

Appendix 8 Minutes

Standing Committee on Social Issues

Meeting 18, 26 February 2004, Room 812, Parliament House, 5. 50 pm

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker (Deputy Chair)
The Hon Dr Arthur Chesterfield-Evans MLC
The Hon Catherine Cusack MLC
The Hon Kaycee Griffin MLC
The Hon Ian West MLC

2. Apologies

Nil

3. New inquiry, deliberative

The Chair tabled the resolution of the House this day directing the Committee to conduct an inquiry [Item 12, *Legislative Council Minutes No. 41, Thursday 26 February 2004*].

The Committee deliberated.

Mr West moved: That the inquiry be called the "Inquiry into issues relating to Redfern/Waterloo".

Dr Chesterfield-Evans moved that the motion be amended to delete every word after "Inquiry" and replace them with "arising from the Redfern incident".

Amendment put.

The Committee divided.

Ayes

Ms Cusack
Ms Parker
Dr Chesterfield-Evans

Noes

Ms Burnswoods
Ms Griffin
Mr West

There being an equality of votes, the Chair cast her vote with the noes.
The question resolved in the negative.

Original motion put.

The Committee divided.

Ayes

Ms Burnswoods
Ms Griffin
Mr West

Noes

Ms Cusack
Ms Parker
Dr Chesterfield-Evans

There being an equality of votes, the Chair cast her vote with the ayes.
The question resolved in the affirmative.

Closing date for submissions

Resolved, on the motion of Mr West, that the closing date for submissions should be Friday 16 April 2004.

Advertising and inviting submissions

The Secretariat briefed the Committee on placing advertisements inviting written submissions relevant to the inquiry terms of reference, which will appear first in the major metropolitan newspapers on Saturday 6 March 2004. The Secretariat will prepare a list of other relevant newspapers for advertisements (eg. Koori Mail) and organisations and individuals to be invited to provide a written submission.

The Committee deliberated.

Resolved, on the motion of Ms Parker, that Members should provide the Secretariat with suggestions on where else the Committee might advertise and individuals and organisations that the Committee should write to inviting written submissions relevant to the inquiry terms of reference.

Research

Resolved, on the motion of Ms Griffin, that the Committee secretariat review the recommendations of the Royal Commission into Aboriginal Deaths in Custody which are relevant to the Waterloo/Redfern community to ascertain whether these recommendations have been implemented or not, and if so, when.

4. Adjournment

The Committee adjourned at 6.10 pm.

Meeting 20, 10 March 2004, Room 812 Parliament House, 1.10pm

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker (Deputy Chair)
The Hon Dr Arthur Chesterfield-Evans MLC
The Hon Ian West MLC
The Hon Kayee Griffin MLC
The Hon Greg Pearce MLC

2. Apologies

Nil

3. Minutes

Resolved, on the motion of Mr West, that the Minutes no 17 and 18 be adopted.

4. Deliberative - Inquiry into the issues relating to Redfern/Waterloo

New Committee member and staff

The Chair tabled a letter dated 10 March 2004 from Mr John Evans Clerk of the Parliament advising that, effective immediately, the Hon Greg Pearce MLC will replace the Hon Catherine Cusack MLC as a Member of the Social Issues Committee.

The Chair welcomed The Hon Greg Pearce MLC to the Committee.

The Chair welcomed Ms Rachel Callinan, Senior Project Officer and informed Committee members that Ms Callinan would be managing the inquiry into issues relating to Redfern/Waterloo.

Inviting submissions and advertising

The Chair tabled the suggested list of organisations and individuals to invite to make submissions to the inquiry.

Resolved, on the motion of Dr Chesterfield-Evans, that the Chair write to persons, bodies and organisations inviting submissions relevant to the terms of reference for the inquiry.

Resolved, on the motion of Ms Parker, that the Secretariat consult with Redfern/Waterloo local representatives to consider the preparation of a culturally appropriate flyer with information about the inquiry to place in the Redfern/Waterloo areas.

The conduct of the inquiry

The Chair tabled the Provisional Timeline for the conduct of the inquiry.

Resolved, on the motion of Ms Parker, that the Secretariat investigates culturally appropriate venues in the Redfern and Waterloo areas for the conduct of future hearings and consultations.

Resolved, on the motion of Mr Pearce, that the Secretariat seek advice from relevant Aboriginal people both within the Redfern and Waterloo communities, as well as other Aboriginal leaders on methods for the consultation of indigenous people; and that the Secretariat prepare a briefing paper on options for the consultation process.

Resolved, on the motion of Mr Pearce, that the inquiry hearing dates include 18 and 19 May and 25 and 26 May 2004, subject to change depending on members availability and the availability of witnesses.

Inquiry into issues relating to Redfern/Waterloo

Background research

The Secretariat briefed the Committee on background research material and other relevant inquiries on issues relating to Redfern and Waterloo.

Resolved, on the motion of Ms Griffin, that the Secretariat provide additional information on the status of the Aboriginal Housing Company's proposal for the development of 'The Block'.

Resolved, on the motion of Ms Griffin, that further to the request for information on the recommendations of the 1997 ATSIIC report, *Royal Commission into Aboriginal Deaths in Custody. An overview of its establishment, findings and outcomes*, the Secretariat provide additional information on the report with regard to recommendations on 'underlying issues' and 'self determination' found at page 7 of the report.

5. Adjournment

The Committee adjourned at 1.45pm.

Meeting 24, 8 April 2004, Jubilee Room, 9.40am

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Dr Arthur Chesterfield-Evans MLC
The Hon Ian West MLC
The Hon Kayee Griffin MLC
The Hon Greg Pearce MLC

2. ...

3. Deliberative - Inquiry into issues relating to Redfern/Waterloo

The Committee deliberated.

Correspondence

The Chair tabled the following items of correspondence:

- Item 1 – Letter from Mr Russell Taylor, Chief Executive Officer, NSW Aboriginal Housing Office dated 18 March 2004, to Julie Langsworth, advising that the Government intends to make a whole-of-government submission to the Inquiry into issues relating to Redfern/Waterloo.
- Item 2 – Letter from Dr Col Gellatly, Director General, Premier's Department, dated 1 April 2004, to Jan Burnswoods, requesting an extension to the deadline for its submission to the Inquiry into issues relating to Redfern/Waterloo to 30 April 2004.

Resolved, on the motion of Ms Parker, that the Committee agree to Government's request for an extension and respond to Dr Gellatly accordingly.

The Committee deliberated.

Ms Parker moved: That the Committee extend an invitation to the approximately 30 agencies who are providing input to the Government's submission to submit a separate submission and any additional information to the Committee that they wish.

The Committee deliberated.

Mr West moved: That consideration of the motion moved by Ms Parker be adjourned until after the Government's submission has been received.

The Committee divided.

Ayes

Ms Burnswoods
Ms Griffin
Mr West

Noes

Mr Pearce
Ms Parker
Dr Chesterfield-Evans

There being an equality of votes, the Chair cast her vote with the ayes. The question resolved in the affirmative.

Resolved, on the motion of Dr Chesterfield-Evans, that the Committee's response to Dr Gellatly note the Committee's concern about the Government's decision to provide a whole of Government response and request that the Government's submission reflect the diverse range of views that will no doubt be expressed by the approximately 30 agencies providing input into the response and that the submission be drafted in such a way as to enable the Committee to identify the views of individual agencies.

Update on inquiry progress

The Secretariat provided the Committee with an update on the progress of the inquiry, including:

- Letters of invitation for submissions
- Publicising inquiry
- Meetings with relevant organisations and individuals
- Background research material
- Media information.

Future inquiry activity

Resolved, on the motion of Ms Parker, that the Secretariat provide the Committee with information on the independent consultation group Morgan Disney, currently conducting a review of services in the Redfern/Waterloo area.

Resolved, on the motion of Ms Parker, that the Secretariat arrange a site visit to Redfern before the commencement of hearings on the 18 May 2004 if possible and, if a suitable date cannot be found in that period, that the site visit be arranged for the morning of Tuesday 18 May.

