

Standing Committee on Social Issues

Inquiry into issues relating to Redfern/Waterloo

Interim report

Ordered to be printed according to the Resolution of the
House

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Terms of reference

1. That the Standing Committee on Social Issues inquire into and report on:
 - (a) policing strategies and resources in the Redfern/Waterloo areas,
 - (b) other existing government programs in the Redfern/Waterloo areas, including local, state and federal programs,
 - (c) non-government services and service provision in the Redfern/Waterloo areas,
 - (d) strategies under the current New South Wales Government “Redfern/Waterloo Partnership Project”, and the effectiveness in meeting the needs of local indigenous and other members of the community,
 - (e) proposals for the future of the area known as “The Block”,
 - (f) any other matters arising from these terms of reference.
2. That the Committee table an interim report by 31 July 2004 and a final report by 30 November 2004.

These terms of reference were referred to the Committee by resolution of the Legislative Council 26 February 2004 [Item 12, Legislative Council Minutes No. 41].

Committee membership

- Jan Burnswoods, MLC, Australian Labor Party **(Chair)**
- The Hon Robyn Parker, MLC, Liberal Party **(Deputy Chair)**
- The Hon Dr Arthur Chesterfield-Evans, MLC, Australian Democrats
- The Hon Kayee Griffin, MLC, Australian Labor Party
- The Hon Greg Pearce, MLC, Liberal Party
- The Hon Ian West, MLC, Australian Labor Party

Table of contents

	Chair's foreword	x
	Summary of recommendations	xv
	Acronyms	xix
Chapter 1	Introduction	1
	Background to the Inquiry	1
	Conduct of the Inquiry	1
	Events of 14-16 February 2004	2
	Other inquiries	3
	The suburbs of Redfern and Waterloo	5
	The structure of the Interim Report	7
	The second stage of the Inquiry	8
Chapter 2	Redfern/Waterloo Partnership Project	9
	Overview of the Redfern/Waterloo Partnership Project	9
	Management and funding	11
	Differences between Redfern and Waterloo	11
	Complexity of issues in Redfern and Waterloo	12
	Current major projects – Human Services Review and the RED Strategy	13
	The notion of 'partnership'	14
	Progress to date	16
	Slowness in implementation of programs	20
	Consultation and communications	21
	Overview of RWPP consultation and communication mechanisms	21
	Criticism of the consultation processes	23
	Consultations with Aboriginal people	25
	Criticisms of communication processes	27
	Improving consultation and communication processes	28
	The future for the Redfern/Waterloo Partnership Project	30
Chapter 3	Redevelopment of the Block	34
	History of the Block and the Aboriginal community in Redfern	34
	The Aboriginal Housing Company	37
	Company structure and funding	38
	The Block and other properties owned by the AHC	39
	Current financial and management status of the AHC	39

	The future of the Block	44
	Options for the future of the Block	44
	Redevelopment in the context of broader social change	46
	Pemulwuy Redevelopment Project	47
	Overview	47
	Preparation of the site for redevelopment	48
	Social Plan and previous consultations	49
	Current concept development stage	50
	Type of housing that is appropriate	51
	Need for hostel accommodation	52
	Community consultation and communication	53
	Employment of Aboriginal people in the redevelopment	54
	Allocation of housing to tenants	56
	Ongoing maintenance and tenancy management issues	58
	State Government involvement in the redevelopment	59
	Funding for the redevelopment	60
	Conclusion	63
Chapter 4	Policing strategies and resources	67
	Policing in Redfern and Waterloo	67
	Redfern Local Area Command	67
	Crime in Redfern and Waterloo	68
	Violence against police	70
	Incidents of violence	70
	Extent of violence and recording incidents	72
	Preventing violence against police and minimising harm	76
	Police resources	78
	Redfern Police Station	78
	Staffing	80
	Proposal for an Operational Support Group	95
	Policing robberies	100
	Conclusion	105
Chapter 5	Mobile needle and syringe service	107
	Addressing drug and alcohol issues in Redfern and Waterloo	107
	Drug use in Redfern and Waterloo	108
	Principles of harm minimisation	111
	Redfern and Waterloo fixed and mobile needle services	112
	The effectiveness of the anti-drug strategy and harm minimisation	114

	Concerns about the mobile needle and syringe service	115
	Health and Police views on the mobile needle and syringe service	115
	Location and operating hours	118
	The image of a drug culture at Redfern	122
	'Honey pot' effect	123
	Number of needles provided to users	124
	Referral services and other drug related services	128
	Other options to the needle van	130
	Different approaches to drug and alcohol issues	131
	A way forward for the mobile needle and syringe service	132
Appendix 1	Submissions	137
Appendix 2	Witnesses	140
Appendix 3	Maps of Redfern and Waterloo	143
Appendix 4	The Block and surrounding area	144
Appendix 5	Redfern Local Area Command	145
Appendix 6	Crime statistics	146
Appendix 7	Redfern/Waterloo Anti-Drug Strategy Update – March 2004	147
Appendix 8	Minutes	162
Appendix 9	Dissenting statements	187

Tables and figures

Figure 1	Locations of mobile needle and syringe van and demolished houses	p113
Figure 2	Distribution statistics for the Needle and Syringe Program - Redfern	p126

Chair's foreword

I am pleased to present this Interim Report of the Committee's Inquiry into issues relating to Redfern/Waterloo. The terms of reference for this Inquiry arose out of the tragic death of Thomas 'TJ' Hickey and the subsequent riot in Redfern in February this year. For many participants it has been a challenging Inquiry, and I would like to express my thanks to the 89 submission makers and 60 witnesses who have participated in the Inquiry so far. I would also especially like to thank members of the Aboriginal community for their participation.

In this Interim Report the Committee has examined several significant issues that were raised during the first stage of the Inquiry and in relation to which we received sufficient evidence to enable a comprehensive examination. Our broad terms of reference raise many other issues which we will further examine in the second stage of the Inquiry and address in the Final Report, due on 30 November.

The issues facing the Australian people and the NSW and Commonwealth governments in relation to the Aboriginal community go back to the beginning of European settlement in 1788. Many would say we have little to be proud of in that long history. The time is long overdue for us to face the deep-rooted problems of poverty, disadvantage and racism, which beset many Aboriginal people in Redfern and Waterloo and throughout NSW. If the events of 14-16 February and the work of the Committee ultimately contribute to addressing these issues, then we will have gone some way towards reconciliation.

My thanks are due to the Committee members for their hard work and dedication in participating in what has been, at times, a difficult Inquiry. Their commitment has been manifest in the hours of debate, drafting and redrafting we have put into trying to achieve an Interim Report we can all agree on. I am proud that in the end we have adopted 17 of our 22 recommendations unanimously, and that there are only a few places in the report where we have needed to record the differing views of some Committee members.

On behalf of the Committee I would also like to extend thanks to Julie Langsworth, Rachel Callinan, Victoria Pymm and other members of the Secretariat for the dedication, skill and sheer hard work they contributed to the report. Without their patience and good humour this report could not have been produced.

I commend this Interim Report to the Government



Jan Burnswoods MLC

Chair

Executive summary

The terms of reference for the Inquiry were referred to the Standing Committee on Social Issues by the Legislative Council on 26 February 2004. The terms of reference are broad and require the Committee to examine a range of issues that relate to the suburbs of Redfern and Waterloo, with a particular focus on the Aboriginal community.

The terms of reference require the Committee to table an Interim Report by 31 July 2004 and we have taken this opportunity to address several significant issues that were raised in submissions and in evidence. The Final Report is due on 30 November and the Committee has much work to do to complete its examination of the remaining aspects of the terms of reference.

The Committee has understood the importance of engaging the Redfern and Waterloo communities, particularly the Aboriginal community, to ensure that a broad range of views are heard and that effective, practical recommendations can be made. We are grateful for the considerable input by members of the Redfern and Waterloo communities as well as other inquiry participants. The Committee has to date received 89 submissions and heard evidence from 60 witnesses.

Redfern and Waterloo

The suburbs of Redfern and Waterloo have been identified as being among the most disadvantaged postcodes in NSW with low employment, high drug and alcohol misuse and poor health. The two suburbs, however, have a diverse ethnic and linguistic make-up and a concomitant richness of culture and community spirit. The Committee acknowledges that, as emphasised by many inquiry participants, the two suburbs have as many differences as similarities and often cannot be considered together. An overview of the demographics of the suburbs of Redfern and Waterloo is set out in Chapter 1.

Redfern and Waterloo are also unique in their significance to Aboriginal people. According to the 2001 Census, 311 people living in Redfern and 403 in Waterloo identified as 'Indigenous persons'. This represents 4.4% of the population of those suburbs, compared to 1% of Sydney as a whole. These statistics only tell part of the story. As many Aboriginal people who participated in our inquiry told us, Redfern is a place of great importance to Aboriginal culture. It is the birthplace of many autonomous Aboriginal services, including the Aboriginal Medical Service and the Aboriginal Legal Service and it holds a central place in the Aboriginal civil rights movement. The Block has been described as the 'black heart' of Australia with Aboriginal people all over the State maintaining strong connections with the area, coming to Redfern to visit family and to access Aboriginal specific services not available elsewhere.

Chapter 1 Introduction

The Inquiry was precipitated by the tragic events that occurred on 14-16 February 2004. We would like to express our heartfelt sympathies to TJ Hickey's family and friends and to the local community. A number of inquiries were established to investigate the circumstances of TJ's death and the police response during the riot. Our terms of reference do not deal directly with these events but an overview is contained in Chapter 1.

Chapter 2 Redfern/Waterloo Partnership Project

The terms of reference require the Committee to examine the Redfern/Waterloo Partnership Project (RWPP) and the effectiveness of its strategies in meeting the needs of the local Aboriginal community and other members of the community. The Committee received much evidence about the work of the RWPP and a range of views were expressed about its effectiveness. Further examination is required before the Committee can draw conclusions about the overall effectiveness of the RWPP and the issue will be further examined during the second stage of the Inquiry.

There were, however, several important aspects of the RWPP's work that required examination in this Interim Report. The Committee received a substantial amount of criticism of the Project in relation to its consultation and communication processes and slowness in the implementation of programs. The Committee has recommended that the RWPP develop and implement a comprehensive strategy to ensure there is effective consultation and communication with the Redfern and Waterloo communities. The Committee has also recommended that the RWPP expedite the completion of the Human Services Review.

The Committee has considered the evidence outlining the difficult task facing the RWPP, and the need for a long-term commitment from government, non-government and community partners if the complex issues confronting the area are to be adequately addressed. While there was considerable criticism of the RWPP, the majority of inquiry participants did not suggest disbanding the Project. There was broad support for the whole of government, place-based approach to service delivery in the area. The Committee has recommended that the Government continue the place-based approach represented by the RWPP and make a long-term financial commitment to the Project beyond the funding already committed up to 2006.

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.

Chapter 3 Redevelopment of the Block

The terms of reference require the Committee to examine proposals for the future of the Block. The Committee is aware that the long-term future of the Block and its residents is a complex issue requiring initiatives to address social and economic disadvantage experienced by the local Aboriginal community. These issues will be examined in the second stage of the Inquiry and addressed in the Final Report.

In this Interim Report, the Committee has focused on the future of the Block in terms of the redevelopment of housing. The Committee's purpose is not to decide what the future of the Block is to be, since that must be determined by the Aboriginal Housing Company (AHC) and the Aboriginal community. Rather, the Committee has gathered together the views expressed during the Inquiry, to explore the issues surrounding the AHC's Pemulwuy Redevelopment Project and its progress.

It is clear to the Committee that the redevelopment of the Block is an important and iconic project for Aboriginal Australians and the local Aboriginal community in particular. The Committee believes that it is of the utmost importance that the redevelopment be completed and that the Block remain under the ownership and control of Aboriginal people. The Committee has recommended that the NSW, Federal and local governments join together to assist the AHC to undertake the redevelopment, by providing funding and other forms of assistance.

The Committee is aware, however, that the AHC is currently facing financial and management difficulties. The Committee has recommended that the NSW Government continue assisting the AHC to improve its governance and management practices. The Committee has also recommended that the provision of government funding must be contingent upon the AHC agreeing to certain conditions regarding the management of the Pemulwuy Project, community consultation and other matters.

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

A great deal of uncertainty about the redevelopment project and scepticism about its fruition has been expressed during the Inquiry. The Committee has recommended that the RWPP provide assistance to the AHC to keep the local Aboriginal community, as well as the wider community in Redfern and Waterloo, regularly and comprehensively informed as to the progress of the redevelopment of the Block.

Chapter 4 Policing strategies and resources

The terms of reference require the Committee to examine policing strategies and resources in the Redfern and Waterloo areas. The Committee received a great deal of evidence on this and has identified some issues to be addressed in this Interim Report including violence against police, resources, staffing, and strategies to deal with robberies.

A number of other issues fall within this term of reference, including the relationship between police and the Aboriginal community, policing strategies dealing with drug related crime and coordination between NSW Police and other services. These issues will be examined in the Final Report.

On 16 July 2004 the NSW Police Minister released a package of initiatives based on the recommendations of Strike Force *Coburn* (the internal police investigation of the police response to the riot) that are aimed at addressing policing issues in the Redfern Local Area Command. The Committee has not yet received a copy of the Strike Force *Coburn* report and has called upon the Minister to release the report as soon as possible. Some of the Minister's initiatives relate to the issues examined in the Interim Report. The Minister announced that the initiatives will be reviewed in six months time and the Committee has recommended that certain matters be taken into account in that review. The Committee has also recommended that an 18 month review be undertaken to assess the longer-term effect of the initiatives on policing and the local community.

Chapter 5 Mobile needle and syringe service

Drug and alcohol use and misuse in Redfern and Waterloo has been the subject of some debate. The Committee has heard a range of views on the extent and the seriousness of drug related problems, the impact of government policy and service delivery. The substantial debate about the adequacy of government and non government drug and alcohol services in Redfern and Waterloo will be dealt with in the Final Report.

In this Interim Report we have examined the Redfern/Waterloo Anti-Drug Strategy, an important initiative aimed at addressing many of the serious drug problems in the area. The Committee is concerned about the slow pace with which a number of elements of the Strategy have been implemented. The Committee has recommended that the RWPP, NSW Health and the City of Sydney Council work together to ensure that the Strategy is fully implemented.

One particular area of concern for the local community is the mobile needle and syringe service currently located on the Block. The Committee has addressed this issue in the Interim Report due to the level of concern expressed. The Committee has examined the range of views put forward on the needle van, including its location, the image of a drug culture at the Block, the potential 'honey pot' effect, the number of needles provided and referral services.

The Committee strongly supports the principles of harm minimisation. There is overwhelming evidence that needle and syringe programs are effective in terms of health outcomes for drug users and the broader community. We believe that there is currently a role for a needle van in the Redfern/Waterloo area though the current location of the van is causing significant problems for the local community.

There was a great deal of evidence that the service should not be located directly adjacent to children's play areas or near the Redfern Community Centre and preferably should not be located in a residential area. 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. The Committee has also recommended that an education campaign be conducted to alert users to the change of location and that a review process and evaluation of the impact of the relocation of the van be undertaken.

Concluding remarks

In this Interim Report the Committee has examined several issues that were raised during the first stage of the Inquiry and in relation to which we received sufficient evidence to enable a comprehensive examination. Our broad terms of reference raise many other issues which we will further examine in the second stage of the Inquiry and address in the Final Report.

We are conscious of the important task we have in finding solutions to some very difficult problems. We are aware of the need to address many of the systemic issues that lie beneath the considerable disadvantage experienced by a high proportion of the Redfern and Waterloo population, particularly the Aboriginal community. In the second stage of our Inquiry, we will look particularly at the adequacy of government and non-government services, identify where there are gaps and propose recommendations to improve service provision.

The Committee welcomes further submissions based on the information contained in this Interim Report, or on any other issue arising out of the terms of reference.

Summary of recommendations

- Recommendation 1** 33
That the NSW Government continue the place-based approach represented by the Redfern/Waterloo Partnership Project, despite the criticisms made of the Project, and make a long-term financial commitment to the Project beyond the funding already committed up to 2006.
- Recommendation 2** 33
That the NSW Government, through the Redfern/Waterloo Partnership Project, take all possible steps to achieve genuine partnership between State and Commonwealth agencies, the City of Sydney Council, the non government sector and the local community in order to address the issues facing Redfern and Waterloo.
- Recommendation 3** 33
That the Redfern/Waterloo Partnership Project develops and implements a comprehensive strategy to ensure there is effective consultation and communication with the Redfern and Waterloo communities. In addition, to improve its relationship with the local community, particularly the Aboriginal community, the Redfern/Waterloo Partnership Project should establish mechanisms to facilitate capacity building within the Aboriginal community.
- Recommendation 4** 33
That the Redfern/Waterloo Partnership Project expedites the completion of the Human Services Review, and that the NSW Government provide a copy of the Human Services Review report to the Committee as soon as it is completed. Further, that the plans for reform of government and non government services and their coordination which arise from the Human Services Review be communicated to all the partners in Redfern and Waterloo and to the Committee as soon as possible.
- Recommendation 5** 65
That the NSW Government, through the Redfern/Waterloo Partnership Project, continue its constructive working relationship with the Aboriginal Housing Company and the provision of in-kind assistance to the Company, with the aim of ensuring that the Company is able to redevelop and manage the Block.
- Recommendation 6** 65
That the NSW Government expedite the completion of the audit of the financial affairs of the Aboriginal Housing Company and the valuation of its properties.
- Recommendation 7** 65
That the three tiers of government make a firm commitment to the redevelopment of the Block by the Aboriginal Housing Company, subject to the requirements set out in Recommendation 8, and in particular that:
- the NSW Government make a substantial funding contribution to enable the completion of the Pemulwuy Redevelopment Project, and that it facilitate access by the Aboriginal Housing Company to other funding sources
 - the Federal Government be approached by the NSW Government to make a substantial funding contribution to the Pemulwuy Redevelopment Project
 - the City of Sydney Council make a substantial contribution to the Pemulwuy Redevelopment Project, which might take the form of in-kind assistance, such as handing over freehold title to laneways or waiving rates for a period of time.

- Recommendation 8** **66**
That the commitment of funds to the Aboriginal Housing Company for the Pemulwuy Redevelopment Project identified in Recommendation 7 should be made dependent upon strict requirements relating to:
- creation of a representative development control structure to manage and oversee the Pemulwuy Redevelopment Project
 - continued involvement by the NSW Government in improving the governance structure and management practices of the Aboriginal Housing Company and ensuring its sustainability
 - the incorporation of Crime Prevention Through Environmental Design principles in the design of the redevelopment
 - extensive consultation with the local community
 - the transparent and equitable allocation of housing to tenants
 - establishment of an ongoing program for maintenance of the new housing stock
 - the employment, where possible, of Aboriginal people in the Pemulwuy Redevelopment Project
- Recommendation 9** **66**
That the Redfern/Waterloo Partnership Project provide assistance to the Aboriginal Housing Company to keep the local Aboriginal community, as well as the wider community in Redfern and Waterloo, regularly and comprehensively informed as to the progress of the redevelopment of the Block.
- Recommendation 10** **75**
That the Minister for Police establish a specific system of recording incidents of violence against police sustained in the course of duty. The system should enable the type and location of each incident to be recorded, as well as the details of the officer(s) concerned (and any other relevant details). The system should enable statistics to be collated and monitored in relation to each Local Area Command and State-wide and comparisons between Local Area Commands to be made.
- Recommendation 11** **78**
That the Minister for Police initiate a review of the level and type of violent incidents against police officers in the Redfern Local Area Command over the past 10 years, in order to ascertain the precise extent and nature of problem and to identify measures to minimise the number of violent acts against police officers. The review should compare Redfern with other Local Area Commands where violence against police is similarly a problem.
- Recommendation 12** **78**
That NSW Police take into account the level of violence against police when considering the allocation of resources to the Redfern Local Area Command in the future.
- Recommendation 13** **84**
That the Minister for Police, as part of the six month review of the initiatives announced on 16 July 2004, carefully examine the impact of the increase in officers on the ability of the Redfern Local Area Command to investigate crime and on the local community. The review should also identify the actual and authorised strength of the Redfern Local Area Command, the number of officers on leave and whether the new positions and secondments and the existing vacancies have been filled.
- Recommendation 14** **93**
That the Minister for Police, as part of the six month review of the initiatives announced on 16 July 2004, carefully re-examine the level of experience among officers stationed at the Redfern Local Area Command, including:

- whether it is in the interest of the Redfern Local Area Command and the local community to extend the suspension of the placement of probationary constables beyond the initial 12 month period
- whether any 'directed transfers' have been made
- whether any other measures or incentives to encourage officers to go to the Redfern Local Area Command and/or to remain there for a constructive length of time are necessary.

Recommendation 15 **95**

That the Minister for Police undertake an audit of the implementation of the initiatives contained in the *NSW Police 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 16 **95**

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 *NSW Police Aboriginal Strategic Direction 2003-2006*.

Recommendation 17 **105**

That the Minister for Police, as part of the six month review of the initiatives announced on 16 July 2004, should incorporate an assessment as to whether sufficient resources at the Redfern Local Area Command are dedicated to robberies, with regard to crime statistics and the views of the officers working to target robberies.

Recommendation 18 **106**

That the Minister for Police, in addition to the six month review of the initiatives announced on 16 July 2004, undertake an 18 month review of the initiatives. As part of the 18 month review the matters addressed in Recommendations 13, 14, 16 and 17 should be examined.

Recommendation 19 **106**

That the Minister for Police release the final report of Strike Force *Coburn* as soon as possible with, if necessary, parts relating to the Coroner's Inquiry into the death of TJ Hickey or to sensitive operational matters, kept confidential.

Recommendation 20 **136**

That the Redfern/Waterloo Partnership Project, NSW Health and the City of Sydney Council work together to ensure that the Redfern/Waterloo Anti-Drug Strategy is fully implemented including:

- the relocation, within the next three months, of the mobile needle and syringe service away from the residential areas to a nearby industrial area on Hudson Street, Redfern, with comprehensive information to users of the needle and syringe service about the relocation
- a comprehensive review process and evaluation of the impact of the relocation of the mobile needle and syringe service, including the changes in demand patterns for Redfern and Waterloo
- as a matter of urgency, a Memorandum of Understanding between NSW Health and NSW Police on the mobile needle and syringe service with appropriate guidelines and operating procedures for front line police and health workers
- adherence to the limit set on the number of needles distributed to users per contact
- continuation of the needle and syringe clean-up program and review of services provided in other jurisdictions including the installation of disposal units in all public toilets and 'sharps sweeps'

- appropriate maintenance of the syringe bins currently in place in two locations in Redfern and Waterloo
- ensuring there is access to the overdose management response team.

Recommendation 21**136**

That the NSW Government, through the Redfern/Waterloo Partnership Project, liaise with the Central Sydney Area Health Service, relevant Aboriginal organisations and representatives from the Aboriginal community, to ensure there are adequate referral services for Aboriginal people with drug and alcohol problems in Redfern and Waterloo. In particular, consideration should be given to the feasibility of establishing detoxication and other drug and alcohol related services, particularly for Aboriginal people, at the Rachel Foster Hospital site or another appropriate site.

Recommendation 22**136**

That the NSW Government, together with the City of Sydney Council, undertake a community education campaign in the Redfern and Waterloo area providing information on the rationale for harm minimisation, the Redfern Anti-Drug Strategy and the needle and syringe service with a view to improving community understanding of the benefits to the health of illicit drug users as well to the wellbeing of the broader community.

Acronyms

AHC	Aboriginal Housing Company
AHO	NSW Aboriginal Housing Office
AMS	Aboriginal Medical Service Co-operative Ltd
ATSIC	Aboriginal and Torres Strait Islander Commission
BOCSAR	NSW Bureau of Crime Statistics and Research
CDEP	Community Development and Employment Projects scheme
COPS	Computer Operations Program System
CSAHS	Central Sydney Area Health Service
LAC	Local Area Command
LACACC	Local Area Command Aboriginal Consultative Committee
NCOSS	Council of Social Service of New South Wales
NPSs	Needle and Syringe Programs
OSG	Operational Support Group
RED Strategy	Redfern Eveleigh Darlington Strategy
RWPP	Redfern/Waterloo Partnership Project
SCC	City of Sydney Council

Chapter 1 Introduction

The terms of reference require the Committee to provide this Interim Report by 31 July 2004 and the Final Report by 30 November 2004. This chapter sets out the background and conduct of the Inquiry and reports on the Committee's progress. The events of 14-16 February 2004 that prompted the Legislative Council to refer this Inquiry to the Committee are also briefly examined. The chapter also provides an outline of other inquiries being conducted into issues relating to Redfern and Waterloo, and a brief overview of the suburbs of Redfern and Waterloo. The content and structure of this Interim Report, and the issues to be discussed in the second stage of the Inquiry and Final Report, are outlined at the end of this chapter.

Background to the Inquiry

- 1.1 The terms of reference for this Inquiry were referred to the Committee by resolution of the House on 26 February 2004. After intense debate in the House, a motion to establish a select committee to examine the events of 14-16 February 2004 was amended and the House voted to refer wider terms of reference to the Standing Committee on Social Issues. The terms of reference for the Inquiry are set out at the commencement of this report.

Conduct of the Inquiry

- 1.2 The Committee advertised the Inquiry and called for submissions on 6 March 2004. The closing date for submissions was 16 April 2004, however the Committee has continued to accept submissions since that time. The Committee has to date received 89 submissions from a range of individuals and non government organisations as well as a whole-of-government submission representing the views of approximately 30 agencies.
- 1.3 All public submissions were placed on the Committee website following consideration by the Committee. A number of submission authors requested confidentiality, and others asked that their submission be made public with their name suppressed. The Committee granted all requests for confidentiality and name suppression. In a small number of cases, the Committee decided to suppress material in submissions in order to protect the privacy of individuals mentioned. Committee documents, submissions and evidence remain confidential to protect witnesses and maintain the integrity of Committee proceedings until the Committee decides to make them public after proper consideration and advice on procedural fairness issues. The unauthorised release of a Committee document has the potential to interfere with the operations and effectiveness of a Committee.
- 1.4 The Committee notes that there was an unauthorised disclosure of a Committee document during the early stages of this Inquiry. This means that a document was released by persons other than the Committee without the authority of the Committee to do so. The unauthorised disclosure of confidential committee documents can impede the effectiveness of parliamentary committees and lower confidence in the Parliament. Any person who discloses confidential committee documents may be deemed guilty of contempt of Parliament. While the Committee considers the issue of unauthorised disclosure seriously, we have decided to take no further action at this stage.

