SELECT COMMITTEE ON THE RESERVES (RESERVE 43131) BILL 2003

TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
ON THURSDAY, 11 DECEMBER 2003

SESSION 2

Members

Hon Peter Foss (Chairman)
Hon Robin Chapple
Hon Jon Ford
Hon Louise Pratt
Hon Derrick Tomlinson

JEFFERY, MRS MARGARET

Secretary and Office Manager,

Swan Valley Nyungah Community,

examined:

DAVIES, MS SHARON

Researcher, Assistant to Land and Culture Worker,

examined:

The CHAIRMAN: On behalf of the committee I would like to welcome you to the meeting. To begin with, would you please state the capacity in which you appear before the committee?

Mrs Jeffery: I am the secretary and office manager for the Swan Valley Nyungah Community. I have been working for the community since 1977 or 1978 on a voluntary basis, and then I was employed by the community in 1995 - I mean paid employment then.

Ms Davies: I am a volunteer worker at the community.

The CHAIRMAN: You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

The Witnesses: Yes.

The CHAIRMAN: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing, for the record. Please be aware of the microphone and try to talk into it, and please try to speak in turn rather than over each other. I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such as the transcript of your public evidence is finalised, the transcript should not be made public. Now, would you like to make a statement?

Mrs Jeffery: Yes, okay. I would just like to first make about five points, but in no way do I speak for Nyoongahs. I am not. I mean, I am trying to give my evidence as I see things, but it is not speaking for Nyoongahs. I just want to make that clear. I suppose the first point I would like to make is that I think the media and the Government committed an extreme, gross wrong to the community. I think it has been absolutely shattering, the things said about people in the community. I do not know how there is ever going to be any justice for that. I think a sort of a poison has spread in the community, and it makes it very hard for people. Going around, they get looked at askance - whatever. It is damaging to all Aboriginal people, not just the Swan Valley community, and lots of Nyoongah elders and Nyoongah people and other Aboriginal people have said that to me, especially men, I think. I think it has been men who have said that to me - a lot of Nyoongah men. I think the grossest wrong, of course, is taking the land from them, but, based on this, I would love to know some way how that can be righted.

[8.10 pm]

The second point is that I think there is a basic failure in the white society to understand the sort of centrality of Nyoongah law and custom and sacred beliefs. The nearest parallel that I can see is

perhaps the Buddhist monks and nuns in Thailand. People do not at all understand how absolutely in the middle of their whole experience of life are their cultural beliefs. A very good example of this was when Justice Beaumont from the Federal Court was here doing hearings for the native title claim. Anyone who reads those transcripts would be quite amazed - the other white fellas who were there were quite amazed - because people were telling everything because it was for their land. I knew a lot of people who were witnesses and I had never heard them talk so openly about their spirituality and the depth of their attachment to the land, their culture and their beliefs. It led me to think that 50 per cent of Nyoongahs' reality is about that. It is not about the things that white fellas are on about. Unless there is an appreciation of that, people will never be able to assist and work together. The other thing that needs to be said is that I have heard Nyoongahs say countless times that they want to share it with us. They are not saying it is just for Nyoongahs. They want to share it and they want white fellas to learn and understand, and there is so little of that. There is tokenism about that. People think culture is only paintings on walls or people doing dances in schools. That is not what it is about. That is just the fringes of it.

The third point I want to make concerns this specific issue. From reading some of the evidence and the Gordon inquiry report in particular, I think that government services are totally failing. They are not going anywhere. When I first came onto the scene in the late 1970s, there were more real government services than there are at the moment. It seems to me that a lot of the assistance they expect to give people is by handing out leaflets or pamphlets or attending this or that workshop. I repeat what Mr Bropho has already said in that people have to be able to listen and understand and read between the lines if they really want things to change.

I forgot to mention one document that is particularly about social workers. If you are interested in this document, it is a paper from native American people in Canada and about social workers. It explains in a much better way than I can how there must be a sort of recognition of another culture and not this continuation of trying to impose assimilationist and dominant ideas.

The CHAIRMAN: Can we receive that document?

Mrs Jeffery: Yes. The consequence of government services failing is that it is causing huge amounts of suffering in the community. I will just quote, if I might and with respect, the late Clarrie Isaacs' three questions that I happened to find in a document he had written, I think back in 1997. I happened to come across it a few days after he passed away. He said that the three questions he asks people are: have you ever met an Aboriginal person? Have you been in an Aboriginal person's house or dwelling? Have you had Aboriginal people in your house? They are very important questions that everyone, especially people in government departments, need to consider.

