

**SELECT COMMITTEE ON THE
RESERVES (RESERVE 43131) BILL 2003**

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
ON THURSDAY, 25 SEPTEMBER 003**

SESSION 2

Members

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

JOYCE, MR GREG
Director General,
Department of Housing and Works,
examined:

THOMAS, MR ROBERT FREDERICK
General Manager,
Housing and Facilities Management,
Department of Housing and Works,
examined:

The CHAIRMAN: You have signed a document titled "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 microphones and try to speak into them. The microphones are for recording, not for volume. 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 the request, any public or media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, the transcript should not be made public. I advise that premature publication or disclosure to the public of the transcript may constitute contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege.

We have your submission. When did you first become involved in the closure of the Nyungah community?

Mr Joyce: Mr Chairman, could I answer that by way of introduction that Bob Thomas is the person who did a lot of the operational matters in respect of our role. Secondly, Mr Chairman, that submission that you have got, we have an updated attachment to. There are only minor changes but it deals with the people who were housed and I ask that it be handed over to you in confidence because it is personal information.

The CHAIRMAN: Yes. We did that with the other one as well.

Mr Joyce: Mr Chairman, to answer your question, there were three meetings that I was involved with. First of all, there was a meeting that goes right back to 11th March that was called by the Director General of the Department of Indigenous Affairs, which was attended by me, one of my officers and ATSIC people. That was just a general discussion about the future utility of the four Aboriginal camps in the metropolitan area. I mention that because it really had nothing to do with the subsequent thing other than it was general comment.

The CHAIRMAN: Before you go on from that one, we have heard quite a bit about that particular meeting. Was that the one at which there was a letter written by ATSIC as a consequence of that in which it indicated they thought the report of that meeting was the suggestion that perhaps all four camps be closed?

Mr Joyce: Yes. That was a letter of Gordon Cole, as I understand it.

The CHAIRMAN: Yes. Did you gain that impression from that meeting?

Mr Joyce: The meeting was primarily to consider the future utility of the four camps. I think it is fair to say the issue of closure - in my circumstances I have traversed 30 years in government - is a reasonable question to be asked. I do not think it was specifically dealt with there but it is certainly a question that is always in the back of my mind as the department has direct responsibility for Cullacabardee. That is an issue that has always been discussed internally within my department.

The CHAIRMAN: Do you have any idea how Mr Cole could have got that impression?

Mr Joyce: Well, it may have been discussed at the meeting. We generally discussed what should happen with the four camps. As I recall, Mr Farley Garlett from ATSIIC was very concerned at the time about a report in *The West Australian* of guns being fired at Cullacabardee. He was very concerned about the future utility of that camp. That is the one I am responsible for.

The CHAIRMAN: Is it possible that somebody said one of the options is to close them without necessarily suggesting that as a serious proposal?

Mr Joyce: Well, you know, I may have even said it. I cannot recall correctly. Certainly, for instance, Robert Thomas and I discussed the issue over a long time. I think Bob is an advocate of closing that camp. Certainly, yes, it has been discussed many, many times over many a long year.

The CHAIRMAN: Did Mr Curry inform you of what his views were?

Mr Joyce: Not that I recall.

Hon DERRICK TOMLINSON: You have used the phrase "future utility". It sounds like a hydrogen-powered pick-up truck. What do you mean by future utility?
[10.40 am]

Mr Joyce: There is a genuine question to be asked, Derrick, about whether these camps continue to exist. Three of them had their infancy in the 1970s and the latter one in Saunders Street in the 1980s. To me there is a genuine question to ask as to whether we continue with them or whether they should be closed and the occupants absorbed into general suburbia. I know people will be quick to criticise me and say that it is not politically correct to use words like assimilation and integration, but there is a substantial argument. What needs to happen is to review the efficacy of those four camps and to decide in a balanced way whether they are effective. I think you must look at the financial cost of them compared with a per capita view of what it costs to house Aboriginal people in the community. I think that is a legitimate consideration. I think, most importantly, you must look at the policy outcome of what is happening with the camps and whether we are actually improving the wellbeing of Aboriginal people by having those camps. They are both substantial questions. To answer you honestly, I am legitimately ambivalent about the position. I can see in some ways that it is very costly and you could certainly argue that at times they are ineffective. If you look at Cullacabardee, the camp I am responsible for, over time it sometimes runs well and sometimes it does not; it is very episodic. We have had a whole range of issues over the 30 years the camp has been there. We need to have a mature debate about whether they should continue.

