



Speech by


**Ian Rickuss**

**MEMBER FOR LOCKYER**

Hansard Thursday, 15 November 2012

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## **ABORIGINAL AND TORRES STRAIT ISLANDER LAND HOLDING BILL**

 **Mr RICKUSS** (Lockyer—LNP) (5.47 pm): I rise to make a contribution to the debate on the Aboriginal and Torres Strait Islander Land Holding Bill. I was astounded by the theatrics that have just gone on here and the delays in the debate on this bill. This is a progressive bill that we are debating, and I congratulate the minister on bringing it forward.

The strange part about the theatrics that have just gone on is that when those opposite were in government they were working on a very similar bill. As I have said before, perpetually procrastinating politicians is what we have residing on the other side of the House. That is why nothing got done.

**A government member** interjected.

**Mr RICKUSS:** That is right. I thank the committee staff who worked extremely hard on this bill. The time lines were fairly tight. I thank the CLA for that. They have done a wonderful job of giving us tight time lines. They have excelled at that.

I congratulate the committee staff who have worked exceptionally well. We went to Cairns and took submissions. We went to the Torres Strait and took submissions. We took submissions in Brisbane as well. The committee recommended that the Aboriginal and Torres Strait Islander Land Holding Bill be passed. That is an important part of this process—that is, that this bill does get passed.

It is really important that we actually give these communities the right to get some surveyed land blocks and freehold land so they can move forward. It is about giving the councils the right to manage infrastructure appropriately. It is about moving these communities forward. I congratulate the minister for that. He has worked hard to make sure that these communities are going to move forward and develop.

The committee worked extremely hard at its meetings in Cairns, the Torres Strait and Brisbane. As much as people might think it was lovely to go up to Cairns—and it was quite a nice trip—it was a lot of work and it meant a lot of travel. I do not know whether people actually realise, but once you get to Cairns it is a two hour flight to the Torres Strait. It is a long way. Queensland is a very big place. It takes two hours more from Cairns in planes and ferries.

I thank the minister for the discussion paper he tabled today, titled *Providing freehold title in Aboriginal and Torres Strait Islander communities*. He has put forward a very relevant document about getting freehold title moving forward, and that is what this bill is about.

In relation to the committee's recommendations, I am glad to say that I think the committee system is working really well in this government. It is starting to work really well. The ministers and the bureaucrats are taking notice of the recommendations being put forward by the committees. A perfect example of this is that nearly all of our recommendations have been taken notice of and taken on board. For example, the government notes the recommendation of the committee in relation to setting time frames for parliamentary reports on bills when they involve consultation with Aboriginal and Torres Strait Island communities. That was about the difficulties of communicating with those communities because they are

so far away and so isolated. The government is to be congratulated for taking note of that recommendation.

The government response states that the Minister for Natural Resources and Mines will consult with the Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs on providing consultation materials in other languages. In a lot of the communities in the north English is actually their second language. Creole is the main language for a lot of the Torres Strait Islands and there are some Indigenous languages as well. If we can improve the consultation process through better communication, that is what we want to do. That is what this government is about. It is about making things better for Indigenous communities, not just sitting there and procrastinating. It is about making things better.

The government supports the recommendation that the minister provide the parliament with an interim report on the operation and effectiveness of the act after three years from the date of commencement. That will be the responsibility of the next government. In three years time from the commencement of this legislation, that will be the next government's duty. I am glad that the minister has accepted that recommendation so the next government will have a look at this. There was a five-year time frame in the legislation but a three-year time frame for an interim report to be provided to parliament will be a good check to see that things are going well and to make sure that things are starting to progress and move forward, because that is what we want. Unfortunately, for 27 years or so things have not progressed that well. Unfortunately, governments with the best of intentions quite often do get led astray. So I am glad that that recommendation is accepted.

The next recommendation was in relation to taking into account traditional Indigenous law and custom in determining the owner of a lease when the original applicant is deceased. I did see the Attorney-General in here before; I hope he does look at the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984 to provide for the ability for traditional laws to be used in relation to wills and how land is handed down from family member to family member. A lot of people in our community do not have wills and it is even a higher percentage for people in the Torres Strait communities. So that will be looked at.

The committee also recommended that the bill be amended to change the name of 'Community Reference Panel' to more accurately capture the composition of the panel. Unfortunately, the name 'Community Reference Panel' did not recognise what we were talking about in the bill. People from the community felt they were missing out on something when in fact those panels were only about people who actually had DOGIT leases. I note that the minister has said that he is more than happy to take that recommendation on board and the name will be changed to the 'Landholding Act Stakeholder Reference Panel'. So congratulations, Minister. I think that name will clarify the situation. That really is important.

The government has also agreed with the recommendation that the minister provide a report to parliament in relation to the number of hardship certificates within one year of the bill commencing. It is important that we hear about the hardship certificates and to see what is going on. I really do want to congratulate the minister for taking a lot of these difficult issues on board. I also congratulate the bureaucrats who have accepted a lot of these difficult issues, because that is what this bill is all about.

There were two statements of reservations: one from the member for South Brisbane and one from the member for Dalrymple. In the statement of reservation from the member for South Brisbane there was talk about the Racial Discrimination Act. That is actually a federal act. I am sure the member realises that we do not actually give legal advice to the federal government; the Racial Discrimination Act is a federal act.

There was also talk about the need for more consultation with the communities. There was talk about certain groups writing in saying that they will offer consultation. With consultation costing \$30,000 per meeting, that is the sort of misappropriation almost of funds that is not needed. The community was advised. The councils were advised. Let us not treat these people disrespectfully. They understand these issues. I note that the member for South Brisbane was critical before about the fact that it was a cultural day. Is the member for South Brisbane trying to say that the Indigenous community in the Torres Strait cannot actually understand two issues at once?

**Ms TRAD:** Mr Deputy Speaker, I rise to a point of order.

**Mr DEPUTY SPEAKER** (Mr Ruthenberg): What is your point of order?

**Ms TRAD:** He is misrepresenting what I said. I was not critical of the fact that it was a cultural day. I was not critical of the fact that a cultural day was—

**Mr DEPUTY SPEAKER:** Are you taking offence?

**Ms TRAD:** I am taking offence.

**Mr DEPUTY SPEAKER:** Member for Lockyer, it would be helpful if you would withdraw.

**Mr RICKUSS:** I will withdraw. I will withdraw the fact that was a cultural day. The day we were there was actually a cultural day in the Torres Strait. I talked to Mayor Pedro Stephen and several other councillors. I do not know whether I talked to Mayor Fred; I do not think he was there. I did talk to Mayor Pedro. I am sure that he is quite capable of taking in more than one issue at once, whether it be the cultural aspects of the meetings that were being held that day or our committee meeting. There was conflicting advice about whether it would be a good day to have our committee meeting, but most of the islands had come to Thursday Island to meet on that day. I did not see a lot of cultural activities happening in the morning when we had our committee meeting. Unfortunately some of the councils decided not to attend for their own reasons. I do not know what those reasons were.

I think providing direct mail to every registered voter in the Torres Strait was definitely good consultation. We also took out ads in the papers. I think I was on radio three times. So there was definitely a real effort made to consult, and that is what we did. We consulted widely. We had good results and it had a good effect. I honestly believe that this bill should be supported. It really is going to take the communities further forward. This is the first tranche of a number of bills that will improve this situation. I have spoken to Minister Elmes about supplying some funding for the survey work. I have spoken to Minister Cripps about supplying some funding for the survey work. From what we can see, that is going to happen. All I can say is congratulations to the minister for moving forward with this landholding bill. It will definitely progress the communities.