

**COMMISSION OF INQUIRY (CHILDREN IN STATE CARE)
(CHILDREN ON APY LANDS) AMENDMENT BILL**

Tuesday, 19 June 2007

The Hon. A.L. EVANS: I rise to indicate that Family First supports this bill with some reservations. Family First believes that addressing the serious disadvantages of our indigenous communities is a matter for immediate priority. Family First appreciates its strong connection with the indigenous community. Our first national leader, Andrea Mason, was the first indigenous woman leader of any political party in Australia, and my position on the Aboriginal lands standing committee allows me to visit the lands and regularly deal with indigenous issues.

Family First is quite aware that the people of the APY lands are sick of report after report being prepared and the regular fly-ins by officials who stay for just a few days or a few hours and then leave. Time and again officials visit and reports are written but, to quote Lowitja O'Donoghue, people in the lands are left 'with an overwhelming feeling of despair that year after year the situation remains as bleak as ever'. The people of the APY lands are not crying out for another report but as former coroner Wayne Chivell commented on 2 September 2002 prompt, forthright, properly planned, properly-funded action. In all likelihood, the final report will closely resemble the Northern Territory Inquiry into the Protection of Aboriginal Children from Sexual Abuse, which found:

... as all the inquiries before us and the experts in the field already knew... the cumulative effects of poor health, alcohol, drug abuse, gambling, pornography, unemployment, poor education and housing and general disempowerment led inexorably to family and other violence and then on to sexual abuse of men and women and, finally, of children.

That report also noted that the Northern Territory had already lost many years in 'thinking and talking about and designing principles and models for service delivery'. The report also noted:

It's now time for some brave action. We have an enormous amount of knowledge and experience about the problems. It should now be applied. . . We

are positively convinced that unless prompt and firm decisions are made and leadership shown at all levels of society, real disaster faces Australia within a generation.

Family First will support this bill, but we hope to see results from this inquiry. We do not want to see yet another report prepared only to collect dust on a shelf. This bill will broaden the current Mullighan inquiry to deal with sexual abuse on the APY lands, and my understanding is that a proportion of the costs in extending the investigation will be borne by the federal government, which has promised \$1.6 million. This whole measure and commonwealth support of it is something of a win for the Minister for Aboriginal Affairs. On 24 June last year on ABC News the minister pushed his federal colleagues for a Mullighan-like inquiry on the APY lands. So, it appears as though this concept has come from the minister, even if he does not get the acknowledgment for his part in pushing this course of action. The government submits that the Mullighan inquiry has been very successful in getting people to disclose many disturbing instances of child abuse. This may come down to the fact that the inquiry protects confidences of its witnesses; further, it does not automatically instigate criminal proceedings upon an allegation being made, and it is independent.

The real question is whether an inquiry, which has worked primarily in metropolitan cities, can be transplanted successfully onto the APY lands. I am content that the Mullighan inquiry has sufficient experience in dealing with indigenous issues. It has visited various communities in the APY lands during its proceedings. The expanded inquiry will also have the benefit of two assistant commissioners, one of whom will be an indigenous person, according to clause 6. The other will likely be Andrew Collett who is already assisting the inquiry. I am aware that, as a barrister, Andrew Collett regularly deals with indigenous issues and has played a significant role in several Aboriginal death in custody matters.

Former justice Mullighan himself is aware of the indigenous issues. I understand that, for many years, he chaired the Cultural Awareness Committee of the Supreme Court and that in 1997 he helped to convene an important Law

and Justice Conference on the APY lands. Further, I have been informed by the government that Bernard Singer, Chair of the APY Executive, supports this measure, although I imagine that support for this inquiry would not be universal. In any event, the government has plainly admitted that previous attempts to get people to talk have been unsuccessful—perhaps this attempt will be more successful. With these few words, Family First supports the second reading of the bill.