Hon DERRICK TOMLINSON: Is that a position held by you and your department, or is it a position held by other departments such as the Department of Indigenous Affairs?

Mr Joyce: My department is responsible for Cullacabardee so that is the only one I can comment on. I would not know what DIA's views are on Cullacabardee. The best I can say about our view is that we are legitimately ambivalent. I would equivocate between closing them at some stages and keeping them open at other times as I listen to the various arguments. I do not think that anyone can be dogmatic about it.

Hon DERRICK TOMLINSON: Your brief recounting of the history brings to mind a phrase, which has been used in my presence, that these camps are a failed experiment. Has that phrase ever been used in your discussions?

Mr Joyce: That is a cursory judgment. I think you need to look at the original history. If you think about Cullacabardee - I can comment on that camp only - that was originally designed for four different groups. In fact, Mr Robert Bropho's group was originally designated for that camp. I do not think the Bropho family ever took occupation. There were four original groups that were having difficulty surviving in suburbia. The camp was designed for them in such a way physically so that each group could have their own space to form a community. If you look at the layout, you will see four limbs coming out of the central position. That was designed in the 1970s to deal with those issues where some Aboriginal people were having difficulty living in suburbia. I think it has worked reasonably well at different times. As I say, it is episodic. Those normal issues that you have associated with the management of 40 000 tenancies, like rent arrears, have always been big issues out there. We have had a lot of antisocial behaviour - in fact, criminal behaviour and violence, which has been of real concern to us. I mentioned the incident that was reported in *The West Australian* about six to nine months ago of guns being fired there. We have had a very big vacancy problem there over a long time. We have only ever achieved full occupancy of the 30 units very occasionally. I think only something like eight to 10 are occupied.

Hon DERRICK TOMLINSON: How many are habitable?

Mr Joyce: That was an issue I was going to raise. We have rebuilt the complex three times in my history. It is currently under some repairs, but there has been a high incidence of damage and burnouts there. On the other hand, you could argue pretty strongly that those communities have been effective in the sense that they have housed people who would otherwise not be housed; that is, the homeless people. A lady there has been the manageress for most of the time - Mrs Ivy Quartermaine. She has done her best over a long time to run the place. One of the dilemmas we always get involved with is that when families are dysfunctional in the normal community, the tendency is for the system to ask Mrs Quartermaine to take them. Historically, she has resisted that because she does not want trouble at the camp. Obviously, there is tension there. We are trying to be good managers and make sure there is full occupancy so that the State's asset is utilised properly. There is tension there. It has been a worry that we have not been able to achieve full occupancy over time.

Hon DERRICK TOMLINSON: One of the anecdotal positions said of the community is that Cullacabardee is a place where your department puts its troublesome Aboriginal tenants. Is there any substance in that?

[10.45 am]

Mr Joyce: That is certainly a perception, and I would have to accede that at times, when we do have a family that is dysfunctional or cannot get on in the general community, and we are getting constant complaints, yes, at times we have done that.

Hon LOUISE PRATT: Therefore it should not be a reflection on the community that it has perhaps had some of those issues regarding damage to property and the like?

Mr Joyce: That is right. That is fair. In fact, I have just praised Mrs Ivy Quartermaine, who has tried to run the community the best she can, but over time there has been extreme problems out there.

The CHAIRMAN: Can you carry on with the next meeting?

Mr Joyce: Yes, sorry. That was the first meeting. The second meeting was on 1 May at the strategic management council, where the Premier raised the issue. At the time Jane Brazier, the director general of the Department for Community Development and Richard Curry, the director general of the Department of Indigenous Affairs responded to the Premier. As I recall, Richard was concerned about the safety of the children and the women in the community and not being able to guarantee their safety.

The CHAIRMAN: Just hold it there, please. This is a very strange phrase - “not being able to guarantee the safety of the women and children”. Everyone seems to be using it, but when you ask somebody where they can guarantee the safety of women and children they say nowhere. When did you first hear that phrase, and who used it?

Mr Joyce: I could not recall when I first heard it, but it is certainly a real concern, and the notion is that a person might be safer away from that community than within it.

