

# VERIFIED VERSION

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

### Inquiry into Budget Estimates 2016–17

Melbourne — 18 May 2016

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Ms Sue Pennicuik

Mr David Morris — Deputy Chair

Ms Harriet Shing

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#### Witnesses

Ms Natalie Hutchins, Minister for Aboriginal Affairs,

Ms Rebecca Falkingham, Deputy Secretary, Social Policy and Service Delivery Reform, Department of Premier and Cabinet.

**The CHAIR** — I declare open the public hearings for the Public Accounts and Estimates Committee inquiry into the 2016–17 budget estimates. All mobile telephones should now be turned to silent.

I would like to welcome the Minister for Aboriginal Affairs, the Honourable Natalie Hutchins, MP, and Ms Rebecca Falkingham, Deputy Secretary, Social Policy and Service Delivery Reform, Department of Premier and Cabinet.

All evidence is taken by the committee under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. Comments made outside the hearing, including on social media, are not afforded such privilege. Witnesses will not be sworn but are requested to answer all questions succinctly, accurately and truthfully. Witnesses found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty.

Questions from the committee will be asked on a group basis, meaning that specific time has been allocated to members of the government, opposition and crossbench to ask a series of questions in a set amount of time before moving on to the next group. I will advise witnesses who will be asking questions at each segment.

All evidence given today is being recorded by Hansard, and you will be provided with proof versions of the transcript for verification as soon as available. Verified transcripts, presentations and handouts will be placed on the committee's website as soon as possible.

All written communication to witnesses must be provided via officers of the PAEC secretariat. Members of the public gallery cannot participate in the committee's proceedings in any way and cannot photograph, audio record or videorecord any part of these proceedings. Members of the media must remain focused only on the persons speaking. Any filming and recording must cease immediately at the completion of the hearing.

I now invite the witness to make a very brief opening statement of no more than 5 minutes. This will be followed by questions from the committee.

### **Visual presentation.**

**Ms HUTCHINS** — Thank you, Chair, and thank you for opportunity to talk about Aboriginal affairs and our commitments in the state budget. Firstly, we have got an overview of the commitment because of course Aboriginal affairs service delivery by this government does not just fall into the avenue of Aboriginal affairs, but the overall commitments that are made across government are outlined in that first slide there. In particular what I am going to talk about today is the 20.8 million that was committed through this budget.

On to the second slide, just to set the scene of how our interaction as a state government is working to support the actions of Aboriginal Victorians, we have got the growth figures there for the local Aboriginal network participation. These networks were established in 2009 and continue to grow year upon year, with a rate of 2449 participants in this year. We also have the 10 registered Aboriginal parties, which are appointed by the Victorian Aboriginal Heritage Council, and there are more party applications before them as we speak.

On to the third slide, just a snapshot of the work that has been done by both Aboriginal Victoria and the registered Aboriginal parties: a total of 630 Aboriginal places have been added to the Aboriginal heritage register since 1 July last year. That is a huge amount of work. Aboriginal Victoria and the registered Aboriginal parties have approved 445 cultural heritage management plans in the financial year to 31 March this year. You can see through the graph that is there the huge increase, and we have still got a fourth quarter ahead of us. Those cultural heritage management plans are essential, particularly in growth areas as well.

In terms of closing the gap and self-determination, the government has made commitments, as have all the parties in the Parliament, to doing what we can to close the gap, meeting those targets and raising the living standards of Aboriginal Victorians. One of the key features is, we believe, self-determination, so we have embarked on a new engagement framework with Aboriginal leaders and the broader Aboriginal community. Those forums include the Premier's gathering, which is an annual event with Aboriginal leaders focusing on strategic issues; a new Victorian government ministerial forum on Aboriginal affairs; and a new Aboriginal Victoria forum focused on the broader community. In addition to these, we have also had a range of forums on self-determination in the regional areas of Victoria — five in fact. We also this year, in the last few months, launched the *Victorian Local Aboriginal Networks — Five Year Plan*, which is the work that has been done by

those Aboriginal networks. I have provided the committee with a copy of that for you to be able to see the details.

In addition to this, we have also amended the Aboriginal Heritage Act to empower traditional owners to have greater control over culture and to also put some new provisions in place for the handling of ancestral remains, which we have not had in the past.

Also, one of our major commitments pre-election, and then we have got on with delivering, is Aboriginal economic development. The Victorian Aboriginal Economic Board is in the process of being established and is expected to hold its first meeting in June this year. The government has allocated 6.6 million for the Koori business strategy to develop and grow Aboriginal businesses.