The fourth general point I want to make is that I think the Swan Valley Nyungah Community showed that self-determination and self-management worked with absolutely minimal assistance. Last year the total budget for the Swan Valley Nyungah Community was $92 000, which included employing three people and doing lots of other things such as paying rates and water rates etc. The community never wanted to impose hardship on its people. The community as a whole would not kick out people if a window was broken or if they did not pay their share of what was called the community housing payment. They were not out to exacerbate the problems. Often they would say - especially the late Mrs Edna Bropho - that they wanted to give an example of how the Government should deal with Aboriginal people. Certainly, up until recent years, even ATSIC thought that it was a great community. The whole environmental health and housing project was totally run by the community interviewing and employing its own architect and construction manager after a big battle at the beginning to keep out Homeswest from dominating it and trying to make it like a little white mini-suburb with kerbs and subdividing it into squares and whatever - it had no concern whatever for the spiritual and cultural values. That was the aim of the community. Perhaps, I should say, quite a lot of this was enunciated very well by Robert's late son, Louis John

Nettle. He was the driving force behind what is now called the Louis John Nettle Sun and Wind Electricity supply - having an alternative energy source. Mike Ipkendanz, our architect, listened seriously to what Louis and the community said and tried to find ways and approached CASE - the International Centre for the Application of Solar Energy - and that is how that arose. That is just one little example. Louis had very good ideas. He got on to ATSIC with the idea of trying to get funding. He said to me once in a very cynical way, "ATSIC only gave us the money because it had to because there was nobody else who qualified for housing funding." So there was no willingness there. The latest proposal of ATSIC was to cut down the community's funding after the State Government had already made its decision - we knew not at that stage - on 6 May. It told us that it wanted to cut down the funding to $60 000 from $92 000. This was the meeting where Gordon Cole produced the letter where he said that ATSIC were opposed to the closing down of the four communities, but it also had all sorts of terms such as other people taking over management and Nyoongah Mia-Mia, which ATSIC thinks is a great idea but to me it is not in the least culturally appropriate.

[8.20 pm]

The last general point I would like to make is that there has been a huge amount of suffering for the community since their land and their home was taken from them. I will not go into all the details but I will give two examples. One was that Denise Sambo, one of the older women at the community, said to me that the children she has, who are scattered down near Casuarina, are going to a local school after going to Culunga Aboriginal School for so long. She said they are like zoo animals standing in the paddock. She described that little group of five children having kids pointing and staring at them. She said there are no other Nyungah kids in the school.

The CHAIRMAN: Do all the children who were previously at the Swan Valley Nyungah Community attend other schools, or is it most of them?

Mrs Jeffery: That is another issue. They are all enrolled in other schools but quite a number of families are now having problems, especially with teenage children because they are encountering racism.

The CHAIRMAN: Even then, changing schools is not always a good idea for children even if they do not strike racism.

Mrs Jeffery: No; exactly.

The CHAIRMAN: I take it they are no longer at special Aboriginal schools.

Mrs Jeffery: No; none of them. One 17-year-old girl who was still going to Culunga school is now not going to school. She was going there because she was still learning and benefiting. Children who had been at other schools were really settling down and loving school at Culunga. As I think you said to Mr Bropho, there were no problems with attendance.

The CHAIRMAN: Apart from two teenagers.

Mrs Jeffery: Most kids who had not been literate were becoming literate, especially when we let kids use computers, before Carpenter took the community school from the community.

Those are the basic general points I wanted to make. While we are talking about taking away the school, you would have the documents here but not in our submission - we have included it in those documents - from Sophie Davidson, who worked for the community and was coordinating activities in the community school. Included in those documents are some letters, one from the Education Department and one from Mr Carpenter, in which they are very encouraging. Carpenter says something like, "Well, it's really good that you are running a community educational program for the kids. You should approach so and so in the department and he should give you assistance." I think that was a year or less than a year before he took the school building away. I do not know

whether you will notice that in Sophie Davidson's submission. She sent us a copy several weeks ago. We included those documents only with these additional ones.

The CHAIRMAN: Do you have an opening statement Ms Davies?

Ms Davies: I think the Reserves Bill is very honest. It reflects the attitude towards indigenous peoples. It denies natural justice and procedural fairness. It put in writing what has been in practice for the past 200 years. Do we want to move on from the 1905 Act and all the other Acts, and the paternalistic and social Darwinist theories still being applied to indigenous people, rendering them invisible and voiceless? The only time they are heard is when they raise a voice in anger because they know they are never heard and then they are quite surprised when someone feels intimidated. I notice that word was used a lot in the evidence. I find it ironic that so many people are intimidated by Aboriginal people. I thought that those people were intimidated easily. I am getting really fed up. The Bill is honest but it is dead wrong. It is a total denial of justice, but, so, what is new? I have not seen any. I have been working in the community for two years now and I have seen a flow at the community. Everyone just starts to get on their feet and - bang - something happens again to knock them down. That went on for the two years I was there. Those people are the most resilient, forgiving and patient people and the strongest people I have ever met in my life among indigenous peoples around the world, outside of my own people on my reservation in Oklahoma. They are people; they are human beings. They are not goldfish in a bowl that we stick with pins to see how they react and then stop for a moment when they might forget and then stick them with a pin again. This is how I see those people being treated. Quite frankly, on the day of the "audit", which was nothing but a raid, I broke down and cried, and I never cry in public. I was reminded of rounding up Jews for Auschwitz. I was reminded of a cattle yard. I saw people standing in shock. I think Robert underplayed the situation. We had no warning of that. I was in the office that day. The police who came, came to warn us and said we had about 15 minutes. I believe Robert was in the shower at the time and they asked me to go and get him. He had a very important land meeting to go to but that did not matter, I had to go and get him. I got him and then asked the police what it was about. They did not know. One of the police officers nudged the other and said, "I just won $500." When I asked him what he meant, he said the Press showed up and they said that they would not, but he knew they would. They had telephoto lenses and the rest of their equipment. Robert asked whether we should all strip naked, and afterwards I wished we had and put up our hands so that we could show what was really going on there. The people were living in a fish bowl; they had no privacy. They never have any privacy. Every time some wetjala gets a bright idea, everybody must run to his tune. This is how it is; it is typical of the day-to-day living at that or any Aboriginal community or for any Aboriginal person on the street. Now those people have nowhere to go. They are traumatised. There is illness. All sorts of things are going on. I am watching people go backwards again.