Resolved, on the motion of Mr West, that the Committee reserve Friday 4 June 2004, 9am – 5pm as an additional hearing day for the inquiries into issues relating to Redfern/Waterloo.

Resolved, on the motion of Mr Pearce, that the Secretariat seek the advice of the Clerk-Assistant Committees as to the appropriateness of requesting that the Australian Broadcasting Commission provide the Committee with footage shot for the purposes of creating the 4 Corners program on the Redfern Riot which was aired on 29 March 2004.

4. Adjournment

The Committee adjourned at 1.50pm.

Meeting 27, 5 May 2004, Rm 1153, Parliament House, Sydney, 9.40am

1. Members present

Jan Burnswoods (Chair)
 The Hon Robyn Parker, MLC (Deputy Chair)
 The Hon Dr Arthur Chesterfield-Evans MLC
 The Hon Ian West MLC
 The Hon Kayee Griffin MLC
 The Hon Greg Pearce MLC

2. Apologies

Nil

3. Minutes

Resolved, on the motion of Mr Pearce, that the Committee adopt Minutes 23 and 24.

4. Correspondence

The Chair tabled the following items of correspondence:

- Item 1 – Letter from Chair to Dr Col Gellatly, Director General, Premier's Department, dated 8 April 2004, re approval of extension of time for Government submission and noting Committee's concern re whole-of-government response
- Item 2 – Letter from Gillian Calvert, Commissioner, NSW Commission for children and young people, dated 8 April 2004, regarding not making a detailed submission to the inquiry into issues relating to Redfern/Waterloo
- Item 3 – Letter to Committee Director from Fr Peter Maher, AWD Aboriginal Justice Support Group, dated 14 April 2004, requesting the Committee undertake positive consultation with the Redfern/Waterloo indigenous community.
- Item 4 – Letter from Committee Director to Fr Peter Maher, AWD Aboriginal Justice Support Group, dated 15 April 2004, responding to the request to undertake positive consultation with the Redfern/Waterloo indigenous community.

Inquiry into issues relating to Redfern/Waterloo

- Item 5 - Letter to Chair from Bruce Barbour, Ombudsman, dated 19 April 2004, advising that he will not be providing a submission to the inquiry.
- Item 7 – Letter to Mr Clive Small, dated 4 May 2004, inviting him to make a submission to the inquiry.
- Item 8 – Letter to Mr Bruce Belsham, dated 4 May 2004, inviting the *4 Corners* program to make a submission to the inquiry.

5. Deliberative - Inquiry into issues relating to Redfern/Waterloo

The Committee deliberated.

Adjourned motion

Resolved, on the motion of Ms Parker that her motion of 8 April 2004: “That the Committee extend an invitation to the approximately 30 agencies who are providing input to the Government’s submission to submit a separate submission and any additional information to the Committee that they wish”; be further adjourned until the next Committee meeting.

Future Inquiry activity

Resolved, on the motion of Ms Parker, that Committee members and the Secretariat visit the Redfern/Waterloo area on the afternoon of Monday 10 May 2004 for the purpose of better understanding the area the subject of the terms of reference.

Resolved, on the motion of Mr West, that the individuals and organisations listed in Attachment 1, as well as representatives of the NSW Fire Brigade, be invited to give evidence at future hearings.

Resolved, on the motion of Mr West, that the arrangements for the scheduling of witnesses and community forums be left in the hands of the Chair and the Secretariat after consultation with the Committee and dependent upon the availability of witnesses and forum participants.

6. Adjournment

The Committee adjourned at 10.10am to reconvene at 1:30pm, Monday 10 May 2004.

Meeting 28, 10 May 2004, Room 1153, Parliament House, Sydney, 1.35pm

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Dr Arthur Chesterfield-Evans MLC
The Hon Ian West MLC
The Hon Kaycee Griffin MLC (until 2.30pm)
The Hon Greg Pearce MLC

2. Apologies

Nil

3. Minutes

Resolved, on the motion of Ms Parker, that the Committee adopt Minutes 25, 26 and 27.

4. ...

5. Deliberative - Inquiry into issues relating to Redfern/Waterloo

Adjourned motion

The Committee considered Ms Parker’s motion of 8 April 2004: “That the Committee extend an invitation to the approximately 30 agencies who are providing input to the Government’s submission to submit a separate submission and any additional information to the Committee that they wish”.

The Committee deliberated.

Resolved, on the motion of Ms Parker, that the Committee extend an invitation to the approximately 30 agencies who have provided input to the Government’s submission, received on 30 April 2004, to submit a separate submission and/or any additional information that may help the Committee in the conduct of the inquiry.

Submissions

The Chair tabled submissions 1 – 61, received in relation to the inquiry into issues relating to Redfern/Waterloo.

Resolved, on the motion of Dr Chesterfield-Evans that, in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish:

- the following submissions in full: 2–7, 9-13, 15, 16, 18-20, 23, 26, 30, 31, 33-35, 41, 42, 45, 46, 48, 49, 51, 52, 54, 56, 57, 58, 59
- the following submission except for one sentence on page 1: 11
- the following submission except for Appendix 1: 27
- the following submission except for section (b) with the exception of the first two and the last paras: 50
- the following submission except for the case studies: 55
- the following submissions with names and/or addresses kept confidential: 1,14, 27, 40.

Resolved, on the motion of Dr Chesterfield-Evans, that the Committee agree to the request by submission makers that the following submissions be kept confidential: 8, 21, 22, 24, 25, 28, 32, 36, 37, 43, 44, 47, 53, 60, 61.

Resolved, on the motion of Dr Chesterfield-Evans, that the Committee not publish submission 39 as it does not relate to the terms of reference.

Resolved, on the motion of Dr Chesterfield-Evans, that the Secretariat be authorised to grant requests made by authors of public submissions, to distribute their submission.

6. **Adjournment**

The Committee adjourned at 2.30pm and reconvened at 2.40pm to travel by train to Redfern.

7. **Redfern site visit**

The Committee visited the Redfern/Waterloo area for the purpose of better understanding the area the subject of the terms of reference.

8. **Adjournment**

The Committee adjourned at 4.30pm.

Meeting 29, 18 May 2004, Jubilee Room, Parliament House, Sydney, 9.00am

1. **Members present**

Jan Burnswoods (Chair)
 The Hon Robyn Parker, MLC (Deputy Chair)
 The Hon Dr Arthur Chesterfield-Evans MLC
 The Hon Ian West MLC
 The Hon Kaycee Griffin MLC
 The Hon Greg Pearce MLC

2. **Apologies**

Nil

3. **Public Hearing - Inquiry into issues relating to Redfern/Waterloo**

The public and media were admitted.

The Chair made an opening statement regarding the conduct of the inquiry.

Mr Pearce raised a point of order in relation to statements made by the Chair on Monday 17 May 2004 regarding the calling of witnesses for the inquiry.

The Chair asked that Committee move into a deliberative meeting to discuss the matter.

The witnesses, public and media withdrew.

4. **Deliberative - Inquiry into issues relating to Redfern/Waterloo**

The Committee deliberated.

Resolved, on the motion of Ms Parker, that as per the preliminary arrangements made by the Secretariat, the Committee hear from representatives of the Police Association on 8 June 2004 and also hear from Mr Paul Huxtable, whether in his capacity as a Police Association representative, or in an individual capacity.

Inquiry into issues relating to Redfern/Waterloo

5. Resumption of hearing - Inquiry into issues relating to Redfern/Waterloo

Dr Col Gellatly, Director General, Premier's Department, and Mr Michael Ramsey, Project Director, Redfern/Waterloo Partnership Project, Premier's Department, sworn and examined.

Mr Pearce raised a question in relation to Mr Huxtable giving evidence before the Committee.

The Chair asked that the room be cleared.

The witnesses, public and media withdrew.

6. Deliberative - Inquiry into issues relating to Redfern/Waterloo

The Committee deliberated.