The CHAIRMAN: The point is, can you guarantee the safety of women and children at Cullacabardee?

Mr Joyce: Of course I cannot.

The CHAIRMAN: Can you guarantee the safety of women and children in any of your homes?

Mr Joyce: No, I cannot, but at least I can take some measures to ensure safety - take some basic measures.

The CHAIRMAN: You can see why I am interested in the phrase. It seems a strange phrase to use, when nobody can guarantee the safety of women and children anywhere. It is hardly a distinguishing phrase in terms of Swan Valley.

Mr Joyce: Mr Chairman, I do not mean to be facetious, but you can do certain things to guarantee the safety of people, like not leaving the door open at night. Everyone takes all sorts of precautions to guarantee their own safety and the safety of their family.

The CHAIRMAN: Technical safety, yes, but the word has been used constantly and by everybody. When you ask them where it came from, nobody seems to know. It seems to be a strange phrase, and I am trying to find the origin of it. You do not know the origin of it?

Mr Joyce: No.

The CHAIRMAN: Do you think you would use it?

Mr Joyce: With respect, you just have to read the sickening story in Alistair Hope’s report.

The CHAIRMAN: I read all that, and I understand it. I am just asking where the phrase came from, because everyone has been using it as a reason to close the camp, because they cannot guarantee the safety of women and children there. But you say, where can you guarantee the safety of women and children, and they say, nowhere. There obviously had to be something special about this and I just wanted to know whether you knew when that phrase started to be used.

Mr Joyce: No, I do not know, and -

Hon ROBIN CHAPPLE: It was used at that first meeting?

Mr Joyce: It is a phrase that has come into my head, so I must have heard it somewhere. Presumably Richard Curry has used it.

The CHAIRMAN: Carry on.

Mr Joyce: The second meeting I attended was on the afternoon of 1 May. That was a meeting chaired by Mal Wauchope, the chief executive officer of the Department of the Premier and Cabinet, which was a special meeting called to discuss the future of the Swan Valley Nyungah camp. Then, because of other matters I delegated attendance to Bob Thomas in the future meetings.

The CHAIRMAN: Was it the future of the Nyungah camp, or was it the protection of the women and children? At that stage were you already saying that it was the future of the camp that was being discussed?

Mr Joyce: That is the generality of the issues that were raised. Richard Curry raised the guarantee. As I recall, Jane Brazier raised the issue of access, but the meeting itself was a generic meeting talking about the future of the Swan Valley Nyungah Community.

The CHAIRMAN: Rather than women and children?

Mr Joyce: That was part of it, and a big part.

The CHAIRMAN: You can see why I am interested. If I have not made it clear, I will explain it. The reserve Bill was introduced into Parliament supposedly for the benefit of women and children in that particular camp. The first question is to decide what is the best way to preserve or to enhance the future of women and children in that camp. We seem very quickly to have got to the conclusion that the best way to do that was to do something about the future of the camp - not to give it one. I am just interested in what the emphasis was at those meetings; whether you were talking about the women and children or about the future of the camp.

Mr Joyce: We were talking about both, and on the basis that there is a recognised acceptance that it is the responsibility of government to try and do something about - I know you do not like the term - ensuring the safety of the women and children. I think there is an acceptance that the State has to do something there, and everyone is concerned that since the time of the Alistair Hope report nothing had changed much. You may very well have been, Mr Chairman, the chair of another committee if there had been a subsequent death there and no-one had done anything. I think there was just genuine concern at those meetings that something had to be done.

Because of pressures of work, that was the extent of my involvement, and I then handed over to Bob Thomas who was responsible, operationally, to house people, and he then attended the meetings. Can I ask him to report?

The CHAIRMAN: Yes, but before you go onto that - at the meetings you attended, had a decision been made to close the camp?

Mr Joyce: Not to my knowledge. There was collective discussion about the various options.

The CHAIRMAN: Was that one of the options that had been discussed?

Mr Joyce: Certainly; that was raised specifically, as I recall by Graham Searle, the acting chief executive officer of the former Department of Land Administration, who is responsible for the curtilage of the land. There were other options discussed - the best way to do it. There was concern about whether there was efficacy in the options, but there was no consensus of decision when I left that meeting.

The CHAIRMAN: Was there any discussion of any other ways of protecting the women and children using the powers under the Child Welfare Act.