We also have the broader commitments we have made in employment which will create jobs for Aboriginal Victorians, including the Back to Work scheme, and also government procurement processes, including a target for Aboriginal employment through the Caulfield to Dandenong level crossing project tender process. So government has committed to increase the proportion of Aboriginal public servant employees to 1 per cent.

Finally, the last slide goes to our commitments around the royal commission, and specifically the recommendations to support fighting family violence in the Aboriginal community. I will leave it there, Chair.

**The CHAIR** — Thank you, Minister. Now we have got government questions until 12.46 p.m.

**Ms SHING** — Thank you, Minister, for your opening remarks and presentation. At the outset — and I hope this will not be made into any sort of partisan issue — I want to congratulate you in relation to the very proactive work that you have undertaken in this portfolio and to the way in which the engagement has occurred in real and substantive terms to really make sure that voices from across Victoria from Indigenous networks and Koori and Aboriginal communities are included, inclusive and part of the narrative that is described as opposed to what has previously and in generations past been a very prescriptive process. So thank you from the outset. I think it makes a very significant change.

Minister, I take you to budget paper 3, page 296, and to the comments that you made in relation to the local Aboriginal networks in your opening presentation and to the way in which the objective there is to create a culturally safe platform for the way in which Aboriginal community views are gathered right around Victoria. Can you explain in more detail the role that those LANs will play and what the engagement structures are in gathering various community views and how that five-year plan will work? You might want to also describe the number of LANs and also the rate of active participation in that as well.

**Ms HUTCHINS** — Thank you, Ms Shing. Can I also begin by acknowledging the traditional owners of the land on which we meet and pay my respects to elders past and present of the Kulin nations.

The Andrews government, as I said, is extremely committed to the self-determination of Aboriginal people here in Victoria — that is, those that are born here and those that have chosen to live here, from other states. The Victorian Aboriginal networks are a real living, life example of what self-determination means — that is, they are self-governing and they provide a forum to come together for Aboriginal people in a particular geographical area. They are also an opportunity for non-Aboriginal people to come and be part of those groups on certain occasions to also build upon reconciliation and to also, I guess, teach history and culture in their local community around what is relevant. So they are a fantastic structure.

Just for the record for this committee, in the past these have been known as the local Indigenous networks. The name formally changed in the last 12 months at the request of the Aboriginal community. Many organisations in Victoria want to be known as Aboriginal rather than Indigenous because, as we will come to, there are many, many groups in Victoria that do not consider themselves Indigenous and would prefer to be incorporated under the banner of 'Aboriginal'. I should just state that when we refer to 'Aboriginal' we are actually referring to Aboriginal and Torres Strait Islanders here in Victoria.

**Ms SHING** — And language is everything.

**Ms HUTCHINS** — Yes. So the LANs are supported by my department through 11 Aboriginal development brokers — community brokers — and they go out into different regional areas to support those groups and work with them to provide culturally safe structures. They are able to work with them through their memberships to

engage and capture the views directly from Aboriginal communities. So they are very varied in the services and the events that they deliver in their local areas, but they all came together last year for the first time in Victoria's history in one location, in Healesville. It was an amazing two-day conference with a fantastic welcoming ceremony at the start. They worked through all of the commonality, all of the things that they want to achieve in the next five years, and actually worked through some of the differences in community during that forum.

They recently launched this five-year plan, which really focuses in on six key priority areas: strengthening community; supporting young people in the Aboriginal community; improving economic participation; building a stronger network; community planning and partnerships; and also working with local government. Of course I have the privilege of being the Minister for Local Government as well as for Aboriginal Affairs, and I find that the two portfolios really complement each other, particularly when you get down into these sorts of networks.

**Ms SHING** — Yes. How many LANs are there in total?

**Ms HUTCHINS** — In total I know we have over 2500 people participating — and I do not have the — 39.

**Ms SHING** — Thank you very much, Minister, very helpful.

**Ms WARD** — Thank you. Welcome, Minister — wominjeka. I just want to refer you to budget paper 3, page 6. We do not have a lot of time, so I will not yabber on too much. We have got the Budj Bim master plan and world heritage nomination, which I do not know a lot about, so I ask you to please talk to this money and this allocation — what the master plan is and how this initiative has come about.

**Ms HUTCHINS** — Thank you for the question. It is one of the best-kept secrets in Victoria for non-Aboriginal people. Aboriginal people know about this site because it is extremely famous in Aboriginal culture and heritage, but unfortunately for the rest of us, non-Aboriginals, it is not something that has been in the public domain but certainly will be now through this commitment.