7. Resumption of hearing – Inquiry into issues relating to Redfern/Waterloo

The witnesses, public and media were admitted.

The questioning of witnesses recommenced.

Dr Gellatly tabled one document to support his evidence.

Resolved, on the motion of Mr West, that the Committee accept the document.

The Chair noted that Dr Gellatly and Mr Ramsey had taken a number of questions on notice during the hearing.

The witnesses agreed to provide the answers to the questions on notice to the Committee, 10 working days after the receiving the questions on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witnesses withdrew.

Mr Gary Moore, Director, Council of Social Services of New South Wales, affirmed and examined.

Questioning concluded and the witness withdrew.

Short Adjournment.

Ms Marcia Ella-Duncan, Chairperson, Sydney Regional Council, Aboriginal and Torres Strait Islander Commission, affirmed and examined.

Questioning concluded and the witness withdrew.

Mr David Madden, Deputy Commissioner Operations, NSW Police, Mr Morris West, Western Region Commander, Corporate Spokesperson for Aboriginal Issues, NSW Police, Mr Robert Waites, Commander, Inner Metropolitan Region, NSW Police, sworn and examined.

Mr Madden asked that certain evidence be taken *in camera*.

The Committee deliberated.

The public and media withdrew.

The Chair advised Mr Madden, Mr West and Mr Waites of the procedures and guidelines relating to *in camera* evidence.

In camera evidence was taken.

The Chair noted that Mr Madden, Mr West and Mr Waites had taken a number of questions on notice during the hearing.

The witnesses agreed to provide the answers to the questions on notice to the Committee, 10 working days after the receiving the questions on notice from the Secretariat, subject to the availability of the information and advice regarding the need for the information to remain confidential to the Committee.

Evidence concluded and the witnesses withdrew.

8. Confirmation of Minutes 28

Resolved, on the motion of Mr West, that the Committee adopt Minutes 28.

9. Correspondence

The Chair tabled the following items of correspondence:

- ...

- Item 2 – Letter from K E Moroney, Commissioner, NSW Police, dated 13 May 2004, responding to the invitation by the Committee to appear as a witness for the Inquiry into issues related to Redfern/Waterloo
- Item 3 – Letter from the Chair to Minister Tebbutt, dated 13 May 2004, regarding the government response to Child Protection Services report.

10. Deliberative – Inquiry into issues relating to Redfern/Waterloo

The Chair tabled submissions 62 - 67, received in relation to the inquiry into issues relating to Redfern/Waterloo.

Resolved, on the motion of Ms Parker that, in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submissions in full: 62, 63, 64, 65, 67.

Resolved, on the motion of Ms Parker, that the Committee agree to the request by submission maker that the following submission be kept confidential: 66.

The Committee deliberated.

Dr Chesterfield-Evans moved that, in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submissions with the exception of material including case studies, identifying information and information with potential adverse mention: 17, 29, 38.

Ms Parker moved an amendment that, in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submissions with the deletion of names and event numbers: 29, 38.

The Committee divided.

Ayes

Ms Parker
Mr Pearce
Dr Chesterfield-Evans

Noes

Ms Burnswoods
Ms Griffin
Mr West

There being an equity of votes, the Chair cast her vote with the noes. The question resolved in the negative.

The original motion by Dr Chesterfield-Evans put and passed.

11. ...

12. Adjournment

The Committee adjourned at 4.40pm to reconvene at 10.00am, Wednesday 19 May 2004.

Meeting 30, 19 May 2004, Redfern Community Centre, Redfern, 10.00am

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Dr Arthur Chesterfield-Evans MLC
The Hon Ian West MLC
The Hon Kaycee Griffin MLC
The Hon Greg Pearce MLC

2. Apologies

Nil

3. *In camera* hearing - Inquiry into issues relating to Redfern/Waterloo

Witness A sworn and examined.

Witness A tendered one document to support his evidence.

Resolved, on the motion of Mr Pearce, that the Committee accept the document.

Inquiry into issues relating to Redfern/Waterloo

Questioning concluded and the witness withdrew.

Short adjournment.

Mr Michael Mundine, Chief Executive Officer, Aboriginal Housing Company, Ms Lani Tuitavake, Property Manager, Aboriginal Housing Company, Mr Richard Green, Youth Liaison Officer, Elouera Gym, Aboriginal Housing Company, Mr Peter Valilis, Project Manager, Aboriginal Housing Company, Mr Colin James, Director, Ian Buchan Fell Housing Research Centre, University of Sydney, sworn and examined. Mr David Liefer, Lecturer in Facilities Management, University of Sydney and Honorary Adviser, Aboriginal Housing Company and Ms Angela Pitts, Urban/Social Planning Consultant, Aboriginal Housing Company, affirmed and examined.

Resolved, on the motion of Ms Parker, that in accordance with section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and under the authority of Standing Order 223, the Committee authorises the Director to publish the transcript of evidence taken from the Aboriginal Housing Company, subject to the suppression of sensitive identifying information.

Questioning concluded and the witnesses withdrew.

Short luncheon adjournment.

Witnesses B, C, D, E, affirmed and examined.

Questioning concluded and the witnesses withdrew.

4. Public Hearing - Inquiry into issues relating to Redfern/Waterloo

The public and media were admitted.

Ms Joyce Ingram sworn and examined.

Questioning concluded and the witness withdrew.

Mr Lyall Munro sworn and examined.

Questioning concluded and the witness withdrew.

Mr Kevin Smith, Jamu-Murrinjari-Murramarang-Walbanga, affirmed and examined. Mr Langis Shane Phillips, sworn and examined.

Questioning concluded and the witnesses withdrew.

5. Adjournment

The Committee adjourned at 5.30pm, to reconvene at 9.00am, Tuesday 25 May 2004.

Meeting 31, 25 May 2004, Jubilee Room, Parliament House, 10am

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Dr Arthur Chesterfield-Evans MLC
The Hon Ian West MLC
The Hon Kayee Griffin MLC
The Hon Greg Pearce MLC

2. Apologies

Nil

3. Public hearing - Inquiry into issues relating to Redfern/Waterloo

The media and the public were admitted.

Mr Robert Welsh, Chairperson, Metropolitan Local Aboriginal Land Council, Mr Paul Coe, Chief Executive Officer, Metropolitan Local Aboriginal Land Council, Mr Lindsay Hardy, Manager, Tunggare News, affirmed and examined.

Mr Coe presented a copy of an item from the internet to support his evidence.

Questioning concluded and the witnesses withdrew.

Superintendent Dennis Smith, Commander, Redfern Local Area Command, NSW Police, Detective Inspector Darren Bennett, Crime Manager, Redfern, NSW Police, Senior Constable Georgina Owens, Crime Prevention Officer, Redfern, NSW Police, sworn and examined.

The Chair noted that Superintendent Dennis Smith had taken one question on notice during the hearing.

The witness agreed to provide the answers to the question on notice to the Committee, 10 working days after receiving the question on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witnesses withdrew.

Short adjournment.

Mr Charles Richardson, Coordinator, Inner Sydney Regional Council for Social Development, affirmed and examined.

The Chair noted that Mr Richardson had taken one question on notice during the hearing.

The witness agreed to provide the answer to the question on notice to the Committee, 10 working days after receiving the question on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witness withdrew.

Cr Tony Pooley, affirmed and examined.

Questioning concluded and the witness withdrew.

Ms Linda Burney, MLA, Member for Canterbury, appeared before the Committee.

Questioning concluded and the witness withdrew.

Ms Clover Moore, MLA, Member for Bligh and Lord Mayor of the City of Sydney, appeared before the Committee.

Questioning concluded and the witness withdrew.

The media and the public withdrew.

4. **Deliberative - Inquiry into issues relating to Redfern/Waterloo**

The Chair informed the Committee that concerns had been raised about the mentioning of two individuals in evidence from the NSW Police at today's hearing.

The Secretariat provided the Committee with information on the procedures and practices for the removal of names from public transcripts.

