



Speech by

**Hon. K. LINGARD**

**MEMBER FOR BEAUDESERT**

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Hansard 11 November 1999

**COMMUNITY SERVICES LEGISLATION AMENDMENT BILL**

**Mr LINGARD** (Beaudesert—NPA) (3.09 p.m.): I am delighted to be able to rise in support of this legislation, which aims to improve the financial and other arrangements for Aboriginal and island councils. I had the delightful opportunity to live in these communities back in the 1970s when those councils—there were 31 at that time—were run by the Queensland Department of Community Services.

We must all recognise the changes that have occurred since the 1970s. At that time, each Aboriginal and Torres Strait island community elected a council. It was the role of the councils to maintain good law and order, and it was certainly the role of the on-site manager to look after the financial affairs. That is a very important point, because the councils themselves did not have to look after the financial affairs. The on-site managers had to carry out that role.

In 1982 we introduced the Land Act and the legislation for DOGIT, which I believe was one of the best intentioned pieces of legislation we have ever had. However, it obviously led indirectly to the Mabo case in relation to Murray Island and the criticisms about lack of ownership. At least with DOGIT we handed over all of that land to the councils. Those councils had the responsibility of making available the use of particular land to whomever in the community they wanted, but they could never sell it.

There was that unbelievable night in 1984 when the House started debating the first of the pieces of legislation relating to Aboriginal councils at 9 o'clock one night and finished at half past 8 the next morning. The second Bill went through in 20 minutes because the debate was gagged by the Government. We finished that particular sitting day at 10 to 9 in the morning. I well remember the Honourable Ron McLean bringing out the union rules and saying that at least he deserved breakfast. He led a walk-out. I also remember the Honourable Russ Hinze saying that he was required for track work. He reckoned that we had sat long enough.

Those pieces of legislation were very important. They provided for Aboriginal and island councils to be responsible for the supply of town and social services and for the provision of law and order on these Aboriginal and Islander reserve lands. This represented an increase in the financial and other responsibilities of the councils.

When people start to criticise Aboriginal and island councils for their lack of control of financial affairs, many do not realise the amount of control those councils have. They are far larger and have a much greater role in such affairs than do our own city councils. As the member for Callide outlined, functions that are not traditionally undertaken by local governments include community policing, housing construction and enterprises such as beer canteens. They are massive financial concerns. Each of these Aboriginal and island councils is responsible for not only running virtually a city council in relation to their financial affairs but also running those other programs.

On top of that, those councils have very limited facilities. I acknowledge the presence in the Chamber of officers of the Department of Families who have travelled through the Torres Strait islands with me, trying to improve their facilities. When we consider the amount of money from the State Government and also the Federal Government that those on Darnley Island had to administer, it is hard to believe that they were sitting in a shed with an iron roof that was completely rusted away so that water was coming down on to whatever computer equipment they had. Those people suffered from an

amazing lack of facilities. Yet we expected them to administer those financial concerns and deal with all of the personal problems that the member for Callide outlined.

They are people councils. When a person becomes chairman of one of these councils he has a responsibility to his council, but we do not realise the responsibility that he also has to his family. There is a family tradition to look after elders. These people look after their extended families. If an elder asks for a loan, which they are allowed to give, it is very hard for these people to say no. They have respected their elders for a long time.

I refer to fellows such as George Mye at Darnley Island, old Mr Lui, who died, recently and old Mr Nona. When they put demands on councils in those areas, they were very significant demands and very hard for the council to say no to. Unfortunately, simply because of those demands, many councils got themselves into difficulties. We also have to realise that these people live a very close relationship with the many factions on those islands. There are many factions, all making demands. There are demands from families which we in our European community do not understand.

I remember being a school principal on one of these communities and receiving massive amounts of money on the first day of school from all my kids. At 3 o'clock I wondered what I would do with this massive amount of money. If I were in the city, I would immediately go down to the bank or send my secretary to the bank, but there was no bank. There were no facilities for banking. They did not understand that. That was at Bamaga, which is probably one of the more advanced communities. What happens in that sort of situation? People put the money in their pockets or in a port. Two weeks later a banking person might come and the person with the money then has to try to vindicate himself in relation to where all of the money has come from.