- 1.5** The Committee held seven days of hearings in May and June at which 60 witnesses appeared. Five hearing days were held at Parliament House, one at the Redfern Community Centre and the other at the Redfern Town Hall. With the exception of witnesses representing two organisations who requested confidentiality, all the hearings were conducted in public.
- 1.6** The Committee has encouraged participation in the Inquiry from people living in and around Redfern and Waterloo to ensure that the Committee hears the range of views that naturally exist in such a diverse inner-city area. In particular, the Committee has sought to encourage members of the local Aboriginal community as submission makers and witnesses. The Committee is grateful to the Aboriginal and Torres Strait Islander Commission for engaging the Jumbunna House of Indigenous Learning to assist members of the community to understand the Inquiry process and write submissions and participate in hearings.
- 1.7** This Inquiry has investigated many complex and difficult issues. These issues have been confronting for Committee Members and also for many of the participants in the Inquiry. The Committee's terms of reference require us to examine what is working in Redfern and Waterloo and what is not working and make positive recommendations in relation to a way forward. We reminded witnesses giving evidence to the Committee that the privilege to speak freely as part of a parliamentary proceeding exists so that Parliament can properly investigate matters such as this. The privilege is not intended, however, to provide a forum for people to make attacks or adversely reflect on others. The Committee also requested that witnesses avoid mention of other individuals in the community unless it was absolutely essential in addressing the terms of reference.
- 1.8** The Committee thanks the witnesses in this Inquiry for respecting and adhering to our requests for the instructive way in which they approached the Inquiry and assisted Committee Members in the task given to them by the House.

Events of 14-16 February 2004

- 1.9** In this section the events of 14-16 February 2004 that led to this Inquiry are briefly outlined. While the terms of reference do not relate to these events specifically, they tragically underpin this Inquiry and provide a focus for many of the issues examined in this Report. The Committee wishes to express its deep regret for the death of Thomas 'TJ' Hickey and we extend our sympathy to the Hickey family and friends, and the community generally.
- 1.10** TJ Hickey was a 17 year old Aboriginal youth who was fatally injured when he fell off his bicycle while riding in Waterloo on the morning of Saturday 14 February 2004. Mr Hickey had been riding fast when he hit a kerb, his speed projecting him onto a nearby iron fence. Police in the area arrived at the scene and an ambulance was called to take Mr Hickey to Westmead Children's Hospital. He died the following day.
- 1.11** It has been alleged that police were chasing Mr Hickey at the time of his accident, and this speculation quickly spread throughout the Aboriginal community at Redfern. The Coroner's Court is currently holding an inquest into TJ Hickey's death (see paragraph 1.19).

- 1.12** There is a longstanding history of poor relations between the Aboriginal community and the police. Mr Hickey's death roused strong feelings of anger and resentment toward police among some members of the Aboriginal community, and during the day of 15 February tension in the Redfern Aboriginal community grew. By that evening a group of people in Lawson Street had started throwing bricks, rocks and broken bottles at trains passing through Redfern Station. The station was closed down and police were called; the group then began to throw missiles at police, injuring several officers.
- 1.13** Police attempts to negotiate with the group were unsuccessful and late on Sunday night the Operational Support Group (OSG) or 'riot squad' was called in. By this stage a car had been set on fire and small petrol bombs were being thrown as well as loose pavers from a nearby house. The Fire Brigade was contacted, as police were concerned Redfern Station was going to be set alight. Members of the Aboriginal community attempted to calm the situation, but were unable to intervene successfully.
- 1.14** Police from other metropolitan commands had also been deployed to Redfern, until over a hundred police were in the area. When the OSG and equipment arrived, a line of approximately 30 police with riot equipment was formed and attempted to move forward to disperse the group. After seven hours of rioting and a number of attempts to disband the crowd, the police were finally able to disperse the group at about 4 o'clock Monday morning. The Committee understands that 36 officers have reported some form of injury as a result of the riot. Approximately 35 people have been arrested as a result of the riot at the time of writing this Interim Report.

Other inquiries

- 1.15** The day after the riot the Premier announced three inquiries into the events leading up to the riot and the night of the riot itself. An additional investigation by WorkCover NSW was also subsequently initiated. As the Committee has been alerted to some confusion about the various inquiries being conducted, they are described briefly here in order to distinguish them from this Inquiry.

NSW Police

- 1.16** Soon after the riot, the New South Wales Police Commissioner requested an investigation into 'the decision making, the activities, the response, the resources used on the night of the riot.'¹ The investigation was also to look more widely at the capacity of NSW police generally to respond to similar incidents. The team conducting the investigation was called Strike Force *Coburn*.
- 1.17** In early July the Committee wrote to NSW Police Minister, the Hon John Watkins MP requesting a copy of Strike Force *Coburn's* final report. In response, Minister Watkins told the Committee that NSW Police has provided the report to the Coroner. According to correspondence from the Minister, as the report contains operationally sensitive material,

¹ Deputy Commissioner David Madden, Deputy Commissioner Operations, NSW Police, Evidence, 18 May 2004, p66

which may be of relevance to the Coroner, advice is being sought from the Coroner and the Crown Solicitor about how the report might be disseminated.²

- 1.18** On 16 July 2004, the NSW Police Minister, the Hon John Watkins MP, Commissioner Ken Moroney and Deputy Commissioner David Madden released a package of initiatives aimed at addressing policing issues in Redfern. The initiatives were based on the recommendations of Strike Force *Coburn*. Matters relating to the Strike Force *Coburn* report and the initiatives announced by the Minister are discussed in Chapter 4.

NSW State Coroner

- 1.19** The NSW Coroner John Abernethy commenced the inquest into the death of TJ Hickey on 5 July 2004. The purpose of the inquest is to clarify the circumstances of his death and determine if any police misconduct occurred. Approximately 20 witnesses appeared before the Coroner with the proceedings conducted in public. The Coroner completed hearings on Friday 16 July and while he had indicated he would hand down his findings on that date, the Coroner is now expected to deliver his findings on 27 August 2004. The Coroner's findings will be given publicly.

NSW Ombudsman

- 1.20** The NSW Ombudsman has a monitoring role for police investigations into the conduct of police officers. In relation to the Hickey investigation, this has involved Ombudsman officers being present as independent observers during police interviews of witnesses and police officers involved 'to ensure the integrity of those interviews.'³ Though the Ombudsman does not have an investigative role in relation to these cases, the Ombudsman may make recommendations to the Police Commissioner about the conduct of the investigations.

WorkCover NSW

- 1.21** WorkCover NSW, under the auspices of the *Occupational Health and Safety Act 2000*, has commenced an investigation in response to the riot, into the adequacy of the systems of work and other safety-related controls applied by NSW Police. The primary focus of WorkCover's investigation will be to establish whether NSW Police, in responding to and managing the riot, fulfilled its OHS obligations to police officers who were in attendance at the riot. The indicative timeframe for completion of the investigation is October 2004 but this is dependent on the availability of witnesses and legal advice.⁴
- 1.22** These four inquiries impact on our inquiry processes in a number of ways. The Committee has not been able to cover some of the issues addressed by these inquiries until their completion and reporting. While our Interim Report addresses policing and refers to some of the material resulting from these inquiries, a number of other policing issues will be dealt with in our Final Report after the Committee has had time to review the findings of these

² Correspondence from John Watkins MP, Minister for Police to Chair, 15 July 2004

³ Correspondence from Mr Bruce Barbour, Ombudsman, NSW Ombudsman, to Chair, 19 April 2004

⁴ Email from Ms Jenny Thomas, A/Director, Industry Programs Group, WorkCover NSW, to Senior Project Officer, 13 July 2004

inquiries. Some of the issues addressed by these inquiries are outside our terms of reference.

The suburbs of Redfern and Waterloo

- 1.23** This section provides a brief overview of the suburbs of Redfern and Waterloo.⁵ The Committee notes the point made strenuously by several inquiry participants that the two suburbs, while often linked, are quite distinct. This point has informed much of the Committee's analysis of the terms of reference, except in relation to issues that have equal relevance or implications for each suburb.
- 1.24** The suburbs of Redfern and Waterloo are located just to the south of the Sydney central business district. Redfern covers 1.2 square kilometres and Waterloo covers 1.9 square kilometres. The two suburbs are within the expanded City of Sydney Council boundaries, which commenced on 6 February 2004.
- 1.25** Redfern and Waterloo are considered inner city suburbs, with a mix of 19th century buildings as well as more modern architectural styles, a result of recent gentrification due to the increased popularity of inner city living. There is a broad range of high and low income households in the area, particularly in Redfern.
- 1.26** Redfern holds particular significance for Aboriginal people. Aboriginal presence in the area dates back 40,000 years, evidenced by archaeological findings discovered during the excavation of the Alexandra Canal in the 1960s.⁶ The traditional owners are the Gadigal people of the Eora Nation, which extended from South Head to Botany Bay and west to Petersham. One of the most significant sites in Redfern is the area known as the Block. The history of the Block is discussed in Chapter 3.
- 1.27** Waterloo supports one of the highest concentrations of public housing in Sydney. This is a result of the replacement in the 1960s of terrace housing with high-rise flats. The flats, initially known as the Endeavour Estate, comprise two thirty-storey towers. They are now called the Matavai and Turanga buildings. A large proportion of dwellings in Waterloo are owned by the Department of Housing. Waterloo has more than 2,000 units of public housing and a large proportion of tenants are older residents from non-English speaking backgrounds.⁷ It is worth noting also, that while Redfern is identified with Aboriginal culture, according to the 2001 Census, Waterloo has a larger number of Aboriginal residents.
- 1.28** With the establishment of the Redfern/Waterloo Partnership Project in 2002, the suburbs of Redfern and Waterloo have been linked together in the public mind as two communities facing the same issues. A number of people told this Inquiry that the populations of Redfern and Waterloo are extremely diverse. The table below provides an overview of some of the similarities and differences between the two suburbs. Aspects of the

⁵ See Appendix 3 for maps of Redfern and Waterloo

⁶ Submission 55, NSW Government, p10

⁷ City of Sydney Council, *Redfern-Waterloo Community Safety Plan 10 March 2004*, p22

Redfern/Waterloo Partnership Project, and issues regarding the differences and complexity of issues in Redfern and Waterloo, are discussed in Chapter 2.

Table 1.1 Redfern and Waterloo community profile

Indicator	Redfern	Waterloo
Area (sq km)	3.1 combined	
Population	11,206	5,745
Aboriginal / Torres Strait Islander	311	411
NESB Background	31%	41%
Families with children under 15	22%	35%
Single parent families with children under 15	8.5%	22.8%
School attendance		
Pre-school	59	45
Infants/Primary	266	310
Secondary	236	263
Total	561	618
Highest Educational levels – Year 10 or below	25%	38%
Public Housing (% of Suburb)	23%	67%
Weekly income less than \$300	39%	66%
Disability Support Pension	1,600 combined	
Newstart Allowance	1,000 combined	
Single Parenting Payment	460 combined	
Age Pension	2,500 combined	
Unemployed	7.6%	16.6%
Total employed	5,348	1,414
Types of Employment		
Management/Professional/Associate Professional	53%	37%
Clerical/Sales/ service workers	29%	35%
Tradespersons and related workers	6%	8%
Labourers and related workers	5%	8%
Production and Transport workers	4%	8%

This summary, based on the key statistics for the area from the 2001 Census, is from the *Redfern-Waterloo Community Safety Plan*, 10 March 2004, pp18-19

The structure of the Interim Report

- 1.29** The terms of reference require the Committee to complete an Interim Report by 31 July 2004 and a Final Report by 30 November 2004. The Committee has used the opportunity of presenting an Interim Report to address several issues. Evidence presented to the Committee in submissions and during hearings focused on four main areas which are addressed in this Report: aspects of the Redfern/Waterloo Partnership Project, the redevelopment of the Block, the Mobile Needle and Syringe Service located near the Block and some aspects of policing strategies and resources. The chapters are discussed in detail below.
- 1.30** In **Chapter 2** the Committee considers aspects of the Redfern/Waterloo Partnership Project (RWPP). The chapter briefly overviews the establishment and progress of the RWPP. The chapter provides a summary of the feedback from inquiry participants on the RWPP consultation processes and the effectiveness or otherwise of its communication with members of the Redfern and Waterloo communities. While this chapter considers some aspects of the RWPP, issues relating to its role in the coordination of government and non government service delivery in Redfern and Waterloo will be dealt with in the second stage of the Inquiry and addressed in the Final Report.
- 1.31** In **Chapter 3**, the Committee examines proposals for the future of the Block. The long-term future of the Block and its residents is a complex issue requiring initiatives to address social and economic disadvantage experienced by the local Aboriginal community. These issues will be examined in the second stage of the Inquiry and will be addressed in the Final Report. This chapter commences with a brief history of the Block and the Aboriginal community in Redfern and Waterloo. The chapter focuses on the future of the Block in terms of the redevelopment of housing. The Committee canvasses a range of views expressed by members of the community and local organisations to explore the issues surrounding the Aboriginal Housing Company's Pemulwuy Redevelopment Project and the progress of the redevelopment.
- 1.32** In **Chapter 4** the Committee examines several issues that arose out of the first term of reference to examine policing strategies and resources in the Redfern and Waterloo area. The chapter considers violence against police, police resources including staffing issues, and police strategies to deal with robberies. A brief overview of policing in Redfern and Waterloo is provided by way of introduction. A number of other issues fall within this term of reference, including the important issue of the relationship between police and the Aboriginal community, police strategies to deal with drug related crime and coordination between NSW Police and other services, including DoCS and NSW Health. These issues will be examined in the Final Report, after further consideration by the Committee.
- 1.33** In **Chapter 5** the Committee considers the issues surrounding the mobile needle and syringe service currently located at the Block. This chapter begins with an overview of the Government's approach to drug and alcohol issues in Redfern and Waterloo. The chapter then covers the range of views put forward in evidence on the needle van, including its location, the image of a drug culture at the Block, the potential 'honey pot' effect, the number of needles provided and referral services. The Committee believes it is important

to address the issue of the needle van at this stage of the inquiry process given the degree of community interest and concern. The Committee will continue to investigate the complex issues surrounding drug and alcohol use in Redfern and Waterloo as they relate to our terms of reference.

The second stage of the Inquiry

- 1.34** The Committee received a considerable amount of information on other aspects of its terms of reference, especially on the adequacy of government and non government services in the area. In particular, the Committee heard evidence on the effectiveness or otherwise of the Department of Community Services, the need for a 24 hour youth crisis centre and an Aboriginal women's refuge, the relationship between police and the Aboriginal community, and proposals for a safe injecting room. The Committee has determined, however, that further information is required before the Committee can adequately address these issues. In particular, we note that the Final Report of the Human Services Review due in the next several months will be important in the consideration of the adequacy of government and non government service delivery in Redfern and Waterloo. These issues will be the focus of the second stage of the Committee's Inquiry. The Committee is aware that the issues addressed in this Interim Report may also give rise to further discussion and debate and therefore may be raised again in the second stage of the Inquiry.
- 1.35** The Committee would be pleased to receive further submissions based on the information contained in this Interim Report, or on any other issue arising out of the terms of reference.
- 1.36** The terms of reference for this Inquiry are extremely broad and complex. The Committee is mindful of the important job it has to do in helping to find solutions to some very difficult problems facing the residents living in Redfern and Waterloo. In this Interim Report we decided to deal with some of the specific issues that need to be addressed. We are aware that there is still much work for us to do. We are aware of the need to address many of the systemic issues that lie beneath the considerable disadvantage experienced by a significant proportion of the Redfern and Waterloo community, particularly the Aboriginal community.
- 1.37** In the second stage of our Inquiry and Final Report, we will canvass some of the serious problems facing people in the area, such as poverty, drug and alcohol abuse and racism. Our Final Report will consider the adequacy of government and non government services aimed at addressing social disadvantage in Redfern and Waterloo.

Chapter 2 Redfern/Waterloo Partnership Project

In this chapter the Committee considers aspects of the Redfern/Waterloo Partnership Project (RWPP). We briefly overview the establishment of the RWPP and its progress to date. We provide a summary of the feedback from inquiry participants on the RWPP consultation processes and the effectiveness of its communication with members of the Redfern and Waterloo community. The Committee received a substantial amount of criticism of the Project, particularly in relation to its consultation and communication processes and slowness in the implementation of programs. The chapter also considers the evidence outlining the difficult task facing the RWPP, and the need for a long-term commitment from government, non government and community partners if the complex issues confronting the area are to be adequately addressed.

While this chapter considers certain aspects of the RWPP, issues relating to its role in the coordination of government and non government services will be dealt with in the second stage of the Inquiry and addressed in the Final Report.

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.

Overview of the Redfern/Waterloo Partnership Project

2.1 The Redfern/Waterloo Partnership Project was established in 2002 to provide a whole of government response to the range of complex issues facing Redfern and Waterloo. As explained by Dr Col Gellatly, Director General of the Premier's Department:

The establishment of the partnership project provides leadership and responded to community calls for a coordinated whole of government approach. The high level of support from within the New South Wales Government and from senior managers of line agencies has meant that the partnership project has been able to examine and implement innovative approaches which would not otherwise have been possible.⁸

2.2 As detailed in the NSW Government submission, the Premier announced on 21 March 2002 the Redfern/Waterloo Partnership Project and a Package of Initiatives. The package committed \$7 million over two years and 'built on Government's previous efforts to address the complex issues within the Redfern and Waterloo communities.'⁹ The aims of the Project at the time of its establishment were:

- enhancing community participation and leadership
- reducing crime and improving safety
- enhancing services for children, young people and families

⁸ Dr Col Gellatly, Director General, Premier's Department, Evidence, 18 May 2004, p4

⁹ Submission 55, NSW Government, p3

- improving health outcomes and reducing drug and alcohol abuse
- enhancing educational and employment opportunities
- promoting enterprise development
- improving urban amenity, public space and planning.¹⁰

2.3 The RWPP is described as a whole of government/whole of community approach to Redfern and Waterloo. The Government argues that this approach is the best way to address the needs of people living in Redfern and Waterloo:

A successful whole of government approach required a shared purpose, teamwork, partnerships and building strong relationships. Strong leadership and a commitment at the highest levels of Government are also required.¹¹

2.4 The RWPP has also been described as a ‘place-based’ approach. The aim of this approach is to allow agencies to tailor their services to meet the needs of people in a specific location in a way that addresses the social, physical, economic and cultural characteristics of that place. The approach has been successful in other locations in the past in addressing issues facing disadvantaged communities.¹² Place-based programs bring together the broad range of agencies and services, including Federal, State and local government agencies together with national, state and locally-based non government services.

2.5 According to the NSW Government, the RWPP is different to other place-focussed approaches in New South Wales in that it attempts to deliver integrated outcomes through improved coordination of services and the involvement of all levels of government. The NSW Government states that the Project is unique in that the Commonwealth and local government are active partners in the Project.¹³

2.6 A number of inquiry participants indicated their support for the place-based approach for Redfern and Waterloo. They suggested that the locality-based rather than program-based approach could assist in the development of a coordinated and holistic approach to service delivery. The Benevolent Society argues there is a need for an integrated multi-partied approach for communities such as Redfern and Waterloo where there are long-standing social and economic needs.¹⁴ A number of witnesses, including the Benevolent Society, pointed to the relevance of Professor Tony Vinson’s comment, that:

... where an accumulation of problems makes a serious impact upon the wellbeing of residents of a disadvantaged area, locality-specific measures may be needed to supplement general social policy ... The stage may now have been reached where expertise and authority needs to be vested in a lead agency to promote and refine ongoing audits of community wellbeing.¹⁵

¹⁰ ibid, pp62-63

¹¹ ibid, p55

¹² Randolph 2004, UK Government 2004, in Submission 55, NSW Government, p60

¹³ Submission 55, NSW Government, p62

¹⁴ Submission 33, Benevolent Society, p7

¹⁵ Vinson, T, *Community adversity and resilience: the distribution of social disadvantage in Victoria and New South Wales and the mediating role of social cohesion*, The Ignatius Centre for Social Policy and Research, March 2004, p15

Management and funding

- 2.7** The Redfern/Waterloo Partnership Project is a mechanism through which relevant organisations deliver services in the two suburbs. The RWPP oversees the review of services, areas of need and coordination issues. As described on its website, the Project ‘brings together a wide range of partners to work on improving the quality of life of people living and working in these areas.’¹⁶ The work undertaken by the Project team includes facilitating crisis management responses as well as overseeing mid and long term programs and initiatives. The Project is not, in itself, an organisation responsible for the delivery of services.
- 2.8** A small secretariat is responsible for the day to day operation of the Project. The RWPP is managed by Project Director, Mr Michael Ramsey, with a staff of five undertaking a range of tasks. The current staffing allocation includes two Senior Project Managers, one Project Manager, and one Assistant Program Manager largely responsible for administrative tasks. One of the Senior Project Managers is an Aboriginal person. The RWPP also funds a Senior Project Manager from the Department of Infrastructure, Planning and Natural Resources (DIPNR) to undertake work in relation to the RED Strategy (see below for information on the RED Strategy).
- 2.9** The Premier’s Department administers the RWPP, with the RWPP team reporting directly to the Premier via Dr Col Gellatly, Director General of the Premier’s Department. The Project team operates from an office located in the Redfern/Waterloo area.
- 2.10** In May 2004, the Premier announced the extension of the RWPP until 2006 with approval for \$2.5 million a year for the next two years. In a press release, the Premier noted that in 2006 the Project can re-apply for funding as part of the normal budget process.¹⁷ The adequacy of the staffing and funding is discussed further below.

Differences between Redfern and Waterloo

- 2.11** While the establishment of the RWPP links the two suburbs of Redfern and Waterloo together, a number of inquiry participants have pointed out the significant differences between Redfern and Waterloo, although acknowledging the two communities have much in common.
- 2.12** The NSW Government submission notes that while the populations of Redfern and Waterloo are diverse, the suburbs share similar problems. These problems, it suggests, include high levels of unemployment, particularly in younger and older sectors of the community, and high levels of crime and drug and alcohol dependence. In addition, the area has significantly less open space and more public housing than other inner city locations. The Government suggests there are a number of families in the area dealing with a complex range of problems including domestic violence, mental health and neglect:

¹⁶ www.redfernwaterloo.nsw.gov.au (accessed on 15 July 2004)

¹⁷ Hon R Carr MP, Premier of New South Wales, ‘State Govt extends Redfern-Waterloo Partnership Project’, *Media Release*, 27 May 2004, p1

All of the above factors, combined with the policies of past Governments, poor coordination, inadequate accountability across the service system, duplication of services and under-resourced services, have resulted in a markedly complex environment in Redfern and Waterloo.¹⁸

- 2.13** The Committee was told that while Redfern and Waterloo are linked, they do not necessarily share the same characteristics. The State Member for Heffron, Ms Kristina Keneally MP, pointed out there are some significant demographic differences between the two suburbs. According to Ms Keneally, 'Waterloo suffers more so than Redfern on several key social disadvantage indicators.'¹⁹ In evidence, Ms Keneally spoke about the way in which residents in her electorate see themselves:

The residents of Waterloo see themselves as distinct from Redfern, and it is important to note that even if there may or may not be a number of real distinctions, the people who live in Waterloo certainly see themselves as distinct from Redfern. For example, one of the youth services has told me that young people in Waterloo do not mix with young people in Redfern.

Their view is that the mega youth service that tried to cover the whole area would not necessarily work. It will be interesting to see if people in Waterloo make use of the Redfern Community Centre. It is a fantastic new facility and I hope they do, but I think it will be an interesting demographic to track in terms of who is using the Redfern centre. The residents of Waterloo are culturally and linguistically diverse. As was pointed out, 41 per cent of the population is from a non-English speaking background and there are some significant Russian and Chinese communities.²⁰

- 2.14** The Committee notes that there are a number of important differences in the Redfern and Waterloo communities. As evidence to this Inquiry has shown, while the two suburbs also share some significant similarities, communities living in the two suburbs have often very different perceptions and identities. It is important that the Redfern/Waterloo Partnership Project account for the demographic as well as cultural differences in its consideration of current and future programs and services. This will be vital to ensuring that the needs of all people living in Redfern and Waterloo are adequately met.

Complexity of issues in Redfern and Waterloo

- 2.15** A number of inquiry participants acknowledged that the RWPP has a very difficult job given the complexity of social issues facing the area. The Aboriginal Housing Company (AHC) suggested that while Redfern and Waterloo are 'great suburbs', there are many social problems in the area. They claim the community has been 'over consulted' with very few positive outcomes eventuating:

This has made the community jaded, cynical, untrusting, complacent and even hostile. The hostility towards the RWPP is a fear response to what is seen as yet another project bearing lots of promises but with very little hope of delivering.²¹

¹⁸ Submission 55, NSW Government, p13

¹⁹ Submission 15, Ms Kristina Keneally, p4

²⁰ Ms Kristina Keneally, Member for Heffron, Evidence, 8 June 2004, p65

²¹ Submission 42, Aboriginal Housing Company, p6

- 2.16** Ms Tanya Plibersek MP also spoke about the complex issues that exist in Redfern and Waterloo, noting in particular it is an area with generations of entrenched disadvantage:

I am probably getting this quote wrong, but I think it was Chairman Mao who, when asked what he thought about the French Revolution, said, "It's too early to tell." What I have seen so far of the Redfern/Waterloo Partnership Project is very good and very positive. But when you are dealing with a community that has generations of entrenched disadvantage, nothing will be fixed overnight. ... I do not think that we will see solutions in the next week, the next six months or even the next year. I think that it is something that needs a long-term commitment. If you have got children, for example, who are growing up in families where neither their parents nor their grandparents have worked, you are not going to fix that by a three-year project in their suburb. You actually do need to take a very long-term view. As long as the commitment is there for this to be a long-term project, I think it is fantastic.²²

- 2.17** Similarly, the Vine and Hugo Action Group suggest that the Project has a 'Herculean task', given the complexity of social issues in the area and the short length of time the Project has been established.²³

- 2.18** The Committee acknowledges that there are many complex problems that have been allowed to become entrenched in Redfern and Waterloo due to the failure of successive state and federal governments. We note that over the past three decades, no government has adequately addressed the generational disadvantage that exists in the area, particularly among some Aboriginal families.

Current major projects – Human Services Review and the RED Strategy

- 2.19** One of the major tasks of the RWPP is to review the human service system in Redfern and Waterloo to assess the effectiveness and efficiency of existing services. The Review, which commenced in January 2004, is in response to the Government's recognition that the existing system is 'inflexible and lacks capacity to meet the needs of the community'.²⁴ The Government reports that it wants the Review to examine if there are structural issues that are working against the efficacy of the current system. The Review will consider program funding, monitoring mechanisms and accountability requirements as well as new methods and approaches to service delivery.