**Ms WARD** — Is it near Portland?

**Ms HUTCHINS** — Yes. It is outside Heywood, down near Portland. It is near Lake Condah down there. What it is is the most amazing natural landscape that the Aboriginal people of Victoria, in particular the Gunditjmarra, were able to utilise as a major food source because of the landscape and also have the first homes ever in Australia — well, the oldest dated homes that we have on record.

**Ms WARD** — And how far are they dated back to?

**Ms HUTCHINS** — They are dated back 6600 years, which is in fact older than the pyramids and Stonehenge, and the foundations of those homes still sit there today and are an amazing thing to go and see. But most important is for Victorians, Australians and even international figures to be opened up to this site, and that is what this funding of a master plan will do. It will allow the local traditional owners to run a tourism business where — —

**Ms WARD** — Sorry, who are the local traditional owners?

**Ms HUTCHINS** — The Gunditjmarra. To allow them to run a business, train their own people — which they have already done — and take people on the experience of learning about culture and history through a guided walk. They will see the stone houses, they will see the facilities for eel trapping, they will see the most historic scar trees where they actually smoked the eel. This is just such a big part of Australia's history that has gone unrecognised for a long time. This will put that on the map for the first time, and it will also really resource our bid for world heritage listing with UNESCO, which we are at the third stage out of seven stages of pursuing. So I am very, very excited about this project. In fact, Chair, if there is ever an opportunity for this committee to meet down there, I am sure we could arrange a fantastic tour.

**Ms WARD** — That would be amazing. You're on, Minister; that would be amazing. What is the time line on this? When do you think that these stages will be implemented and people will actually be able to go on these tours of this amazing site?

**Ms HUTCHINS** — Well, the master plan itself has the aim of growing the facility so that there can be up to 80 000 visitors annually. For stage 1 and 2, the money will flow as the financial year starts, but certainly stage 1

will deliver boardwalks, car parks and access via roads but also camping grounds so that people can stay there. That money will flow from the financial year onwards.

**Ms WARD** — When would you think we would be able to start pitching tents? I am sure the Deputy Chair would love to pitch a tent.

**Ms HUTCHINS** — I would say in the next two years the facility will be widely opened, if not sooner.

**Ms WARD** — Do you anticipate economic benefits flowing beyond the immediate community, around the area?

**Ms HUTCHINS** — Absolutely. This is such a huge boost to the Heywood community in particular and to Portland. With the potential of up to 80 000 visitors a year to this site, the flow-on effect for tourism in the area will be endless — to the restaurants, the cafes and accommodation. Not everyone will want to pitch a tent but certainly even into the airport at Portland, for people to be able to fly down and have a weekend experience.

**Ms WARD** — So people will be able to go on tours. Will there also be a centre where more history can be picked up and a greater understanding of Aboriginal culture from the area understood?

**Ms HUTCHINS** — Yes, absolutely. The Gunditjmara people who manage this project, whose land it is, the traditional owners, have put a power of work in for many years on this project, have worked on a very comprehensive master plan. They will be the ones delivering it on the ground, and I know that they are extremely proud of the landscape that they have there and the stories that they have.

**Ms WARD** — I think we can all be proud of it, Minister. That is an amazing project, the Budj Bim project. Ngoon-godgin.

**Mr D. O'BRIEN** — Minister, the reference is BP3, pages 6 and 7, as you know, which outline Aboriginal affairs. I want to go to recommendation 146 of the Royal Commission into Family Violence, which states that:

The Victorian government give priority to providing adequate funding to Aboriginal community-controlled organisations [within 12 months] ...

Why have those organisations not received funding in this budget?

**Ms HUTCHINS** — I thank you for the question but I do not agree with your assessment that there is no funding for Aboriginal-run communities. In fact there is an allocation of \$350 000 for local organisations to fight family violence in the Aboriginal community.

**Ms SHING** — Page 12 of budget paper 3.

**Ms HUTCHINS** — Yes. So there is a commitment across the 11 Indigenous family violence regional action groups, which is a mouthful to say, but they are commonly known as IFVRAGs. They are local action groups of Aboriginal people who come together to put programs in place in their local communities. What we are doing for the first time is giving them substantial funding to run programs that are relevant to their local communities. Whether that be connecting, raising awareness, supporting events, there will be a range of things that are done in that area.