There is a limited pool of experienced people in all of these communities. There is no career path for experienced people. If a community does find a person who is trained in accountancy or clerical work and that person does want to come back to the island, that person may stay for only two or three years. There is no career path for that person. If that person then goes on to a better job, there is absolutely no-one on the island to fill the gap. Whilst they might take a few months to train a person, it is in those few months that they get themselves into difficulties and develop massive problems. There is a complete absence of trained staff.

I have talked about the facilities. We were very fortunate to be able to build the magnificent administration centre on Yam Island. I hope that the one on Darnley Island is now completed and has been opened. I hope the one at Badu Island has been finished also. Unfortunately, they are the more significant islands. Islands such as Boigu, Saibai and Dauan are the ones that still have to overcome their financial difficulties and still have to run these massive financial concerns utilising very limited facilities. Yet we expect it and we criticise them when they do not come up with records that are spot on.

The main focus of this legislation is to facilitate improvements in the financial accountability of Aboriginal and island councils. When I became Minister I differed from the ALP in my attitude to what we called self-determination. I honestly believe that, while we said to these councils, "You have to have financial accountability and you are responsible for it", it was not correct of us to stand back and say, "We believe in self-determination. We will stand right back and let you do it. We will have no involvement whatsoever." Some people who talk about self-determination say that that is what has to happen. As far as I was concerned, these people did not see it as us imposing if we said to them, "I will send in a financial controller to assist you"—the most important word there is assist—"and when you do get yourself into trouble we will try to get you out of trouble before you get in too deep."

The departmental officers would well remember that at 11 o'clock one night on Horn Island I saw a little boat come in. It was the council of one of the islands which had got itself into deep trouble. They came to tell me that they believed they were in trouble. I said, "How much are you in trouble?", and they said that they could not account for something like \$190,000. They said, "We have got the records in our boat"—a little 12-foot boat. We had a talk about it and early that morning they went back to their island, with all the financial records of that island in their boat.

That island is as responsible for its affairs as is the Brisbane City Council. As I have tried to explain here, it is responsible for not only financial accountability but also for many, many other things. Fancy running a beer canteen and trying to be responsible for the money that goes through it! Fancy trying to run the police service on the island and being responsible for all of those things! At that particular time we said that we would appoint 12 financial people whom we would allow to go onto the islands and do the work.

Similarly, in relation to the financial controller, I was always concerned that, at a Federal level at Thursday Island, there was a financial controller and that the islands themselves had to be responsible to that financial controller. Many people in politics said, "That is not self-determination." Similarly, we would be able to criticise this Bill for not being self-determining for not appointing a financial controller. However, I still believe that it is more responsible for us, as a community and as controllers of

money—which is, after all, taxpayers' money—to appoint a financial controller who can sit on Thursday Island with his computers and control what is spent on the islands—control to the extent that they cannot spend it out of columns. And if \$100,000 is allocated to roads on Yam Island, they cannot spend \$100,000 on roads and another \$100,000 on, say, funeral services or housing; it has to be spent within the columns. And once they have finished that column, they cannot go into another column. Many of them got themselves into trouble because when they saw a gross amount in their accounts, there was no difficulty with taking out \$50,000 to build a basketball court. But when it was discovered that that \$50,000 came out of a housing account, they just put their hands up in the air.

So I see no difficulty in appointing a financial controller who can say, "No, you cannot spend that money out of that account, because there is no money left there." If \$100,000 is left in that account and they want to spend it on roads, that is okay, but they cannot spend \$120,000. That has always been the difficulty.

I am delighted to see what has been done with Mapoon. In the 1970s, we set up Old Mapoon—or Mapoon—at Bamaga. Bamaga was made up of five settlements, and Mapoon was one of those. Those people came from Weipa and the old settlement of Mapoon—Old Mapoon.

I disagree with the member for Mackay, because I believe, quite honestly, that we are going to be very, very careful when looking at Aboriginal communities in which a certain group of Aboriginal people go off and set up a settlement—and let us say it is a settlement outside Wujal Wujal, where there are some delightful beach settings—they set up a settlement of maybe 10 families and expect the Government to provide schools, shops and all sorts of infrastructure. Unfortunately, that is what has happened at Mapoon.

