area commander and Mayor and Shire General manager were regulars alongside most Walgett service providers, MPs, Aboriginal community organizations and community members.

This all changed when the Murdi Paaki ATSIC Council began to champion the community working parties as the centre of governance for Aboriginal communities – as a replacement for ATSIC in its last days. It then became a target for the strongest local faction, and the goodwill and understanding slowly built over 7 years was quickly destroyed.

The DEG reported in its September 2003 issue of the monthly Yundiboo magazine:

“On the 15 September 2003 the Bourke office of ATSIS (Aboriginal and Torres Strait Services) conducted a community meeting in Walgett. The meeting was chaired by Sam Jeffries (chair of the Murdi Paaki ATSIC Council) and aimed to discuss the role of the Gamarlroi Goondi Community Working Party (CWP) and how it should be constituted in the future.

Sam Jeffries explained that ATSIS is shaping a new operating model for community working parties whereby all service providers to Aboriginal people in each community will have to negotiate their planned outcomes with the CWP and report to the CWP re their implementation of these outcomes. The CWP will supply governance but not management for these organizations. The CWP will not be funded however ATSIS will fund Aboriginal identified trainee positions to provide a secretariat, office and monthly newsletter for each CWP. These positions will be expected to train for a Certificate of Business Management and the Regional CDEP will employ and mentor them. After 2 years the CWP will change its name to “Community Council” and Councillors will be elected every two years at the ATSIC elections. The Council of Australian Governments has chosen the Murdi Paaki region within NSW to trial a new way of providing Aboriginal services. Peter Shergold, a senior public servant apparently close to John Howard, is driving the trials. DET and DEST are the two co-ordinating departments of this COAG trial. Sam Jeffries explained that information about all money coming into Walgett for Aboriginal programs including all moneys going to the government agencies including the Shire, hospital, schools etc, will be supplied to the CWP. Experts will be invited to meetings to present on subjects so that CWP can make informed decisions...

For example, it was reported at the meeting, currently the Walgett Shire receives \$113,914.00 for every Aboriginal person in the Shire from the Commonwealth Grants Commission. At the moment this money is put into a general pool that funds Shire services. In the future the CWP could isolate this money and make sure it is used to deliver outcomes directly for Aboriginal people.

Some were skeptical of this. They found it hard to believe that government could change its plans according to the wishes of the Walgett Community Working Party. More likely, the trials seem to be another way of scrutinizing Aboriginal community organizations, which already have to jump through many hoops.

¹³ pages 1,2 Murdi Paaki Aboriginal Housing and Infrastructure Agreement implementation manual” 1996

It was decided that organizations would nominate their CWP delegates and public meetings of youth, elders and other interest groups would be facilitated so that they could nominate community delegates to the CWP. After delegates are nominated they will be put through an induction program. Codes of conduct and policies will be developed. Next meeting 29 October 2003".

After ATSIC had intervened to refresh Walgett's community working party in this way, it went downhill in the opinion of the DEG, which by then had been operating since 1999. After the COAG trial endorsed the Community Working Party ("CWP") as the new centre of governance for the Walgett Aboriginal community, it was stacked by two family groups who had formed an alliance. This faction had slowly built its power base by winning control of most local Aboriginal organizations, including two organizations run by a family member recently convicted for long-term child sexual abuse. They won their numbers by corruptly promising housing, police support and other benefits to their followers. They placed in the CWP Chair controllable men who craved the limelight. Those that opposed them in meetings would be intimidated by police (often appearing in uniform at meetings) and threats of violence from faction members.

Elders and other community members soon withdrew their involvement. They attempted to replace the second CWP when Dept of Education, Science and Training ("DEST") workers decided a refresh was in order, but by this time quorums could not be achieved at most meetings which were constantly disrupted by the faction's leader. During this period the DEG wrote to the federal government asking for assistance¹⁴ when the Chair was unable to control the meetings and a coup was undertaken under the unflinching eye of federal and state government workers who seemed to have no idea how to assist the situation. In this way the main faction retained control and continues to control poorly attended CWP meetings to this day.

Government employees attempted to use the CWP as a one-stop shop for consulting the Walgett Aboriginal community, but this strategy had to fail as it bypassed the grassroots leadership fora like the DEG. At no time did Government step in and help the community elect representatives in a transparent, democratic way, or assist when the CWP was going off the rails. Instead they stood by when meetings spiralled out of control, when rules and quorums were made up as they went along. It was a shambles! Despite the advice of the DEG, the Murdi Paaki COAG trial persisted in flogging a dead horse. The DEG now believes this demonstrates the lack of commitment of COAG to the trial in the Murdi Paaki region.

The main task of the COAG trial was to develop Action Plans from each community which was supposed to be implemented by the Regional Managers Co-ordination Group (RMCG). A consultant from Alice Springs was brought in to assist the Walgett community to develop its Plan. This was a motherhood document with no concrete plan. In the background DEST workers were developing action tables which were never sighted locally, or implemented to our knowledge. As far as we know, the only Shared Responsibility Agreement that benefited Walgett in any way was the Murdi Paaki Partnership Project which paid for Community Facilitator positions across the region and Aboriginal trainees who struggled to provide occasional secretariat support to the CWP. There was a long period of time when Walgett's Community Facilitator position was unfilled, and the community has never benefited from the successful employment of that position. We hold the NSW Premiers Dept and auspicier Walgett Shire Council responsible for the poor outcomes from this position in Walgett. This is another key reason why the Murdi Paaki COAG trial failed for Walgett - the Community Facilitator position did not facilitate understanding about the trial in the community, or facilitate the implementation of the Community Plan.

The role of the Community Working Party envisaged by Sam Jeffries was at no time fulfilled in Walgett. Local representatives were never elected in accountable ways as originally promised. No meeting rules/ codes of practice were agreed on in Walgett. Government never

¹⁴ "ATTACHMENT 2" is a letter of 26 July 2006 from the DEG to the Director of the Office of Indigenous Policy Co-ordination which was also sent to NSW Dept of Aboriginal Affairs, Sam Jeffries Chair of Murdi Paaki Assembly and NSW Premiers Dept Dubbo office

informed the CWP of the Aboriginal-designated funding to local agencies. It was always a constant battle to inform and educate local, state and federal agencies about the COAG agreement. When agencies and organisations did come to the CWP for consultation and advice they were met with little understanding by the community members present who were often locked in their repetitive struggles for dominance and understanding. The community members who ended up attending meetings barely understood the government-intended role for the CWP, or how the CWP could be used to benefit community development, and there was little attempt by government to rectify this situation. From time to time the DEG makes written requests to the CWP which are usually never replied to. **The failure of the COAG trial and the Facilitor's position in Walgett should be investigated and understood.**

The DEG has found less obstruction with the Walgett Interagency, and successfully works with it to develop ways to address our community's urgent needs. Through the Interagency subcommittees CDAT, Youth Subcommittee and Domestic Violence Subcommittee, we see progress.

- a. **Recommendation: That the failure of the COAG trial and Community Facilitators' position in Walgett be investigated and measures put in place so that attempts like these to improve the provision of service delivery to Aboriginal communities don't fail again.**
- b. **Recommendation: That NSW government keeps up-to-date with the changing leadership of Aboriginal communities and negotiates with this leadership how community information management and decision-making will occur in the future.**
- c. **Recommendation: that future community – government information sharing be conducted by skilled, supervised and accountable personnel according to performance measures negotiated with the community**
- d. **Recommendation: That future community-government information sharing be careful to include all community leaders, and be made invulnerable to disruption by troublemakers**