**Mr D. O'BRIEN** — So one of the dot points there under recommendation 146 is for 'culturally appropriate legal services for victims and perpetrators, to meet the increased demand for services and the need for statewide coverage'. Is that funded in the budget? Sorry, I am referring to the royal commission recommendation now.

**Ms HUTCHINS** — Yes. Specifically I am pretty sure that that is addressed through enhancing awareness and early intervention programs, which come through the Attorney-General. As I pointed to on the first slide that is there, there are a range of resources that are governed by other parts of government and other ministers, including advice and support for children in out-of-home care and further diversion programs for Koori women and of course dispute resolution and mediation programs and training. Those three areas all come in other portfolios and other ministers' responsibilities from the A-G to the minister for families. I think the important thing is that in my department of Aboriginal affairs Aboriginal Victoria is working with all of those agencies to ensure that there is culturally sensitive support and responsibility within those agencies and their delivery.

**Mr D. O'BRIEN** — You mentioned 350 000 under one of those on page 12. What is the total, though, for specific Aboriginal funding for family violence, responding to the royal commission?

**Ms HUTCHINS** — As a government in the whole it is 25.7 million. In terms of specific programs within Aboriginal affairs, those are integrated into other programs but certainly there is that commitment of 350 000 to directly go to those IFVRAGs that I explained, the family violence regional action groups, to further resource them. It is very hard to say, 'We're only going to tackle it in one area'. The other commitment that I think is extremely important is the \$50 000 allocation to Victoria Police to make sure that there are Koori police protocols that are followed. In some communities those people that deliver that are actually the local traditional owners or Aboriginal people that are providing that training in location. So all of our commitments, whether it be the 16.5 million to expand specialist services and support children in out-of-home care — why I raise out-of-home care as an issue in the context of family violence is because quite often family violence is one of the major contributing factors to children moving into out-of-home care, so you cannot separate the issues. Those commitments certainly are the biggest on record in this space to try and deal with these issues.

Can I just also put on the record on the issue of the Aboriginal family violence that quite often the assumption is made that Aboriginal women are experiencing family violence in the context of Aboriginal men, but quite often it is any sort of background partner that they could be experiencing family violence in the home from. Also unfortunately, not only just in Aboriginal affairs but in a range of issues relating to family violence across the state, we are seeing a growth in reporting between parents of adult children and issues of family violence because of drug and alcohol abuse. That is also reflected in some of the cases in the Aboriginal community as well.

**Mr D. O'BRIEN** — Minister, I note there is obviously limited funding in the Aboriginal affairs portfolio specifically. Can I just go again to page 7 of budget paper 3. I think it is a \$1 million grant to the Fitzroy Stars Football and Netball Club. What exactly will that go to? It talks about it being upgraded, but is it a physical upgrade? How does it — —

**Ms HUTCHINS** — It is a combination of money, and to be honest \$1 million is probably a drop in the ocean for what the Fitzroy Stars could potentially deliver into the future — and other like organisations, such as Rumbalara — —

**Mr D. O'BRIEN** — I guess what I am getting at is the context of when you are talking about 350 000 for responding to family violence, I am just asking where — —

**Ms HUTCHINS** — That is just one package in a \$25.7 million commitment to tackling Aboriginal family violence. What I am saying is that not all of that money sits just in the Aboriginal affairs portfolio. Certainly Rebecca could probably expand on that.

Just on the Fitzroy Stars and the football-netball club there, I am not sure if you have ever visited the Fitzroy Stars, but certainly it is evident when you go to one of their games or to any of their functions on a weekend, the number of Aboriginal community members that are in attendance is quite phenomenal, sometimes up to a couple of thousand in attendance to watch netball games, which is quite amazing. The club reaches out while people are there with a range of programs, including health checks. They utilise anti-family violence campaigns and they do a special white ribbon event. There are a range of resources that they provide — they run immunisation campaigns there as well for children. It is not just about the sport that is played on the day; it is about connecting with people that would not necessarily go to a health service to get that support.

**Mr D. O'BRIEN** — Can I just ask with respect to the grant: as I am sure you are aware, Mr Jason Mifsud said is the executive director of Aboriginal services but also the coach of the club. How did you satisfy yourself that there were no conflict of interest issues in that role?