- 2.20** The Human Services Review (HSR) is currently being undertaken by consultants Morgan Disney & Associates. The Government had expected that Morgan Disney would present a final report at the end of June 2004. The Committee understands that the report is now expected soon. The Committee will consider the findings of the Human Services Review, and the effectiveness of government and non government programs and services (terms of reference b and c) in the second stage of our Inquiry and in our final report.

- 2.21** A number of people commented on the timing and consultation processes of the Human Services Review. These issues are discussed below.

²² Ms Tanya Plibersek, Member for Sydney, Evidence, 4 June 2004, p16

²³ Submission 27, Vine and Hugo Action Group, p25

²⁴ Submission 55, NSW Government, p311

2.22 The Project is also responsible for the development of the RED Strategy. The NSW Government's Redfern Eveleigh Darlington Strategy – known as the RED Strategy - was announced in March 2003 in response to the large number of infrastructure developments slated for the area in the next few years that have the potential for significant impacts on the area. The RED Strategy is funded through the RWPP. The aim of the RED Strategy is to '...provide a holistic approach to urban renewal, strengthening the local community and improving urban amenities'²⁵ and to increase the social outcomes for the community of these projects:

Given the extensive nature of the proposed private and public sector infrastructure developments, they have the potential to act as a catalyst in the revitalisation of the Redfern, Eveleigh, Darlington and Waterloo precincts. A public/private sector approach to the redevelopment of this area would allow for better integration between the proposed public/private developments and an increased opportunity to achieve social outcomes for both communities.²⁶

2.23 One of the projects that lies within the RED Strategy area is the redevelopment of the Block. The redevelopment of the Block is dealt with in detail in Chapter 3.

The notion of 'partnership'

2.24 As noted in evidence to our Inquiry, one of the major aims of the RWPP is the establishment of effective partnerships between a range of service providers in the Redfern and Waterloo areas. However, as a number of submission authors noted, while the Project has made worthy attempts to bring agencies together, 'the notion of strategic partnerships between State Government Departments working together on shared issues is still in its infancy.'²⁷ Mr Tony Pooley, former Mayor of South Sydney Council, and currently a Councillor with the City of Sydney Council, also notes that:

... without compulsory joint service agreements (which exist in overseas models) between both government and non-government agencies, then community organisations and the community themselves will continue to feel alienated from this top down approach.²⁸

2.25 While the Government submission states that the Commonwealth Government and the City of Sydney Council are active partners in the Project, some inquiry participants believe this partnership arrangement could be improved. The City of Sydney made this comment and included themselves in this assessment of the Project:

The main weaknesses of the Partnership Project are that:

- The 'Partners' are unfamiliar and unskilled at working in 'partnership';

²⁵ Submission 55, NSW Government, p183

²⁶ Memorandum of Understanding between the NSW Government and South Sydney City Council and University of Sydney and Aboriginal Housing Company Ltd, March 2003

²⁷ Submission 45, Mr Tony Pooley, p5

²⁸ *ibid*

- The approach has been very ‘top down’; and
- There are no genuine business or community partners, with community and business indicating that they feel disenfranchised by the project.²⁹

2.26 In her evidence, Ms Monica Barone, Director, Community Living, City of Sydney Council noted that people are often confused by the focus of the project:

When people say "the partnership project", I think often people think that means the people in the office in Redfern from the Premier's Department. I always stress that the partnership project is all of us. Every one of us who signed up to be a partner is part of that project. So the question is: How effective have we all been? I think that in some areas we are starting to be really effective. We are learning to work more closely with the community, and we are learning to work more effectively together.³⁰

2.27 In their submission to the Inquiry, the City of Sydney Council recommends that the NSW Government ensure that the Commonwealth Government and the City of Sydney are equal and active partners in the RWPP.³¹ The Committee did not receive any submissions from the Commonwealth Government in relation to this Inquiry, despite our correspondence to relevant agencies. The Committee is very disappointed about this, particularly given the Commonwealth’s constitutional responsibilities for Aboriginal people.

2.28 Others in the community suggest that one of the greatest challenges for the RWPP is to form ‘a serious partnership’ with all stakeholders in Redfern and Waterloo. The Benevolent Society argues that while some progress has been made in developing relationships, there is not yet much evidence on the ground of partnerships or change:

A key missing ingredient to date appears to be a vision of where the community wants to be which is relevant to all stakeholders and which they are all committed to achieving. Related to this is the absence of a coherent set of specific goals that address key issues and for which relevant agencies take both shared and specific responsibility for achieving.³²

2.29 Some witnesses raised concerns about the level of commitment of the RWPP to the development of these partnerships. The Fact Tree Youth Service Board of Management believes the notion of ‘partnership’ to be disingenuous:

The Board has sought on several occasions to establish a meaningful working relationship with the Project, but (has been) unable to progress this.³³

2.30 Since early 2002 the Fact Tree Youth Service have had several meetings with the Project regarding the relocation of the service and as yet has not had the issue resolved.³⁴

²⁹ Submission 84, City of Sydney Council, p3

³⁰ Ms Monica Barone, Director, Community Living, City of Sydney, Evidence, 8 June 2004, p73

³¹ Submission 84, City of Sydney Council, p10

³² Submission 33, The Benevolent Society, p7

³³ Submission 69, Fact Tree Youth Service, p10

³⁴ This issue will be dealt with the second stage of our Inquiry and in our Final Report

2.31 Local residents Lyn and Geoffrey Turnbull said that:

Putting time into building a partnership with the community and the capacity for the community to be an equal partner are not optional extras for the RWPP to achieve its goal; it is the key to its success. Without a genuine partnership with the community the problems of Redfern and Waterloo will not be solved.³⁵

2.32 The Committee believes there is great potential for effective and genuine partnerships between service providers in Redfern and Waterloo. However, the full potential for partnerships has yet to be realised. The Committee strongly supports the City of Sydney Council recommendation that the NSW Government ensures the Commonwealth Government and the City of Sydney Council are equal and active partners in the RWPP. In addition, the Committee urges the RWPP to ensure that strategies are in place to ensure that non government services and the local community are also equal partners. As will be investigated further in the second stage of the Inquiry, consideration should be given, for example, to the establishment of compulsory joint service agreements between both government and non government agencies. The Committee is mindful that without the active participation of all agencies and community members, community organisations and the community itself will continue to feel alienated, and this could significantly limit the success of the Project. The Committee will consider many of these issues during the second stage of the Inquiry and in our Final Report, including the effectiveness of the RWPP in relation to its coordinating role for government and non government services in the area.

Progress to date

2.33 The NSW Government submission provides a list of what it sees as the key achievements of the Government in Redfern and Waterloo since 2002. The submission lists more than 40 achievements, including:

- establishing the Redfern/Waterloo Partnership Project
- implementing the Redfern/Waterloo Anti-Drug Strategy
- increased policing, particularly in relation to drug-related crime
- assisting the Aboriginal Housing Company with the closure of drug houses and shooting galleries on the Block
- establishing a Community Safety Task Force and the development of a Community Safety Plan
- establishing a Street Team to provide support and advice to children and young people
- establishing the Yallamundi Intensive Family Based Service to provide Indigenous families with home based support.³⁶

³⁵ Submission 65, Geoffrey and Lyn Turnbull, p3

³⁶ Submission 55, NSW Government, pp3-7

2.34 Mr Richard Gilbert, Director of Health Services Planning, Central Sydney Area Health Service, NSW Health suggested that there have been some notable improvements in the coordination between agencies in Redfern and Waterloo:

Yes, I have certainly been hearing that through the review of human services and I think it has been proved in the past that the multitude of services in Redfern/Waterloo have perhaps operated in silos and have not always worked closely with each other. That has certainly improved in the last few years with the Redfern/Waterloo Partnership Project, which does have a number of task forces that enabled that interagency collaboration to occur.³⁷

2.35 The Aboriginal Housing Company praised the RWPP as the best government initiative to happen in Redfern and Waterloo in many years:

We understand that the project has attracted much criticism from certain individuals but from our perspective most of it is definitely not deserved.³⁸

2.36 According to the AHC, the RWPP has assisted them in a number of ways, particularly in addressing crime and safety issues and dealing with drug use on the streets and in shooting galleries on the Block:³⁹

[T]he RWPP has achieved much in the way of addressing issues around crime and safety that have long been ignored. Significantly, the efforts of the RWPP to help tackle drugs on the Block especially shooting galleries and drug premises, has meant that the AHC is no longer doing it on its own.⁴⁰

2.37 RWPP Project Director, Mr Michael Ramsey, told the Inquiry that the Project assisted the Aboriginal Housing Company with the process of demolishing houses on the Block:

That was part of the anti-drug strategy. We relocated the older resident who was living between those two shooting galleries so we could actually demolish them. It took 12 months of negotiating or longer to actually find a house that she thought was suitable. Again, none of these are quick fixes.⁴¹

2.38 The NSW Government claims the Redfern/Waterloo Street Team as one of the major achievements. The eight-person Street Team, currently managed by the Department of Community Services, includes staff from government and non government services. The Team operates 7 days a week, 2 shifts per day, with shifts varying from between 9am and 2am, and is aimed at addressing issues for children and young people who congregate in public places in Redfern, Waterloo and Darlingtown.⁴² A number of witnesses told the Committee that the Street Team is an innovative initiative that has shown some genuine

³⁷ Mr Richard Gilbert, Director of Health Services Planning, Central Sydney Area Health Service, NSW Health, Evidence, 8 June 2004, p43

³⁸ Submission 42, Aboriginal Housing Company, p6

³⁹ *ibid*

⁴⁰ *ibid*

⁴¹ Mr Michael Ramsey, Project Director, Redfern/Waterloo Partnership Project, Evidence, 18 May 2004, p9

⁴² Submission 55, NSW Government, p313

results. NSW Health's Ms Karen Becker gave this example of the work of the Street Team in linking young people with health services:

We have also done a lot of work with the Street Team so that they can engage young people if they discover that they are pregnant and refer them in early. We are doing some good work in Redfern. Currently we have increased the number of young people coming to Redfern. The last figure that I had showed that we currently have 18 young women between the ages of 15 and 27 in treatment from the Redfern, Waterloo and Glebe areas. So we are making some significant strides there. They are referred straight on to the methadone program and they are being maintained as well.⁴³

2.39 A small number of witnesses criticised some aspects of the Street Team. The Fact Tree Youth Service said that as innovative as the project had been, 'the Street Team has established very few really meaningful connections with local communities.'⁴⁴ The Fact Tree Youth Service put this down to the possibility that staff were ill equipped to drive the project and engage with the local community.

2.40 Other witnesses commented on the development of a number of children's services. The City of Sydney Council, 'as a consequence of the partnership project':

...now participate in Kid Speak along with Barnardos and the Kid Speak committee, which comprises different members of the community who provide children's services. We have developed some additional services in the Waterloo area.⁴⁵

2.41 The RWPP has also coordinated the establishment of the Yallamundi Intensive Family Based Service run by Barnardos:

The Redfern/Waterloo service that was funded under the partnership project provides intensive home visits to families and takes what is called a case management approach - an overall approach. In practice, what it means is active outreach to families who, although they might be known to lots and lots of agencies and services, do not actually engage or make a connection with services. This particular approach is called assertive outreach.⁴⁶

2.42 A number of Aboriginal organisations expressed their dissatisfaction with the way in which the RWPP has seen to the establishment of a number of new services in Redfern and Waterloo, instead of using existing Aboriginal services. Dr Naomi Mayers, CEO, Aboriginal Medical Service told the Committee:

But from my understanding, a lot of the—when they set up the Redfern/Waterloo thing partnership, they kind of funded positions in agencies that they set up—Aboriginal positions—instead of putting the money into the Aboriginal organisations that were already there: like the children's service, like the legal service, like the Murrawina preschool and so on. There were already programs there. Then all of a

⁴³ Ms Karen Becker, Director of Drug Health Services, CSAHS, NSW Health, Evidence, 8 June 2004, p46

⁴⁴ Submission 69, Fact Tree Youth Service, p11

⁴⁵ Ms Barone, City of Sydney Council, Evidence, 8 June 2004, p72

⁴⁶ Ms Deirdre Cheers, Senior Manager, South East Sydney, Barnardos, Evidence, 4 June 2004, p2

sudden—we did not even know—there was street beat, and they put Aboriginal workers in there.⁴⁷

2.43 When asked whether she included Barnados' Yallamundi Intensive Family Based Service in this analysis, Dr Mayers replied:

They just moved in. They were not there. Some of the things that were in the paper there were very derogatory about some of the Aboriginal organisations that had been around for quite some time. We did get a letter from Barnardos apologising. A lot of people did not even know what they were about until the Redfern/Waterloo thing. Yet a lot of the stuff that they do could have been done by the Aboriginal organisations that were already there.⁴⁸

2.44 According to Dr Mayers there was 'not any kind of talking with the community about it. It was kind of done without people's knowledge.'⁴⁹

2.45 In relation to safety in the streets, a resident of Redfern, Mr Ian Thomson, told the Committee that the RWPP has had an immediate and marked impact on behaviour in the local streets:

In our immediate area, we have seen a general cessation of car windows being broken and related behaviour in the area. This speaks of some success arising from the programs in terms of local residents personal & property security.⁵⁰

2.46 According to the Government, while there is no 'magic wand' to solve issues in Redfern and Waterloo, the RWPP has had an impact on a number of problems in the area. When announcing the extension of the RWPP until 2006, the Premier said:

Crime and anti-social behaviour is still at unacceptable levels, but it has dropped since the government set up the Redfern-Waterloo Partnership Project. For instance, assaults have dropped by 19.5 per cent and stolen vehicle offences are down by 26.9 per cent.⁵¹

2.47 Some local residents felt there had not been any significant improvements in safety in the area. Some people told us that while minor initiatives such as the increased police presence at the railway station have made that area safer, it has resulted in simply moving the problem to a different spot. According to Mr Stephen Gale, 'we are seeing an increase in crime and anti social behaviour in our streets now.'⁵²

⁴⁷ Dr Naomi Mayers, CEO, Aboriginal Medical Service, Evidence, 4 June 2004, p33

⁴⁸ *ibid*

⁴⁹ *ibid*

⁵⁰ Submission 19, Mr Ian Thomson, p1

⁵¹ Hon R Carr MP, Premier of New South Wales, 'State Govt extends Redfern-Waterloo Partnership Project', *Media Release*, 27 May 2004, p1

⁵² Submission 13, Mr Stephen Gale, p6

Slowness in implementation of programs

2.48 In his submission to the Inquiry, Mr Tony Pooley, who was generally supportive of the RWPP initiative, commented on concerns in the community about the inability of the Project to meet agreed time lines for rolling out programs and:

... the failure to deliver on other promised initiatives such as a comprehensive Youth Services Plan, The Employment and Enterprise Development Taskforce and the Community Building Program.⁵³

2.49 The Redfern Neighbourhood Advisory Board said that while a number of strategies have been implemented, such as the Street Team and family support service, a number of strategies promised in consultations with the community have not been delivered. These include making funds available to existing services and programs, establishing small grants for community development and an Employment Taskforce.⁵⁴

2.50 Several inquiry participants suggested that the failure to implement a number of strategies was due to unclear and unrealistic timeframes. These participants felt strongly that the timeframes for conducting the Human Services Review and the Community Engagement Strategy were unrealistically short and this has resulted in community anger and frustration. Others, such as the Vine and Hugo Action Group, suggested too much time has been spent on solving industrial relations, communication or infrastructure issues between agencies, and not enough time and resources have been given to social problems such as assisting children and families.⁵⁵ Local Redfern residents such as Mr Ian Thomson also expressed concern about the slow rate of implementation of some of the reforms initially proposed by the Project.⁵⁶

2.51 The Committee acknowledges that many of the issues facing the RWPP are complex and difficult. The role of coordinating a partnership between three tiers of government, non government services and the community is an intricate and delicate task. Coordinating the partnership arrangements is complicated by the complexity of many of the issues facing Redfern and Waterloo. Nevertheless, the Committee firmly believes that the RWPP has failed to deliver on a number of initiatives due, as indicated by witnesses, to unclear and unrealistic timeframes. The Project has not always clearly articulated to the community the reasons for delays and extensions to timeframes. As discussed in detail below, evidence to the Inquiry shows that the Project's communication processes have been, on occasion, inadequate. The Committee addresses the need to improve these processes and the future of the RWPP in the sections below.

⁵³ Submission 45, Mr Tony Pooley, p5

⁵⁴ Submission 30, Redfern Neighbourhood Advisory Board, p1

⁵⁵ Submission 27, Vine and Hugo Action Group, p25

⁵⁶ Submission 19, Mr Ian Thompson, p1

Consultation and communications

2.52 Since its establishment, the RWPP has developed, in conjunction with key partners such as the City of Sydney Council, a number of mechanisms to facilitate consultation with service providers and community members. The Committee received a considerable amount of evidence on the effectiveness of these strategies. In this section we briefly overview the consultation and communication processes and the criticism made by inquiry participants.

Overview of RWPP consultation and communication mechanisms

2.53 The mechanisms established by the RWPP include the Redfern/Waterloo Community Council, a number of Taskforces and specific consultations with the Redfern and Waterloo community. The Government submission describes the Redfern/Waterloo Community Council as an ‘ongoing mechanism to ensure that the views of the community are heard in the RWPP.’⁵⁷ The Council members are non government, local council, business and community representatives.

2.54 In addition to the Community Council, the NSW Government established a number of Taskforces to address particular issues where priorities have been identified. Youth, Drug and Alcohol, Infrastructure, Facilities Planning and Community Safety Taskforces have been established.⁵⁸

2.55 In addition to these mechanisms, the Government submission notes other specific consultations with the Redfern and Waterloo community. The submission lists the consultations as follows:

- | | |
|---|------------------------------|
| • Human Services Review | March 2004 |
| • Consultation on the RED Strategy | June 2003 |
| • Community Engagement Consultancy | March 2003 |
| • Building a Better Future for our Children | September 2002 |
| • Redfern/Waterloo Pathways to Prevention Project | July and August 2002 |
| • Youth Consultation Report | July 2002 |
| • Redfern/Waterloo Youth Services Review | November 1998. ⁵⁹ |

2.56 The Government submission provides an overview of the Community Engagement Consultancy process. In January 2003 the NSW Government engaged a consultant, Dr Sharon McCallum, to gain an understanding of the needs of the community to, among other objectives, ‘ascertain the one, five and ten year vision of each of the stakeholders for

⁵⁷ Submission 55, NSW Government, p73

⁵⁸ *ibid*, p75

⁵⁹ *ibid*, p77

the Redfern and Waterloo area.’ Over 200 contacts were made with the community between January and March 2003. The findings of the consultations, covering community well being, community safety and justice and the physical environment, are listed in the NSW Government submission to this Inquiry.⁶⁰

2.57 In its submission, the Government claims it has implemented many of the recommendations arising from the consultations. In addition, the Government suggests the information gathered during the consultations has ‘been used to inform government priorities, planning and programming’:

It is important to note that the information collected in these consultations has been used to inform public policy and service delivery. Issues have been fed back to individual agencies for incorporation into their planning and programming and RWPP has coordinated the development of individual initiatives as a result of the feedback obtained from (the) community.⁶¹

2.58 The Government submission notes that the RWPP has developed a number of mechanisms to communicate with the local community, including:

- attending meetings with inter-agencies and Neighbourhood Advisory Boards
- direct phone contact with individuals and community groups and organisations
- newsletters distributed to all residents with information on Government activity in the area
- website and email contact with agencies and residents.⁶²

2.59 According to the Government, communication strategies have also been developed to deal with specific projects such as the Human Services Review. The Government submission notes that the consultants Morgan Disney have developed a comprehensive communication strategy with a view to involving all the key organisations and individuals and provide timely information and feedback. According to its submission, the consultants conducted ‘interviews, focus groups, workshops, and household sampling’:

Specifically, workshops for services [sic] providers were held on 18 and 19 March 2004. They attended the Open Day at the new Redfern Community Centre on 11 March and held a Human Services Review Forum on Thursday 18 March 2004 at the Redfern Town Hall. On 24 April 2004 Morgan Disney also held a sausage sizzle for residents of Redfern and Waterloo. The sausage sizzle provided residents with another opportunity to speak with the consultants about their views of, and experience with, the Human Services system in Redfern and Waterloo. Approximately 85 people attended the barbeque and responded well to the less formal process of engagement. A further public forum was also held on 29 April 2004.⁶³

⁶⁰ *ibid*, pp81-95

⁶¹ *ibid*, p77

⁶² *ibid*, pp72-73

⁶³ *ibid*, pp78-79

Criticism of the consultation processes

- 2.60** A number of local services expressed considerable frustration with the Project's consultation processes. Witnesses told the Committee that while many people may have been asked a lot of questions, few had been 'engaged' in the process. Agencies and individuals told us they did not feel they had been invited to be active participants in the consultation processes. According to the Fact Tree Youth Service:
- ... the consultative process which was presented as the key point of entry for establishing a partnership has been experienced as being both disingenuous and quite circumspect.⁶⁴
- 2.61** The Fact Tree Youth Service suggested that the assurances that consultations held with young people would result in concrete outcomes have so far proved 'vacuous'. According to the organisation, this lack of action has resulted in considerable frustration among some young people, particularly the consultation participants.
- 2.62** The Redfern Neighbourhood Advisory Board (NAB) suggested that decisions made by the RWPP without adequate community consultation have raised concerns about their honesty, openness, transparency and commitment to the community.⁶⁵ In addition, the NAB was concerned about the failure of the RWPP to engage existing forums and infrastructure in the consultation processes.
- 2.63** Particular criticism was made of the RWPP Taskforces and their consultation processes. It was suggested to the Committee that the Taskforces do not meet on a regular basis and act more like meetings for the exchange of information. Witnesses to the Inquiry said these meetings should be outcome and action-based forums, where participants are included in the decision-making processes and in driving change.⁶⁶ A member of the Redfern/Waterloo Family Taskforce, the Benevolent Society said, in its experience, the Taskforce is more of an 'administrative entity, rather than a place where collective action is taken.'⁶⁷
- 2.64** Other submission makers request greater opportunities for community involvement in the Taskforces. Geoffrey and Lyn Turnbull claim that current mechanisms for community involvement have not been made known, or do not state whether or not they are open to residents.⁶⁸

RED Strategy and Human Services Review

- 2.65** A number of people made specific comments on the consultation processes undertaken for the RED Strategy and Human Services Review (HSR). The Redfern Legal Centre expressed concern about the perception that the RED Strategy was about real estate sales and money flowing to government and developers, and not about the stated objective of

⁶⁴ Submission 69, Fact Tree Youth Service, p10

⁶⁵ Submission 30, Redfern Neighbourhood Advisory Board, p1

⁶⁶ Submission 45, Mr Tony Pooley, p5

⁶⁷ Submission 33, The Benevolent Society, p7

⁶⁸ Submission 65, Geoffrey and Lyn Turnbull, p8

seeking a 'better social mix'. This perception, they argue, was a result of the information made available by the RWPP.⁶⁹ The Coordinator of the Inner Sydney Regional Council for Social Development, Mr Charlie Richardson, told the Committee he felt the two consultations conducted in June for the RED Strategy 'were more exhibitions; they were not consultations':

They were not a bunch of people in a room being told things, listening to other people's questions and coalescing around ideas. People were walking around a board at any time between certain times and consultants were speaking to them. No material was given to people to take away to reflect on later or to share with their neighbours. The daytime exhibition was held in a very small park close to the Block, and a lot of people will not go there. The one in the evening was held at the same time as a major State of Origin match, which was televised. When people attend big public meetings there is perhaps 15 or 20 minutes at the end of the meeting when they are able to say something in reply to the information with which they have just been bombarded. A great deal of anger has been expressed at those meetings about the expectation that people are able to comment on such a huge amount of non-information.⁷⁰

2.66 In relation to the Human Services Review, several submission authors noted that while the RWPP announced the HSR at the outset of the Project, they waited until only a few months ago to engage the consultants:

Morgan Disney now has this complex task to complete with such a tight deadline that it is doubtful that it will be able to present a full and accurate summary of the services.⁷¹

2.67 One submission noted that no advance information about the Human Services Review was given to the community:

The initial public forum was poorly advertised and few people knew about it. Many of those at the first meeting only knew about it because they were on our email list. Some streets did not receive the 'Survey for Residents' and the survey was not appropriate for many of those who received it. This meant that the consultants had to conduct interviews based on the survey to get responses from some sections of the community.⁷²

2.68 A number of inquiry participants expressed concern that the RWPP was not able to say how many services were operating in the Redfern and Waterloo area. A wide range of figures up to approximately 100 agencies and around 200 services has been mentioned during evidence to this Inquiry. The Inner Sydney Regional Council for Social Development said that despite being in the area for nearly three years, the RWPP was unable to supply Morgan Disney with a list of the services in the area.⁷³ In response to questioning on the number of services, Mr Michael Ramsey said:

⁶⁹ Submission 50, Redfern Legal Centre, p11

⁷⁰ Mr Charlie Richardson, Coordinator, Inner Sydney Regional Council for Social Development, Evidence, 25 May 2004, p47

⁷¹ Submission 46, Inner Sydney Regional Council for Social Development, p5

⁷² Submission 65, Geoffrey and Lyn Turnbull, p6

⁷³ Submission 46, Inner Sydney Regional Council for Social Development

I will respond in a broad way, in saying that you can actually look at any other area of New South Wales and if you can tell me how many services exist within those areas or tell me anybody who can identify those number of services, I think you would be surprised. Why it has taken so long and why we actually employed Morgan Disney to do this Human Services Review is we are literally burrowing down to identify every single service that is in Redfern/Waterloo so we can develop a very effective, a very responsive human services system. That is an entirely new approach. This is not just a simple little exercise of creating a directory of services.

This is actually literally going out and talking to everybody to find out exactly what exists. In terms of the difference between 195 and 210, the consultancies are still going on. The consultancy is still going on. The consultancy has not been completed. We said quite clearly in the Government submission that this will not be completed until the end of June and we think absolutely within that context we will tell you exactly how many services exist, what the strengths of those services are and we will be able to then tell how it has to be restructured.

If you want to bring about systemic change, it cannot be done in an ad hoc piecemeal way and so the Human Services Review is intended to bring about systemic change.⁷⁴

- 2.69** A number of witnesses supported the work being done by the Human Services Review team and believe they have endeavoured to consult widely within the limited time available. According to Lyn and Geoffrey Turnbull, Morgan Disney were interested in the concerns and ideas of participants and provided follow up forums with residents and service providers to give reports on the progress of the Review.⁷⁵
- 2.70** As mentioned above, Morgan Disney was due to present a final report to the RWPP by the end of June 2004. The Committee understands the report is expected soon.