I was amazed at the health and the joy at that community when I first went there. Once again, we wonder why people get suspicious and mistrustful. How would you feel? I see where Floreat had a bad childhood report. Are we going to close down the community of Floreat and tell everybody to move out with no guarantee of housing - nobody guaranteeing where people could go; just move on because they are all paedophiles or all this or all that? That is all I want to say.

These are human beings suffering human consequences from what has happened. Those people have lived in a self-determined way, with very little help. Very rarely did a welfare officer go there - I never saw one turned away - someone attended only three or four times. We used to beg for help. We would spend days begging for help but never got it. There were no services. There was no money. They were working on the smell of an oily rag. The reason I volunteered for a couple of lousy days a week was because the paperwork was almost up to the roof. There were duplications, bureaucracy and the rest of it expected from equipment with the sophistication of a Mackintosh computer out of date 20 years ago, I think. There was no facility, yet those people were expected to work as the nerve centre for land and culture, the Rottnest Island Death Group, the Nyungah Circle

of Elders, the Combined Native Title Claimants and many other claims from elders in other areas. They worked very hard to make sure the elders combined for land and native title claims. It was a nerve centre which also housed an archive described as the greatest living indigenous archive in Western Australia by the National Library. Where is it now? It is spread all over the place. We have done our best to put it in a small storage area. It is beautiful. The Museum borrowed some of the things to use for displays. You congratulated them on their submission. Can you imagine what it was like putting a submission together with files all over Hell's half acre after we had been moved out? We are still trying to get some organisation into it and to organise land consultations and native title and Federal Court hearings from Margaret's living room with files all over town and trying to pull them together and get some organisation out of this, while still helping people daily who have nowhere to go. They might get thrown out by the police. They have even closed Tuohy Gardens, a gathering place in Midland for indigenous people.

[8.30 pm]

Gallop or someone in this Government has got two ideas now, which are assimilation and move them out of the Perth area. They do not want indigenous faces in the Perth area. I have been having experience of this. That is their land; that is where they are from. Dog Swamp - does anybody know where Dog Swamp is?

Hon DERRICK TOMLINSON: Yes.

Ms Davies: Northbridge - a traditional gathering place for Aboriginal people. They cannot go there -

Mrs Jeffery: Dog Soak.

Ms Davies: Dog Soak; I am sorry, excuse me.

Hon DERRICK TOMLINSON: I believe Dog Swamp has significance.

Ms Davies: It does, of course, but Northbridge especially at the moment has particular significance because a black face should not be seen in Northbridge, it is not good for business. My goodness! The people have a few acres of land left of all the land from the Swan River and the Swan coastal plains that belong to them and they belong to. A few acres! What happened? They get kicked off. I am very, very sad, very worried, very disgusted. I cannot understand how anyone could do this all on rumour and innuendo. Not one person - not one - checked those facts before they went ahead with this. It was a knee-jerk reaction. I contend it was done for a lot of reasons. Robert Bropho is a pain in the ass sometimes for Governments, and that is because he cannot be bought and he knows what is right. I am finding this incredible. We have a chance now to turn around. You are losing the greatest spiritual and cultural heritage you have got. The spirit will be gone and the land will be gone and the rivers will be dead. What will you have left? Things. Thank you.

The CHAIRMAN: There is one area with which we are having a few problems concerning a conflict of account, which is the state of the housing at the time the people of the community left. We had a description from the administrator that described a very poorly kept and maintained area. We had other people who suggested it was, relatively speaking, good enough. Can you tell us what was the situation at the time the area was vacated by the people?

Mrs Jeffery: I suppose people had to leave in a hurry. For instance, people left furniture and put it in big piles out the front because there was no other option. They were able to take some of their personal things. There were things waiting to be removed. Basically what I should say is that Rob Baker was the ground maintenance worker; he had also worked on all houses. Iva Haywood-Jackson - no, he is not here now - was the land and culture worker and he supervised Rob's work. Given the fact that we had minimal funding, we had a whole program, for instance, to replace what we called window winders. It was not a very good way that the windows were fixed. That was gradually going through all houses. We had a lot of the doors replaced because the original doors were not solid.