The Committee deliberated.

Mr West moved that, in accordance with section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and under the authority of Standing Order 223, the Committee authorises the Director to publish the transcript of evidence taken from the NSW Police at today's hearing, subject to the suppression of the names of two individuals.

The Committee divided.

Ayes

Ms Burnswoods
Mr West
Ms Griffin
Dr Chesterfield-Evans

Noes

Ms Parker
Mr Pearce

The motion by Mr West put and passed.

5. **Adjournment**

The Committee adjourned at 5.35pm, to reconvene at 10.00am 26 May 2004 at the Redfern Town Hall.

Meeting 32, 26 May 2004, Redfern Town Hall, Parliament House, 10.15am

1. **Members present**

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Dr Arthur Chesterfield-Evans MLC
The Hon Ian West MLC

Inquiry into issues relating to Redfern/Waterloo

The Hon Kayee Griffin MLC
The Hon Greg Pearce MLC

2. Apologies

Nil

3. Public hearing - Inquiry into issues relating to Redfern/Waterloo

The media and the public were admitted.

The Chair made an opening statement, acknowledging that today is Sorry Day and tomorrow begins Reconciliation Week.

The Chair also informed the media and public of the decision of the Committee to remove from yesterday's evidence given by the NSW Police, the names of two individuals.

Reverend William Crews, Chairman, Exodus Foundation and Mr Richard Boyd, Treasurer, Exodus Foundation, sworn and examined.

Questioning concluded and the witnesses withdrew.

Ms Sharne Dunsmore, Executive Officer, Fact Tree Youth Service and Dr Stuart Rosewarne, Chairperson, Fact Tree Youth Service, affirmed and examined.

Questioning concluded and the witnesses withdrew.

Ms Jody Broun, Director General, NSW Department of Aboriginal Affairs, affirmed and examined.

The Chair noted that Ms Broun had taken two questions on notice during the hearing.

The witness agreed to provide the answers to the questions on notice to the Committee, 10 working days after receiving the question on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witness withdrew.

Ms Helen Campbell, Director, Redfern Legal Centre and Ms Lyndal Gowland, Coordinator, Women's Domestic Violence Court Assistance Scheme, affirmed and examined, Ms Kirillie Moore, Solicitor, Redfern Legal Centre, sworn and examined.

The Chair noted that Ms Campbell had taken questions on notice during the hearing.

The witness agreed to provide the answers to the questions on notice to the Committee, 10 working days after receiving the questions on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witnesses withdrew.

Ms Shirley Lomas and Ms Tania Marie Laurie, sworn and examined.

Questioning concluded and the witnesses withdrew.

The media and the public withdrew.

4. ...

5. Adjournment

The Committee adjourned at 3.55pm, to reconvene at 10.00am on 4 June 2004 in the Jubilee Room, Parliament House.

Meeting 33, 4 June 2004, Jubilee Room, Parliament House, 10.05am

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Dr Arthur Chesterfield-Evans MLC
The Hon Ian West MLC
The Hon Kayee Griffin MLC
The Hon Greg Pearce MLC

2. Apologies

Nil

3. ...

Luncheon adjournment.

4. **Confirmation of Minutes 28, 29, 30, 31, 32**

Resolved, on the motion of Mr Pearce, that the Committee adopt Minutes 28, 29, 30, 31, 32

5. **Correspondence**

The Chair tabled the following items of correspondence:

Item 1 – Letter from K E Moroney, Commissioner, NSW Police, not dated, regarding the request to make a separate submission to the Inquiry into issues relating to Redfern/Waterloo

Item 2 – ...

Item 3 – Draft letter from Committee Chair to Mr Reitano, addressing the issues raised in Mr Reitano's email

6. **Deliberative – Inquiry into issues relating to Redfern/Waterloo**

The Committee deliberated.

Letter to Mr Reitano

Resolved, on the motion of Mr Pearce, that the draft letter from the Committee Chair to Mr Reitano, be send to Mr Reitano.

...

Submissions

The Chair tabled submissions 68 – 80, received in relation to the Inquiry into issues relating to Redfern/Waterloo.

Resolved, on the motion of Mr Pearce, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, subject to the request of the submission author to publish the following submission except for confidential material identified by the submission author: 32.

Resolved, on the motion of Ms Parker, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submissions in full: 68-71, 75-80.

Resolved, on the motion of Mr Pearce, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submission subject to the authors request for name suppression: 72.

Resolved, on the motion of Mr Pearce, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submission subject to the authors request for name suppression and the removal of certain other names mentioned in the submission: 73

Resolved, on the motion of Mr Pearce, that the Committee agree to the request by submission maker that the following submission be kept confidential: 74.

Unauthorised disclosure

The Acting Director informed Committee members that an unauthorised disclosure had occurred in relation to Mr Paul Huxtable's submission (submission 29) to the Inquiry into issues relating to Redfern/Waterloo. The Acting Director provided the Committee with information on the relevant procedures that apply to unauthorised disclosure, as recommended by the Standing Committee on Parliamentary Privilege and Ethics, *Report on Guidelines Concerning Unauthorised Disclosure of Committee Proceedings*, Report 23, NSW Parliament, December 2002.

The Committee deliberated.

Questions taken on notice

Ms Parker noted that the Committee had not yet received the questions taken on notice, and in particular the Department of Community Services submission, by Dr Col Gellatly and Mr Michael Ramsey on 18 May 2004.

The Acting Director informed the Committee that in conversation early today with Redfern Waterloo Partnership Project officers, an assurance had been given to provide the material taken on notice, including the Department of Community Services submission, by 4.30pm today.

7. **Public Hearing - Inquiry into issues relating to Redfern/Waterloo**

The media and the public were admitted.

Ms Deirdre Cheers, Senior Manager, South East Sydney, Barnardos Australia, sworn and examined.

Inquiry into issues relating to Redfern/Waterloo

Questioning concluded and the witness withdrew.

Ms Tanya Plibersek, Member of the House of Representatives, Commonwealth Parliament, affirmed and examined.

Questioning concluded and the witness withdrew.

Mr Bradley Freeburn, Coordinator, Drug and Alcohol Unit, Mr John Daniels, Medical Director and Dr Naomi Mayers, CEO, Aboriginal Medical Services Coop, affirmed and examined.

Questioning concluded and the witnesses withdrew.

8. Adjournment

The Committee adjourned at 4.50pm, to reconvene at 1.30pm on 7 June 2004 in the Jubilee Room, Parliament House.

Meeting 34, 7 June 2004, Jubilee Room, Parliament House, 1.30pm

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Ian West MLC
The Hon Kaycee Griffin MLC
The Hon Greg Pearce MLC

2. Apologies

The Hon Dr Arthur Chesterfield-Evans MLC

3. Public Hearing - Inquiry into issues relating to Redfern/Waterloo

The media and the public were admitted.

The Chair noted the apology of Dr Chesterfield-Evans.

Dr Neil Shepherd, Director General, Department of Community Services, affirmed and examined, and Ms Anne Marie Sabellico, Regional Director for Metro Central, Department of Community Services, sworn and examined.

The Chair noted that Dr Shepherd and Ms Sabellico had taken a number of questions on notice during the hearing.

The witnesses agreed to provide the answers to the questions taken on notice to the Committee, 10 working days after the receiving the questions taken on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witnesses withdrew.

Ms Brenda McDonnell, Coordinator, Aboriginal Catholic Ministry and member of the Koori South Eastern Sydney Indigenous Interagency, sworn and examined.

Questioning concluded and the witness withdrew.

4. Adjournment

The Committee adjourned at 3.50pm, to reconvene at 9.00am on 8 June 2004 in the Jubilee Room, Parliament House.

Meeting 35, 8 June 2004, Jubilee Room, Parliament House, 9.00am

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Ian West MLC
The Hon Kaycee Griffin MLC
The Hon Greg Pearce MLC
The Hon Dr Arthur Chesterfield-Evans MLC (10.15am – 1.30pm)

2. Apologies

Nil

3. Public Hearing - Inquiry into issues relating to Redfern/Waterloo

The media and the public were admitted.