Mr Joyce: Yes; I am pretty sure that that was discussed, as to whether that was effective or not.

The CHAIRMAN: Can you give any detail on that?

Mr Joyce: No I cannot, Mr Chairman, other than my general knowledge of the Department for Community Development's responsibility there.

The CHAIRMAN: Did the discussion centre on the management order fairly early on as an area to be resolved?

Mr Joyce: Not as strongly as that. It was certainly there on the table as an option, and I think it emerged in later meetings in talking to Mr Thomas, but it was just one option at that stage, as I recall.

The CHAIRMAN: Mr Thomas?

Mr Thomas: I attended the meeting on the first with Mr Joyce, and then subsequently attended four meetings after that. The next one was on 2 May, and Danny Ford, our executive director of Aboriginal housing, attended with me. At that meeting, again there were officers from a number of agencies, and the discussions were centred again on the issues that the chief executive officers perceived to be problems at the community and where we should go from there with it. I cannot

recall at which of those meetings there was any firm decision made on closing the camp, but obviously there was a consensus amongst the CEOs at one of those meetings at some stage that it should be closed, and then there were some discussions on how that might progress. The Department of Housing and Works has not had a great involvement in the Swan Valley Nyoongah Community, so our role there was really to look at what would happen if it were closed. So, in terms of involvement in the management order and the legislation, we had limited involvement in that other than being at the meetings contributing in that way.

The CHAIRMAN: By the time the legislation was introduced, had you found premises for people there?

Mr Thomas: We had not housed anybody -

The CHAIRMAN: I mean, had you found available ones. I am not asking if you had solved the whole question, but had you found appropriate places?

Mr Thomas: We had two properties we had earmarked for families that might need assistance there, following the closure. My recollection of the discussions at the various meetings was that if the legislation went through, that the administrator would remove the management committee from there and that the other families would be worked with between the Department for Community Development, ourselves, and the Department of Health, who were involved, and we would look at what housing options they needed, and we had two properties set aside for families if they wanted to move quickly, and we would then be looking at how we could assist those other families.

The CHAIRMAN: How many houses did you think you would need ultimately?

Mr Thomas: There was some discussion at the meetings about how many people were there, and I recall at one of the early meetings comments were made by the relevant agencies who attended the community that there were seven families there. However, concern was expressed that obviously the Department for Community Development and the Department of Health did have limited access to the community, and were not totally sure of who was there. It did take us quite some time to establish a firm list of who was there, which again changed when the actual administrator moved in, because people did move in and out of the camp. At the early stages there was a suggestion that there were seven families, or seven people requiring houses; as it transpired there were probably 12 that were shown as being at the community and of those we have housed six. We understand three are currently in Saunders Street, one family has gone to Geraldton, and there are a couple of others of whose whereabouts we are not sure, and have not approached us for housing at this stage.

The CHAIRMAN: Was it your understanding that, once the families left Lockridge, the people who had been removed in the first instance, there would be no obstruction to them returning to that family?

Mr Thomas: Sorry, Mr Chairman?

The CHAIRMAN: You talked about people being removed, and then you are dealing with the remainder after that, with DCD, to see if you could rehouse them. Was it your understanding that you would be putting some process in place to stop those people from going back to those families once they left?

Mr Thomas: I do not recall discussions specifically along those lines, although I think the ultimate aim was that once the camp was closed, and if people were housed then, through the DIA, that camp would be closed, as it is now, and nobody would be allowed back.

The CHAIRMAN: What was to stop the males, once they had been removed from the camp, and you had resettled their families, from rejoining those families?

Mr Thomas: Sorry, Mr Chairman, I see you point. Obviously, that was something that we could not control, and that was always a danger. We did talk about where the families might go. Would they go to Cullacabardee, or would they go to Saunders Street? The experience of the officers at

the time suggested that they would not go there. As it turned out they did go to Saunders Street, and that has resulted in some concerns for that community.

The CHAIRMAN: Who said they would not go to Saunders Street?

Mr Thomas: I cannot recall. I do remember that we talked about where they might go if they did not take up public housing, and during the discussions somebody suggested they would go to Saunders St, and the general view was that they would not; they did not have a tie with that community. But I cannot recall who said that.

The CHAIRMAN: Was there any discussion about how you would protect the women and children once they were out of Lockridge?

Mr Thomas: No, I do not recall any discussion.