The CHAIRMAN: Not solid core.

Mrs Jeffery: Some of them had cardboard doors. Given the fact that every house had to cope with huge numbers of people - not all the time, but sometimes - you really had to have everything strong and heavy duty. We had gone through all that thing of getting doors replaced. I was quite amazed when I read what Barry Jameson said because I do not think the doors need replacing. I do not know whether he is going from a very luxurious type of accommodation himself in his estimation but, compared to other Aboriginal communities that I have been to all over WA, I thought the standard of the houses was really good. The point is that they worked. They were cool in summer and warm in winter with easily cleaned floors. They could cope with the social life of quite a lot of people gathering in one place; unexpected people coming to stay for a night, a week or a month or whatever. I think they were very healthy houses as well. I think the administrator - I do not know what he was actually looking at - was not looking at the things that affect the way people live and their health. Given the fact that the community called the project the environmental, health and housing project, everyone's health improved. The local doctors once wrote us a letter saying how the health of children and everyone had improved in their estimation from when people were still living in the terrible Third World mining cabins. Even dog health improved hugely; the dogs were very fit and healthy. Children's health; far fewer hospital admissions; families staying together; people getting their children back; people able to deal with medical emergencies; people always able to have power so they could keep their medicines in fridges. This was one of Louis Nettle's big concerns because nearly all Aboriginal people living out in the white suburbs, at some stage, their power gets cut off.

The CHAIRMAN: Because they do not pay their bills?

Mrs Jeffery: Yes, and often because most Nyoongah will not turn away their relations who are homeless. So, all that adds to people's bills and so on. Everyone is in poverty. There is no section of the white society where everyone is in poverty.

The CHAIRMAN: No-one to borrow money off.

Mrs Jeffery: Yes. Most people have someone who can help them out at some stage. Those sorts of things, such as being able to keep medicines and keep milk, meat, vegetables fresh - whatever - because power was not going to go off because of the system - Louis John Nettle and the wind power - the fact that people were secure and knew they would not be pushed out. They did not have that anxiety hanging over them. I do not believe the administrator was looking at the right things.

The CHAIRMAN: Let us look at some of the things he did look at. He mentioned that the kitchen areas need replacing.

Mrs Jeffery: Well, from the beginning we had a fairly inadequate oven in most houses. They broke down for everyone. Almost every house had an oven that did not work properly. Some of the cupboard doors in the kitchen area had come off. I think it was chipboard and the hinges pull out of chipboard, especially when there is water around.

The CHAIRMAN: It happened in my house!

Mrs Jeffery: The community had the long-term view. Replacing the window winders was to improve air circulation. It was much easier to open and shut the windows. That became a priority. Another priority was pest control. Imagine paying for pest control for 13 houses. It was totally beyond the community's capacity. They had to treat the houses for white ants as they appeared in particular houses. Certainly some of the cupboards in one house had been eaten by white ants.

The CHAIRMAN: Can you give me some assistance on school attendance because it was a very remarkable statistic as far as we were concerned: the fact that there was such a high school attendance, particularly for Aboriginal children apart from two constantly truant teenagers. The rest of the children had a school attendance record that was quite admirable. How did you succeed with that when it has not been the experience with Aboriginal people in many other places?

Mrs Jeffery: I suppose, as Robert has explained, it was an Aboriginal school and it was their school.

The CHAIRMAN: Even Culunga says that your children were far better attendees than everybody else; yours stood out at Culunga.
[8.40 pm]

Mrs Jeffery: The parents would encourage the kids to go to school. I do not think kids were forced to go to school. They loved their school. It was their school.

Ms Davies: I have a theory about it if it is any help.

The CHAIRMAN: It would be helpful. It has not been explained to us why you were able to succeed when others could not.

Ms Davies: It was a healthy and secure community. Because of the health and security of the community, it was a strong and supportive community. They felt comfortable sending the children to school. For starters, the children were healthy. There is a lot of absenteeism in schools because the kids are not well. The children were basically healthy and secure. I could see that when I was there. The parents would make a huge effort to make sure that they got to school every day. I think they were healthy basically and they were secure.

The CHAIRMAN: Ms Davies, the committee has heard evidence that you were present while interviews were taking place, which was seen by some people as inappropriate. Can you speak about any of those instances?

Ms Davies: I was only present at one interview. I will not name the names. I think you have the names anyway. What happened was the DCD rang for this woman and she said that the child in question - something about Princess Margaret Hospital for Children or Swan District Hospital, so I took the message and gave it to her. She came back to us and said that she did not know what they were talking about. She said that they wanted to meet with her and the child. She practically begged me to go with them. The caseworkers were going to the community. She was puzzled and worried. You must remember that there is a history of the stolen generation. Always keep that in mind.

Mrs Jeffery: She was a child of the stolen generation.