Mr Francisco Reitano, Delegate, Redfern Branch, Police Association of NSW, Mr Paul Huxtable, Branch Administrator, Redfern Branch, Police Association of NSW, Mr Robert Pritchard, President, Police Association of NSW, and Mr Gregory Chilvers, Director, Research and Resource Centre, Police Association of NSW, sworn and examined.

Mr Reitano tabled two documents to support his evidence.

Questioning concluded and the witnesses withdrew.

Mr Russell Taylor, Chief Executive Officer, NSW Aboriginal Housing Office, affirmed and examined.

The Chair noted that the witness had taken a number of questions on notice during the hearing.

The witness agreed to provide the answers to the questions taken on notice to the Committee, 10 working days after the receiving the questions taken on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witness withdrew.

Dr Gregory Stewart, Public Health and Chief Health Officer, NSW Health, sworn and examined, Ms Karen Becker, Director of Drug Health Services, Central Sydney Area Health Service and Mr Richard Gilbert, Director of Health Services Planning, Central Sydney Area Health Service, affirmed and examined.

The Chair noted that the witnesses had taken a number of questions on notice during the hearing.

The witnesses agreed to provide the answers to the questions taken on notice to the Committee, 10 working days after the receiving the questions taken on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witnesses withdrew.

Luncheon adjournment.

Mr Andrew Cappie-Wood, Director General, Department of Education, sworn and examined, and Mr Phil Lambert, Regional Director (Sydney) Aboriginal Education, Department of Education and Training, affirmed and examined.

The Chair noted that the witnesses had taken a number of questions on notice during the hearing.

The witnesses agreed to provide the answers to the questions taken on notice to the Committee, 10 working days after the receiving the questions taken on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witnesses withdrew.

Ms Kristina Kenecally, MLA, Member for Heffron, appeared before the Committee.

Questioning concluded and the witness withdrew.

4. Deliberative – Inquiry into issues relating to Redfern/Waterloo

The Chair noted the apology of Dr Chesterfield-Evans.

The Committee deliberated.

Resolved, on the motion of Mr Pearce, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submission subject to the authors request for name suppression and consequent on the Secretariat clarifying with the submission author mention in the submission of a suspect in a murder investigation: 24

Resolved, on the motion of Mr Pearce, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submission subject to the authors request for name suppression: 28

Resolved, on the motion of Mr Pearce, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submission subject to the authors request for name suppression and the removal of case studies: 44

5. Public Hearing - Inquiry into issues relating to Redfern/Waterloo

The media and the public were admitted.

Inquiry into issues relating to Redfern/Waterloo

Ms Monica Barone, Director, Community Living, City of Sydney and Mr John Maynard, Community Safety Officer, City of Sydney, affirmed and examined.

The Chair noted that the witnesses had taken a question on notice during the hearing.

The witnesses agreed to provide the answer to the question taken on notice to the Committee, 10 working days after the receiving the question taken on notice from the Secretariat, subject to the availability of the information.

Questioning concluded and the witnesses withdrew.

Resolved, on the motion of Mr West, to accept the documents tabled by Mr Reitano at this morning's hearing.

6. Adjournment

The Committee adjourned at 4.45pm.

Meeting 36, 30 June 2004, Room 1153, Parliament House, 1.05pm

1. Members present

Jan Burnswoods (Chair)
The Hon Ian West MLC
The Hon Kaycee Griffin MLC
The Hon Greg Pearce MLC
The Hon Dr Arthur Chesterfield-Evans MLC

2. Apologies

The Hon Robyn Parker, MLC (Deputy Chair)

3. Confirmation of Minutes 33, 34, 35

Resolved, on the motion of Mr Pearce, that the Committee adopt Minutes 33, 34 and 35.

4. Correspondence

The Chair tabled the following items of correspondence -

- Item 1 – To Chair, from Mr Chris Johnson, NSW Government Architect, 26 May 2004, declining the Committee's invitation to make a separate submission to the Redfern Inquiry...
- Item 3 – To Committee, from Mr D Madden, Deputy Commissioner Operations, NSW Police, 4 June 2004, forwarding corrections to transcripts and clarifying two issues discussed during the hearing
- Item 4 – To Committee, from Superintendent Catherine Burn, NSW Police, 8 June 2004, forwarding answers to questions taken on notice by Superintendent Dennis Smith on 25 May 2004
- Item 5 – To Chair, from KM Brown, Director-General, Department of Gaming and Racing, 8 June 2004, declining the Committee's invitation to make a separate submission to the Redfern Inquiry
- Item 6 – To Committee, from Mr Greg Chilvers, Director, Research and Resource Centre, NSW Police Association, 10 June 2004, providing additional information regarding the upgrading of the classification of Redfern LAC
- Item 7 - To Chair, from Dr Col Gellatly, Director-General, Premier's Department, 11 June 2004, enclosing remaining responses to questions taken on notice by Premier's Department on 18 May 2004
- Item 8 – To Committee from Ms Joyce Ingram, 28 May 2004, regarding Ms Ingram's evidence to Inquiry into issues relating to Redfern/Waterloo
- Item 9 – To Committee, from Mr Dave Rawson, Department of Aboriginal Affairs, 11 June 2004, forwarding answers to questions taken on notice by Ms Jody Broun on 26 May 2004
- Item 10 – To Committee, from Ms Tanya Plibersek, MP, 15 June 2004, re comments made about her by Paul Huxtable in his submission to the Redfern Inquiry
- Item 11 – To Chair, from Mr Reece McDougall, Director, NSW Heritage Office, 15 June 2004, re invitation to make a separate submission to the Redfern Inquiry
- Item 12 – To Committee, from Ms Monica Barone, Director, Community Living, City of Sydney Council, 21 June 2004, providing response to question on notice taken by her on 8 June 2004
- Item 13 – To Committee from the Aboriginal Housing Office, 25 June 2004, providing responses to answers to questions on notice taken on 8 June 2004

5. Deliberative - Inquiry into issues relating to Redfern/Waterloo

Resolved, on the motion of Ms Griffin, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submission subject to the authors request for name suppression: 81.

Resolved, on the motion of Ms Griffin, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submissions in full: 82.

Resolved, on the motion of Ms Griffin, to agree to the request of the author of submission 73 to withdraw the submission to the Inquiry into issues relating to Redfern/Waterloo.

The Chair provided Committee Members with a proposed outline for the Interim Report.

The Committee deliberated.

6. Adjournment

The Committee adjourned at 1.50pm.

Meeting 37, 26 July 2004, Room 1153, Parliament House, 10.00am

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Ian West MLC
The Hon Kaycee Griffin MLC
The Hon Greg Pearce MLC
The Hon Dr Arthur Chesterfield-Evans MLC

2. Confirmation of Minutes 36

Resolved, on the motion of Mr West, that the Committee adopt Minutes 36.

3. Correspondence

The Chair tabled the following items of correspondence -

- Item 1 – To Committee, from Mike Hannon, Acting Chief Executive, Roads and Traffic Authority, 24 June 2004, declining Committee's invitation to make a separate submission to the Inquiry into issues relating to Redfern/Waterloo
- Item 2 – To Chair, from Mr Andrew Cappie-Woods, Director General, Department of Education and Training, 25 June 2004, providing answers to questions on notice
- Item 3 – To Chair, from John Hatzistergos, Minister for Justice, 29 June 2004, declining the Committee's invitation to make a separate submission to the Redfern Inquiry
- Item 4 – To Joyce Ingram, date 29 June 2004, regarding Ms Ingram's letter regarding information in her evidence to the Committee
- Item 5 – From Denise Robinson, A/Deputy Director-General, Population Health and Chief Health Officer, NSW Health, 29 June 2004, providing responses to answers to questions on notice taken on 8 June 2004
- Item 6 – To Mr John Watkins, MP, Minister for Police, 2 July 2004, requesting a copy of Strike Force Coburn report as soon as it is available
- Item 7 – To Committee from Mr John Watkins MP, Minister for Police, 15 July 2004, regarding the Committee's request for a copy of the Strike Force Coburn report
- Item 8 – To Committee from Mr John Watkins, MP, Minister for Police, 16 July 2004, with a copy of the document 'Enhance Policing in Redfern'
- Item 9 – To Dr Col Gellatly, Director General, Premier's Department, 22 July 2004, requesting a copy of final report resulting from the Human Services Review
- Item 10 – To Committee from Keith Clark, Aboriginal Hostels Limited, 14 July 2004, regarding the issue of hostel accommodation in Redfern and Waterloo.