Consultations with Aboriginal people

- 2.71** Many people commented on the adequacy or otherwise of the RWPP consultation processes with the Aboriginal community. Witnesses told the Committee that the lack of community empowerment accompanied by a high level of consultation had bred a level of scepticism about the ability of these consultations to lead to results. The Social Justice Committee, Conference of Leaders of Religious Institutes (NSW), argues:

In the context of the dispossession of Indigenous Australians, and their continuing disadvantage, not only must particular government attention be paid to their needs, but solutions to any problems must empower the community. It is only by empowering the community to make decisions that the solutions will be effective and culturally appropriate.⁷⁶

- 2.72** Representatives from the Metropolitan Local Aboriginal Land Council did not believe the consultation process with Aboriginal people had been adequate. Mr Paul Coe told the Committee:

⁷⁴ Mr Ramsey, Redfern/Waterloo Partnership Project, Evidence, 18 May 2004, p19

⁷⁵ Submission 65, Geoffrey and Lyn Turnbull, p6

⁷⁶ Submission 64, Social Justice Committee, Conference of Leaders of Religious Institutes (NSW), p2

I have had one discussion with the person who is running the program. I did not find that process very helpful. I was told quite adamantly that the resources were primarily for Russian immigrants in the area and that they were not for Aboriginal people. So I did not find that meeting to be very successful.⁷⁷

2.73 The Chairperson, Mr Robert Welsh, explained that the Land Council had early consultations when the RWPP was first structured:

I attended quite a lot of the early meetings and basically point blank denied any response. I felt that we were not being given respect, as the main core of the community. After the first couple of meetings we were basically ignored by the whole process.⁷⁸

2.74 As noted earlier in the chapter, organisations such as the Aboriginal Medical Service were critical of the RWPP and the funding of Aboriginal organisations. Mr Lindsay Hardy, Manager of *Tunggaré News*, made the similar point that while there were a number of meetings in the initial stages of the RWPP:

...a lot of the funding that went specifically to Aboriginal organisations was limited. It was one-off funding and there was no guarantee of long-term funding. A lot of that funding was provided to a few of the mainstream organisations, which was really in competition with the community organisations that existed. I will not go any further. There was lack of thorough community consultation to a large extent.⁷⁹

2.75 The Committee heard from a number of Aboriginal people that there are many people who visit the Block and Redfern from other parts of NSW and other states. According to Mr Kevin Smith,⁸⁰ Mr Lyall Munro and others there has not been any attempt to consult people regularly visiting the Block or residing in the area. Mr Munro told the Committee:

I am saying that none of us that frequent the Block or reside at the Block or any of us that were given the right to speak on behalf of the community were involved. We never got any invitations because that is how we are seen. We are out of sight, out of mind. Most people just drive past the Block. ...⁸¹

2.76 Mr Shane Phillips said that he would like to see a better relationship between the Project and the Aboriginal community:

Apart from that, we do not know what their charter is. I do not know whether the Waterloo-Redfern project is being attacked but I would like to know that if there is some resource that our people can access or that can help our situation, let us not go from one extreme to the other and get rid of it; let us make it active. Let us make it work for our people.⁸²

⁷⁷ Mr Paul Coe, CEO, Metropolitan Local Aboriginal Land Council, Evidence, 25 May 2004 p3

⁷⁸ Mr Robert Welsh, Chairperson, Metropolitan Local Aboriginal Land Council, Evidence, 25 May 2004, pp3-4

⁷⁹ Mr Lindsay Hardy, Manager, *Tunggaré News*, Evidence, 25 May 2004, pp3-4

⁸⁰ Mr Kevin Smith, Evidence, 19 May 2004, p50

⁸¹ Mr Lyall Munro, Evidence, 19 May 2004, p42

⁸² Mr Shane Phillips, Evidence, 19 May 2004, p50

2.77 The Aboriginal Housing Company has been satisfied with their contact and level of consultation with the RWPP:

I praise the Redfern/Waterloo partnership because I believe they came to us in the beginning, that is Michael, and asked what is the problem in the community. Before, the Government just used to say, "You do this. You do that." Michael came to us and said, "Mick and Peter and Lani, what is the problem? Let us work from the beginning to the end." He met us halfway and that is why we are working this out with him and that is why we have succeeded so far with what we are doing now.⁸³

2.78 The Committee believes there needs to be a greater emphasis placed on effective and culturally appropriate consultations with Aboriginal people. The RWPP must ensure that the Aboriginal community is part of the decision-making processes and is included in the implementation of programs and services for Aboriginal people. This issue is taken up again below.

Criticisms of communication processes

2.79 A number of organisations suggested there is a poor level of communication between the RWPP and local community services. It was suggested to the Committee that there is little or no follow up and reporting back to organisations on decisions made by the RWPP and stakeholders. The failure to provide feedback regarding the purpose and outcomes of the consultations:

...has led to many community members feeling that their views are undervalued, or when no action is forthcoming, that their community is not worthy of the resources necessary to address the issues they have identified.⁸⁴

2.80 A number of witnesses felt that there was poor coordination and notification of community forums.⁸⁵ The Redfern Legal Centre suggested that while the RWPP was 'very visible' when it first came into the area, with promises of extensive consultation, 'little feedback is received from it regarding information it has gathered and surveys it has conducted.'⁸⁶ Other participants were concerned that documents such as the Community Engagement Strategy had not been made publicly available.

2.81 The Fact Tree Youth Service commented on the lack of updated information on the RWPP website. The Committee has also found the lack of updated information on the website considerably frustrating in the conduct of this Inquiry. We note that the latest RWPP Newsletter on the Website is for October 2003.

2.82 As mentioned earlier in the chapter, Mr Charlie Richardson and others were extremely critical of the information provided during the consultations for the RED strategy. According to Mr Richardson, information on the expansion of the project was not clear

⁸³ Mr Michael Mundine, CEO, Aboriginal Housing Company, Evidence, 19 May 2004, p24

⁸⁴ Submission 30, Redfern Neighbourhood Advisory Board, p3

⁸⁵ *ibid*, p2

⁸⁶ Submission 50, Redfern Legal Centre, p10

nor easily accessible. The only information available to the community was 'a couple of statements at their exhibition':

All we have from the partnership project is what is available publicly. Among that is the stuff that was exhibited on 11 June last year, which I have to say looks a lot more like an exhibition for would-be developers to look at and encourage them to buy into the area, rather than consultation with the community about what might be best for the future of the area.⁸⁷

2.83 Ms Kristina Keneally MP also felt there had been difficulties with the distribution of information about community meetings in relation to the RED Strategy.⁸⁸

2.84 A number of inquiry participants suggested that the RWPP does not have adequate resources to allow them to effectively communicate with the community. They argue that this lack of resources has led to newsletters and forums provided on an ad hoc, rather than systematic basis.

Improving consultation and communication processes

2.85 It should be said that the Committee did receive some positive comment on the RWPP consultations with the local community. Ms Kristina Keneally MP said that, while the project had not always communicated effectively:

Real efforts have been made to engage in and understand the challenges faced by communities in Waterloo, particularly Russian and Chinese communities and particularly elderly communities. Representatives of those communities have been involved in forums and are involved in the community council. My constituents have conveyed to me views such as, "This is the best thing that the Government is trying to do in this area. The Government has finally recognised that these communities are not sustainable and that the project offers hope." Some of the challenges include things that could be overcome. Some of them may just be part and parcel of this type of community renewal work. The project has not always communicated effectively and efficiently with the local community.⁸⁹

2.86 Other witnesses felt that improvements had been made to the consultation processes. The City of Sydney Council argued that community consultations had improved as evidenced by the consultations undertaken for the Human Services Review.⁹⁰ Mr Tony Pooley suggests that while the consultation processes were not adequate in the beginning, there have been some recent improvements:

I think the project came in with a far bigger agenda than was easily able to be developed, and that takes time. I think some of their community consultation was less than adequate at the start. It is my personal view that it has improved. It is a fairly articulate community and I think there was no shortage of people throughout the community of Redfern and Waterloo that alerted the Partnership Project in the way

⁸⁷ Mr Richardson, Inner Sydney Regional Council for Social Development, Evidence, 25 May 2004, p45

⁸⁸ Submission 15, Ms Kristina Keneally, p7

⁸⁹ Ms Keneally MP, Member for Heffron, Evidence, 8 June 2004, p65

⁹⁰ Submission 84, City of Sydney, p3

they were dealing with people, and I think they have taken that on board. I am not suggesting it is perfect by any stretch of the imagination, all I am doing is contrasting the first 18 months with the second 18 months, and I think there have been noticeable improvements.⁹¹

- 2.87** Ms Deirdre Cheers, Senior Manager, South East Sydney, Barnardos suggested that the Project needs to hear from residents who do not usually have a voice, but who are regular users of services in the area:

I think that the Partnership Project, above all else, needs to continue listening to residents from all sectors of the community. The agency opinions and the service deliverer opinions are important, but the consumer view is also very important. In addition - and as I said in my opening remarks - to residents who do have a voice and often a loud voice and who can speak it is very important for the partnership project to attempt to tackle that opinion that nothing has been fixed, the problems are still the same and nothing is changing. One of the ways of doing that, I think, is to look at ways of getting the feedback from the families who are not so vocal and who are living there with the same problems but who are experiencing the problems, perhaps differently, and who are consumers of some of the services that the partnership project has put into place.⁹²

- 2.88** A number of witnesses including Mr Charlie Richardson recognised that the Redfern and Waterloo community is a ‘fractured community’, and is ‘an extremely difficult community to consult and to bring into these processes.’⁹³

- 2.89** The Director General of the Premier’s Department, Dr Col Gellatly, acknowledged on the first day of public hearings the criticism made of the RWPP and suggested that improvements could be made to communication and consultation strategies:

We acknowledge that there is some criticism of our communication strategies. It is fair to say that we have had to prioritise addressing crises and other issues at the expense to some degree of our communication strategy. The Government is committed to developing and implementing a more effective communication strategy in the future. Consultation and communication are just two of the many challenges being faced by the Government in the area.⁹⁴

- 2.90** While it is clearly not going to be an easy task, as the majority of evidence to this Inquiry suggests, the RWPP must find ways to improve its consultation and communication with the community. As noted by Dr Col Gellatly, there is a need for a more effective communication strategy. The Committee strongly urges the NSW Government to adequately fund the RWPP to develop and implement a comprehensive strategy to ensure there is effective consultation and communication with the Redfern and Waterloo community.

- 2.91** In summary, evidence to our Inquiry suggested that consultations should take place with a specific purpose made clear to all participants. The consultations should occur on a regular

⁹¹ Mr Tony Pooley, Evidence, 25 May 2004, pp56, 57

⁹² Ms Cheers, Barnardos, Evidence, 4 June 2004, p10

⁹³ Mr Richardson, Inner Sydney Regional Council for Social Development, Evidence, 25 May 2004, p51

⁹⁴ Dr Gellatly, Premier’s Department, Evidence, 18 May 2004, p4

basis with a broad range of services and community members, with participants actively involved in decision-making processes. The RWPP should attempt to hear from residents of the community who are not so vocal, and who may be experiencing different problems. Regular, clear and transparent information should be provided in feedback on the consultation processes. The Committee also believes that the RWPP could make better use of the existing forums and agencies to keep residents informed of issues arising from consultations and action taken by the RWPP and its partners.

- 2.92** The Committee firmly believes there is an urgent need to improve the relationship with the local community, particularly the Aboriginal community. Evidence to this Inquiry suggests that the RWPP could significantly improve its relationships with the local community by more effective communication. The Committee strongly urges the RWPP to establish mechanisms to facilitate capacity building within the Aboriginal community.

The future for the Redfern/Waterloo Partnership Project

- 2.93** While there was considerable criticism of aspects of the RWPP, the majority of inquiry participants did not suggest disbanding the Project. While a small number of witnesses did express a desire for the RWPP to begin again,⁹⁵ most people felt it would be regrettable to have to ‘reinvent the wheel’.
- 2.94** There was broad support for the whole of government, place-based approach to service delivery in Redfern and Waterloo. However, a number of people identified the fact that without the commitment of all participating agencies to change their current operating methods and improve how they work together with agency partners, the model is limited in what it can achieve.⁹⁶ The Committee believes the place-based approach to service delivery represented by the RWPP is the appropriate model for service delivery in the area. Nevertheless, based on the evidence to the Committee, we believe that the Project has not yet been effective in achieving a number of the stated aims of the whole of government approach to Redfern and Waterloo, particularly in relation to enhancing community participation and leadership⁹⁷ and ensuring that partners work together.
- 2.95** There is considerable expectation within the community that the Project will be able to deliver significant improvements to Redfern and Waterloo. The Committee acknowledges that there are major and complex issues facing Redfern and Waterloo, many of which will be addressed in our Final Report. We note that ‘quick solutions’ to the generations of disadvantage being experienced by many Redfern and Waterloo families will not work.
- 2.96** One of the significant challenges for the RWPP will be to ensure coordination of the broad range of services in the area. A considerable investment has been made by the NSW Government to improve coordination and service delivery in the two suburbs. We note that the success of the RWPP depends on the full commitment of all partners, including Commonwealth, State and local government agencies, non government services and the

⁹⁵ For example, Mr Richardson, Inner Sydney Regional Council for Social Development, Evidence, 25 May 2004, p51

⁹⁶ Submission 45, Mr Tony Pooley, p5

⁹⁷ Submission 55, NSW Government, p62

community. The Project has a very big task ahead in connecting the vast range of services in the area, including health, police, infrastructure, employment, education and community and social services. The success of the RWPP will depend on its ability to obtain a real cooperation across the three tiers of government, NGOs and the local community as well as an ongoing commitment. As we have already pointed out, the Committee will be looking closely, in the second stage of the Inquiry, at the effectiveness of the Project in its role of coordinating service delivery in the area and its effectiveness in meeting the needs of the community.

2.97 The Committee believes there is great potential for effective and genuine partnerships between government and non government agencies and other community partners in Redfern and Waterloo. Evidence to this Inquiry suggests that the full potential for partnerships has yet to be realised. We are convinced that without the active participation of all agencies and community members, community organisations and the community themselves will continue to feel alienated and this could significantly limit the success of the Project. For this reason, we believe that the Redfern/Waterloo Partnership Project must, as a matter of priority, ensure that all participants in the RWPP become genuine partners. The establishment of these partnership arrangements will be crucial to the successful implementation of the findings of the Human Services Review.

2.98 The Committee notes that the final report of the HSR was due at the end of June 2004. The fact that the final report is now overdue is a matter of concern, given the importance of the Review in the assessment of the effectiveness and efficiency of existing services. The Committee believes that the RWPP should expedite the completion of the Human Services Review. In addition, we ask that the Committee be provided with the Human Services Review Report as soon as it is completed. The Committee is not able to fully assess the effectiveness of the RWPP in meeting the needs of the local community until the completion of that and other reviews. These issues will be addressed in our Final Report. In particular, during the second stage of the Inquiry we will examine the Government's establishment of clear timeframes and projected outcomes for the implementation of the Review. In addition, we will consider the need for a thorough process of evaluation to assess the effectiveness of its implementation.

2.99 Many witnesses suggested that there needs to be a long-term commitment of funding to the RWPP. Lord Mayor of Sydney, Ms Clover Moore MP, called for a ten year commitment:

The City of Sydney Council supports and is an active member of the Redfern/Waterloo Partnership Project (RWPP). It is vital that the RWPP continues and is refined over at least a decade so that real change will occur.⁹⁸

2.100 NCOSS's Director, Mr Gary Moore, argues that a long term commitment to Redfern and Waterloo should be made by the NSW Government and the City of Sydney Council, similar to the ten year UK Government programs such as the 'New Deal for the Communities' program or the US and Canadian urban regeneration projects. According to Mr Moore, the four year horizon of the RWPP does not command the broad community credibility required to drive such regeneration initiatives.⁹⁹

⁹⁸ Submission 84, City of Sydney Council, p2

⁹⁹ Submission 56, NCOSS, p3

- 2.101** The Committee notes that the NSW Government recently announced the extension of the RWPP until 2006 with approval for \$2.5 million a year for the next two years. We note also the comments of the Premier that in 2006, the Project can re-apply for funding as part of the normal process.¹⁰⁰ The Committee heard from many witnesses that the Government needs to provide a long-term commitment to Redfern and Waterloo. Based on this evidence, and the fact that by the Government's own admission, many of the problems facing Redfern and Waterloo are not going to be solved overnight, we believe that a long-term commitment to the area is essential to the needs of the community. We note that successive governments have failed to address the significant and complex problems in the area. The Committee firmly believes the Redfern/Waterloo Partnership Project and its partners should be supported by a long-term commitment from the NSW Government, beyond commitment of funding to 2006.
- 2.102** Some of the most critical evidence we received concerned the RWPP's consultation and communication processes. The Committee believes that the RWPP must find ways to improve its consultation and communication with the community. We note Dr Col Gellaty's comment that there needs to be a more effective communication strategy. The Committee strongly urges the NSW Government to adequately fund the RWPP to develop and implement a comprehensive strategy to ensure there is effective consultation and communication. In particular, the RWPP must work to improve its relationship with the local community, particularly the Aboriginal community. The Committee would like to see the RWPP establish mechanisms to facilitate capacity building within the Aboriginal community.
- 2.103** In conclusion, the Committee is hopeful that the Redfern/Waterloo Partnership Project can make a real difference to the area. The Committee believes the place-based approach is the appropriate model for service delivery in Redfern and Waterloo. As many witnesses pointed out, there have been a number of problems with the management of the Project, including slowness in implementation of programs and with consultation and communication processes. Nevertheless, other witnesses argue that improvements have been made and the Project can succeed. According to Mr Tony Pooley:

I think it can. Once again I will just extend my personal view. I think what the project has learned, particularly over the last two years, I would hate to now see cease because I think they have a much better grasp of the issues involved. That is obviously the personnel and the structures they have got in place, the way they run community consultation; I think it has improved and I think we need to build on that rather than stop and start again, although I acknowledge Charlie's [Richardson] view that if the world was a different place they might have approached it differently at the start. But it did take a long time to get the street team up and running, particularly the second shift; it did take a long time to let the contract for the intensive family support services and for them to subsequently set up their shop front; we are still waiting for the draft options associated with the RED project and, not surprisingly, in their early enthusiasm, it had been suggested that those things would have been resolved earlier.¹⁰¹

¹⁰⁰ Hon R Carr MP, Premier of New South Wales, 'State Govt extends Redfern-Waterloo Partnership Project', *Media Release*, 27 May 2004, p1

¹⁰¹ Mr Pooley, Evidence, 25 May 2004, p57

2.104 A number of community groups in the area are also hopeful and would like to see the Project continue. The Vine and Hugo Action Group said:

Has it made our lives better? Not yet, but we'd like to see it continue and fulfil its role of improving the quality of life of people living and working here.¹⁰²

Recommendation 1

That the NSW Government continue the place-based approach represented by the Redfern/Waterloo Partnership Project, despite the criticisms made of the Project, and make a long-term financial commitment to the Project beyond the funding already committed up to 2006.

Recommendation 2

That the NSW Government, through the Redfern/Waterloo Partnership Project, take all possible steps to achieve genuine partnership between State and Commonwealth agencies, the City of Sydney Council, the non government sector and the local community in order to address the issues facing Redfern and Waterloo.

Recommendation 3

That the Redfern/Waterloo Partnership Project develops and implements a comprehensive strategy to ensure there is effective consultation and communication with the Redfern and Waterloo communities. In addition, to improve its relationship with the local community, particularly the Aboriginal community, the Redfern/Waterloo Partnership Project should establish mechanisms to facilitate capacity building within the Aboriginal community.

Recommendation 4

That the Redfern/Waterloo Partnership Project expedites the completion of the Human Services Review, and that the NSW Government provide a copy of the Human Services Review report to the Committee as soon as it is completed. Further, that the plans for reform of government and non government services and their coordination which arise from the Human Services Review be communicated to all the partners in Redfern and Waterloo and to the Committee as soon as possible.

¹⁰² Submission 27, Vine and Hugo Action Group, p25

Chapter 3 **Redevelopment of the Block**

The terms of reference for the Inquiry require the Committee to examine proposals for the future of the Block. The long-term future of the Block and its residents is a complex issue requiring initiatives to address social and economic disadvantage experienced by the local Aboriginal community. These issues will be examined in the second stage of the Inquiry and will be addressed in the Final Report.

This chapter focuses on the future of the Block in terms of the redevelopment of housing. The purpose of the Committee's examination of this issue is not to decide what the future of the Block is to be, as that must be determined by the Aboriginal Housing Company and the Aboriginal community. Rather, the Committee has sought to gather together the range of views expressed by members of the community and local organisations during this Inquiry, in order to explore the issues surrounding the Aboriginal Housing Company's Pemulwuy Redevelopment Project and the progress of the redevelopment. This chapter commences with a brief history of the Block and the Aboriginal community in Redfern and Waterloo.

History of the Block and the Aboriginal community in Redfern

- 3.1 'The Block' is the colloquial name for a residential block in Redfern bounded by Louis, Vine, Eveleigh and Caroline Streets. The Block is owned by the Aboriginal Housing Company. A map of the local area is set out as Appendix 4.
- 3.2 Redfern and the Block in particular, is a place of political, spiritual and cultural significance for Aboriginal people in Sydney and also for Aboriginal people throughout New South Wales and Australia. Indeed, the Block has been described as the 'Black Heart' of Australia.¹⁰³ Ms Joyce Ingram, Aboriginal Elder, told the Committee: '[I]t was given back to the indigenous Aborigines - not to one person in particular but to the Aborigines themselves - so we always look to it as our land.'¹⁰⁴
- 3.3 The Gadigal people of the Eora Nation were the original occupants of the land now known as the suburbs of Redfern and Waterloo.¹⁰⁵ Aboriginal presence in the area dates back over 40,000 years. The arrival of the British in 1788 decimated the Eora tribes and the remaining Aboriginal people were forced out of the area.
- 3.4 The first European settlement in the Redfern area was by way of a government grant to William Chippendale in 1819. The area was eventually sold to John Hutchinson, a landowner who had also received a land grant to the south of this area. Hutchinson in turn bequeathed the land to his son-in-law John Rose Holden who, in the late 1840s, built Eveleigh House on the area now known as the Block.

¹⁰³ Australian Heritage Commission, Place Details of the Block, Redfern, NSW: www.ahc.gov.au (accessed 24 June 2004)

¹⁰⁴ Ms Joyce Ingram, Evidence, 19 May 2004, p28

¹⁰⁵ Valilis P, Pitts A, *Pemulwuy Reconstruction Project*, Aboriginal Housing Company, Sydney, 2003, p13

- 3.5** In the late 1800s the construction of the railway cut through Holden's property. His property also became the site of the Eveleigh Railway Workshops and subsequently Eveleigh Railway Station, which was renamed Redfern Station in 1906. The Railway Workshops employed a large number of labourers, particularly Aboriginal workers, who were employed for their skill and cheap labour. Thus began the return of Aboriginal people to the Redfern area.
- 3.6** In response to this large influx of workers to the Redfern area, substantial residential construction began in the 1880s, establishing 'working class houses...largely brick rendered with iron roofs and timber verandahs.'¹⁰⁶ These terrace houses still form the majority of housing on and around the Block area today.
- 3.7** Throughout the first part of the twentieth century the Railway Workshops continued to draw Aboriginal people to the area with the promise of regular employment and relatively cheap rent - qualities that became more important with the onset of the depression of the 1930s when the opportunity for rural work became scarce. When in 1967, the national referendum giving citizenship rights to Indigenous people was passed, the area again saw a large population increase:
- The new sense of freedom following the referendum brought many people, from mainly rural areas of NSW and Queensland to Sydney where there were greater opportunities for jobs, education and housing.¹⁰⁷
- 3.8** By that time the population had far outgrown the capacity of the existing accommodation to meet its needs adequately and a combination of factors, including racism and high rents, made it difficult for Aboriginal people to find accommodation elsewhere. Homelessness, poverty and health problems became widespread throughout the area.
- 3.9** Despite these difficulties, a strong sense of community had developed in the area, with many significant Aboriginal organisations beginning here in the early 1970s, including the Aboriginal Medical Service and the Aboriginal Legal Service. This sense of political and cultural history is an important aspect of the area today. As Ms Marcia Ella-Duncan, Chairperson, Sydney Regional Council, ATSIC explained in evidence to the Committee:
- Redfern has an incredibly rich and proud history of dealing with Aboriginal disadvantage, it is the area where our legal services were born, our Aboriginal medical services, our Aboriginal children's services, and they are still critically important to our well-being.¹⁰⁸
- 3.10** In 1972 the eviction and arrest of 15 squatters from houses on Louis Street resulted in temporary housing being established in a school hall attached to St Vincent's, Redfern's local Catholic church. The need for accommodation in the area was so great that the number of homeless people seeking refuge in the church rapidly increased, until

¹⁰⁶ Australian Heritage Commission, *Place Details of the Block*, Redfern, NSW: www.ahc.gov.au (accessed 24 June 2004)

¹⁰⁷ *ibid*

¹⁰⁸ Ms Marcia Ella-Duncan, Chairperson, Sydney Regional Council of ATSIC, Evidence, 18 May 2004, p38

approximately 50 people were living in the hall.¹⁰⁹ Within a month, South Sydney Council served a notice closing the premises on grounds that included overcrowding and offensive behaviour.

3.11 The search for alternative accommodation led to houses on Louis Street that were scheduled for demolition by the owner, IBK Constructions. Aboriginal community members, who had by this time formed the Aboriginal Housing Committee (later to become the Aboriginal Housing *Company*) approached IBK seeking an arrangement whereby they could occupy certain houses until the company commenced building.¹¹⁰ The Committee was assisted by three priests from the Redfern church and the Builders Labourers' Federation which threatened 'green bans' on IBK. An agreement was negotiated and, with the assistance of the Builders Labourers' Federation and the Plumbers' Union, three houses were cleaned and made ready for occupancy. 45 Aboriginal people became residents in these houses.