Ms Davies: She got a call from the DCD about something and she did not understand what was going on. She is a bright woman. It did not make sense. I asked her whether she was sure she wanted me to attend, and she said that she definitely wanted me there. It was decided I would accompany her and the child. Two DCD workers came to the community. We always meet at the oval. There was no-one else around, just me, the two caseworkers, the child and the mother. They asked questions about an early release from the Swan District Hospital. The girl said she was not released early and she did not know what they were talking about. The caseworkers said that nobody came to see her when she was there. The mother said that she visited every evening for an hour. She had five other school-age children and could only visit her daughter for an hour in the evening. We were sitting there still wondering what was going on. The caseworkers said to the child that she was a big girl for such an age and she said she was not that age, but another age. The caseworkers said, "No, you are this age." They were looking at their clipboards. The child said that she ought to know whether she was such and such an age. The caseworkers looked at each other and the mother and I got the impression that they had the wrong kid. Not much more was said, and we went away.

The next day one of the caseworkers rang and said she would like to help the child in some way. She asked me how she could help her. I told her that she would have to ask the mother - I did not have any idea. I told the caseworker that the community could use some bikes. That was around Christmas, so I was trying to get bikes for the community. She told me to go to the Variety Club. I told her that I had been there and everywhere. I did get the bikes, but not with her help. I said that I

was trying to arrange summer holiday programs for the kids, which the parents had asked for. She faxed me through some things, which I gave to the parents. I also left a message and the mother rang back. I do not think anything else ever happened. That is one of the few occasions I ever saw a caseworker there. That was it.

Hon ROBIN CHAPPLE: We have heard a lot about bungeemen. Can you explain a little bit about what was going on? What were the fears or problems associated with that?

Mrs Jeffery: I will talk about the first bungeeman who made the strongest impression on me. One day Harvey Bropho came and said, "Quick Margaret, get in the car. Drive us over to Pyrton, next door." I had no idea why, but I was not a decision-maker. I jumped out, got him, his father and somebody else - I cannot remember who the other person was - and we drove to Pyrton. There was a chap there with a kombivan type thing and Harvey and Robert and whoever else went up to him and told him to go away and stop doing this to our kids. I did not know anything about it. I found out afterwards that they had seen him before with cans of spray trying to entice kids over from the Pyrton site. I think it was Harvey who had seen it happen, probably several days or weeks before. They recognised the vehicle. He had seen it all the way across from the community.

Hon ROBIN CHAPPLE: Was there somebody who was trying to sell or give or entice -

Mrs Jeffery: He was a bungeeman.

Hon ROBIN CHAPPLE: Does that mean somebody who -

Mrs Jeffery: Who wants to give the kids cans of spray in exchange for favours of one kind or another. It is very hard to know exactly to what extent.

Hon ROBIN CHAPPLE: Is that a general word that is used?

Mrs Jeffery: Russell Square is called bungee park. If you go to any park, I know now, through Nyungahs pointing out to me, that at almost any park bungeemen are looking for black women. I have seen it in Guildford Park. Once I was driving a car full of Aboriginal people and a chap came over from the pub. We were waiting at traffic lights, and he tried to proposition me. One of the men in the car punched him in the face and we drove off, because it was obvious. He thought I was Aboriginal because he could not see me as the driver, but he could see the Aboriginal people I was with. This guy said that he was from the ag department and was spraying for skeleton weed. I was brought up on a farm in the south west, and I knew what skeleton weed was. There was no skeleton weed there. He pointed to something that you could think was like it, but it was all completely dead anyway. While Robert and Harvey and whoever the other person was were arguing with this guy, I walked around this van. He had a bed laid out in the back with doonas, pillows and little curtains around it. He was one of the most organised bungeemen I have seen. In the material we have just given the committee are listed a number of incident reports, which we did not include in the submission because we forgot or something.

There were a number of instances of bungeemen coming to the gate. We called the police. In one particular incident, a fellow came along in a van. Robert's daughter Bella knew him from the Balga-Girrawheen area. The kids who first saw him there said there was a bungeeman at the gate. Somebody came rushing to the office and told me to ring the police. I asked what for. While I was dialling the number, they told me that a bungeeman was at the gate. Sergeant Clarysse had said that we should ring the police if that happened. The police came too late to get the bloke. I think he drove away and then came back. I have forgotten the details. He ended up getting a warning from the police if he was found there again. That is the strongest action I have ever seen taken against a bungeeman. A lady from the Anglican Church called Fay Clampett, was a great friend of the late Mrs Edna Bropho. Everyone knew about the bungeeman in Altone Road. The local deli owner in Eden Hill knew him. All the white and black locals knew about this fellow. Mrs Bropho asked Fay Clampett if she would make a complaint to the police, and she did. She is a JP. She said she would sign a search warrant. In the end I do not think he was ever charged. Nothing ever happened. The

police said that they would have to catch him in the act. At least the bungeeman who came to the gate got a warning. I did not ever hear that he came back again. It was constant. There was another incident where somebody came in - this was not a bungeeman but a man with fierce dogs on leashes. Somebody in the community told him to go, but people always had this threat from outside. People always had this outside threat and that was their area of safety.