4. Deliberative - Inquiry into issues relating to Redfern/Waterloo

Submissions

Resolved, on the motion of Mr Pearce, that the Committee agree to the request by the submission maker, that the following submission be kept confidential: 83.

Resolved, on the motion of Mr Pearce, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submissions in full: 84, 85, 87.

Resolved, on the motion of Mr Pearce, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submission subject to the removal of certain other names mentioned in the submission: 86.

Unauthorised disclosure of Chair's Draft Interim Report

The Chair noted the unauthorised disclosure of the Chair's Draft of the Interim Report, and the potential impact of the unauthorised disclosure on the effective functioning of the Committee.

The Clerk Assistant – Committees provided Committee Members with information in relation to unauthorised disclosure, including the report by the Standing Committee on Parliamentary Privilege and Ethics, *Report on guidelines concerning unauthorised disclosure of committee proceedings*, December 2002.

The Committee deliberated.

Consideration of Chair's Draft Interim Report

The Committee considered the Chair's Draft Interim Report, which had been previously circulated.

The Committee agreed that because of the need to redraft various paragraphs, adoption of chapters will be considered at a future deliberative, after redrafting has occurred and relevant material has been circulated to Committee Members.

Chapter One read.

Mr Pearce moved that the following recommendation be added at the end of paragraph 1.17:

'That the Minister for Police immediately release the Strike Force *Coburn* Report to the Committee.'

Question put.

Ayes: Mr Pearce
Ms Parker

Noes: Ms Burnswoods
Mr West
Ms Griffin
Dr Chesterfield-Evans

Question resolved in the negative.

Chapter Two read.

Ms Parker moved that the second paragraph in the quote in paragraph 2.13 be deleted.

Question put.

Ayes: Mr Pearce
Ms Parker

Noes: Ms Burnswoods
Mr West
Ms Griffin
Dr Chesterfield-Evans

Question resolved in the negative.

Dr Chesterfield-Evans moved that the following sentence be added to the end of paragraph 2.27:

'The Committee is very disappointed about this, given the Commonwealth's constitutional responsibility for Aboriginal people.'

Question put.

Ayes: Ms Burnswoods
Mr West
Ms Griffin
Dr Chesterfield-Evans

Noes: Mr Pearce
Ms Parker

Question resolved in the affirmative.

Resolved, on the motion of Mr Pearce, to defer consideration of the following proposed amendment:

- Recommendation 1 – That the Government require urgent completion of the Human Services Review (which was due at the end of June 2004) and implement a fully resourced management review of all government and non-government services operating in Redfern Waterloo utilizing the HSR. This review should report within 3 months on the necessary management and resourcing required for reform of government services in Redfern Waterloo to deal with problems identified in the interim report.
- Recommendation 2 – That following the review in Recommendation 1 the Government allocate significant resources to establish a central body with a mandate, clear performance indicators and outcomes and sufficient authority to make significant and immediate progress and to meet defined medium and long term outcomes to properly address the broad ranging and complex issues of the Redfern Waterloo communities.
- Recommendation 3 – The Committee notes that the Government has committed additional funding to the RWPP to 2006, without an apparent evaluation of the Project's ability to meet its aims.

Any further funding of the RWPP should be subjected to the project meeting its performance indicator as per Recommendations 1 and 2.

The Committee deliberated.

Resolved, on the motion of Mr Pearce, to defer consideration of the following paragraphs until after the redrafting of some sections of the chapter: 2.6, 2.12, 2.18, 2.32, 2.80 (tabled 2.78⁴⁸²), 2.95 (tabled 2.93), 2.97 (tabled 2.95), 2.98 (tabled 2.96), 2.102 (tabled 2.101).

The Committee reconsidered the motion of Mr Pearce that three recommendations (as above) be added to the end of the Chapter Two.

Question put.

Ayes: Mr Pearce
Ms Parker

Noes: Ms Burnswoods
Mr West
Ms Griffin
Dr Chesterfield-Evans

Question resolved in the negative.

Chapter Three read.

Ms Parker moved that the following paragraphs and Recommendations be deleted: 3.122 (tabled 3.123), 3.123 (tabled 3.124), 3.124 (tabled 3.125) and Recommendations 3, 4 and 5.

Question put.

Ayes: Mr Pearce
Ms Parker

Noes: Ms Burnswoods
Mr West
Ms Griffin
Dr Chesterfield-Evans

Question resolved in the negative.

Chapter Five read.

5. Adjournment

The Committee adjourned at 5.10pm, to reconvene on Tuesday 27 July 2004 in Room 1153.

Meeting 38, 27 July 2004, Room 1153, Parliament House, 10.00am

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Ian West MLC
The Hon Kayee Griffin MLC
The Hon Greg Pearce MLC
The Hon Dr Arthur Chesterfield-Evans MLC

2. Deliberative - Inquiry into issues relating to Redfern/Waterloo

Consideration of Chair's Draft Interim Report

The Committee resumed consideration of the Chair's Draft Interim Report.

Consideration of Chapter Five resumed.

Dr Chesterfield-Evans moved the following 3 recommendations be added after paragraph 5.123:

⁴⁸² Paragraph numbers in the *tabled* Interim Report may have changed from the paragraph numbers in the *Chair's Draft* Interim Report upon which the Committee deliberated. The paragraph numbers as they appeared in the Chair's Draft appear in the minutes. Where paragraph numbers have changed, but the substance of the paragraph or the relevant sentence remains the same, the new paragraph number in the *tabled* Interim Report has been noted.

1. The Committee recommends that a medically supervised injecting room be established in Redfern, but not on the Block to improve facilities for injecting drug users as per the best public health practice, and to take the load and public emphasis from the needle van.
2. The Committee recommends that the government consider the decriminalisation of hard drugs in small quantities for personal use, as a way of lessening the crime associated with injecting drug use.
3. The Committee notes that the government is spending the vast bulk of its anti-drug budget on law enforcement and very little on rehabilitation, and asks that drug use be seen as a medical problem, rather than a law and order one, and the government changes the resource allocation to reflect this new priority.

Resolved, on the motion of Mr Pearce, to defer the discussion of Dr Chesterfield-Evans's proposed recommendations until after the chapter has been discussed in full.

Resolved, on the motion of Dr Chesterfield-Evans, that consideration be given to redrafting the following paragraphs: 5.3, 5.4, 5.9, 5.27, 5.111, 5.118 (tabled 5.119), 5.122 (tabled 5.123), 5.123 (tabled 5.124).

Dr Chesterfield-Evans moved that paragraph 5.115 be deleted, and the following sentences be added to 5.114:

'The Committee acknowledges the Government's and residents concern, but reaffirms its conviction that the placing of the van should be a matter for the on the ground expertise of the drug workers of CSAHS. If there is a medically supervised injecting room relatively nearby, this may change the situation such that the van could be moved.'

Question put.

Ayes: Dr Chesterfield-Evans

Noes: Ms Burnswoods
Ms Parker
Ms Griffin
Mr West
Mr Pearce

Question resolved in the negative.

The Committee reconsidered the motion of Dr Chesterfield-Evans that 3 recommendations be added after paragraph 5.123.

Mr Pearce raised a point of order in relation to Dr Chesterfield-Evans proposed recommendations, suggesting that they are outside the terms of reference and should not be considered by the Committee.