The CHAIRMAN: Nobody was concerned that what was happening in Lockridge could happen outside Lockridge?

Mr Thomas: I think the general view was that, if they were in their own housing where they could receive support from DCD and Health, they would have greater support than they were getting at the community. I do recall concerns raised by DCD and health who did have access to the community but were concerned that it was not access they would normally have to families, and that was restricted. I recall a mention that their officers were not able to talk to a number of families without some of the management committee or community leaders being present.

[11.00 am]

The CHAIRMAN: Do officers of those departments have the right to go onto your tenant's property?

Mr Thomas: Yes, they do.

The CHAIRMAN: Is that in the lease?

Mr Thomas: No, we do not specify that in the lease but, I guess, any agency is, at the tenant's request -

The CHAIRMAN: So they have no right to go onto or even into the property. Normally, tenancy gives exclusive possession. Are you bound by the Residential Tenancies Act?

Mr Thomas: Yes.

The CHAIRMAN: So, it even gives possession as against you, except under certain circumstances.

Mr Thomas: That is right. There are certain restrictions on how and when we can enter a property.

The CHAIRMAN: So once they were given a property, and if the men stayed with their families, what greater access were people going to get then?

Mr Thomas: I think it was a view held by the officers who had been dealing with families. They felt that they would have been receptive to more support, but it was always a danger. There was concern with men from the community that they could move into those tenancies if we housed them.

The CHAIRMAN: But you did not have any contingencies as to how they would gain access to them once they had been moved. It was a belief that once they were somewhere else they would have that access.

Mr Thomas: That is right, other than trying to put in some supports to assist those families.

Hon DERRICK TOMLINSON: I would like to ask Mr Thomas some questions about the two houses that were identified right from the beginning. However, it involves naming persons. Would you prefer to do that in closed session?

The CHAIRMAN: Yes. During the course of all these discussions, it was based on the premise that once you closed the camp that access would be better even though, legally, people had probably a greater right to exclude people in a Homeswest house than they had in Lockridge?

Mr Thomas: That is right.

The CHAIRMAN: What was your understanding of how long this process would take? How long do you think you had to find those houses?

Mr Thomas: That was an issue for us because, obviously, in the process there was a suggestion that the legislation was going to go through the process - I am trying to think of the exact time frame - within about a week or so -

The CHAIRMAN: Yes, it was very short.

Mr Thomas: We had made the point a number of times that it would be difficult for us to house that number of families in a very short time and that we would like -

The CHAIRMAN: Difficult is probably an understatement - impossible?

Mr Thomas: Almost impossible. As it turned out, it took us some time after that. That is why the view generally expressed at the time was that, if some of the families remained there, we would be able to work with them on where they wanted to go and how they wanted to be assisted, and give all of us some time.

The CHAIRMAN: Just refresh my memory: did you settle six families?

Mr Thomas: Yes, six families.

The CHAIRMAN: Out of the 12. How long has that taken you?

Mr Thomas: Roughly the first week in August was when the last family was housed. It has taken -

The CHAIRMAN: Has it had a reasonable diligence in priority on your part to achieve that?

Mr Thomas: We have had an officer from our Mirrabooka office taking responsibility for it and putting a fair bit of time into working with the families and finding accommodation.

The CHAIRMAN: Have they had special treatment or did they get in line with everybody else?

Mr Thomas: It is fair to say we have given special treatment to the families that wanted to be housed out of there.

The CHAIRMAN: If you had to find places for the other six now, would you be able to do that?

Mr Thomas: We would be able to do that if it were necessary. We are still working with a couple of other families in conjunction with the Department for Community Development to find them accommodation. As I said, there are a couple of families that have not come back to us for housing.

The CHAIRMAN: So it might still take a bit of time to get it -

Mr Thomas: It might still take a little bit of time, yes.

The CHAIRMAN: In the Lockridge area - not just Swan Valley community - there are quite a number of people involved in state housing commission homes, are there not?

Mr Thomas: That is right.

The CHAIRMAN: Has there been an increase in the number of Aboriginal people housed in the Lockridge and Eden Hill areas since the closure of the camp?

Mr Thomas: I do not have those figures available. I could get those for the committee. I do not believe there has but I can get that information.