[8.50 pm]

Hon ROBIN CHAPPLE: There has been an indication - you might want to answer this in private session - that there is a view that some people had it in for the community at one level or another. I turn to the chairman and ask whether that is okay.

The CHAIRMAN: Yes. You can name whomever you like. The only stricture I put on you is not to name children.

Mrs Jeffery: Right.

Hon ROBIN CHAPPLE: Have you any evidence or thoughts of anybody who was spreading malicious stories about the community?

Mrs Jeffery: I will try to answer that in two ways. The first thing was the members of the community heard through various other Nyungah women - elders - that they had all been invited to a meeting. This is back probably not very long after Susan Taylor's death. I am trying to remember the year. I heard from Nyungah women who were not members of the community that one of them walked out and came straight out to tell the community, and she said -

Hon ROBIN CHAPPLE: So, there had been a meeting?

Mrs Jeffery: There had been a meeting. I think there was a series of meetings. I believe Michel Poland was at those meetings, but I have no proof. I do not think people knew exactly who she was. I was told then that there was a definite campaign by a group of people to try to find a prominent Aboriginal person to lay charges against "because we have got to stop this violence against Aboriginal women" - that was how I was told it. Then another Aboriginal woman, an elder, told me the next time I saw her, probably a couple of weeks later, that she had had a big row with whomever else was there. She had gone there in good faith thinking it was a meeting that was going to be serious about things, and she said she thought it was just a sort of smear campaign and an attack on the Swan Valley community. So, those two elders are the only two that I know exactly.

The CHAIRMAN: Are you able to name the two women?

Mrs Jeffery: Yes. I suppose the other thing is that at the Susan Taylor inquest I read Michel Poland's statement to the inquest. I do not know if you have that or not. We did have a copy but I think it ended up with a solicitor - that was Greg McIntyre. When he read it, he said, "Oh, she's off the planet." When I read it I thought it was absolute nonsense and who would believe it. I could not imagine any rational person would believe that statement because it was all just full of innuendoes and suspicions and not facts, and some of the suspicions I knew to be incorrect anyway. I agreed with Greg McIntyre that she was off the planet when I heard her give her evidence. Later I heard that she had - I am not sure if it was her - women addressing other women's groups spreading this whole campaign of misinformation about the Swan Valley Nyungah Community.

Hon ROBIN CHAPPLE: Just on that point, you might be able to give us the names of the two women at some stage who spoke to you after that meeting.

Mrs Jeffery: Yes.

Hon ROBIN CHAPPLE: You may want to give us that in private.

Mrs Jeffery: I would rather, because one of them has passed away and I am not talking about it with the other one's permission. I would just like to say one other thing. I cannot remember whose

evidence it was or where it was said but someone was talking about Robert and saying that he was a leader and, secondly, that he was - what was the phrase now?

The CHAIRMAN: Prominent?

Mrs Jeffery: No, like he dominated or something like that. My experience is that he was a servant of the people. The best example - I am not raising this with you, Mr Chairman, because of your past role, but it is the best example - is Mrs Edna Bropho and Mrs Kathy Penny, who came back to the community. They had been at a meeting and they had heard there was going to be a proposal for a prison on the Pyrton land. She was not talking to me, she was talking to Robert and other community members, and she said, "Bobby, you've got to do something about this, Bobby." They were always her instructions. I saw that sort of thing happen and I see it happen now. He is there, he is the spokesperson. People do not understand that he is the spokesperson who does what the people want. I encountered this right at the beginning when I first came onto the scene and they were around the church in Guildford in tents. I would come over and start talking to people and people would direct me and say, "He speaks for us; go and speak to him." However, decisions are not made in my experience by any one person; they are sort of collective decisions. I would say that about everything, whether it is about sacred site issues or whether it is about what should be said to the Government or who should go into which house; they are sort of collective decisions and Robert is put in that position to carry them out. If you are interested in reading, there is a very interesting paper, which I do not have a copy of, by a woman anthropologist called Pat Baines, who is not now in WA. I think it was called "Will or Worth", in which she describes the Nyungah grandmother's role, the Nyungah women's role and the Nyungah men's role. She talks about the way the culture is passed on in this very tight little circle of grandmother, daughters and nieces, her daughters and children - boy and girl children - and that is where the culture is transmitted. Around the edge of this circle the men are there to take on what comes from that very tight sort of circle and pass it on and to deal with the white society. When I read it, it explained a lot of things that I had observed but I could not put together. That is how I think the -

Hon DERRICK TOMLINSON: I think the word you may have been searching for, Margaret, was oppressive and oppressor.

Mrs Jeffery: No, I think it was something about he ruled the community with an iron something. I have forgotten whether it was Mr Gallop or whether it was in evidence.

Hon DERRICK TOMLINSON: You would not regard him as an oppressor at all.

Mrs Jeffery: No.

Hon DERRICK TOMLINSON: Margaret, you have said that you had worked with the community since 1977.

Mrs Jeffery: 1978.