3.12 Meanwhile, solicitations for assistance were being made to the newly elected Whitlam Federal Government, which was sympathetic to 'self-determination' for Aboriginal Australians. In January 1973 the Aboriginal Housing Committee submitted a formal request for Commonwealth funding of a 'cooperative housing scheme for Aborigines', which was later to become the Block.¹¹¹ By mid-March 1973 approximately 150 Aboriginal people lived in a number of houses on Louis Street, some of which had been renovated by the Committee (with the tacit acceptance of IKB Constructions), while others were still condemned.¹¹²

3.13 In April 1973, after much negotiation and against strong opposition from a number of quarters, including the local Council, the Federal Government bought the 41 houses that lay between Louis, Vine, Eveleigh and Caroline Streets. The houses were handed over to the newly constituted Aboriginal Housing Company (AHC) to 'undertake the rehabilitation of houses using Aboriginal labour where possible, and act as a landlord, being responsible for screening tenants and renting houses.'¹¹³ Renovation began and tenants were accepted, creating one of the first urban housing projects run by Aboriginal people for Aboriginal people. The current CEO of the AHC, Mr Michael Mundine, described the AHC in evidence to the Committee as follows:

The Aboriginal Housing Company was set up for Aboriginal people with a low income who could not afford housing in the open market. It was set up for Aboriginal people with a low income who could not manage in life, as a stepping-stone to bigger and better things out in the open community.¹¹⁴

¹⁰⁹ Anderson KJ, 'Place narratives and the origins of inner Sydney's Aboriginal settlement, 1972-1973', *Journal of Historical Geography*, 19, 3 (1993) pp314-335, p322

¹¹⁰ *ibid*

¹¹¹ *ibid*, p326

¹¹² *ibid*

¹¹³ *ibid*, p330

¹¹⁴ Mr Mundine, Aboriginal Housing Company, Evidence, 19 May 2004, p2

- 3.14** The Block is now listed on the Register of the National Estate kept by the Australian Heritage Commission, as a place of historic and Indigenous significance.¹¹⁵ The Block's place in Redfern has shaped it as a central meeting place for Aboriginal people living in Sydney and those visiting Sydney. Mr Kevin Smith, a member of the Aboriginal community explained to the Committee that '[w]e have got a population of people who come here from other country areas ... from other States. They always gather at the Block. This is the first place they come. This is the first place of focus.'¹¹⁶
- 3.15** Its status and high profile have also made the Block a focal point for many of the social problems that have affected Aboriginal people since colonisation. Poor health, low employment, poverty and substance abuse have all become prominent characteristics of the Redfern area, producing a great deal of negative media attention.
- 3.16** Although the early 1980s saw an attempt at renovating some of the properties on the Block, the AHC was unable to effectively manage the combination of acute social problems experienced by its tenants and the seriously dilapidated housing. Conditions at the Block continued to deteriorate to the point that in 1992:
- ...there was no help or support forthcoming from the community, government organisations or other Aboriginal organisations ...with no money from rent coming in, the homes were left without maintenance, thus continuing the rapid deterioration of the housing stock.¹¹⁷
- 3.17** In 1997 the AHC commenced a program of demolishing some of the most dilapidated houses on the Block, to pave the way for the Pemulwuy Redevelopment Project. To date, 21 houses remain of the original 41 and many residents have been relocated to houses around New South Wales and Australia. Despite extensive plans for the future, the AHC cannot implement them without external financial assistance; meanwhile conditions on the Block continue to deteriorate.

The Aboriginal Housing Company

- 3.18** The Committee met with the CEO of the AHC, Mr Michael Mundine, and several staff, when the AHC hosted a very informative site visit for the Committee in May. The site visit enabled the Committee to gain a first hand impression of the area and learn about the AHC's Pemulwuy Redevelopment Project. The AHC also provided the Committee with valuable information in its submission to the Inquiry and in oral evidence.
- 3.19** The Committee appreciates the AHC's participation in the Inquiry and acknowledges the high level of dedication and enthusiasm amongst the AHC management and staff to redevelop the Block and to sustain its long-term future. The Committee also acknowledges the assistance the AHC has received from a range of professionals who have provided pro bono services to the redevelopment project for a number of years.

¹¹⁵ For further information on the Register of National Estate see the Australian Heritage Council website: www.ahc.gov.au/register/index.html (accessed 2 July 2004)

¹¹⁶ Mr Smith, Evidence, 19 May 2004, p50

¹¹⁷ Pitts A, Valilis P, *Pemulwuy Reconstruction Project*, Aboriginal Housing Company, 2003 p52

Company structure and funding

3.20 The AHC was incorporated in July 1973 and is a company limited by guarantee.¹¹⁸ The AHC describes itself as a community-based organisation with three tiers of governance:

The company consists of three tiers of governance. Its grass roots membership is made up of Aboriginal and Torres Strait Islander community people from all walks of life. The members generally meet on an annual basis, or as required by law, to elect directors as representatives and generally monitor company decisions. The Directors on behalf of the members then meet monthly to steer the general direction of the company and to protect the interests of the community. Finally the AHC's management consists of an executive and administration component, both being responsible for the day to day operations of the company with direct accountability to both the Board and the members.¹¹⁹

3.21 The AHC has received a recurrent grant to assist with operating costs first from ATSIC and the Aboriginal Housing Office (AHO) for many years:

At the time of the establishment of the AHO in 1998, the AHC was in receipt of a recurrent grant from ATSIC of approximately \$70,000 to assist with operating costs. These funds were allocated by ATSIC under its Community Housing and Infrastructure Program (CHIP). As a component of the *Agreement between the Commonwealth Government, the Aboriginal and Torres Strait Islander Commission and the New South Wales Government on the Provision and Management of Housing and Housing Related Services for Aboriginal People and Torres Strait Islanders*, the NSW Aboriginal Housing Board resolved to continue the commitment made by ATSIC to provide recurrent funds to the AHC on the grounds that to cease the funding would result in a large loss of housing availability for Aboriginal people in the area.¹²⁰

3.22 Since 2000, the AHC has received recurrent funding of \$84,000 (including GST) from the AHO under these arrangements. Due to concerns about the management practices of the AHC (see paragraphs 3.25-3.44) this funding has been provided in quarterly amounts on the provision of information about the AHC's operations.¹²¹ The AHC has also received assistance from the AHO in the form of emergency health and safety repairs to 43 of its properties (not on the Block) in recent years worth \$900,000.¹²²

3.23 The Committee was also advised that ATSIC funded the AHC's Project Manager position for three years.¹²³ In addition, the NSW Government, through the Redfern/Waterloo

¹¹⁸ Submission 55, NSW Government, p221. 'Limited by guarantee' means that if the company is wound up when it is in debt the liability of members is guaranteed to be a nominal amount (eg \$20 - \$100). A company limited by guarantee cannot distribute profits to its members or issue shares.

¹¹⁹ www.ahc.org.au (accessed 28 June 2004)

¹²⁰ Email from Mr Aldo Manitta, Director, Executive Services, NSW Aboriginal Housing Office, to Senior Project Officer, 12 July 2004

¹²¹ *ibid*

¹²² Submission 55, NSW Government, p221-222 and Email from Mr Aldo Manitta, Director, Executive Services, NSW Aboriginal Housing Office, to Senior Project Officer, 12 July 2004

¹²³ Ms Lani Tuitavake, Property Manager, Aboriginal Housing Company, Evidence, 19 May 2004, p2. Since ATSIC's funding ceased the position has been funded from generated income with some assistance from the Department of Aboriginal Affairs

Partnership Project (RWPP), has provided a range of non-financial assistance to the AHC in recent years, as explained in this chapter.

The Block and other properties owned by the AHC

- 3.24** The AHC is the sole owner of the freehold title that makes up the Block. The demolition of many of the houses on the Block is discussed in paragraph 3.65. The AHC also owns over 40 properties in other parts of Redfern, NSW and Queensland. These include properties opposite the Block on Eveleigh and Caroline Streets and the AHC's current office building on Lawson Street in Redfern.¹²⁴ A map of land ownership on and around the Block, including the AHC's holdings, is set out in Appendix 4.

Current financial and management status of the AHC

- 3.25** The Committee has heard that the AHC is experiencing significant management difficulties and related financial problems. As the long-term future of the Block is dependent on the AHC's ability to successfully manage the redevelopment and its subsequent administration, the AHC's current financial and management status is examined briefly below.

- 3.26** The Government's submission states that in the first year of AHO funding, the minimum performance standards set as a condition of funding were not met by the AHC.¹²⁵ In 1999, a number of reform targets were set in consultation with the AHC management, including the development of a business and asset management plan and improvements in corporate governance, methods of allocating properties and setting and collecting rents.¹²⁶

- 3.27** The Government's submission reports that since then the AHO has worked with the AHC 'to bring its management up to a standard that will facilitate the financial sustainability of the AHC's housing operations.'¹²⁷ This has involved:

...joint meetings of the AHC Board and the NSW Aboriginal Housing Board; allocation of a senior project officer to assist the AHC to improve management practices; clear guidance to the AHC about the management actions necessary to secure funding requirements in the future and continuation of funding with special conditions to assist the AHC to meet funding requirements in the future.¹²⁸

- 3.28** The Government has advised that despite the intervention of the AHO, the AHC has not to date improved its practices satisfactorily and that the AHO has now assisted the AHC 'to the limits of its capacity':

For various community and governance related reasons, the AHC has not implemented the recommendations made by the AHO that would have enabled it to

¹²⁴ Submission 55, NSW Government, p224

¹²⁵ *ibid*, p221. Note that as the Committee has not received any information about the funding relationship between the AHC and ATSIC, this discussion focuses on the relationship between the AHC and the AHO

¹²⁶ Submission 55, NSW Government, p221

¹²⁷ *ibid*, pp221-222

¹²⁸ *ibid*

meet the minimum standards. In spite of the AHO's assistance, the AHC's financial statements for 2002-2003 suggest that its financial management, organisational governance and operations have not yet reached a sustainable level. The AHO now considers that it has assisted the AHC to the limits of its capacity within the parameters of the program principles of sustainability and needs-based allocations. With funding for Indigenous housing strictly limited, the AHO has judged it essential that funding be targeted to organisations which meet the minimum management standards required for sustainable operations. In effect, this has meant that any future AHO funding support in the absence of major organisation reform will be problematic.¹²⁹

3.29 When questioned about the potential for future funding, the CEO of the AHO, Mr Russell Taylor, indicated that the audit of the financial affairs of the AHC commissioned by the Government (discussed at paragraph 3.37) may be determinative:

The broad issue from the AHO's point of view is that funding becomes problematic in any organisation in which solvency is at risk and in which the financial position suggests that the organisation and its assets are under threat. The broad answer is that it becomes less problematic as the financial position improves. The same answer applies to the AHC. I hope and I expect that the latest audit report will contain clear recommendations about what reform the AHC needs to undertake and the pace of reform. I imagine that it would go to governance and financial management issues, and possibly even structural issues. The AHC will have to make some hard decisions about that. It needs to look at its own capacity and assess its ability to undertake whatever comes in the future. We should bear in mind that the project now under consideration involves about 60 units and ramps up the capacity requirements of the AHC considerably in terms of what it might have been doing in the past. I hope that the AHC is able to undertake and successfully negotiate whatever organisational changes are needed, to resolve its current issues and to move into the future with some confidence and some capacity.¹³⁰

3.30 The Committee is also aware of criticism within the community that the make up of the AHC management team is not reflective of the Aboriginal community. For example, Ms Joyce Ingram's submission indicated there is dissatisfaction within the community about the current make-up of the AHC management team:

For a long time we have said, "Let the Elders and other responsible people have the chance to be elected to the Housing Company that controls The Block and let them then make rules for the sake of the community". I believe you would see resolution of the most difficult problems on The Block if democratic elections to the board of the Housing Company were to be facilitated.¹³¹

3.31 Mr Gary Moore, the CEO of NCOSS stated:

...it has been said to us quite frequently that...the interfamily, the difficult politics that exist between different groups within the indigenous community are not reflected in the board of the Aboriginal Housing Company. It is perceived by a number of

¹²⁹ *ibid*, p222

¹³⁰ Mr Russell Taylor, CEO, Aboriginal Housing Office, Evidence, 8 June 2004, p33

¹³¹ Submission 23, Ms Joyce Ingram, p3

people on that score perhaps not to be able to deliver for the broader issues of the population.¹³²

3.32 Mr Moore argued that a new project management structure needs to be put in place to assist the AHC redevelop the Block:

As part of the conditions for receiving funds from Government and/or the private sector to enable the redevelopment to proceed, the Aboriginal Housing Company should establish a new project management structure, which includes representatives of the Department of Housing, other Aboriginal community organisations in Redfern and Waterloo and the City Council.¹³³

3.33 The AHC has indicated that the reasons for its difficulties stem from the problems associated with extracting rent from its tenants. Mr Peter Valilis, the AHC's Project Manager, advised that almost all of their tenants have had some problems with arrears at some time: 'I would say, all up, I think we have 62 properties and pretty much everybody - I would not say 100 per cent but almost 99 per cent of them - have problems with arrears at some point...'¹³⁴

3.34 Mr Valilis elaborated on the particular problems faced by the AHC as a social housing provider for a disadvantaged group:

Generally, because we are a social housing provider our first option is not to evict. We work with the tenants as much as possible and, in all honesty, from our perspective, many of our tenants are on social security benefit and if we evict them and try to get the money from them as a bad debt it is impossible. We have a better chance of recovering the debt if we leave them there and work with them to help recover funds. But I have to say that we have gotten to the point with many tenants where we realise that it is just a dead loss and no recovery will be possible. Although, on the other side of the coin, we have had very great success with some tenants, who have paid back lump sums in \$5,000 or \$6,000 lots. We have had some good results in recovering rent and some bad results. We try our best with our tenants because we are more than just the big bad housing manager. We are social housing and we try to help our tenants. These are Aboriginal people who need as much help as we can give them and we try to give them that help.¹³⁵

3.35 The AHC has also informed the Committee that significant resources are taken up with providing support and referral services to members of the local Aboriginal community that should be provided by government and non government services in the area.¹³⁶ This issue will be explored in further detail in the second stage of the Committee's Inquiry.

3.36 The Committee also notes that as pointed out by Mr Moore, CEO of NCOSS, any community housing organisation would have difficulty managing a major redevelopment since that is not their primary role:

¹³² Mr Gary Moore, Director, Council of Social Service of New South Wales (NCOSS), Evidence, 18 May 2004, p35

¹³³ Submission 56, NCOSS, p2

¹³⁴ Mr Peter Valilis, Project Manager, Aboriginal Housing Company, Evidence, 19 May 2004, p3

¹³⁵ *ibid*, p4

¹³⁶ Submission 42, Aboriginal Housing Company, pp5-6

The other side of the equation is that it is so difficult to think that any community housing organization, the Department of Housing trying to manage a major redevelopment, it needs the kind of skills and the resource base we think that it simply does not have.¹³⁷

3.37 The Government has advised the Committee that it has commissioned an audit of the financial affairs of the AHC, which will no doubt clarify this issue. The Government's submission states that '[t]he need for the audit was supported by the Board of the AHC and the Terms of Reference was signed off by the Chair and Chief Executive Officer of the Company'.¹³⁸ The Government's submission stated that the audit was to be completed by mid-May.¹³⁹ At the time of drafting the audit was not yet finalised.

3.38 Mr Valilis advised the Committee that the AHC has worked with the auditor and predicts that the audit will show that the demolition of houses on the Block in preparation for the redevelopment has impacted on their financial position:

In regard to the assessment, we have worked with the fellow who was doing the assessment. We have not received a draft of it yet so I am not really sure what is going to be in the assessment, except to say that it will probably be the same as every assessment that has ever been done. What the assessment will probably say is that the housing company has been demolishing its assets over many years to undertake this redevelopment. It now does not generate enough income to be self-sustaining.¹⁴⁰

3.39 The RWPP has also advised the Committee that it has commissioned a valuation of the Block and the AHC's other properties to 'ensure the AHC's assets are properly valued and included in its financial statements'.¹⁴¹ The RWPP originally advised the Committee that the valuation was due to be completed by mid-June 2004.¹⁴² The Committee now understands that the valuation will not be completed for some months.

3.40 The Government has indicated that it is relying on the outcome of the audit of the financial affairs of the AHC to guide it in terms of the capacity of the AHC to manage the redevelopment. For example, Mr Taylor stated in evidence that:

I am looking forward to that report to show us what strategies are needed to get the Aboriginal Housing Company on the front foot and on the right track... We hope that whatever recommendations come out of the financial audit of the housing company will enable it to move forward very positively and to get the project considered and assessed and, if those assessments show that it is viable, up and running.¹⁴³

3.41 It appears to the Committee that the AHC has to some extent taken responsibility for the difficulties it now faces. For example, Mr Mundine stated in evidence to the Committee:

¹³⁷ Mr Moore, NCOSS, Evidence, 18 May 2004, p35

¹³⁸ Submission 55, NSW Government, p223

¹³⁹ *ibid*

¹⁴⁰ Mr Valilis, Aboriginal Housing Company, Evidence, 19 May 2004, p16

¹⁴¹ *ibid*

¹⁴² Answers to questions on notice taken during evidence 18 May 2004, Mr Michael Ramsay, RWPP, p22

¹⁴³ Mr Taylor, Aboriginal Housing Office, Evidence, 8 June 2004, p30

... I want to say today that we are not afraid of saying that we made mistakes in the past. We are trying to justify what we are trying to do, and what I want to say today is that we have made mistakes. We get blamed for a lot of things that happen around here. We will take the blame for some of the things that are done around here, too, so we are not saying that we do not take the blame.¹⁴⁴

3.42 Mr Tony Pooley, Councillor for the City of Sydney and former mayor of the South Sydney City Council, expressed the view that there is a readiness on the part of the senior management of the AHC to change:

I think that there have certainly been problems with the Aboriginal Housing Company and its management. I think they found it exceptionally difficult to collect rents. I think there have certainly been allegations about nepotism in terms of who gets accommodation. That has been around for 10 years. I think there has been some improvement and I think that there is a readiness—this is my personal view—on behalf of the senior management of the AHC to change. I think they recognise that it could not continue the way it has in the past.¹⁴⁵

3.43 The Committee agrees with the Government's submission which notes that the long term sustainability of any redevelopment on the Block depends on changes to the AHC's management practices:

In order to realise the aspirations of the local residents and the broader Redfern and Waterloo community, the redevelopment of The Block must be economically viable and sustainable into the future. This will only occur if the AHC, as the owner and manager of The Block, is functioning successfully.¹⁴⁶

3.44 It is not clear from the evidence presented to the Committee what exact state the AHC's financial and management affairs are in. The comments made in the Government's submission and by the AHO in evidence presented to the Committee, however, cast a shadow over the AHC's ability to manage the redevelopment and the ongoing administration of housing on the Block. The audit commissioned by the Government will no doubt clarify some of the issues and indicate a way forward.

¹⁴⁴ Mr Mundine, Aboriginal Housing Company, Evidence, 19 May 2004, pp15-16

¹⁴⁵ Mr Pooley, City of Sydney Council, Evidence, 25 May 2004, p60

¹⁴⁶ Submission 55, NSW Government, p221

The future of the Block

Options for the future of the Block

- 3.45** Several options for the future of the Block were proposed in submissions and by witnesses at hearings. Those proposals included redeveloping the Block to build houses for Aboriginal people, demolishing the properties and dedicating the area as a park, and selling the land and using the proceeds to fund services for Aboriginal people.
- 3.46** The Committee is aware that some members of the local community fear that the Block could be taken away from Aboriginal people. For example, in evidence before the Committee, Ms Joyce Ingram stated:
- ...To my way of talking, the birds are whistling and the dogs are barking that they want to get rid of the Aborigines—the indigenous Aborigines—of the Block so they can put high-rise housing or whatever—apartments—for \$300 and \$500 a week, and they want us to get off. They do not want us here. Gradually I really think myself that they want to push the Aborigines back out of Sydney, as Dad and Dave did with his sheep and his cattle.¹⁴⁷
- 3.47** It has also been speculated that commercial spaces may be incorporated into the redevelopment. As the owner of the land the AHC has made it clear, however, that it will not sell the Block and that its intention is to redevelop the land to provide 100% housing for Aboriginal people, rather than for any other purpose. In this regard, the AHC has stated that: '[t]he Block is an icon and an important meeting place for Aboriginal people around Australia and will never be sold off.'¹⁴⁸ The AHC has worked for many years to develop the Pemulwuy Redevelopment Project, which is examined in detail in the following section.
- 3.48** The Committee also notes that the AHC is bound by its Memorandum of Association in relation to the activities that it can carry out and is restricted to providing housing to Aboriginal and Torres Strait Islander people:
- the objects for which the Company is established are: to rent, let, license, provide housing, accommodation, premises, land, property real and personal, services to members and their dependants on such terms and conditions as the members deem fit.¹⁴⁹
- 3.49** The Committee is aware that the AHC made the choice to demolish the houses on the Block and redevelop the site rather than renovate, because of the state of the houses, the failure of previous renovations and the need for more appropriate housing for Aboriginal people:

¹⁴⁷ Ms Ingram, Evidence, 19 May 2004, p29

¹⁴⁸ www.ahc.org.au (accessed 25 June 2004)

¹⁴⁹ clause 2(a): Email from Mr Peter Valilis, Project Manager, Aboriginal Housing Company, to Senior Project Officer, 29 June 2004

There are several reasons the AHC has chosen to rebuild rather than renovate. Firstly, the 'renovate option' was tried and failed in the early 1980's. This option's failure to deliver a satisfactory outcome is evident when you compare the houses then to the houses now. Secondly, to bring the existing properties to a high standard would require complete restoration including structural improvements, not just cosmetic renovation. Anything less than a total rebuild would be a band-aid solution only. Thirdly, terraces are inappropriate housing for Aborigines, the properties are narrow, damp and generally claustrophobic, this being a contributing factor to poor health and some of the general social problems witnessed on the Block presently.¹⁵⁰

- 3.50** Several submission authors stressed the importance of the Block being redeveloped as housing for Aboriginal people and that it remain under the control and ownership of Aboriginal people. For example, in her submission, Ms Ingram stated:

I say, "Leave this little bit of our land in Sydney for our poor, this little bit of land where we have gathered for so many years, leave this for us". And I shall continue to say it to the end of my days. You may rebuild – the houses are certainly in a bad state – But please, build us houses which we can afford to rent so we can someday come home. Let our children have an opportunity to point to The Block and say with some pride "This is where I live".¹⁵¹

- 3.51** The Committee has also heard that the redevelopment of the Block is considered by many to be integral to the rejuvenation of Redfern and Waterloo. For example, the Government's submission states that '[t]he Redfern and Waterloo communities view the redevelopment of the Block as crucial to the regeneration of the area.'¹⁵²

- 3.52** As noted above, some submission authors suggested alternatives to redeveloping housing on the Block. Calls to 'bulldoze' the Block were reported widely after the riot in February this year. The Committee is also aware that there is some opposition to the redevelopment from within the Aboriginal community. The overwhelming view among submission makers and witnesses, however, supported the redevelopment of housing on the Block for Aboriginal people. The Committee agrees that the future of the Block depends on the redevelopment of housing for Aboriginal people. The Committee also recognises the importance of the Aboriginal community maintaining control over the land to ensure its continued significance as a place of importance to Aboriginal people in NSW and Australia.

- 3.53** A number of submission makers and witnesses emphasised the need to get the redevelopment of the Block underway as soon as possible. For example, Ms Angie Pitts, an Urban/Social Consultant to the AHC, expressed the urgency of the redevelopment in evidence to the Committee:

... I feel it is imperative that the development gets under way as soon as possible because the effects of the social and physical problems in Redfern in its present form are preserving a pattern of residential genocide. Basically the Aboriginal community continues to endure inadequate housing which leads them to severe problems, while also being subjected to a number of drug-related illnesses, disease and death directly resulting from the high level of drugs-related activity in the area. Basically what needs

¹⁵⁰ www.ahc.org.au (accessed 25 June 2004)

¹⁵¹ Submission 23, Ms Ingram, p2

¹⁵² Submission 55, NSW Government, p192

to be done is that there is a great need for support from the Government, both financially and in terms of a commitment from the Government, for action to make this work.¹⁵³

- 3.54** The Aboriginal Medical Service similarly stressed the need for the redevelopment to commence as soon as possible:

The AMS is alarmed by the NSW Government's ongoing delay in releasing promised monies for the redevelopment of the Block by the Aboriginal Housing Company. We are concerned that other agendas are at play and that we may face a rerun of our struggle against hostile developer interests that occurred previously. The NSW Government should hand over funds for the Block redevelopment as a matter of urgency so that much needed residential dwelling construction can proceed and the area will no longer be an ideal location for drug trafficking and use.¹⁵⁴

- 3.55** The Committee acknowledges the importance of the timely redevelopment of the Block. Despite the best intentions and considerable progress of the AHC, the redevelopment seems to have languished. The Committee is concerned that this is creating a sense of disillusionment within the local community and cynicism about the prospect of the redevelopment eventuating.

Redevelopment in the context of broader social change

- 3.56** As well as the redevelopment of housing, the social disadvantage experienced by the past and present tenants of the Block and the local Aboriginal community in general needs to be redressed. As noted in the Government's submission, 'in order to achieve long-term sustainability, any redevelopment must adopt a holistic approach. That is, the infrastructure project cannot be viewed in isolation from the area's social issues.'¹⁵⁵

- 3.57** The Committee does not see the redevelopment of housing on the Block as a solution to the human problems of the area. As Mr Pooley argued, new housing alone will not solve long-standing social problems:

While the Aboriginal Housing Company has been involved in demolishing derelict properties and have developed a Master plan to develop the site, this initiative alone will not solve long standing social issues such as drug and alcohol misuse, domestic violence and child neglect. The Block is a place of historical, social and cultural significance to Aboriginal people and any plans for its redevelopment will require a strategic plan for addressing these issues. It is vital that the redevelopment of the 'Block' occur as soon as possible.¹⁵⁶

- 3.58** Some of the aspects of social and economic disadvantage in the area that need to be addressed in order to ensure the long-term future of the Block are examined elsewhere in

¹⁵³ Ms Angie Pitts, Urban/Social Planning Consultant, Aboriginal Housing Company, Evidence 19 May 2004, p14

¹⁵⁴ Submission 47, Aboriginal Medical Service Co-operative Ltd, p4

¹⁵⁵ Submission 55, NSW Government, p192

¹⁵⁶ Submission 45, Mr Pooley, pp6-7

this Interim Report. The remaining issues will be examined by the Committee in the second stage of its Inquiry and in the Final Report.