The Chair ruled there was no point of order and suggested that the Committee deal with Dr Chesterfield-Evan's 3 recommendations seriatim.

Dr Chesterfield-Evans moved his proposed Recommendation 1.

Question put.

Ayes: Dr Chesterfield-Evans

Noes: Ms Burnswoods
Ms Parker
Ms Griffin
Mr West
Mr Pearce

Question resolved in the negative.

Dr Chesterfield-Evans moved his proposed Recommendation 2.

Question put.

Ayes: Dr Chesterfield-Evans

Noes: Ms Burnswoods
Ms Parker
Ms Griffin
Mr West
Mr Pearce

Question resolved in the negative.

Dr Chesterfield-Evans withdrew his proposed Recommendation 3.

Resolved, on the motion of Mr West, that dot point 7 be deleted from Recommendation 20.

Dr Chesterfield-Evans moved that Recommendation 1 be amended by:

- a) Delete dot point 1

- b) Add to dot point 2: 'The committee believes that public health expertise, especially local and on the ground expertise should determine the location of services.'
- c) Add to dot point 3: 'That the MOU with Health that the Police not target users with small amounts of injectable drugs for personal use near the van or in areas traditionally used by IV drug users.'
- d) Delete dot point 4.

Question put.

Ayes: Dr Chesterfield-Evans

Noes: Ms Burnswoods
Ms Parker
Ms Griffin
Mr West
Mr Pearce

Question resolved in the negative.

The Chair proposed to defer discussion on Recommendation 21 until after the redrafting requested by the Committee for the next deliberative meeting.

...

Chapter 4 read.

Resolved, on the motion of Mr Pearce, to defer consideration of the following proposed amendment to include the following two recommendations, until after redrafting of the Conclusion by the Secretariat in consultation with the Chair:

1. That the Minister for Police immediately release the Coburn Report to the Committee for evaluation and review.
2. That in addition to the Review of the Minister's initiatives to be undertaken in six months time, the Minister for Police conduct a further review in eighteen months and that the outcomes of each review be made public.

Resolved, on the motion of Mr Pearce, that consideration be given to redrafting the following paragraphs and Recommendation: 4.6, 4.45, 4.51, 4.67 (tabled 4.66), 4.79 (tabled 4.78), 4.93 (tabled 4.92), and Recommendation 4.

3. Adjournment

The Committee adjourned at 1.00pm, to reconvene on Thursday 29 July 2004 in Room 1153 at 2:30pm.

Meeting 39, 29 July 2004, Room 1153, Parliament House, 2.30pm

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Ian West MLC
The Hon Kayee Griffin MLC
The Hon Greg Pearce MLC
The Hon Dr Arthur Chesterfield-Evans MLC

2. Deliberative - Inquiry into issues relating to Redfern/Waterloo

Submissions

Resolved, on the motion of Dr Chesterfield-Evans, that in order to better inform all those who are participating in the inquiry process, the Committee make use of its powers granted under paragraph 16 of the resolution establishing the Standing Committees, and section 4(2) of the *Parliamentary Papers (Supplementary Provisions) Act 1975*, to publish the following submission subject to the request of the submission author for name suppression: 88.

Resolved, on the motion of Dr Chesterfield-Evans, that the Committee agree to the request by the submission maker, that the following submission be kept confidential: 89.

Consideration of Chair's Draft Interim Report

The Committee resumed consideration of the Chair's Draft Interim Report.

The Director advised the Committee of procedures in relation to the Standing Orders adopted by the House on 5 May 2004 relating to ensuring Members' opinions are reflected (Standing Order 228).

Further consideration of Chapter One.

The Committee deliberated.

Further consideration of Chapter Two.

Resolved, on the motion of Ms Parker, to insert the following paragraph at the end of the introduction to Chapter Two:

‘Some members of the Committee strongly believe, however, that the RWPP has not been successful, is not appropriately resourced and is not the appropriate lead agency to coordinate the urgent response needed to address the significant problems in Redfern and Waterloo.’

Resolved, on the motion of Mr Pearce, to amend the second sentence in paragraph 2.103 by replacing the word ‘is unanimous’ with ‘believes’.

Resolved, on the motion of Ms Griffin, to accept the changes made in redrafting the following sections of the chapter: 2.6, 2.12, 2.18, 2.32, 2.80, 2.95, 2.97, 2.98, and 2.102.

Ms Griffin moved that Recommendation 1 be adopted as a recommendation of the Committee.

Question put.

Ayes: Ms Burnswoods
Ms Griffin
Mr West
Dr Chesterfield-Evans

Noes: Ms Parker
Mr Pearce.

Question resolved in the affirmative.

Mr West moved that Recommendation 2 be adopted as a recommendation of the Committee.

Question put.

Ayes: Ms Burnswoods
Ms Griffin
Mr West
Dr Chesterfield-Evans

Noes: Ms Parker
Mr Pearce.

Question resolved in the affirmative.

Resolved, on the motion of Dr Chesterfield-Evans, that Recommendations 3 and 4 be adopted as recommendations of the Committee.

Further consideration of Chapter Three.

Resolved, on the motion of Ms Parker, that the following paragraph be added after paragraph 3.127:

‘Some Committee members believe that a funding commitment is premature until the issues in relation to the AHC’s capacity are resolved and that a Federal or local government contribution should not be sought until the resolution of these matters.’

Resolved, on the motion of Dr Chesterfield-Evans, that paragraph 3.126 be amended to include the following sentence before the last sentence:

‘The Committee is of the view that this is having a negative impact on the local Aboriginal community.’

Resolved, on the motion of Mr West, that Recommendations 5 and 6 be adopted as recommendations of the Committee.

Ms Griffin moved that Recommendation 7 be adopted as a recommendation of the Committee.

Question put.

Ayes: Ms Burnswoods
Ms Griffin
Mr West
Dr Chesterfield-Evans

Noes: Ms Parker
Mr Pearce.

Question resolved in the affirmative.

Resolved, on the motion of Mr West, that dot point 7 in Recommendation 8 be amended to read:

‘The employment, where possible, of Aboriginal people in the Pemulwuy Redevelopment Project.’

Ms Griffin moved that Recommendation 4 be adopted as a recommendation of the Committee.

Mr Pearce moved that the motion be amended so that Recommendation 8 be adopted as a recommendation of the Committee subject to changing the second word 'the' to 'any', and deleting the words 'identified in Recommendation 7'.

Amendment put.

Ayes: Mr Pearce
Ms Parker

Noes: Ms Burnswoods
Ms Griffin
Mr West
Dr Chesterfield-Evans

Question resolved in the negative.

Original motion put.

Ayes: Ms Burnswoods
Ms Griffin
Mr West
Dr Chesterfield-Evans

Noes: Ms Parker
Mr Pearce.

Question resolved in the affirmative.

Resolved, on the motion of Ms Griffin, that Recommendation 9 be adopted as a recommendation of the Committee.

Resumed consideration of Chapter 4.

Mr West moved that the following paragraph and recommendations be inserted in place of paragraph 4.104:

'The Committee will be calling further evidence in relation to the NSW Police *Aboriginal Strategic Direction 2003-2006* during the second stage of the Inquiry. The Committee is of the view that the Minister should undertake an audit of the implementation of relevant initiatives contained in the *Aboriginal Strategic Direction* in the Redfern LAC. Where relevant initiatives have not been implemented the Minister should make their implementation a matter of priority. The Committee is also of the view that as part of the Minister's six month review of the initiatives announced on 16 July 2004, the Minister should consider the impact of the initiatives on the local Aboriginal community with reference to the *Aboriginal Strategic Direction*.'

Recommendation - That the Minister for Police undertake an audit of the implementation of the initiatives contained in the *Aboriginal Strategic Direction 2003-2006* in the Redfern Local Area Command and that where relevant initiatives have not been implemented the Minister make their implementation a matter of priority.

Recommendation - That the Minister for Police, as part of the six month review of the initiatives announced on 16 July 2004, consider the impact of the initiatives on the local Aboriginal community with reference to the *Aboriginal Strategic Direction 2003-2006*.