Hon DERRICK TOMLINSON: Could you tell the committee your academic qualifications and any particular expertise and training you may have had?

[9.00 pm]

Mrs Jeffery: I am a clinical psychologist by training. I worked in what was then the Department for Community Welfare, in the child abuse field, in what was then called the child life protection unit. I then went to England and I worked for what I think was called the Institute of Social Work in London, just doing research, really, with a woman whom I had met here called Jane Carter, who had been commissioned to do a big British survey. So I had that sort of experience. I basically decided not to continue working for the Government in the child life protection unit because I thought nobody really wanted to change in the basic way about child abuse issues. For instance, I had an experience - this is really off the subject - where a friend of my son was brutally beaten at a school, and I thought that was child abuse, but there was no way that the department then wanted to

deal with that at all. That attitude has changed since then. There were a few Aboriginal clients - not many - that came under the child life protection unit. The whole way of approaching Aboriginal issues and the way that people were not able to listen really shocked me, because one of the things that you learn as a clinical psychologist is how to listen, and how to listen well. I do not mean just to words. I mean to behaviour, actions and so on. I just saw this constant sort of misreading of people.

Hon DERRICK TOMLINSON: Am I right in assuming that you are a registered clinical psychologist?

Mrs Jeffery: I was. I am not now.

Hon DERRICK TOMLINSON: Do you have a degree?

Mrs Jeffery: A masters of psychology, and a BA.

Hon DERRICK TOMLINSON: You have said that you worked with the child life protection unit. Did you have any specialised training in the treatment or identification of children who had been abused?

Mrs Jeffery: Probably as I was working. I was supervised by a more experienced clinical psychologist. As part of my masters of psychology I had various sorts of training in working with children and parents in different ways.

Hon DERRICK TOMLINSON: With that professional background, knowledge and skill, if you were to apply that to the children at the Swan Valley Nyungah Community, would you be able to identify children who exhibited behaviours that indicated that they had been abused?

Mrs Jeffery: My job was not working with children at the community, but other than that, yes, I think I can see children who I think are at risk and children who have been abused - I suppose it is really observing behaviours.

Hon DERRICK TOMLINSON: While you are not now a practising clinical psychologist, in your judgment did any of the children in that community exhibit behaviours that indicated that they had been abused?

Mrs Jeffery: No, not to me at all. I saw children who were cared for, loved and protected. When I was working as a clinical psychologist, I used to say at case conferences sometimes that what this child needs is to have an Aboriginal foster parent - an Aboriginal grandmother - to help that child get trust and affection and caring again. I suppose then it was probably a very politically unacceptable thing to say. People would say, "Well, I agree with you in principle, but that will never happen." I had already seen a bit of the Nyungah grandmothers and their whole way of acceptance of the autonomy of the child and the lack of a power relationship compared with what happens in our culture.

Hon DERRICK TOMLINSON: Were there any of those Nyungah grandmothers who were able to give that sort of care to the children in the Swan Valley Nyungah camp?

Mrs Jeffery: I think Mrs Edna Bropho was a prime example.

Hon DERRICK TOMLINSON: Was she the only one?

Mrs Jeffery: No. There were other women who lived there. Yes, I saw that. I saw that all the time when I worked there. Aboriginal grandparents have this attitude of nurturing and respecting the child. I think there is a lot that our society can learn. Things have changed since the 1970s. I think that with young people in our society now there is a movement towards that less sort of dominant and powerful relationship over children.

Hon DERRICK TOMLINSON: But the claim that has been repeated so many times is that government agencies could not guarantee the protection of women and children at the camp. Your

opinion seems to be that the children did not need protection because they already had it within the community.

Mrs Jeffery: That is right, absolutely. I suppose I saw over the years, and especially since the land was returned back to them in 1994, this increase in their ability to care for their children and to protect them. I think that now children are much more at risk, because before they had communal support. If somebody started to appear impatient, the child would go and visit his cousins, or whatever, or go and play outside, whereas now they have had this nuclear family image or nuclear family pattern forced on them.

Hon DERRICK TOMLINSON: Just as an expansion of that, was it your experience that children, particularly adolescent children, who did not live in the community would come to the community for that sort of nurturing?

Mrs Jeffery: Yes, and for care. It was not just children, I would have to say. Anyone who came there for help, including white women and whitefellas, was given help. Because I am a middle class white person, it is much more difficult for me to have that in my own behaviour. People never turned away anyone who needed help. Sometimes I would think how are we going to help that person. Someone who was not even known to the community might come down for a funeral and say he needed petrol money to get home, and the community would find a way somehow to help him, even if he was not related, or whatever; or someone would say he had nowhere to sleep tonight, and a bed would always be found. People would give them a feed, or whatever. Once one of the young men was complaining that too much help was being given, and he was saying what about us, and I remember that Mrs Edna Bropho said, "That is what we are here for - to help people - so that people do not have to go through what we went through." That was like a central philosophy. Neville Watson helped the community to make a statutory declaration. Robert's mother was the prime mover in that. In that statutory declaration they said this is what we want in our constitution. It was about caring and looking after people, as well as other matters.

