

ABORIGINAL CORPORATIONS — GOVERNANCE

**123. Hon ROBIN SCOTT to the parliamentary secretary representing the Attorney General:**

I refer to recent reports that Swinburne University of Technology in Melbourne was paid almost \$345 000 to provide governance training to the Marra Worra Worra Aboriginal Corporation—the corporation recently found to be without a valid board and unable to account for more than \$28 million in spending. This is on top of the allegations of corruption in another Aboriginal group, the Kimberley Land Council, which recently appointed a barrister to carry out an internal investigation.

- (1) Does the Attorney General trust the internal investigation of the Kimberley Land Council or does he intend to carry out an investigation of the Kimberley Land Council himself?
- (2) What is the McGowan government doing to tackle corruption in Aboriginal corporations?
- (3) What is the government's response to allegations that its track record on tackling corruption in Aboriginal corporations is pathetic?

**The PRESIDENT:** I am going to give the call to the Parliamentary Secretary to the Attorney General, but I will mention that I think the first part of question, or other parts of it, might impinge on the standing orders in relation to seeking an opinion. Parliamentary secretary, I am not sure what response you have.

**Hon MATTHEW SWINBOURN replied:**

I have a response here, Madam President, so I shall give it to the member. I might point out that in his question he spelt “Swinburne” incorrectly to begin with. That is okay; it is a personal thing for me about how “Swinbourn” is spelt, so I encourage people to get it correct!

I thank the member for some notice of the question and I provide the following answer on behalf of the Attorney General.

- (1)–(3) The Attorney General's role in relation to Aboriginal corporations extends only to charitable trusts. The Attorney General is the guardian of the public interest in the enforcement of charities. The role includes a duty to protect property the subject of a charitable trust, or property held for charitable purposes, and to ensure that the trust or charitable purpose is enforced.

The role does not extend to the regulation of corporations formed under the commonwealth Corporations (Aboriginal and Torres Strait Islander) Act 2006. CATSI act corporations, including the Marra Worra Worra Aboriginal Corporation, are regulated by the Office of the Registrar of Indigenous Corporations, a federal body. Charitable trusts are not corporations, and not all Aboriginal corporations have charitable trusts. The Attorney General remains committed to reforming the Charitable Trusts Act 1962, and work is being progressed to achieve that end.