Pemulwuy Redevelopment Project

Overview

3.59 The AHC has been planning the redevelopment of the Block for many years. In its submission to the Inquiry the AHC stated that the redevelopment ‘...has been an inordinately protracted process for the simple reason that the project has received very little in the way of funding or resources until very recently.’¹⁵⁷

3.60 The AHC has titled its endeavours the ‘Pemulwuy Redevelopment Project’. The AHC advised the Committee about the background to the title:

The title has been chosen in recognition of the famous Aboriginal warrior Pemulwuy, of the Sydney Eora tribe, who led his people in the first major response to the British invasion and colonial rule in Australia, in the 18th and 19th centuries. In the Eora language, the word Pemulwuy means ‘Earth’.¹⁵⁸

3.61 The AHC described its vision for the redevelopment as follows:

The AHC and the community have a vision to build 62 three and four bedroom homes on the Block for Aboriginal families. This new project will completely replace the current slum conditions and not only provide a positive future for the children of the Block but also set a new standard for urban Aboriginal communities around Australia.¹⁵⁹

3.62 The AHC also views the redevelopment of the Block as an opportunity to restructure the whole area to address the social problems experienced by people living on the Block:

...the rebuild option allows the opportunity to restructure the whole redevelopment area. The new design is expected to do away with the row terracing configuration in favour of a layout which eliminates lane ways and other hidden areas that encourage drug and general criminal activity. Crime prevention, community safety and health issues will also be paramount in any redesign. Thus a good urban plan is considered by the AHC as an important instrument in addressing many of the severe social problems on the Block. None of this is achievable with only a cursory renovation of the existing properties.¹⁶⁰

¹⁵⁷ Submission 42, Aboriginal Housing Company, p9

¹⁵⁸ *ibid*, Attachment: Valilis P, Pitts A, *Pemulwuy Reconstruction Project*, Aboriginal Housing Company, Sydney, 2003, p5

¹⁵⁹ Submission 42, Aboriginal Housing Company, pp9-10. The number 62 was chosen to commemorate the 62 Gadigal people that made up the original tribe that traditionally lived in and around the now Redfern area, and were killed by smallpox: www.ahc.org.au (accessed 25 June 2004)

¹⁶⁰ www.ahc.org.au (accessed 25 June 2004)

Preparation of the site for redevelopment

3.63 The AHC's relocation and demolition plan started in 1997. At the time representatives of the AHC gave evidence to the Committee, in May 2004, there were 21 houses remaining on the Block.¹⁶¹ The relocation program commenced with tenant surveys as described by the AHC:

In 1997 three surveys were conducted of our tenants, one internally and two independent, one by ATSIC and one by the NSW Government. The 53 original households were asked if they want to remain on the Block or be relocated. At the time 41 households chose to relocate and 12 elected to stay. The reasons tenants chose to leave the Block are many and varied but generally speaking many were families and their concerns revolved around safety and the fear of children becoming involved in the drug and crime trades that dominated the area.¹⁶²

3.64 The relocation program has taken several years to complete and tenants have relocated to other parts of Sydney, NSW and Queensland:

The process has been long and drawn out to ensure the relocating families were happy with the new homes and to cause as little stress as possible to them. Of the 41 households approximately half relocated with the NSW Department of Housing and the other half were relocated through the ATSIC's NAHS (National Aboriginal Health Strategy) program. Relocating tenants were asked to choose an area they wished to live in and the size and type of home they needed, to suit their lifestyles and family size. Similar to home buyers, the NAHS relocating tenants visited respective real estate agents to choose homes they liked at which time the AHC negotiated to purchase them. Tenants from the Block have relocated everywhere from Redfern, all over NSW and even as far as Townsville in Qld.¹⁶³

3.65 The demolition of most of the houses on the Block commenced prior to the redevelopment plans being finalised because of the derelict state of the houses and the drug problem in the area, as described by the AHC:

Under normal circumstances the AHC would not have undertaken the expensive process of spot demolitions if there wasn't a serious concern that the derelict houses pose a dangerous health and safety risk to the remaining community. Ordinarily derelict properties can be secured temporarily and demolished in one go when a Master Plan is complete and construction is ready to commence. However, on the Block vacant properties, whether secured or not, quickly become areas of drug use/dealing and other criminal activity by non locals using the area. These empty houses are therefore an extreme fire hazard and are usually filled with discarded used syringes. While unsecured these buildings could expose local children who play in and around them, to fatal infectious disease from syringes.¹⁶⁴

¹⁶¹ Mr Valilis, Aboriginal Housing Company, Evidence, 19 May 2004, p5

¹⁶² www.ahc.org.au (accessed 25 June 2004)

¹⁶³ *ibid*

¹⁶⁴ *ibid*

3.66 The AHC advised the Committee that it received assistance from the RWPP to relocate some tenants and demolish some of the properties, which in turn assisted in tackling the drug problem:

... the efforts of the RWPP to help tackle drugs on the Block especially shooting galleries and drug premises, has meant that the AHC is no longer doing it on its own. Over the last six years the AHC has succeeded in removing over 12 drug houses through its relocation and demolition program.¹⁶⁵

3.67 While the demolition of houses has assisted in preparing the site for redevelopment and has also impacted on the drug trade in the area, Mr Kevin Smith, a member of the local Aboriginal community, told the Committee about the negative impact of the demolition:

I guess it is the same old vicious circle—housing, education and employment. I was thinking about it last night and two words came to mind, encouragement and discouragement. The discouragement fits in when you see houses being torn down and you know that there is a need to accommodate people who are out there on the streets, and that just is not being provided. So you wonder in the destruction that you see taking place and houses literally being torn down in front of you what will be put up to replace them. Where is the encouragement for what we see for the future?¹⁶⁶

Social Plan and previous consultations

3.68 In 2001 the AHC developed a Social Plan for the Block that ‘articulated the issues and the solutions relevant to addressing the social disadvantage on the Block.’¹⁶⁷ Work was then done on various models and consultation with the community and stakeholders was undertaken, as described by the AHC:

...the IB Fell Housing Research Centre at the University of Sydney (USYD) and Angela Pitts, Aboriginal Housing Company Social Planner were commissioned to prepare a design brief for the redevelopment of the Block. The top final year USYD architecture students were asked to test the Design Brief and the Community Social Plan by interpreting the documents into a built environment form. The 14 models designed by the students formed a comprehensive design exhibit called “Dreaming of the Block”. Over a period of six months, the Aboriginal Housing Company documented and analysed community feedback from which a preferred housing option emerged.

A working model was created to test the design assumptions, directions and feedback emerging from the Dreaming of the Block consultations and to further develop design concepts for the Project. The working model was also used to further the consultation process, resulting in extensive discussions with the community, NGOs and the Government, over a period of 12 months. ...

In July 2003 the Pemulwuy Project Team presented the working model to Col Gellatly, Director General of the Premiers Department and Chief Executives from a range of NSW Government Departments. The NSW State government requested that

¹⁶⁵ Submission 42, Aboriginal Housing Company, p6

¹⁶⁶ Mr Smith, Evidence, 19 May 2004, p47

¹⁶⁷ Submission 42, Aboriginal Housing Company, p9

the Macquarie Bank produce an independent financial forecast of the Project. The findings revealed that on completion of the Project the Aboriginal Housing Company would be self sufficient for at least the next twenty years. The Aboriginal Housing Company then signed a Memorandum of Understanding with the key stakeholders in Redfern's future including the NSW Government, South Sydney Council and Sydney University.¹⁶⁸

Current concept development stage

3.69 The AHC has now entered into a new concept development stage of the Pemulwuy Redevelopment Project, with the assistance of the RWPP and the Government Architect's Office.¹⁶⁹ Merrima, the Aboriginal design unit within the Architect's Office, has been working with the AHC to develop three concept plans for the redevelopment:

The three themes which have been developed explore the relationship between private and public spaces, dwelling types, the interface between internal and external living spaces, and the relationship of the development to the local area. The concept designs include a combination of terrace and apartment dwellings that optimise the site's location in terms of street address and sustainable building principles.¹⁷⁰

3.70 Mr Colin James, Director of the Ian Buchan Fell Housing Research Centre, University of Sydney, and consultant to the AHC noted the importance of the involvement of Merrima:

... we were very pleased to hand the job over to an Aboriginal architect, an architect from the Merrima design unit. It is important that this is seen to be driven by an Aboriginal architect who understands cultural issues.¹⁷¹

3.71 The NSW Government elaborated on the current status of the redevelopment plans:

The Government Architect's Office is currently testing and refining the concept plans, in consultation with the AHC, prior to their being taken to the community for consultation. At this stage it is not clear if these will be the final designs taken to the community for consultation. These design options will be presented in the three dimensional format to facilitate a visual understanding of the redevelopment proposals, as requested by the Aboriginal community. It is expected that the plans will be completed in the next few months. Given the significance and complexity of the project to redevelop the Block, it is expected that the AHC will work closely with Government and the City of Sydney Council to develop a workable plan. Clearly all existing planning process and instruments must be met by the AHC. On this basis, there will be significant opportunities for community input into the plan being developed by the AHC.¹⁷²

¹⁶⁸ Aboriginal Housing Company, *History of the Pemulwuy Project, 2000-2004*, pp5-6: Email from Mr Peter Valilis, Project Manager, Aboriginal Housing Company, to Senior Project Officer, 15 July 2004

¹⁶⁹ Submission 42, Aboriginal Housing Company, p9

¹⁷⁰ Answers to additional questions taken on notice during evidence, 18 May 2004, Mr Michael Ramsay, Redfern Waterloo Partnership Project, p21

¹⁷¹ Mr James, AHC, Evidence, 19 May 2004, p15

¹⁷² Answers to additional QON taken during evidence, 18 May 2004, Mr Ramsey, RWPP, p21

- 3.72** The Committee understands that the RWPP anticipates the concept plans will be completed by early August. Following the consultation process (see paragraphs 3.80-3.83 for further discussion) the AHC will nominate a preferred redevelopment plan to be used for exploring financing options.¹⁷³ The Committee understands that at that stage the AHC will also embark on gaining approval for the plans from the City of Sydney Council.

Type of housing that is appropriate

- 3.73** The AHC advised that it plans to develop housing that is appropriate for Aboriginal families and has therefore incorporated in its design proposals three and four bedroom homes that include large outdoor areas. Mr James outlined the redevelopment plan to the Committee in evidence:

It will be 62 by an average of 3.5. That would be the ultimate outcome. The three and four bedrooms are intended to keep families intact. The apartments and townhouses will all have full 100 per cent disability access to keep the Elders in the home. That is a distinct change from non-indigenous families where the elderly often get outcast into nursing homes. But here, they are a very central element in keeping the health of the family intact and in looking after young kids, so disability access is really important. Within the 62 families will be a mix of middle income, low, middle and low, so we are following the prescription that a social mix is desirable so that the rich will help the poor. The model has had 10 years experience in Ultimo/Pymont with City West. We have worked very closely with them. The rents will be geared to 30 per cent of the household income, so we are addressing affordability.¹⁷⁴

- 3.74** As well as ensuring that the housing is appropriate for Aboriginal families, other practical design issues were raised in submissions and in evidence. For example, the Director-General of the Department of Aboriginal Affairs, Ms Jody Broun, emphasised the need to consider maintenance issues in the design:

...I think what needs to be considered in any design option is sustainability of that design, and how much maintenance a design might entail over the longer term. Obviously, the way you build houses can impact on later maintenance costs. You can build the houses very well in the first instance and have limited maintenance, or you can build them with high and long-term maintenance costs. If you are talking about sustainability of housing, and housing management, it is better to do the upfront thing properly.¹⁷⁵

- 3.75** The AHC's Social Plan identifies the importance of incorporating crime prevention strategies in its redevelopment plans through the principles of Crime Prevention Through Environmental Design (CPTED):

CPTED is a method of assessing the relationship between crime prevention and physical design, and the management and planning of facilities and urban areas. It is now widely established that there is a linkage between the physical environment and

¹⁷³ *ibid*

¹⁷⁴ Mr Colin James, Lecturer in Facilities Management, University of Sydney and Honorary Adviser to the Aboriginal Housing Company, Evidence, 19 May 2004, p14

¹⁷⁵ Ms Jody Broun, Director-General, NSW Department of Aboriginal Affairs, Evidence, 26 May 2004, p31

its management in reducing the opportunities for inappropriate and criminal behaviour. CPTED focuses on issues such as ensuring areas are safe from entrapment by creating safe movement corridors; appropriate lighting and landscaping to reduce crime; and discouraging lanes and alleyways. There is an obvious need to apply these principles to this area through the new redevelopment. By adopting the CPTED principles to AHC's redevelopment project will provide a new opportunity for secure and safe housing, and allow management to contest crime with police in a coordinated manner.¹⁷⁶

- 3.76** Ms Clover Moore MP, Member for Bligh, also emphasised that 'the redevelopment needs to be designed to ensure that drug dealing and crime are prevented rather than helped by the physical design'.¹⁷⁷ Because of the prevalence of crime on and around the Block, the Committee agrees that crime prevention strategies be incorporated into the design. The Committee is also of the view that there should be input from police in this regard.

Need for hostel accommodation

- 3.77** Several submission authors and people who gave evidence during the Committee's hearings identified the need for a hostel on or near the block to cater for the large transient populations of people who come to visit friends and relatives in the area. For example, Mr Taylor, CEO, Aboriginal Housing Office, expressed the view that an effectively operated hostel would be of great value to the community:

...There were also comments about a hostel. If effectively operated services—and I emphasise "effectively"—such as those suggested were provided on the ground they would be of great value to the community. I have no doubt about that. The question about the hostel probably needs to be directed to Aboriginal Hostels Ltd, which is the Federal agency that has specific responsibility for establishing and managing hostels. In the context of the issues you are talking about, we know that those services are required. We do not need much more research to tell us that. The answer is that they would be extremely valuable.¹⁷⁸

- 3.78** In her submission to the Inquiry, Ms Ingram also identified the need for a hostel stating: 'I have been told they will build apartments in The Block. Perhaps we need a small hostel/apartment block for those from out of town who need a temporary place to stay...'¹⁷⁹ Mr Pooley also agreed that hostel type accommodation was needed to accommodate the large transitory population:

... it plainly needs some hostel-type accommodation. It simply needs that because it has a huge transitory population. Whatever anybody suggests, Aboriginal people will continue to come to the Block, in my view, and therefore some decent accommodation and some temporary accommodation are two minimum requirements... There is a core population of the Aboriginal community that is going

¹⁷⁶ Submission 42, Aboriginal Housing Company, Attachment: Valilis P, Pitts A, *Pemulwuy Reconstruction Project*, Aboriginal Housing Company, Sydney, 2003, p59

¹⁷⁷ Submission 35, Ms Clover Moore MP, Member for Bligh, p7

¹⁷⁸ Mr Taylor, Aboriginal Housing Office, Evidence, 8 June 2004, p33

¹⁷⁹ Submission 23, Ms Ingram, p2

to remain on the Block and they should be provided with decent accommodation and they have no less right to expect that, but there also needs to be a mechanism which can accommodate the significant transitory population that arrives at the Block on a daily basis. I do not think you have any alternative.¹⁸⁰

3.79 The Committee was advised by the AHC that the redevelopment plans include a hostel, although not on the Block itself:

Part of the plans include an office building for the housing company and a hostel for visitors and students. There are 300 Aboriginal students at the University of Sydney and the numbers are growing. People are now enrolling in things like nursing, health studies, law, education, and that must be nurtured. Also there are the people who visit Redfern—there are 32 agencies that supply Aboriginal services.¹⁸¹

Community consultation and communication

3.80 Several inquiry participants emphasised the need of extensive community consultation on the housing plans. For example, Ms Jody Broun, Director-General of the Department of Aboriginal Affairs, emphasised that the type of housing had to be determined in consultation with the community:

[i]t has to be developed in consultation with the people who are going to be in those houses. What is the best model of housing? How do you cater for a family? How do you cater for visitors? Those sorts of things. I previously worked for eight years in Aboriginal Housing and had to deal with all those sorts of issues as well, housing design and so on. I think there are ways of coping with it, but it has to be done in consultation with the community as to what is the best design to meet the needs.¹⁸²

3.81 The AHC has foreshadowed the next round of consultation on the design plans for the 'latter half of 2004':

The Aboriginal Housing Company has scheduled the next round of consultations with a design exhibit for the latter-half of 2004. The program will begin with a launch at the Redfern Community Centre, and the Aboriginal Housing Company will endeavour to seek advice from the local Aboriginal and multicultural communities, about the new design. The Pemulwuy Project Team will also brief the Social Issues Parliamentary Committee, Governments, Private Sector Partners, Local Aboriginal NGOs, and professional organisations. Throughout this process the Aboriginal Housing Company will encourage all stakeholders and interested parties to openly discuss and critique the new design.¹⁸³

3.82 The NSW Government has indicated that it will support the AHC to undertake consultations:

¹⁸⁰ Mr Pooley, City of Sydney Council, Evidence 25 May 2004, p61

¹⁸¹ Mr James, Aboriginal Housing Company, 19 May 2004, p15

¹⁸² Ms Broun, Department of Aboriginal Affairs, Evidence, 26 May 2004 p33

¹⁸³ Aboriginal Housing Company, *History of the Pemulwuy Project, 2000-2004*, p7: Email from Mr Peter Valilis, Project Manager, Aboriginal Housing Company, to Senior Project Officer, 15 July 2004

Whilst responsibility for conducting community consultation lies with the AHC, the Government believes that the consultations should be undertaken with the general Redfern community and with the broader Aboriginal community. The Government will support the AHC to undertake such consultation on the proposed design options...¹⁸⁴

- 3.83** In the Committee's view, the uncertainty surrounding the redevelopment of the Block has disheartened some members of the local community. Consultation with the Community about the redevelopment plans as well as general communication about the progress of the Inquiry will be beneficial. The Department of Aboriginal Affairs also noted, in relation to Aboriginal people opposed to the redevelopment of the Block, that '[t]heir fears need to be allayed through a transparent and open process of consultation and development'.¹⁸⁵

Employment of Aboriginal people in the redevelopment

- 3.84** Several witnesses and submission makers emphasised the importance of ensuring that Aboriginal people are involved in the construction of new housing on the Block. For example, Mr Shane Phillips, a member of the local Aboriginal community, indicated that the involvement of local people in rebuilding the Block would be a source of community pride:

... it would be great to see a lot of the people who are going to be tenants possibly working to rebuild those homes so that there is a sense of ownership of them. That is really important to people. You show a lot of pride in your community if you are involved in the bricks and mortar.¹⁸⁶

- 3.85** Mr Neil Hills, in his submission to the Committee, proposed that the redevelopment include '...the local community members employed by the building contractor. To give them additional work skills, and assist them in obtaining long term employment'.¹⁸⁷ Mr Smith described the benefits of having Aboriginal people being employed locally in evidence before the Committee:

I know in working on the street here and participating when we are cleaning up the housing company and we are planning and bricking up, the kids will come along and say, "Can I give you a hand, Uncle Kev? Can I help, too?" They take an interest in what they want and what you are doing, and they will sit with you and stay with you for about two or three hours and they want to work. The encouragement is like Tom Sawyer whitewashing the fence. They come along and they see you doing it and they see that you are happy in what you are doing and they say, "Can I have a go, too?" That is the sort of encouragement that needs to be done. If you propagate a seed you plant a seed.¹⁸⁸

¹⁸⁴ Answers to additional QON, 18 May 2004, Mr Ramsey, RWPP, p21

¹⁸⁵ Answers to QON taken during evidence 18 May 2004, Dr Col Gellatly, Director General, Premier's Department, Qu 2, Department of Aboriginal Affairs submission, p4

¹⁸⁶ Mr Phillips, Evidence, 19 May 2004, p51

¹⁸⁷ Submission 31, Mr Neil Hills, p5

¹⁸⁸ Mr Smith, Evidence, 19 May 2004, p47

- 3.86** The general need for increased employment for Aboriginal people in the Redfern/Waterloo area was described by the Redfern Aboriginal Corporation (RAC), which operates a Community Development Employment Program (CDEP) for Aboriginal people:

Employment is critical for Aboriginal and Torres Strait Islander people in the Redfern and Waterloo district. Even though there are a number of positive initiatives and discussions taking place (between local businesses and RAC) there are still barriers to placing our clients in full time employment. These barriers to full time employment are complex and interwoven with other socio-economic factors facing Indigenous communities. It is important to note that the vast majority of RAC's clients are within a low socio-economic bracket.¹⁸⁹

- 3.87** The RAC also advised the Committee that there is a lack of genuine, effective and long-term commitment by governmental agencies and government funded institutions to provide opportunities to its clients to be trained:

RAC has had a number of negative experiences with agencies and organizations in terms of their changing attitude to existing arrangements. Long term, genuine commitment in terms of a partnership are important in order for RAC clients to gain the necessary skills and training to be able to enter the workforce.¹⁹⁰

- 3.88** Mr Moore from NCOSS also spoke about the limited opportunities for indigenous employment in Redfern/Waterloo

I think there has been for a long time and there remains significant sort of opportunities in terms of infrastructure development and indigenous employment within Redfern/Waterloo and also to other disadvantaged groups in the labour market. There are some, as I am aware of, some interesting but small examples of some good apprenticeship and traineeship arrangements but there needs to be much more than we have got and if we are going to have a significant urban renewal program, if that is where we can head, those opportunities will grow a lot further...

I would also want to say that in the same way once again as the Premier and others have talked about business looking at investment in these areas, the opportunity would be to look at I guess the employment growth strategies and training support strategies around the investment and that would be my view, part of any private partnership, about The Block redevelopment and also other commercial attractions in the area.¹⁹¹

- 3.89** Ms Plibersek identified local Community Development and Employment Projects (like the RAC) as a possible mechanism to involve the local community in the construction:

I think it is very important when the building starts that as many local people are employed as possible. There is a CDEP just up the road that has apprentices who have done building for the Department of Housing before and also private building. They are in a very good position to provide apprentices for building on The Block, provide landscaping services and a whole range of other services. But you get the

¹⁸⁹ Submission 60, Redfern Aboriginal Corporation, p5

¹⁹⁰ *ibid*, p 6

¹⁹¹ Mr Moore, NCOSS, Evidence, 18 May 2004, p34

point that I am making that there is high unemployment locally and it would be really good if, as part of whatever ends up being spent on this, some of that money stays local, stays in local people's pockets, and they get some transferable skills afterwards that take them into the broader work force.¹⁹²

3.90 The CDEP scheme is funded and administered by ATSIC. Under the scheme unemployed persons give up their Centrelink entitlements and work on a community project, involving such things as building, road maintenance and horticulture. The overall purpose of the scheme is to 'enable Aboriginal and Torres Strait Islander communities and organisations to take control of their own community, enhance economic and social development and to provide employment for people in their own communities'.¹⁹³

3.91 The AHC has advised the committee about the employment opportunities for Aboriginal people in the long and short term:

Employment programs, for local Aboriginal youth in particular, will feature prominently throughout the construction period of the Project. Some of the long-term employment opportunities will include: gardening, care-taking, security work, and public arts and crafts. Many of the preliminary designs for RED Square have included market stalls and local retail areas that are ideal for community enterprise.¹⁹⁴

3.92 The Committee agrees that the involvement of members of the local Aboriginal community in the construction of the Pemulwuy Redevelopment Project would be beneficial, both in providing employment for local people and in creating a sense of ownership of the project. The Committee is aware that at least one Aboriginal employment organisation envisages tendering for the construction contract. In order to ensure a certain level of participation by Aboriginal people, guidelines would have to be placed in construction contracts requiring Aboriginal participation. The Committee intends to further examine employment issues faced by the Aboriginal community in the second stage of its Inquiry.

Allocation of housing to tenants

3.93 The AHC is bound by its Memorandum of Association which provides that it can only rent its properties to its members and their dependents, and 'only persons of Aboriginal or Island descent shall be elected as members of the Company'.¹⁹⁵

3.94 The Committee heard from a number of inquiry participants who urged that a strong 'social mix' of people should be allocated tenancies in the redevelopment. For example, the AHC stated that it '...plans to encourage a stronger social mix by providing housing for Aboriginal people of varied socio-economic capacity. For example, places will be made

¹⁹² Ms Plibersek MP, Evidence, 4 June 2004, p17

¹⁹³ Quoted in Drabsch T, *Indigenous Issues in NSW*, Background Paper No 2/04, NSW Parliamentary Library Research Service, 2004, p20

¹⁹⁴ Aboriginal Housing Company, *History of the Pemulwuy Project, 2000-2004*, p5: Email from Mr Peter Valilis, Project Manager, Aboriginal Housing Company, to Senior Project Officer, 15 July 2004

¹⁹⁵ Email from Mr Peter Valilis, Project Manager, Aboriginal Housing Company, to Senior Project Officer, 29 June 2004

available for the unemployed, workers and middle to high income families.¹⁹⁶ The AHC indicated that housing will be proved to ‘...Aboriginal residents who have an existing relationship with Redfern through work or family.’¹⁹⁷

3.95 Ms Cheryl Minks, a resident of Redfern and a course co-ordinator in peace and conflict studies at the University of Sydney, stated:

As with other communities, the concentration of subsidised housing residents into a single edifice creates many (if not most) of the problems extant in Redfern today. A critical mass of dysfunction exists in this area. Consequently, the community currently fulfils the role of co-dependent inducing and enabling anti-social and self-destructive behaviours. Housing policy needs to develop strategies that reconfigure this social mix – reduplicating conditions on “The Block” will reproduce the existing problems. Housing policy needs to be reconceptualized and moved towards the now internationally accepted practice of accommodating government subsidised residents within, rather than separate from, the local community. This is essential in this situation if we are to maintain an indigenous presence in the area without risking the re-emergence of the existing structures and dysfunctions.¹⁹⁸

3.96 Ms Tanya Plibersek MP also emphasised the need for a mix of people to be allocated tenancies, with preference given to people who have an historical connection to the Block, particularly those who moved from the Block as part of the relocation:

In terms of financial models or who the housing goes to, there are a number of complicated issues. Firstly, there are people who have a historical connection to the area, and they should be given a preference. There are people who have moved out of houses in the area on the understanding that they would be coming back to the area. Of course, they should be given a preference. But as far as the socio-economic mix, I would like to see Aboriginal people, but I would like to see a slightly broader socio-economic mix than you would generally find in public housing. If you look at a model like City West, which is in Pyrmont and Ultimo, people are paying a proportion of their income. People on social security benefits pay a very low dollar amount. People who are in the work force at around the average wage or slightly above, if they have got a family--the threshold increases depending on the number of children you have--pay closer to market rent. It just means that you have a broader social mix. I think that is better for everyone.¹⁹⁹

3.97 The Committee agrees that a social mix of tenants is desirable in the redevelopment of the Block. The Committee is also of the view that the allocation of housing to tenants must be a fair and transparent process. The Committee is concerned about allegations noted above that the AHC has taken a nepotistic approach to the allocation of housing in the past.