Hon DERRICK TOMLINSON: The other matter that is often talked about is substance abuse - petrol sniffing and solvent sniffing. How prevalent was that in the community?

[9.10 pm]

Mrs Jeffery: I will give you an example. At the recent inquest into Morgan Spratt, Paul Allardyce gave evidence. He was working at the community for about a month, helping us because the sewer pump that Homeswest had put in was totally inadequate right from the beginning and it used to continually get blocked and we would get these horrendous bills from people who came to pump it out. Paul looked at it and found the cause of it. He worked out a much better design for how it could be placed and found a much stronger sewer pump so that it would not get blocked. That was right up in the top north-west corner. In his evidence to the inquest he said that he would see kids sniffing there because they knew it was not tolerated by the families. It was not tolerated anywhere near the adults, but he said that Morgan and some other kids would go up there and sniff. They would sneak up with their cans. A few times I saw Robert and some of the women take cans off kids, and then they would be jumped on, driven over or something to squash them.

Hon DERRICK TOMLINSON: The people or the cans!

Mrs Jeffery: The cans, and put in the bin.

Hon DERRICK TOMLINSON: Your statement was that the adults did not tolerate it in the community.

Mrs Jeffery: Nobody approved it. It was very hard for people to know what to do. Sometimes kids - not necessarily from the community - would come to my house after hours and maybe in the evening. I said, "I'm not taking anyone if they've got a can." I would take them wherever they wanted to go, Midland, Balga or wherever, but not if they had a can. It was very hard. My very first encounter with glue sniffing - it was pretty terrifying to me - was when a boy came to my

place. I did not know what he was under the influence of. I think he was about 12. He broke anything made of glass he could see. My son's a real car person, so there were car bits, and quite a few old motorbike headlights and a few things got broken. He did not break house windows. Then he went out onto the road. I live on what was a dogleg bend - there is a roundabout there now - and he walked right out in front of the traffic. It was about five o'clock. People used to take a short cut through there. He walked right out in front of cars and he had his hands up like a priest or the pope and cars came to a screeching halt. It was amazing he was not knocked down. He just walked straight out in front of about three cars. It was terrible. I said to him after, "Tim, you nearly got killed then." He said, "No, I had the power to stop the engines of those cars." That is the first thing that made me start taking seriously what I had heard Nyoongahs say about this sniffing. There was another incident when I came back one Easter -

The CHAIRMAN: I think we need to hold it there. There is some evidence that we need and we are straying from it. Is Mr Bropho around? I will see what he is prepared to say in public about the incidents prior to Susan Taylor's death. If he is not prepared to, we will move into private session.

[Mr Bropho was recalled.]

The CHAIRMAN: Mr Bropho, I want to go back to something you said earlier on about incidents that happened with regard to Susan Taylor before her death. Do you want to give your evidence in private session or are you prepared to say anything in public session?

Mr Bropho: What is the difference?

The CHAIRMAN: If we do it in private session, the media and any other persons are excluded. If we do it in public session, everybody remains. If those incidents require the naming of other children, we should do it in private session. If it involves only adults, I have no problem with its being given in public session.

Mr Bropho: One of the persons would be 16 or maybe 17 - he is a juvenile.

The CHAIRMAN: If you are going to mention any names -

Mr Bropho: The other one is an old, old man.

The CHAIRMAN: You can mention the names of elderly people, but you are not allowed to mention the names of anyone under 18.

Mr Bropho: I will mention the old bloke here and now, because I said it in the Coroner's Court. It was Floyd Mairu who flogged Susan and raped her. This is what she told me and my deceased wife. Of course, both those people are deceased now and I said that in the court of law to Alastair Hope and this is what I said when Richard Bannerman was sitting there, shaking his head and making a mockery of me sitting in the chair and giving my evidence then and there. Of course, the other involved in the incidents is under age and it is a serious allegation.

The CHAIRMAN: We will not allow you to mention that in public. Is there anything else you would like to say before we go into private session?

Ms Davies: You asked about Jameson earlier and what we thought about why it was in a bad condition or was it, which I do not think it was. I would like to point out that, first of all, there was no communication with the community at all to let us know what the Government had planned. It never notified the community at any time. We found out about the eviction through the Press, who rang us to see what time they were coming. I make that clear. People had not really moved out, because we did not know what was going on. This really sticks in my craw, so I have to say it. This community fought for the little bit of money it had and I think it did a darn good job on $92 000 a year for all the ongoing maintenance and the grounds programs and everything else it was doing. The week after everyone moved out, Jameson was given $200 000. We would have killed for $200 000. I just wanted to say that.

The CHAIRMAN: Who was the journalist who let you know that you were about to be evicted?

Ms Davies: The ABC. They rang us.

The CHAIRMAN: Do you know who it was?

Ms Davies: It was a female. That is all I remember. I am sorry; it was a traumatic time.

[The committee was approached by Ms Rosemary Ayers from the public gallery.]