The problem in the old days was that those people who went in and had a look at the conditions at Mapoon were shocked by what they saw. And whilst they heard people say that they saw their homes burning—yes, they probably did; but they were probably straw huts. And I do not believe that all of that unbelievable infrastructure is fair to the kids who live in those communities. I am not going to fight the elders. If they want to camp beside the magnificent river where Mapoon is, that is okay. But I am concerned when they take kids down there and do not provide any infrastructure or education and then whinge and grumble because authorities come in and say, "You cannot live like this." We do not allow people to live like that. So somewhere along the line we are going to have to say, "Regardless of what you, as an adult, want to do, we are responsible for these children."

I support what has happened to Mapoon, because many of the Old Mapoon people and the Cowal Creek people have set up a community of a couple of hundred people, and now the Government has provided educational facilities and hospital facilities. And now that those facilities and the infrastructure are in place, there is no doubt in my mind that that community will continue to survive. But we must be very careful about how many of those types of communities are set up, and how the Aboriginal people take five or six families down there and then say, "The Government must provide for us." So I support what has happened in Old Mapoon. I believe that is excellent.

Comments were made about Tamwoy town. John Abednego is an excellent person. He has done a fantastic job since he has been in charge of Tamwoy. Those people who have lived on Thursday Island would know that Tamwoy was the old name of the northern area. Now it has become TRAWQ, which represents the names of Tamwoy, Rosehill, Aplin, Waiben and Quarantine.

I will give the member for Nerang his due. When he was Minister for Public Works, he allocated a massive amount of money for infrastructure on Thursday Island. Anyone who stands now on Horn Island and looks at Thursday Island sees a brand-new hospital on the left-hand side—on the western side as one looks at it. It has brand-new child-care facilities, brand-new courthouse facilities and other brand-new facilities right along the beach. Massive improvements have been made on the southern side of Thursday Island.

On the northern side of the island, the town of Aplin was removed, and people were put in demountable homes in Quarantine until Aplin was refurbished. All of those five suburbs are being completely renovated and completely refurbished. I know that John Abednego is very thankful for what we did, but it was not before time. I also believe that he now has a fantastic new hall on the northern side of the island.

One other thing I congratulate John Abednego on is his CDP program. Of all the CDP programs that I saw as I travelled around the communities, the one at Tamwoy town was the most excellent as far as economic viability is concerned. John set up a lawnmowing service, and they were going around the community and people were paying for the services that they provided. So of all the CDP programs that I saw, I believe that Tamwoy town's—or John Abednego's—was the best of the lot.

I am concerned about educational standards on the islands. I have been contacted by Getano Lui about Yam Island. He says that a report on the education of the Torres Strait island people shows that their literacy standards are very low. That is a concern. I believe it is something that we must

consider. The difficulty with all of those community schools is that they have very little peer group pressure.

One of the excellent things about our own education system, especially the private school system, is that kids are mixing with other kids who have high achievement attitudes. Kids tend to follow their peer groups; and when they see other kids achieving highly, they want to achieve highly. The difficulty in the Torres Strait islands is that there is very little peer group pressure. Whilst the education might be excellent and the teachers might be excellent, I am afraid that some of their standards are not high. Within the education system, we have to look at the education programs on those islands.

The other programs I wish to emphasise are those out-station concepts in the islands. I am sick and tired of seeing young kids from Aurukun who see other kids come down to the prison system in south-east Queensland; and when those kids go back with new clothes, having been fed well, they are regarded as gods by those kids who have remained in areas such as Aurukun. So those kids who have not gone anywhere regard it as an achievement to misbehave and come down to these prison systems. Somehow or other we have to formulate youth programs whereby we develop out-stations up there in which those kids are disciplined by their own elders. That is why I am disappointed to see the "Old Man" Guest area outside Cairns being disbanded. I know that there was criticism about it. In any institution like that, there will always be criticism. However, he was doing an excellent job for the kids of Cape York.

If that program is being disbanded, then the Government has to be responsible for putting in place another program whereby those young kids can be disciplined by the elders, taught by the elders, ridiculed by the elders and mocked by the elders so that they are shamed into behaving themselves. We do not want to bring every child who misbehaves in those communities down to a discipline centre here in Brisbane, have them here for a year and then send them back like gods, because all the other kids will want to get out, as well. I believe that is doomed for failure. If the Government continues to cancel programs like Piabun near Kingaroy and Geoff Guest at Cairns, there will be no good programs for those young people who have obviously gone astray.

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