¹⁹⁶ www.ahc.org.au (accessed 25 June 2004)

¹⁹⁷ Aboriginal Housing Company, *History of the Pemulwuy Project, 2000-2004*, p5: Email from Mr Peter Valilis, Project Manager, Aboriginal Housing Company, to Senior Project Officer, 15 July 2004

¹⁹⁸ Submission 37, Ms Cheryl Minks, p4

¹⁹⁹ Ms Plibersek MP, Evidence, 4 June 2004, p17

Ongoing maintenance and tenancy management issues

- 3.98** Evidence and opinions presented to the Committee indicate that there is some concern about the ability of the AHC to manage the future tenants in the redevelopment. Mr Russell Taylor, CEO of the AHO, spoke about the need to support tenants by providing them with skills to take care of properties:

...no agency can simply assume that the provision of a house and the introduction of a family to that house means that everything is going to go smoothly. There needs to be some provision for budgeting, for familiarity with appliances, et cetera, and all those living skills that go with successfully and safely occupying a house. We at the Aboriginal Housing Office recognise that we need to do more work on that and we have also discussed those issues with the Department of Housing. I think that whilst we have addressed it indirectly—and in some of the other questions I would mention that we have developed some accredited training for the sector that goes to many of those issues—we recognise that we need to do more to provide tenant training and awareness of their responsibilities in terms of their occupancy of housing stock managed by the AHO itself or by community providers.²⁰⁰

- 3.99** Mr Valilis expressed the view that tenants who were provided with excellent living conditions would take care of them:

Really, it was all about their living conditions that we were providing. If we provided poor living conditions, we had a poor response from tenants. If we provided good living conditions, we had a good response from tenants. This is why for the last four years we have been pushing governments because we cannot do it. We have not got the resources to do these things. We have literally begged government to help upgrade our properties, whether it be redevelopment of the Block or the properties outside. Once that happens, we will see that the Aboriginal Housing Company tenants will be model tenants; not all of them, and the ones who are not we will get rid of, but most of them will be model tenants.²⁰¹

- 3.100** Because of the history of drugs on the Block, the Committee is of the view that it will be crucial for the AHC to maintain a strict policy against drug users and dealers. In this regard, Ms Joyce Ingram stated:

The Block of the future must be free of all dealers including those now residing and trading there who will not give such activities up. Concerned Elders, residents and ex-residents of the Block want the Housing Company and the police to show no tolerance for hard drug dealers living and operating on the Block.²⁰²

- 3.101** Mr Valilis advised the Committee that the AHC is optimistic that the current problems with drug use will not simply reoccur in the redevelopment, and elaborated on the reasons as follows:

The people that we know are selling drugs on the Block have been told quite categorically that they will not be offered a house. ... On top of that, we are putting together very strict by-laws. We have good legal advice on drug clauses that we can

²⁰⁰ Mr Taylor, Aboriginal Housing Office, Evidence, 8 June 2004, p28

²⁰¹ Mr Valilis, Aboriginal Housing Company, Evidence, 19 May 2004, p5

²⁰² Submission 23, Ms Ingram, p2

add into our leases. Richard is helping to develop protocols for the area. We will have caretakers in the development. He can probably give you more information about our lead architect Dillon Kombumerri. He has been sent to London to look at the best medium-density housing projects there and how caretakers help monitor and help police the community. We are also proposing community policing, where the actual tenants police the area themselves and work with the police on any issues that are out of their control. So there are a lot of programs that we are putting in place to make sure that this never happens again.²⁰³

State Government involvement in the redevelopment

3.102 In evidence to the Committee, Dr Col Gellatly, the Director General of the Premier's Department, described the redevelopment of the Block as one of the Government's main priorities in the area.²⁰⁴

3.103 The Government has advised that it has established a 'high-level cross agency working group to oversight its involvement in the proposed redevelopment'.²⁰⁵ Agencies involved in the working group include the Premier's Department, the Government Architect, Treasury, the Department of Aboriginal Affairs, Landcom and the Aboriginal Housing Office. The NSW Government has also invited the Commonwealth Government to become involved.²⁰⁶ The Committee understands that to date the Commonwealth Government has not responded formally to the invitation.

3.104 In the past two years, the Government's involvement in the redevelopment has been facilitated through the RWPP. The Committee was informed that through the RWPP, the Government has provided a range of what it describes as 'in-kind' assistance to the AHC. The in-kind assistance provided includes:

- ongoing assistance to the AHC to improve its governance and management planning and reporting, as well as management of tenancies and properties.²⁰⁷ The Government has commissioned an audit of the AHC (paragraphs 3.37) and a valuation of the Block and other properties owned by the AHC (paragraph 3.39).
- the Government Architect's Office has been working with the RWPP and the AHC to develop concept plans for the redevelopment (paragraph 3.69).
- The RWPP has provided the AHC with assistance to relocate some tenants, eradicate shooting galleries and demolish some properties (paragraph 3.66).
- the AHC is also involved in the RWPP's RED Strategy, which is described in Chapter 2. As one of the major landowners in the RED area, the AHC has entered into a Memorandum of Understanding with the NSW Government, the South Sydney Council and the University of Sydney. The purpose of the MOU is to provide a

²⁰³ Mr Valilis, Aboriginal Housing Company, Evidence, 19 May 2004, p12

²⁰⁴ Dr Gellatly, Premier's Department, Evidence, 18 May 2004, p5

²⁰⁵ Answers to additional QON, 18 May 2004, Mr Michael Ramsay, RWPP, p19

²⁰⁶ *ibid*

²⁰⁷ *ibid*

framework through which these agencies can work together to try to progress infrastructure renewal and development in Redfern and Waterloo.²⁰⁸

3.105 This assistance has undoubtedly contributed to the capacity of the AHC to progress the Pemulwuy Redevelopment Project. Indeed, Mr Mundine has attributed the recent progress of the redevelopment to the AHC's new working relationship with the RWPP:

I think the reason why we have reached this level at the present moment with our planning is that we worked in with Michael Ramsey at the Government level and his party. I think that is the reason why we got to this level—because we worked straight and directly with Government bodies. ... I praise the Redfern/Waterloo partnership because I believe they came to us in the beginning, that is Michael, and asked what is the problem in the community.²⁰⁹

3.106 The Committee acknowledges the assistance provided to the AHC by the Government through the RWPP. It is clear that the initiatives of the RWPP have provided much needed assistance to the AHC and have aided the progress of its redevelopment plans.

Funding for the redevelopment

3.107 The AHC has advised the Committee that the Pemulwuy Redevelopment Project is expected to cost approximately \$27 million.²¹⁰ Mr James described the redevelopment as economically feasible, particularly compared to mainstream housing:

Those three models, and the latest analysis from Merrima investigated a comparison between what it cost to do the Block and what commercial ruling rates were and the Block comes up as half the cost of normal housing in the market for a number of reasons. One is we are housing more people per unit than mainstream. Mainstream housing is one and two bedrooms. We are not providing any parking because we do not want to provide parking so close to the station, there is no demand and the council wants us to go that way. We are conforming to social housing standards and it looks good - economically feasible.²¹¹

3.108 The AHC stated in its submission that '[a]s usual the only delays expected in progressing this project [are] continuing delays in receiving government commitment to the project'.²¹² Mr Valilis informed the Committee during evidence that no level of Government has made a commitment to providing any funding for the redevelopment. He also stated '...we are not surprised. For a long time the Block has been considered too hard and could not be fixed'.²¹³ Mr Valilis argued however that despite this history, recent changes have paved the way for government funding:

²⁰⁸ Submission 55, NSW Government, p183

²⁰⁹ Mr Mundine, Aboriginal Housing Company, Evidence, 19 May 2004, p24

²¹⁰ Mr Valilis, Aboriginal Housing Company, Evidence, 19 May 2004, p17

²¹¹ Mr James, Aboriginal Housing Company, Evidence, 19 May 2004, p17

²¹² Submission 42, Aboriginal Housing Company, p10

²¹³ Mr Valilis, Aboriginal Housing Company, Evidence, 19 May 2004, p17

The fact that we have written a social plan has given people new hope that the Block can be fixed. There are 30 years of demonisation of the Block that we have had to overcome. We have had to depoliticise the process and build partnerships and do all those things all on our own and now all tiers of government have come to the party and are starting to negotiate. I think it was last year we signed a MOU with the local council, with the State Government and with the University of Sydney, and that was historic.²¹⁴

- 3.109** The AHC has indicated that while the provision of in-kind assistance by the Government works well during the planning stage, funding will be required to enable the AHC to put out a conventional construction tender to the private sector:

The Aboriginal Housing Company has been pursuing several potential sources of funding, including government and private sector partners. Discussions with the State Government have indicated that proportions of the project could be facilitated through pro-bono work by various Government departments, rather than monetary funding. This approach seems to work best during the planning stages and the early pre-construction phase. However, funding will be required if the Aboriginal Housing Company puts out a conventional construction tender to the private sector.²¹⁵

- 3.110** The Committee was advised that the AHC is seeking a combination of government and private funding:

We will be exploring all modes of funding, that is, government and private. We hope that there will be a mix of partnerships but we are discussing with private industry—the big end of town—to see if they will donate equipment, materials, money and time. In fact, much of this project has been funded by pro bono work that people such as David Liefer and Col James have done.²¹⁶

- 3.111** The AHC has proposed the establishment of a development control group to oversee construction and the distribution of funds:

Ultimately the Aboriginal Housing Company is proposing to establish a development control group that will include State and Federal Government representatives, the Pemulwuy Project Team and an independent chairperson. The group will be charged with overseeing the construction of the housing component of the project with particular emphasis on the distribution of funds.²¹⁷

- 3.112** Several other inquiry participants also called for Government funding for the redevelopment project. For example, Mr Moore, the CEO of NCOSS, suggested that some form of public funding was necessary:

I do think that there is a component of this plan about redevelopment of The Block which is going to require public and private finance. NCOSS does not agree with the

²¹⁴ *ibid*

²¹⁵ Aboriginal Housing Company, *History of the Pemulwuy Project, 2000-2004*, p7: Email from Mr Peter Valilis, Project Manager, Aboriginal Housing Company, to Senior Project Officer, 15 July 2004

²¹⁶ Mr Valilis, Aboriginal Housing Company, Evidence, 19 May 2004, p17

²¹⁷ Aboriginal Housing Company, *History of the Pemulwuy Project, 2000-2004*, p7: Email from Mr Peter Valilis, Project Manager, Aboriginal Housing Company, to Senior Project Officer, 15 July 2004

Government when it says it is not going to contribute funds to the redevelopment of The Block.²¹⁸

- 3.113** The Government has indicated to the Committee that it is awaiting the outcome of the audit of the financial status of the AHC (paragraph 3.37) before it determines how to assist the AHC further:

The audit is not yet complete. The valuation of the Block forms part of the audit, and once complete, will be incorporated into the final report. Government is not making any prejudgements about the best methods for assisting the AHC until after it considers the report of IAB Services and presents the report to the AHC Board for its consideration. Government is committed to continuing to work with the AHC to strengthen its capacity.²¹⁹

- 3.114** Although most people who expressed a view on the issue of funding focused on the need for State Government funding it has been suggested that Local and Federal Government assistance is also required. For example, Mr Pooley argued that all three tiers of government should make a contribution and he identified handing over certain laneways and waiving rates as examples of the assistance that local government could provide:

Well, in an ideal world I think all three tiers of government should make a contribution. I will just be quick about local government because it is the one I am most familiar with. In any redevelopment of the Block, I think there will be a requirement for us to hand over a couple of lanes and I think we should do that. There are some outstanding rates and, for instance, that kind of local government levy should be waived. Because it was granted by the Federal Government, I think it needs to be a combined approach between the other two tiers of government in terms of the development of the Block. I am not trying to get into the whole State's rights debate - do not misunderstand me - but there has been long-term Federal Government involvement in that housing project and that should remain. As well, the State Government certainly has a significant responsibility.²²⁰

- 3.115** Ms Plibersek also emphasised the need for the Federal Government to contribute funds to the redevelopment on the basis of its responsibilities for Aboriginal affairs:

The deficiency in housing in the area is symptomatic of a more general decline in public housing resulting from the declining real funding of public housing under the Commonwealth State Housing Agreement (CSHA) over the past 10 years. Given the Commonwealth's long established responsibilities for Aboriginal affairs and its rhetoric concerning "practical reconciliation", the Aboriginal Housing Corporation should be provided with financial assistance from the Commonwealth to redevelop "The Block". So far the Commonwealth has been uninterested in this project.²²¹

- 3.116** The RWPP has advised the Committee that it has sought the involvement of the Federal Government in the redevelopment of the Block:

²¹⁸ Mr Moore, NCOSS, Evidence, 19 May 2004, p32

²¹⁹ Answers to additional QON, 18 May 2004, Mr Ramsay, RWPP, p18

²²⁰ Mr Pooley, City of Sydney Council, Evidence, 25 May 2004, p61

²²¹ Submission 49, Ms Plibersek MP, p9

We have asked the Commonwealth to participate in the process of redeveloping The Block and to work with the Aboriginal Housing Company and ourselves to redevelop it because the reality is that one of the key elements of the proposal, if we hope to develop Redfern and Waterloo, is to actually develop quality affordable housing for Aboriginal people on The Block.²²²

- 3.117** Some inquiry participants were cautious in their approach to the issue of funding due to the management inadequacies of the AHC. For example, Mr Moore stated that a condition of public funding would have to include agreements about financial management processes, accountability and the selection of tenants:

...it is our view from all of the discussions we have had with a range of indigenous groups and non-indigenous groups that the Aboriginal Housing Company in Redfern currently does not have a capacity to deliver on the redevelopment of The Block, so a condition of public funding and any private funding is going to have to be some agreements about long-term affordable housing for Aboriginal families, transparent and fair tenant selection and management processes and a much more accountable way of doing things because it has been put to us by numerous people for quite a long period of time that part of the problem, part of the really tragic circumstances at The Block at the moment, has been the incapacity over now a number of years to deal with a sensitive, appropriate redevelopment approach within the indigenous community.²²³

Conclusion

- 3.118** The Committee is of the view that the redevelopment of the Block is an important and iconic project for Aboriginal people in NSW and Australia. The Committee believes that it is of the utmost importance that the redevelopment be completed and that the Block remain under the ownership and control of Aboriginal people.
- 3.119** The Committee acknowledges the assistance provided to the AHC by the Government through the RWPP. It is clear from the views expressed by Mr Mundine that the initiatives of the RWPP have provided much needed assistance to the AHC and aided the progress of its redevelopment plans. The Committee is of the view that the continuation of this assistance is crucial to the future of the redevelopment.
- 3.120** The Committee is concerned, however, that the work the RWPP is undertaking with the AHC to improve its governance and management planning and reporting does not yet seem to have produced significant results. Evidence presented to the Committee indicates that there is still serious concern about the ability of the AHC to manage the redevelopment. The Government's submission noted that the audit of the financial affairs of the AHC was to be completed by mid-May and the valuation of the AHC properties was to be completed by mid-June. As the Government has indicated that it is relying on the outcome of the audit in particular before it determines how to assist the AHC further, the fact that these reports are long overdue is a matter of great concern. The Committee believes that the NSW Government must expedite the completion of the audit and the valuation.

²²² Mr Ramsey, RWPP, Evidence, 18 May 2004 p20

²²³ Mr Moore, NCOSS, Evidence, 19 May 2004, p32

- 3.121** The Committee notes the comments of the AHC that while the provision of in-kind assistance is appropriate during the planning stages, funding will eventually be required to enable it to put out a conventional construction tender. It is clear that the AHC will have great difficulty progressing the Pemulwuy Redevelopment Project without a government commitment of funds and assistance to managing the project.
- 3.122** The Committee supports the AHC in seeking both private and public funding for the redevelopment. The Committee has some concerns, however, that if the AHC relies substantially on private funding this may potentially infringe on the ownership and control of the Block by Aboriginal people. Private funding may also be devoid of the in-kind management support that the RWPP is currently providing and that the AHC so sorely needs.
- 3.123** The AHC, with the assistance of the RWPP, is currently refining the concept plans for the redevelopment before undertaking consultations to determine the most appropriate plan and then seeking development approval of the chosen plan. While this process is likely to take several months the Committee is of the view that a commitment by the NSW Government to funding at this stage is crucial to the progress of the redevelopment. It will also have an immediate beneficial impact on the local community by signalling a positive way forward.
- 3.124** The Committee believes that the Federal Government should also contribute funds to the redevelopment of the Block. We share the view that the Federal Government's long-term involvement in the Block, stemming from the grant of the land to the AHC, and its constitutional responsibility for Aboriginal affairs, places an obligation on it to assist the AHC in its role to provide housing to Aboriginal people. The Committee is therefore of the view that the NSW Government should, as a matter of priority, seek the agreement of the Federal Government to join with it in providing funding assistance to the AHC to redevelop the Block. The Committee will also be seeking the involvement of the Federal Government in the second stage of its Inquiry.
- 3.125** The Committee also encourages local government involvement in the redevelopment. There will no doubt be a range of ways in which the City of Sydney Council can assist the redevelopment plans, including handing over certain laneways to the AHC and waiving rates. The Committee recommends that the City of Sydney Council join the NSW Government in making a commitment to the redevelopment of the Block.
- 3.126** The Committee is mindful of the significant management and related financial difficulties faced by the AHC. The Committee is of the view that while a government commitment to provide funding for the redevelopment is of the utmost importance, it can only be made with the agreement of the AHC to strict obligations in terms of its current and ongoing management of itself and the redevelopment project.
- 3.127** The Committee notes that the AHC has proposed establishing a development control group to oversee construction of the redevelopment and the distribution of funds. The AHC envisages this control group to include the Pemulwuy Redevelopment Project team, State and Federal Government representatives and an independent chairperson. The Committee agrees that a representative control group should be established and also encourages the inclusion of a local government representative.

- 3.128** 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.
- 3.129** The Committee strongly believes that the redevelopment plans must include extensive consultation with the local community. The Committee also believes that it is important for the AHC to provide the community with regular updates about the progress of the redevelopment. A great deal of uncertainty about the redevelopment project and scepticism about its fruition has been expressed during the Inquiry. The Committee is of the view that this is having a negative impact on the local Aboriginal community. The Committee feels that it is important to keep the community well informed of the progress of the redevelopment, for example through notices put up on community notice boards and the internet.

Recommendation 5

That the NSW Government, through the Redfern/Waterloo Partnership Project, continue its constructive working relationship with the Aboriginal Housing Company and the provision of in-kind assistance to the Company, with the aim of ensuring that the Company is able to redevelop and manage the Block.

Recommendation 6

That the NSW Government expedite the completion of the audit of the financial affairs of the Aboriginal Housing Company and the valuation of its properties.

Recommendation 7

That the three tiers of government make a firm commitment to the redevelopment of the Block by the Aboriginal Housing Company, subject to the requirements set out in Recommendation 8, and in particular that:

- the NSW Government make a substantial funding contribution to enable the completion of the Pemulwuy Redevelopment Project, and that it facilitate access by the Aboriginal Housing Company to other funding sources
 - the Federal Government be approached by the NSW Government to make a substantial funding contribution to the Pemulwuy Redevelopment Project
 - the City of Sydney Council make a substantial contribution to the Pemulwuy Redevelopment Project, which might take the form of in-kind assistance, such as handing over freehold title to laneways or waiving rates for a period of time.
-

Recommendation 8

That the commitment of funds to the Aboriginal Housing Company for the Pemulwuy Redevelopment Project identified in Recommendation 7 should be made dependent upon strict requirements relating to:

- creation of a representative development structure to manage and oversee the Pemulwuy Redevelopment Project
 - continued involvement by the NSW Government in improving the governance structure and management practices of the Aboriginal Housing Company and ensuring its sustainability
 - the incorporation of Crime Prevention Through Environmental Design principles in the design of the redevelopment
 - extensive consultation with the local community
 - The transparent and equitable allocation of housing to tenants
 - Establishment of an ongoing program for maintenance of the new housing stock
 - The employment, where possible, of Aboriginal people in the Pemulwuy Redevelopment Project
-

Recommendation 9

That the Redfern/Waterloo Partnership Project provide assistance to the Aboriginal Housing Company to keep the local Aboriginal community, as well as the wider community in Redfern and Waterloo, regularly and comprehensively informed as to the progress of the redevelopment of the Block.

Chapter 4 Policing strategies and resources

The terms of reference require the Committee to examine policing strategies and resources in the Redfern and Waterloo area. The Committee has received a considerable amount of evidence about this term of reference from submission makers and witnesses. Evidence has been presented by NSW Police, the Police Association of NSW, several officers stationed at the Redfern Local Area Command and by other interested individuals and organisations. The evidence has revealed a number of issues that the Committee feels should be addressed in this Interim Report. Those issues include: violence against police, police resources including staffing issues, and police strategies to deal with robberies. A brief overview of policing in Redfern and Waterloo is provided by way of introduction.

A number of other issues fall within this term of reference, including the important issue of the relationship between police and the Aboriginal community, police strategies to deal with drug-related crime and coordination between NSW Police and other services, such as DoCS. These issues will be examined in the Final Report, after further consideration by the Committee.

On 16 July 2004, the NSW Police Minister, the Hon John Watkins MP released a package of initiatives aimed at addressing policing issues in Redfern.²²⁴ The initiatives were based on the recommendations of Strike Force *Coburn*. The Committee has not yet received a copy of the Strike Force *Coburn* report. Some of the initiatives relate to the issues examined in this chapter and will be referred to where relevant. Other initiatives aim to address issues that the Committee intends examining in the second stage of the Inquiry. These initiatives will therefore be discussed in the Final Report.

Policing in Redfern and Waterloo

Redfern Local Area Command

- 4.1** New South Wales is divided into 80 Local Area Commands (LACs) that report through five region offices to the Deputy Commissioner Operations, David Madden. The suburbs of Redfern and Waterloo fall within the Redfern LAC. Redfern LAC covers approximately 35 square kilometres of inner Sydney, encompassing the suburbs of Alexandria, Beaconsfield, Chippendale, Darlington, Erskineville, Eveleigh, Redfern, Rosebery, Waterloo and Zetland. A map of the Redfern LAC is set out in Appendix 5. Redfern LAC falls within the Inner Metropolitan Region Command.
- 4.2** In evidence before the Committee, the Commander of the Redfern LAC, Superintendent Dennis Smith, stated that ‘as a policing jurisdiction goes, it is one of the most challenging police jurisdictions in Sydney.’²²⁵ Several submission makers and witnesses expressed strong support for the police at the Redfern LAC. For example, Mr Peter Rodgers, a resident of

²²⁴ Hon J Watkins MP, ‘Enhanced Policing in Redfern 2004 - 32 Strategies and initiatives to improve policing in Redfern Local Area Command’, 16 July 2004 and Hon J Watkins MP, Minister for Police, ‘Redfern Crime Plan: Enhanced numbers, training, response and relations’, *Media Release*, 16 July 2004.

²²⁵ Superintendent Dennis Smith, Commander, Redfern Local Area Command, NSW Police, Evidence, 25 May 2004, p40

Waterloo, stated 'I have lived in the area for nearly 10 years and have found the level of police commitment to the job to be very good'.²²⁶ The City of Sydney Council also acknowledged the work of the local police in its submission:

Council would like to acknowledge the vital role Redfern Police have taken in improving community safety in Redfern and Waterloo. Local Area Commander Dennis Smith has worked tirelessly to improve relations between the community and Redfern Police. Rather than taking a reactive approach to policing, Redfern Police are now embarking on a range of pro-active community-based policing strategies designed to strengthen community relationships as a key crime prevention method. Furthermore Redfern police have been an active participant in the Redfern/Waterloo Partnership Project and are committed to building strategic partnerships to address local issues.²²⁷

- 4.3** As well as praise for the police who work in Redfern and Waterloo, criticisms were also levelled at some aspects of policing in the area. Most significantly, the relationship between the police and the Aboriginal community, particularly those living near and visiting the Block, was identified as being very problematic. For example, the Redfern Legal Centre noted in its submission that '[t]here have been reports to the Redfern Legal Centre consistently over the past five years that suggest that at times police display inappropriate behaviour towards Aboriginal people, young men in particular'.²²⁸ As noted in the introduction to this chapter these issues will be further examined in the second stage of the Committee's Inquiry.

Crime in Redfern and Waterloo

- 4.4** As noted by the City of Sydney Council in its Redfern-Waterloo Community Safety Plan, the interpretation of crime trends is a difficult task.²²⁹ Comparisons of suburbs with varying populations are problematic and recorded crime statistics do not take account of unreported crime. The Committee has therefore only provided an overview of crime in Redfern and Waterloo in this section.
- 4.5** The Committee has been informed that the major hot-spots of crime within the Redfern LAC are the streets surrounding Redfern Railway Station and the Block. While the Committee has been advised that there are some areas near the large housing estates in Waterloo that also are problematic in terms of policing, the major focus of the submissions and evidence received by the Committee concerned the hot-spots in Redfern. Much of the discussion in this chapter, therefore, relates by necessity to crime and policing issues in these areas.
- 4.6** The Committee understands that while the Redfern LAC is not an area that has a high rate of major crime such as murder, low-level crime (including break and enters, assaults, drug offences and robberies) is prevalent. The Government's submission advises that, in relation to most crimes in the Redfern and Waterloo area over the past two years, there has been

²²⁶ Submission 71, Mr Peter Rodgers, p1

²²⁷ Submission 84, City of Sydney Council, p17

²²⁸ Submission 50, Redfern Legal Centre, p3

²²⁹ City of Sydney, *Redfern-Waterloo Community Safety Plan*, 10 March 2004, p23

either an improvement, or the levels have remained static, with the exception of robbery without a weapon which has increased over a five year period:

NSW Crime Statistics and Research crime data shows that [over 2 years] there have been improvement in the suburbs of Redfern, Waterloo, Zetland, Chippendale and Darlington, with assault down 19.5%, robbery with a weapon not a firearm down 30.6% and motor vehicle theft down 26.0%. The offences of murder, sexual assault, indecent assault, robbery with a firearm, break and enter, stealing offences and fraud have all remained static. BOCSAR has indicated that the only upward trend in the five year trends is in robbery without a weapon (53.1%).²³⁰

4.7 In evidence to the Committee, Deputy Commissioner Madden made the point that, apart from robbery crimes, the Redfern LAC ranks well down the list compared to other LACs:

...once you move away from the robbery crime and in terms of ranking, there is this comparison of say Redfern with other local area commands, conscious that there are eighty within the State, Redfern does not seem to figure prominently. In fact, if you looked at for instance, break and enter, it is about the 29th. This is based on OCR data that we used around February this year, somewhere in the vicinity of being 29th out of 80 local area commands or for instance, steal motor vehicle was down at 36 out of the 80 local area commands. Again the point I am making here is that whilst it sits as number one for robbery, when you look at the other volume crimes, it moves down the list quite markedly.²³¹

4.8 The Committee has found that there is a strong perception among members of the public, as well as among several members of the local police, that there is a very high level of crime in Redfern and Waterloo. For example, the Committee received several submissions from local residents living near the Block, who expressed great concern about the level of crime in the area and the behaviour of young children in particular.²³² In addition, a Constable with the Redfern LAC stated that '[r]egardless of what crime rates may state for individual months, which are largely determined by successful criminal convictions or current individual custody remands, the Redfern area suffers a major criminal element that greatly influences crime reporting.'²³³

²³⁰ Submission 55, NSW Government, p264. Note: p264 sets out the recorded crime statistics for a group of suburbs including Redfern and Waterloo for the period 1999-2003. These statistics are reproduced as Appendix 6. The statistics include an analysis of the trends over a two year period and a five year period and were compiled by the NSW Bureau of Crime Statistics and Research (BOCSAR).