**Ms HUTCHINS** — I think it is fair to say that budget decisions are not made overnight, and certainly the bids that were made through Aboriginal Victoria were in the pipeworks for many, many months before the budget. This was certainly one that I personally took up as a challenge to be able to deliver more funds there, because, quite frankly, the support services that this club offers are phenomenal —

**Mr D. O'BRIEN** — I understand that.

**Ms HUTCHINS** — and their resources are pretty run down.

**Mr D. O'BRIEN** — I guess what I am asking is: did Mr Mifsud have any involvement in the grant?

**Ms HUTCHINS** — He has actually only been the executive director for maybe five or six weeks. So, no, he was not involved in the process of — —

**Mr D. O'BRIEN** — Thank you. Can I quickly move on. The youth mentoring program, which is also on page 6 — given the problems that we have got are well documented, why is that only funded for one year when clearly it is something that needs to be built over a period of time?

**Ms HUTCHINS** — Sorry, which particular bit of funding are you referring to?

**Mr D. O'BRIEN** — Young Aboriginal people's health and wellbeing is the line item, but it is a youth mentoring program. It has got \$900 000 just for one year. Why is it not funded longer?

**Ms HUTCHINS** — I think because it is a new program. In the past we have been big supporters of the Koorie Youth Council and the summit there. This is actually something that falls into the portfolio of the Minister for Families and Children, in the youth space, that she will be taking up, but it is certainly — —

**The CHAIR** — Order! Ms Pennicuik, until 1 o'clock

**Ms PENNICUIK** — Excuse me, Minister, while I juggle all the papers and everything on the table. Can I refer you to your presentation, where you showed maps and graphs with regard to the local Aboriginal networks and registered Aboriginal parties. On that map with the reference to the Eastern Maar, I cannot quite actually read what is written there — it is so small, the type font. I wonder, if you have any larger font in your notes, if you could actually read, because there are two notes there with regard to that particular — —

**Ms HUTCHINS** — What it does under each name — and I am sorry this is not bigger; we could provide it in a bigger format in future or, if you need, for today. But underneath that it says in the last 12 months there have been 150 new registered places of Aboriginal significance, and then under that, 6 CHMPs, which are the cultural heritage management plans. If you compare 6 in Eastern Maar to 764 in Wurundjeri, you see where the growth is covered in the state through those.

**Ms PENNICUIK** — There is also another note there, I think, that relates to the Eastern Maar on the right-hand side — —

**Ms HUTCHINS** — Sorry, that one; that is where there is a crossover of appointment. If you look between the Gunditj Mirring and the Martang on the Eastern Maar, there is a crossover line there. There is still an area, particularly around Wilsons Prom, that is in dispute as to which group of traditional owners cover that land.

**Ms PENNICUIK** — That segues, I suppose, into a question I do have, which is in regard to the delay with regard to the Eastern Maar threshold statement — which has been delayed, I understand, for quite a few years or several years — and whether you could update us on the status there.

**Ms HUTCHINS** — Sure. The government has focused and funded a program over the years around Right People for Country. There was a process that was undertaken around that working with the traditional owners. Certainly if I could just emphasise that with all of the legislation that fits around registered Aboriginal parties, at the heart of that is the Victorian Aboriginal Heritage Council, who are the decision-makers on where registered Aboriginal parties are deemed to have recognition under the act. They have a number of applications on their plate at any given time. They have a range of applications there under consideration now. When it comes to independence and self-determination of Aboriginal people, you need to ensure that that committee is given the time to do the work that they see fit in making judgements about, I guess, land that is covered by the registered Aboriginal party.

**Ms PENNICUIK** — Thank you, Minister. In the time I have available, if I could refer to your Koori business strategy, I asked the small business minister question about this strategy and the modelling that it may have been modelled on, in particular the commonwealth model. You mentioned also in your presentation about government procurement processes with regard to that. Other models, in particular the commonwealth model, has mandated procurement criteria. I was wondering — certainly the minister for small business referred me to

you for the answer to that question as to whether there will be mandated procurement associated with the strategy.

**Ms HUTCHINS** — Certainly. The strategy is close to finalisation and release, but we are also committed to having a Victorian Aboriginal economic board and strategy that this needs to fit within. Yes, procurement needs to be a part of both of those, and in particular procurement in relation to delivering employment, particularly on government projects. Certainly there are elements there, and I look forward to being able to launch that along with the Aboriginal community when it is ready.

**Ms PENNICUIK** — Thank you, Minister. I think I have run out of time here.

**The CHAIR** — Order! I would like to thank the witnesses for their attendance — the Honourable Natalie Hutchins, MP, Minister for Aboriginal Affairs; and Ms Falkingham from the Department of Premier and Cabinet. The committee will follow up on any questions taken on notice in writing. A written response should be provided within 14 calendar days of that request.

**Witnesses withdrew.**