The CHAIRMAN: As it happens, I am the member for that area as is Hon Derrick Tomlinson and Hon Louise Pratt. We have on this committee three local members who are interested in the consequences of this closure. I have had complaints from the Lockridge and Eden Hill area that there have been more difficulties with the indigenous population since the closure of Lord Street. Have you had any increase in the number of complaints from that area?

Mr Thomas: Not that I am aware of.

The CHAIRMAN: Can you check that for me?

Mr Thomas: Yes.

The CHAIRMAN: I am interested in that information so I can find out whether the community had a calming effect on the behaviour of other Aboriginal people in the area.

Hon LOUISE PRATT: What is the definition of "list of wait turn"?

Mr Thomas: Generally we expect everyone who applies for public housing to wait their turn. There is a waiting period depending on the availability of accommodation and the demand in each area. However, we have what we call a priority system where people with special needs are assisted ahead of turn. Most of the people from the community were assisted on a priority basis.

Hon LOUISE PRATT: Did you not have any request before this legislation came up to prioritise housing for people who had put in earlier requests?

Mr Thomas: No. From time to time over the years people from the community have come to us and sought public housing in the area. At the time of the closure, I am not aware that any of those families had applications with us - there may have been one. Certainly, there was some anecdotal evidence, which my officers from Mirrabooka conveyed to me, that, when people had been housed from the community, pressure had been put on them to return. This happened to the extent that a comment was made that some families had been threatened that their house would be burnt if they did not return to the community.

The CHAIRMAN: Can you give us the particulars of that? You do not have to provide it openly, but when we get into private session can we have particulars of that allegation?

Mr Thomas: Yes.

Hon LOUISE PRATT: I think I can ask these questions without needing to be specific. From the list that you have provided us, a number of people who requested housing were listed as wait turn for sometime preceding. It may be likely that you had nothing to trigger an identification that these people might likely require priority housing in view of the later circumstance. Would that be the case?

Mr Thomas: I would say it is probably our bureaucratic process out there. We have been working with them to try and find some accommodation. In one instance mentioned on the list, we offered accommodation and then, in conjunction with DCD, it was decided that that was not appropriate. We may have, in a bureaucratic sense, listed them as wait turn. However, the intention is that as soon as we identify the needs of the family and we find something suitable, they will be housed straightaway. They will, in effect, be housed ahead of other people on the waiting list.

Hon LOUISE PRATT: I guess I am asking this: in view of their circumstances, why were they not given housing earlier instead of resorting to the ultimate mechanism that was used?

Mr Joyce: I think you make a good point. That looks to me to be wrong the way that phrase has been used. In a sense they were all listed as priority once the camp was closed.

The CHAIRMAN: One is dated 1999 and the other is dated 2000; that is, four years ago and three years ago respectively.

Hon LOUISE PRATT: As well, one from 2002.

Mr Thomas: Yes, you are right. Obviously some were listed prior to the closure.

The CHAIRMAN: Interesting. It looks like three out of the six who were settled were on the list before the camp was closed.

Mr Thomas: Yes, you are right.

Mr Joyce: You are right.

The CHAIRMAN: Have you been to the Lockridge community?

Mr Thomas: I have not been to the community for many years, but I have been there.

The CHAIRMAN: Have you been there since they have had the rammed earth premises?

Mr Thomas: No.

The CHAIRMAN: I am curious to know whether you are generally aware of the quality of the housing that is provided to Aboriginal people, especially those who are more difficult tenants.

Mr Thomas: In terms of the community itself or generally?

The CHAIRMAN: Yours; the ones that you provide.

Mr Thomas: Yes, I am aware of the accommodation we provide and how it is presented.

The CHAIRMAN: It is a pity that you have not seen the rammed earth accommodation because it looks to me to be of fairly high quality and probably higher than the average Homeswest stock. Have you had a chance to see them Mr Joyce?

Mr Joyce: I have, but not on recent occasions. The department contributed something like \$700 000 to put in roads about five or six years ago when that was done, and we also contributed some money to the solar power that is out there - the wind power. As a consequence, we went out there a couple of times at that stage to make sure the money had been spent properly. At that time, someone took me through those mud brick houses and I agree with you, they were excellent at the time.

The CHAIRMAN: Quite a lot of the amenities there appear to be of very high quality. There are nice roads and they have their own electric power. It is very nice stock in houses I would have thought, one which you would be fairly envious of if you had all your stock -

Mr Joyce: Yes, there is certainly good quality there.