Resolved, on the motion of Ms Griffin, to defer the discussion on Mr West's proposed paragraph and recommendations until the next deliberative.

Resolved, on the motion of Mr Pearce, to accept the changes made in redrafting the following sections of the chapter: 4.6, 4.45, 4.51, 4.67 (tabled 4.66), 4.79 (tabled 4.78), 4.93 (tabled 4.92) and Recommendation 13.

Resolved, on the motion of Dr Chesterfield-Evans, that Recommendations 10 to 17 be adopted as recommendations of the Committee.

Resolved, on the motion of Mr Pearce, that Recommendations 18 and 19 be adopted as recommendations of the Committee.

Further consideration of Chapter Five.

Resolved, on the motion of Dr Chesterfield-Evans, that the following sentence be added to paragraph 5.9 as an introduction to the quote:

'As explained in the study, all injecting drug users attending selected NSPs during the designated survey week were asked to complete a brief questionnaire and provide a finger-prick blood sample for HIV and Hepatitis C antibody testing.'

Dr Chesterfield-Evans moved that the following words be deleted from paragraph 5.118 (tabled 5.119): 'believes that while there must be a limit to the number of needles distributed, we'

Question put.

Ayes: Dr Chesterfield-Evans

Noes: Ms Burnswoods

Ms Parker
Mr Pearce
Mr West
Ms Griffin.

Question resolved in the negative.

Resolved, on the motion of Ms Parker, that the words 'Abercrombie Street' be deleted from paragraphs 5.15 and 5.22 (tabled 5.123).

Resolved, on the motion of Ms Parker to add the words 'or another appropriate site' to the end of paragraph 5.121.

Resolved, on the motion of Ms Griffin, to accept the changes made in redrafting the following sections of the chapter: 5.3, 5.4, 5.9, 5.27, 5.111, 5.118 (tabled 5.119), 5.122 (tabled 5.123), and 5.123 (tabled 5.124).

Ms Griffin moved that Recommendation 20 be adopted as a recommendation of the Committee.

Question put.

Ayes: Ms Burnswoods
Ms Parker
Mr Pearce
Mr West
Ms Griffin

Noes: Dr Chesterfield-Evans

Question resolved in the affirmative.

Resolved, on the motion of Dr Chesterfield-Evans, that Recommendation 21 be adopted as a recommendation of the Committee.

Resolved, on the motion of Mr West, that Recommendation 22 be adopted as a recommendation of the Committee.

3. Adjournment

The Committee adjourned at 5.15pm, to reconvene on Friday 30 July 2004 in Room 1153 at 11:00am.

Meeting 40, 30 July 2004, Waratah Room, Parliament House, 11.00am

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Ian West MLC
The Hon Kayee Griffin MLC
The Hon Greg Pearce MLC
The Hon Dr Arthur Chesterfield-Evans MLC

2. Confirmation of Minutes 37 and 38

Resolved, on the motion of Mr West that the Committee adopt Minutes 37 and 38, as amended.

3. Deliberative - Inquiry into issues relating to Redfern/Waterloo

Consideration of Chair's Draft Interim Report

The Committee resumed consideration of the Chair's Draft Interim Report.

Resumed consideration of Chapter Five

Resolved, on the motion of Dr Chesterfield-Evans that the following sentence be added as a separate paragraph after paragraph 5.115 (tabled 5.116):

'One member of the Committee felt that the relocation of the van should not be a recommendation of the Committee but should be left to the relevant public health authorities.'

Resumed consideration of Chapter Four.

Resolved, on the motion of Mr West that the following paragraph and 2 recommendations proposed at deliberative meeting No 39 be inserted after paragraph 4.103 (tabled 4.102):

'The Committee will be calling further evidence in relation to the NSW Police *Aboriginal Strategic Direction 2003-2006* during the second stage of the Inquiry. The Committee is of the view that the Minister should undertake an audit of the implementation of relevant initiatives contained in the

Aboriginal Strategic Direction in the Redfern LAC. Where relevant initiatives have not been implemented the Minister make their implementation a matter of priority. The Committee is also of the view that as part of the Minister's six month review of the initiatives announced on 16 July 2004, the Minister should consider the impact of the initiatives on the local Aboriginal community with reference to the *Aboriginal Strategic Direction*.

Recommendation (tabled Recommendation 15) - That the Minister for Police undertake an audit of the implementation of the initiatives contained in the *Aboriginal Strategic Direction 2003-2006* in the Redfern Local Area Command and that where relevant initiatives have not been implemented the Minister make their implementation a matter of priority.

Recommendation (tabled recommendation 16) - That the Minister for Police, as part of the six month review of the initiatives announced on 16 July 2004, consider the impact of the initiatives on the local Aboriginal community with reference to the *Aboriginal Strategic Direction 2003-2006*.

Executive Summary read.

Resolved, on the motion of Mr Pearce that the following paragraph be added to the end of the section. Chapter 2 Redfern/Waterloo Partnership Project:

'Some members of the Committee strongly believe, however, that the RWPP has not been successful, is not appropriately resourced and is not the appropriate lead agency to coordinate the urgent response needed to address the significant problems in Redfern and Waterloo.'

Resolved, on the motion of Mr Pearce that the following paragraph be added after the fourth paragraph of the section, Chapter 3 The Redevelopment of the Block:

'Some Committee members believe that a decision about a funding commitment and the source of funding is premature until these issues are resolved.'

Resolved, on the motion of Ms Griffin that the second, third and fourth sentences in the fifth paragraph of the section, Chapter 5 Mobile Needle and Syringe Service be omitted and the following sentences be inserted instead:

'The Committee is also concerned that the location of the van near the Block gives the impression that the Aboriginal culture is a 'drug culture'. The majority of the Committee believes that the needle van should be relocated. The Committee has therefore recommended that the van be relocated within three months to Hudson Street, which is an industrial area around the corner from the Block.'

Appendices read.

The Committee deliberated.

Resolved, on the motion of Mr Pearce that according to Standing Order 229 the Committee approve the Chair's Foreword prior to tabling of the Interim Report.

The Chair informed members of the requirements of standing order 228 regarding dissenting statements, and advised members that all dissenting statements should be received by the secretariat no later than 10am on Monday 2 August 2004.

Resolved, on the motion of Ms Griffin that the Interim Report as amended be adopted as the Interim Report of the Committee.

Resolved, on the motion of Dr Chesterfield-Evans that the Interim Report as amended be the Interim Report of the Committee and be signed by the Chair and presented to the Clerk in accordance with the Resolution of the House dated 3 July 2003 and as amended 1 June 2004, establishing the Committee.

Resolved, on the motion of Mr West that the Committee Secretariat be permitted to correct typographical, stylistic and grammatical errors in the Interim Report prior to tabling.

Resolved, on the motion of Mr West that the Committee secretariat be thanked for their hard work and dedication in relation to this Inquiry and the Interim Report.

4. Adjournment

The Committee adjourned at 5.00pm, to reconvene on Friday 30 July 2004 in Room 1153.

Meeting 41, 30 July 2004, Room 1153, Parliament House, 4.30pm

1. Members present

Jan Burnswoods (Chair)
The Hon Robyn Parker, MLC (Deputy Chair)
The Hon Kaycee Griffin MLC
The Hon Dr Arthur Chesterfield-Evans MLC

2. Apologies

The Hon Greg Pearce MLC
The Hon Ian West MLC

Inquiry into issues relating to Redfern/Waterloo

3. Confirmation of Minutes 39

Resolved, on the motion of Dr Chesterfield-Evans that the Committee adopt Minutes 39, as amended.

4. Deliberative - Inquiry into issues relating to Redfern/Waterloo

The Chair presented the Chair's Foreword for consideration.

The Committee deliberated.

Resolved, on the motion of Dr Chesterfield-Evans, that the Chair's Foreword be adopted.

5. Adjournment

The Committee adjourned at 4.50pm sine die.