Hon ROBIN CHAPPLE: I want to go back to the very beginning Mr Joyce. With regard to the discussions that you would be aware of about the future of all four camps in the metropolitan area, and your comments earlier, were those discussions merely about camps in the metropolitan area or camps in general, whether they be in Kalgoorlie, Newman, or wherever? Certainly, the correspondence that we have indicates that you were discussing only those four camps. However, from a philosophical position, does it extend to other camps?

Mr Joyce: Yes, that is a complex question and deserves a complex answer. My department is responsible for the 286 remote Aboriginal communities across the State. Most of them are in the Pilbara and the Kimberley, leaving aside all the stations. With that responsibility, and over time, we have discussed the future of a lot of those communities. For example, some of the ones I have been involved in have closed, such as Nanny Goat Hill in Kalgoorlie and Drovers Rest in South Hedland. Generally speaking, the department has a lot of involvement with those 286 communities about their future and what is happening to them, which goes on on a daily basis. We are funded by the State and the Commonwealth across a range of areas from engineering infrastructure right through

to social amenity, and we have responsibility for those communities. Therefore, yes, the future of those communities are always in discussion. I think you would have to say there is a distinction between those communities and the four metropolitan communities which, in a sense, and in my view, serve a different function. As I said before, the history of the four camps in the metropolitan area evolved out of a need to house people who could not survive in suburbia - that is my understanding of it - whereas it naturally occurs in the remote areas. The 286 communities have evolved over time to what Aboriginal people want.

Hon ROBIN CHAPPLE: I think you have touched on an important phrase there, “what Aboriginal people want”. The wishes of indigenous people in the metropolitan area to have a community do not have the same stock or status as the wishes of indigenous people to have a community in Newman, Cundelee or wherever.

[11.15 am]

Mr Joyce: No, they have the same rights. Obviously self-determination is a big issue for Aboriginal people, and the department tries to honour that where it can. However, the history of the four camps in the metro area, as I understand their genesis, has been primarily about providing accommodation for people who have had difficulty surviving in suburbia, which is not to say that that is not intermingled with the notion of self-determination, and no doubt some of those threads have come through in the various arguments. The one I have experience with, Cullacabardee, was originally established because of that point to try to give families somewhere to live where they could survive in the metropolitan area.

Hon ROBIN CHAPPLE: You mentioned that the Premier was at the 1 May meeting. Are you aware whether he attended any other meetings?

Mr Joyce: To the best of my knowledge, he did not attend any others and I explained that certainly the ones that I attended he did not attend.

Hon ROBIN CHAPPLE: Did Mr Wauchope attend any other meetings or only that first one?

Mr Joyce: I was not at all of them, but, to the best of my knowledge, that was the only one he attended, although I could be corrected.

Mr Thomas: No, he did not attend any of the meetings that I attended, other than that 1 May meeting.

Hon ROBIN CHAPPLE: Do you know whether the Premier’s press secretary attended any meetings?

Mr Joyce: Kieran Murphy attended the 2.30 pm meeting on 1 May.

Hon ROBIN CHAPPLE: Did he attend any of the other meetings?

Mr Thomas: From my recollection, he attended the 2, 5 and 7 May meetings. I cannot recall whether he was at the latter meeting on 9 May, which I think was more about the housing issues.

Hon ROBIN CHAPPLE: What role did Mr Murphy play at those meetings?

Mr Thomas: I think he was just there to see how the process was going. Obviously, whatever decision came out of it, there was going to be some media issues involved, and I assume that was his role there.

Hon ROBIN CHAPPLE: Did he engage in the meeting?

Mr Joyce: To be fair, yes, he did.

Hon ROBIN CHAPPLE: You were obviously working with the Cullacabardee camp and you have some knowledge of that. Have you ever visited the Swan Valley camp?

Mr Joyce: Yes, I have been there a couple of times, but not recently. As I explained to the chairman, about five to eight years ago I visited it when we were spending some money there.

Hon ROBIN CHAPPLE: Have either of you visited the camp since they have done all the upgrades?

Mr Joyce: I have not.

Mr Thomas: No, I have not.

Hon ROBIN CHAPPLE: I just wondered whether you could say how it compared with some of the other camps in a physical sense and whether it was well managed.

Mr Thomas: I could not comment on that, no.

Hon ROBIN CHAPPLE: In relation to the Pyrton site, in a newsletter to the residents of Bassendean, Eden Hill and Lockridge from Clive Brown, MLA, on 14 April 2003, he said that the minister had accepted the view that the Pyrton site should be vested in the community even though it was not in line with the original proposal put forward by the Pyrton working party that the land be vested jointly in the Town of Bassendean and the traditional owners. Do you have any knowledge of where that decision might have come from?

Mr Joyce: I am trying to recollect, Mr Chairman. Off the top of my head I cannot say. No, I am sorry; I cannot add anything.

Hon ROBIN CHAPPLE: Would your department be aware of that issue?

Mr Joyce: Yes. We are generally involved with the disposal of the Pyrton site, but I cannot answer you correctly on that part of your question.

Hon ROBIN CHAPPLE: Can you possibly research that for us and respond?

Mr Joyce: Yes.

Hon ROBIN CHAPPLE: In terms of what might happen to the Swan Valley site, after the legislation was passed and the administrator took control, was there any discussion about what purposes the site might be used for and whether the community would ever be allowed to reside there again? Who proffered views in relation to that?

Mr Joyce: I know that I certainly proffered a view in the meeting of 1 May. I felt, as everyone knows, that these camps are good where there is good management. We have a very exciting new management team called Noongar Mia Mia, which is working very effectively. That body has a certain number of houses across the metropolitan area that are primarily head-leased from the department, and it goes in and helps us with families that have complex problems. I suggested at the meeting that ultimately we should consider that community being retained with good management using the Noongar Mia Mia model, as I recall, but that was just another point that was made at the meeting. Grist for the mill if you like.

Hon ROBIN CHAPPLE: Are you aware, other than through your position, whether it was ever discussed what might happen to that camp after the closure and to the goods and chattels?

Mr Joyce: No, not specifically.

Hon ROBIN CHAPPLE: There was no suggestion that it be used for transient accommodation or for sporting facilities?

Mr Joyce: Not to my knowledge, no.

Mr Thomas: I understand there was some discussion with indigenous affairs about the future.

Hon ROBIN CHAPPLE: Was that DIA or ATSIC?

Mr Thomas: DIA as I understand it, but I have not been involved in those discussions.

Hon DERRICK TOMLINSON: Mr Joyce, did you attend the strategic management group meeting on the morning of 1 May?

Mr Joyce: Yes, I did.

Hon DERRICK TOMLINSON: Were concerns about the Swan Valley Nyungah Community raised at that meeting?

Mr Joyce: Yes, they were.

Hon DERRICK TOMLINSON: By whom?

Mr Joyce: By the Premier in general business.

Hon DERRICK TOMLINSON: In general business?

Mr Joyce: He asked for a comment from both the Director General of DIA and the Director General of DCD.

Hon DERRICK TOMLINSON: The result of that meeting was that a further meeting was called in the afternoon to discuss the future of the Swan Valley Nyungah camp.

Mr Joyce: As I understand it, yes.

Hon DERRICK TOMLINSON: I have one last question relating to the question raised by Hon Robin Chapple about the Pyrton land, which is a separate entity, and the proposal that it be revested. Has there ever been a consideration that part of the Pyrton land be used for housing and that the income generated from the sale of housing be invested in a sinking fund for the future development of the reserve?

Mr Joyce: Over time there has been many a suggestion about the future utility of the Pyrton site. At one stage when Dr Kim Hames was my minister, the idea of carving off some of the area on the western side and making it part of the Swan Valley Nyungah camp for aged people was traversed. We have looked at the eastern side, particularly down near the river, and doing some subdivisions and making some money so that that could go into the Pyrton trust. There has been a range of solutions thought and talked about over time.

Hon DERRICK TOMLINSON: Has there been recent discussion of subdivision related to the matter that Hon Robin Chapple raised?

Mr Joyce: Yes. Certainly my view is that for the future of Pyrton to work, in handing it over to the local authority, it does need a sinking fund so that that body has some financial capacity to maintain it in perpetuity. My suggestion is that the south eastern part of it should be carved off for residential purposes so that some funds can be established. I also had the territorial view of getting some public housing in there.

The CHAIRMAN: We will now move into private session. We will not be returning to public session for the rest of the day.

[The committee took evidence in private]