²³¹ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p52

²³² For example, submission 11, name suppressed at request of author; Submission 13, Mr Stephen Gale; Submission 21, confidential at request of author; Submission 27, Vine and Hugo Action Group; and Submission 40, name suppressed at request of author.

²³³ Submission 24, name suppressed at request of author, p4

Violence against police

- 4.9 The Committee received several submissions from individual police officers stationed at the Redfern LAC detailing what they perceive to be a very high level of violence against police, particularly occurring near Redfern Railway Station and the Block. Some of those submissions recounted a disturbing number of violent incidents against police in the past few years. A number of officers included personal accounts of verbal and physical assault. We thank the officers for providing submissions to our Inquiry.

Incidents of violence

- 4.10 In evidence to the Committee, Sergeant Huxtable, the Administrator of the Redfern Branch of the Police Association, described the level of violence experienced by officers stationed at the Redfern LAC as 'extreme':

There are extreme levels of violence. We talked about the incident prior to the riot when two police officers had their guns stolen. These are people who are prepared to mob and attack police, steal their guns and throw bricks at people's heads. People say, "We were bricked." It is a phrase that rolls out. How someone has not been killed I do not know. This is not in retaliation or to resist arrest. Of course, should someone try to resist arrest, the matter gets worse; you get 30 or 40 people set upon you. You have no option but literally to run for your life.²³⁴

- 4.11 A Senior Constable with eight years experience at the Redfern LAC described his daily experience with violence as follows:

I am not saying that other police in other commands are not subjected to this but I can say on a personal note that whilst working the street at Redfern I can guarantee that I will be abused at least twice during a shift. It is not uncommon to be driving the Police Vehicle through the Block and be rained upon by bricks and bottles. If you attempt to make an arrest in the Block area you will expect to be assaulted or missiles thrown at you and your colleagues.²³⁵

- 4.12 The Committee was also presented with information about injuries sustained by police officers on the night of the riot in February this year. The Government submission states that 36 officers reported some injury after the riot.²³⁶ While this is a significant issue in itself, we note that Strike Force *Coburn* is investigating the riot and the WorkCover investigation described in paragraph 1.21 will examine occupational health and safety issues relating to the riot. The Committee will therefore not go into detail about the injuries sustained by police officers on the night of the riot; suffice to say that it is an extreme example of officers being subjected to violent assault in the course of duty.

²³⁴ Sergeant Huxtable, Branch Administrator, Redfern Branch, Police Association NSW, Evidence, 8 June 2004, p13

²³⁵ Submission 72, name suppressed at request of author, p1

²³⁶ Submission 55, NSW Government, p279

4.13 The Committee was informed that incidents of violence experienced by officers within the Redfern LAC were reflective of a pattern across the State. For example, the Director of the Police Association's Research and Resource Centre, Mr Greg Chilvers, acknowledged that there was a 'significant level of violence against police in Redfern' and also informed the Committee that the issue of violence against police was 'reaching disturbing levels across the State'.²³⁷ The President of the Police Association of NSW, Mr Bob Prichard, also stated in evidence to the Committee:

What is happening in Redfern is a symptom for what is happening in public disorder hot spots all around the State. Following the events at Redfern I asked members to identify areas where they were subject to assault, ranging from minor to serious affrays. The areas identified, which are not exclusive, were Armidale, Auburn, Bankstown, Bourke, Campbelltown, Dubbo, Kempsey, Merrylands, Moree, Mount Druitt, Nowra, Surry Hills, Sydney central business district, Wagga Wagga, Warilla and Wilcannia.²³⁸

4.14 Mr Prichard speculated that the commonality among the areas with a high number of assaults on officers included the presence of 'crime hot-spots', a lack of resources and inexperience among officers:

I have worked in several of these areas, including Redfern, and I have to say to you that if you step back and analyse the situation there are common issues that seem to repeat themselves. I think it boils down to three factors. First, look at the crime hot spots and you inevitably see lack of resources—conditions of stations, equipment, and specialist police trained to deal with high-pressure situations. That is why we have called for a dedicated, full-time operational support group [OSG] to be deployed to public disorder hot spots. Second, there has been a massive influx of young police and they tend to be deployed in the State's more turbulent areas. There is a real issue with throwing new recruits into the deep end without sufficient experience and supervision. That is why we are making the status of sergeants a priority in our upcoming award negotiations.²³⁹

4.15 Deputy Commissioner Madden noted that a combination of the type of people police deal with and the influence of alcohol and drugs leads to confrontational situations where police officers arriving on the scene are assaulted:

Let me just take the statistics on assault police, which is a good gauge in terms of violence against police. Redfern features alongside of other city commands such as Kings Cross, City Central and Surry Hills. Indeed, City Central experiences a higher rate of assault police than does Redfern and has consistently over a number of months. But if you take into account the area in which the central CBD and the areas that we are talking about, Kings Cross, the city, Surry Hills and Redfern, and the difficulties in terms of policing that area, the type of clientele you deal with on a regular basis, the influence of alcohol, the influence of drugs, police get called to confrontational situations and that is what they are doing, they are arriving and they are being assaulted in the course of their duty.²⁴⁰

²³⁷ Mr Chilvers, Director, Research and Resource Centre, Police Association of NSW, Evidence, 8 June 2004, pp13-14

²³⁸ Mr Bob Prichard, President, Police Association of New South Wales, Evidence, 8 June 2004, p1

²³⁹ *ibid*

²⁴⁰ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p71

- 4.16 Most of the acts of violence described anecdotally in submissions prepared by police officers stationed at Redfern LAC related to incidents that occurred in and around the Block and the assailants were identified as being people of Aboriginal descent. The Committee has not received sufficient information to draw conclusions about the profile of perpetrators of violence against police in the Redfern LAC. The Committee accepts, however, that at least some acts of violence against police are the product of racial and historical tensions between police and Aboriginal people. The Committee intends examining these issues in detail in the Final Report.

Extent of violence and recording incidents

- 4.17 While the Government's submission makes no mention of violence experienced by police working in Redfern and Waterloo, the Committee received evidence on the issue from representatives of NSW Police during its hearings. Superintendent Smith advised the Committee that the Redfern LAC ranked 'about the same as other Sydney police jurisdictions in terms of the number of assaults against police'.²⁴¹
- 4.18 Subsequently, the Committee was provided with a comparative table of incidents classified as 'resist/hinder/assault officer' incidents under section 58 of the *Crimes Act 1900*, drawn from the Computer Operations Program System (COPS) database. The table shows that the Redfern LAC is comparable to other inner-Sydney commands:²⁴²

'Resist/hinder/assault officer' incidents under section 58 of the *Crimes Act 1900*

	Redfern	City Central	Surry Hills	Kings Cross
2001	61	49	49	62
2002	62	62	53	57
2003	62	99	38	45
2004 (to May 2004)	33	33	26	22

- 4.19 Although these statistics provide a useful comparison between four LACs of the 'resist/hinder/assault officer' incidents recorded on the COPs database, they do not show the full picture of the level of violence against police in Redfern or the other LACs. In this regard, the Committee was advised that some assaults on police may be recorded as 'Assault Incidents' rather than 'Assault *Officer* Incidents'.²⁴³
- 4.20 As to the accuracy of reporting, Mr Huxtable advised the Committee that some incidents that *occur* in the Redfern LAC are subsequently reported by officers at the police station they are attached to, which may not be the Redfern LAC:

A number of the injuries reported through the chain of command at City Central, Surry Hills, Newtown and Mascot would have been suffered in and around the

²⁴¹ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p31

²⁴² Answers to questions on notice taken during evidence 25 May 2004, Superintendent Smith, NSW Police, p3

²⁴³ *ibid*

Block...You go through your normal chain of command, whatever police station you are attached to.²⁴⁴

- 4.21** The Committee was advised that as well as the COPS database that records 'resist/hinder/assault officer' incidents, there are several other mechanisms that can be used to capture information about violence against police (although the Committee notes that none collates comprehensive statistics):

On COPS (Computer Operations Program System). The use of COPS is the most important means of recording incidents or events coming to police notice including instances of violence against police. Any assault or violence against police, regardless of whether an offender is identified, should be recorded on COPS as an event.

Register of Injuries. A register of injuries form is used to record any assaults/injuries sustained by a Police officer in the execution of his/her duties. Police tend to fill in these forms even if they have NOT lost any time from the injury sustained. The form is seen as a permanent record of the injury in case in later years a medical problem arises which may be related to the injury. The COPS event number should be cross-referenced with this form.

Workers Compensation File. A record is also made on an individual's Workers Compensation File. This record is maintained with the officer's personnel record if any time was lost.

Redfern LAC also maintains its own local folder of incidents reported by the Duty Officer of the day.²⁴⁵

- 4.22** NSW Police advised the Committee that the Redfern LAC has established an Injury Review Panel:

Injuries to police are initially reported to a supervisor and investigated by a Duty Officer. Redfern Local Area Command has implemented an Injury Review Panel which meets on a regular basis. The panel consists of the Local Area Commander, an OHS representative, the Local Area Manager, the Staff Administration Officer and the Duty Officer of the day. This is in addition to the Occupational Health and Safety Committee (OH&S) which convenes monthly and reviews all injuries to police.

With regard to the Injury Review Panel, each incident is analysed separately taking into consideration the type of injury, how it occurred, its severity etc. Any OH&S concerns from the OH&S Committee are also raised, as are ways in which the injury could have been prevented. The panel also examines future action that is required to be taken to minimise or prevent the incident from reoccurring

The Panel ensures the officer receives appropriate treatment options depending on the circumstances of the incident. A range of rehabilitation programs are available to the Panel. Welfare factors are also considered and if the person is off work for some time, regular welfare contacts are made. The Region may also appoint a Rehabilitation Officer. The goal of the Panel is to return to pre-injury duties as quickly as possible. Individual officer reviews and recommendations made by the Panel are maintained in

²⁴⁴ Sergeant Huxtable, Police Association of NSW, Evidence, 8 June 2004, p13

²⁴⁵ Answers to QON taken on 25 May 2004, Superintendent Smith, NSW Police, p2

the register of injuries folder. This portfolio is the responsibility of the Local Area Manager.²⁴⁶

4.23 Superintendent Smith indicated that assaults against officers at the Redfern LAC are reviewed by the panel to 'try and stop the chance and opportunity of that happening again':

In relation to the assaults, one assault against a police officer doing the job is one too many. We try to review those assaults in our injury review panel each month to try to stop the chance and opportunity of that happening again. Unfortunately, sometimes it will, and probably will continue, but the issues of rocks and bottles and other missiles being thrown at police is also one of concern and that occurs mainly in and around the Block. We have a strong position on that, that we will not allow that to occur and arrests will be made.²⁴⁷

4.24 Mr Chilvers also provided the Committee with some statistics gathered by the Police Association:

Admittedly these are not official police documents, but from our research among members there have been 650 incidents of assault against police in the past three months...There are 125 incidents of riot and affray, where there have been potentially serious, dangerous situations for our members. Those incidents include an incident at Kempsey in which four police officers were threatened by 15 people carrying baseball bats and iron bars...These are incidents of violence against police that are reaching disturbing levels across the State. They are certainly exhibited very openly and publicly in Redfern, but they are serious problems facing the whole community, and it is something that requires a full community response.²⁴⁸

4.25 Sergeant Huxtable proposed, during evidence to the Committee, that a new system of reporting and registering violence against police be established so that the full extent of such incidents can be recorded:

One of the other recommendations we made was adequate reporting of violent incidents. Greg touched on that. It is difficult to get any definitive figure, because there is no way of capturing this data. We need a system on the COP system which records violence against police. Under the present system, if someone throws a brick and smashes your police car, it is malicious damage. If someone throws a bottle or something near you, which happens often at the Block, it is a form of intimidation; we record it as some form of thrown missile. These are all acts of violence and intimidation against police. We need them under one distinct heading, so that you can record all those different levels, from calling you offensive names right down to serious assault on police, so that we can readily capture this data and produce it.²⁴⁹

4.26 The Committee has found the evidence relating to violence against police working at the Redfern LAC to be a matter of concern. The Committee accepts the evidence presented by both the Police Association of NSW and NSW Police that, in general, the level of violence is similar to that experienced in a number of LACs. We have found it difficult, however, to

²⁴⁶ *ibid*

²⁴⁷ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p31

²⁴⁸ Mr Chilvers, Police Association of NSW, Evidence, 8 June 2004, pp13-14

²⁴⁹ Sergeant Huxtable, Police Association of NSW, Evidence, 8 June 2004, p14

gain a clear picture of the nature and extent of violence against police in the Redfern LAC and this is due in part to the lack of a specific method of recording assaults on police. We agree that NSW Police should keep detailed and accurate records of incidents of violence against officers sustained in the course of duty in all LACs.

4.27 The Committee notes that included in the initiatives to improve policing in the Redfern LAC recently announced by the Minister, is a review of the existing police computer systems for recording violence against police:

The classification of incidents of violence against police in the Computerised Operational Policing System (COPS) will be reviewed to ensure police officers can readily record acts of violence against them and/or police property. This is to enable accurate and timely analysis of such offences and development of appropriate tactics to protect the police and their property from attack.²⁵⁰

4.28 The Committee agrees that the review announced by the Minister is necessary. We are also of the view that the existing databases where information about assaults on police can be captured, as explained by Superintendent Smith, are not adequate. The Committee believes that a specific system of recording incidents of violence against police sustained in the course of duty should be established. The system should enable the type and location of each incident to be recorded, as well as the details of the officer(s) concerned, to allow statistics to be collated and monitored in relation to each LAC and State-wide and to allow comparisons to be made.

Recommendation 10

That the Minister for Police establish a specific system of recording incidents of violence against police sustained in the course of duty. The system should enable the type and location of each incident to be recorded, as well as the details of the officer(s) concerned (and any other relevant details). The system should enable statistics to be collated and monitored in relation to each Local Area Command and State-wide and comparisons between Local Area Commands to be made.

4.29 The Committee notes that the Minister also announced a review of legislation relating to deliberate acts of violence and civil disorder towards police, including the adequacy of existing offences and penalties for throwing missiles at police. The Minister's announcement stated that Redfern police had identified that the offences currently available to NSW Police in cases where offenders deliberately throw objects at police officers and police vehicles are inadequate.²⁵¹

²⁵⁰ Hon J Watkins MP, 'Enhanced Policing in Redfern 2004, 32 Strategies and initiatives to improve policing in Redfern Local Area Command', 16 July 2004, Item 30

²⁵¹ *ibid*, Item 27

Preventing violence against police and minimising harm

4.30 The Committee is aware that violence is in some respects an inevitable part of policing, due to the physical contact officers are at times required to have with suspects and offenders and, as pointed out by the Police Association, the pattern is reflective across the State. In this regard, Deputy Commissioner Madden advised the Committee of the training and equipment all police receive to prepare them for violent incidents:

We try and prepare officers to deal with that type of event right from their training at the New South Wales Police College in terms of defensive tactics. In terms of the provision of the best equipment we can possibly have, and that includes the extendable batons, which each officer carries, it includes OC spray as an alternative to the lethal force which is provided by the Glock. Other preventative tactics, training and techniques which are as each officer undertakes a mandatory component every year. So every officer in New South Wales, operational officer, undertakes a mandatory package of defensive package training, and that includes the use of their weapon, OC, the baton and various spontaneous knife defences, etcetera, defending themselves against people attacking them with knives.²⁵²

4.31 Superintendent Smith also noted that officers receive additional training at the Redfern LAC:

Sometimes the severity of those assaults are quite frightening. However, policing is a contact sport and they turn up every day. We provide additional training as best we can for police in terms of Redfern of OC spray. They have riot training. We have the riot equipment available to them at the police station—we are the only police station in the State to have that additional equipment.²⁵³

4.32 In relation to training and equipment specific to the Redfern LAC, Deputy Commissioner Madden also stated:

In Redfern specifically we have identified that they will be exposed to or could be exposed to riotous behaviour and as a result over the last twelve months we have commenced in undertaking a riot training course. It is not the full operation support group course, which goes for two weeks, but it is a familiarisation with riot techniques, crowd behaviour, crowd psychology, familiarity with the equipment, the shields, the batons, the helmets and other equipment that are available to them. We then have the back up of supervisors and a range of other people with the best radio communication we can provide. Recently there was a criticism that there was a black spot in and around the Block and within a very short time we had our technicians down to identify that there was no black spot, so we are trying to ensure the best possible officer safety for those officers in the field.²⁵⁴

4.33 While the additional training received by officers at the Redfern LAC no doubt assists their ability to deal with violent incidents, the Committee is concerned, however, that the kind of violence levelled at police officers in Redfern is symptomatic of the damaged relationship

²⁵² Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, pp71-72

²⁵³ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p31

²⁵⁴ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, pp71-72

between police and the Aboriginal community. One officer stated: 'I would like to come to work without being hassled and threatened not only because of the uniform that I wear, but because of the colour of my skin'.²⁵⁵ As noted in the introduction to this chapter, the Committee intends exploring the relationship between the police and the Aboriginal community in the next stage of its Inquiry.

- 4.34** Sergeant Huxtable commented in his submission that '[u]nfortunately the prevailing view amongst police is that such violence is part and parcel of working at Redfern'.²⁵⁶ In taking exception to this view he argued:

The government and the police force have an obligation to ensure that the police who arrive to work each day at Redfern, and for that matter at any location in New South Wales, are protected from foreseeable danger. In that regard the police at Redfern have been let down badly by both authorities. Many from both of those agencies speak of supporting Redfern Police however there is no evidence that that support extends beyond the oratory.²⁵⁷

- 4.35** Sergeant Huxtable also argued that the establishment of a full time Operational Support Group (OSG) would assist in minimising the violence perpetrated against police. In this regard he stated: '[o]ne of the issues is a permanent OSG—qualified operational police circulating the metropolitan area, trained to deal with violent incidents, limiting the violence directed against police'.²⁵⁸ The proposal to establish an OSG is examined elsewhere in this chapter.

- 4.36** The Committee has been advised that the frequency of violence against police, and the severity of some assaults, is having a negative impact on the morale of officers. The level of distress felt by some officers was clear in some of the submissions. One officer who described four major incidents of violence against himself and his colleagues advised the Committee that violent incidents and the way they were handled created a sense of disillusionment:

These four major incidents highlight how volatile the areas were. I'm not saying the Police are without blame either. I think that the way these situations were handled both during and after left a lot to be desired. Senior Police by withdrawing and containing these situations were more thinking of the criticism that would come as a consequence of their action instead of dealing with the situation at hand. This resulted in police like myself becoming disillusioned. I felt that in my whole time in Redfern the problem was never addressed. Rather it would be 'band-aided' in the hope that it would never happen again.²⁵⁹

- 4.37** The Committee is concerned about the effects of violence against police on the morale of officers and their long-term mental health. The Committee did not receive any information about counselling and support services available to officers at the Redfern LAC. It is the

²⁵⁵ Submission 44, name suppressed at request of author, p11

²⁵⁶ Submission 29, Huxtable, p2

²⁵⁷ *ibid*

²⁵⁸ Sergeant Huxtable, Police Association of NSW, Evidence, 8 June 2004, p14

²⁵⁹ Submission 28, Name suppressed at request of author, p3

Committee's view that the Redfern LAC needs to ensure that its officers are properly counselled and debriefed after serious incidents.

- 4.38** The Committee believes that a review of the level and type of violent incidents against police officers in the Redfern LAC should be conducted to ascertain the precise extent and nature of the problem and to identify measures to minimise acts of violence against police. The review should compare Redfern with other LACs where violence against police is similarly a problem. The Committee also believes that NSW Police should take into account the level of violence against police, and the outcome of the review, when considering the allocation of resources to the Redfern LAC.
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Recommendation 11

That the Minister for Police initiate a review of the level and type of violent incidents against police officers in the Redfern Local Area Command over the past 10 years, in order to ascertain the precise extent and nature of problem and to identify measures to minimise the number of violent acts against police officers. The review should compare Redfern with other Local Area Commands where violence against police is similarly a problem.

Recommendation 12

That NSW Police take into account the level of violence against police when considering the allocation of resources to the Redfern Local Area Command in the future.

Police resources

- 4.39** The terms of reference require the Committee to examine police resources in the Redfern and Waterloo areas. As Redfern and Waterloo fall within the Redfern LAC, the Committee has therefore focused on the resources of that local area command. This section examines several resource issues including the state of the Redfern Police Station, the number and experience of officers assigned to the Redfern LAC and the Police Association's proposal to establish a permanent full-time OSG.

Redfern Police Station

- 4.40** Several submissions, particularly from officers stationed at the Redfern LAC, stressed that the Redfern Police Station located in Turner Street, Redfern is desperately in need of an upgrade. One Senior Constable stated that 'the condition of the station is atrocious with cramped conditions and flea ridden carpet. Airconditioning fails, holes in the ceiling with water dripping over wires.'²⁶⁰ The dilapidated state of the station was also raised by Mr Charlie Richardson, Coordinator of the Inner Sydney Regional Council for Social Development, who also noted the effects on officers and visitors:

²⁶⁰ Submission 72, name suppressed at request of author, p2

Redfern police station is horrible. The sooner it can be moved to more suitable premises, the better. The current state of the police station building does nothing to help retain police officers, and nor does it inspire confidence in visitors.²⁶¹

- 4.41** The Government's submission acknowledges that the station is '...inadequate for the number of officers who are attached to the Redfern LAC and it fails to meet appropriate occupational health and safety standards.'²⁶² The submission also advises that planning for a new station in the TNT Tower located near Redfern Railway Station is currently underway and it is expected to be operational in early 2005:

...the Department of Commerce has secured, on behalf of the Police Department, a five year lease with three times five year options on at least six floors of the western TNT tower. The final number of floors is dependent on the outcome of Strike Force Coburn. The new station is expected to be operational by early 2005.²⁶³

- 4.42** In June 2004 the Minister for Police, The Hon John Watkins MP, announced that \$5.6 million has been allocated for the Redfern Police Station upgrade.²⁶⁴ The new station was described by the Minister, in response to a question without notice in the Legislative Assembly, as follows:

The project will deliver the modern, custom built police station they have been waiting for, a station they so richly deserve. The new Redfern police station will be right where the officers want it. It adjoins other local services and the train station. It has a bird's eye view of the Block. The proposed lease and fit-out will provide six floors of the former TNT Tower, secure undercover parking for police, extended ground floor space with security features including bullet proof glass, air conditioning, a secure van dock, secure designated lifts for police and prisoners, and an external ramp to ensure access for disabled visitors.²⁶⁵

- 4.43** Several submission makers expressed support for moving the station to the prominent TNT Tower.²⁶⁶ The Committee also notes that the Government's submission maintains that the position of the new station will contribute to increased safety in the area:

The proposed relocation of Redfern Police Station to the TNT Tower would have an immediate benefit to safety in the Town Centre precinct. The TNT Tower is in a prominent position located between Redfern Station and the main shopping Streets.²⁶⁷

- 4.44** The Committee is also aware that the location of the new station, which will allow police to have a 'birds-eye view' of the Block, is causing consternation among some in the local Aboriginal community who already feel they are subject to intense surveillance. In this regard the Redfern Legal Centre stated that '...the whole Block community experiences

²⁶¹ Submission 70, Mr Richardson, Coordinator, Inner Sydney Regional Council for Social Development, p2

²⁶² Submission 55, NSW Government, p303

²⁶³ *ibid*

²⁶⁴ Hon J Watkins MP, Minister for Police, 'Police Stations Master Plan Begins', *Media Release*, 22 June 2004

²⁶⁵ Legislative Assembly, New South Wales, *Hansard*, 19 March 2004, p41

²⁶⁶ For example, Submission 1, Mr James Walsh, p2, Submission 13, Mr Stephen Gale, p2 and Submission 42, Aboriginal Housing Company, p2

²⁶⁷ Submission 55, NSW Government, p196

intense surveillance. There is a continuous police presence at Redfern Station end of Eveleigh Street and frequent police vehicle movements through the area.²⁶⁸ Reverend Crews, Chairman of the Exodus Foundation, put the issue in an historical context:

There is also in a way a blindness to the suffering that a lot of people have got. I was just coming up here and I was driving across the Block. There were all these police at the top of the Block. I was talking to one of the Aboriginal people from the stolen generation and he and his friends, as young kids, used to swim in a river. On the hill overlooking the river were the welfare. Every now and then the welfare would come down and pluck out a kid and put him in Kinchela or somewhere like that. Now you have these people who are in their forties and fifties now. When they see the welfare or the authorities on the top of a hill, their minds go back to when they were kids. ... Doing that just causes more riots because it brings back all the pain that these people suffer.²⁶⁹

- 4.45** The Committee is mindful that the position of the new station may exacerbate the existing unease that many in the Aboriginal community have about over-policing. Care must be taken to minimise the feeling of constant supervision experienced by the Block community, in order to promote constructive relationships between the police and the community and a much-needed sense of autonomy. The Committee is aware that the great difficulty lies in achieving this and balancing it with vigilant policing. These issues will be explored in the next stage of the Committee's Inquiry.

Staffing

- 4.46** Several staffing issues at the Redfern LAC were brought to the attention of the Committee in submissions and in evidence. In this section the Committee examines staff numbers, staff turnover and the level of experience among officers.
- 4.47** Other staffing issues, including the employment of Aboriginal police officers and the role of Aboriginal Community Liaison Officers, have also been raised with the Committee. As noted previously, the Committee intends to examine the relationship between the police and the Aboriginal community in the second stage of its Inquiry and will include Aboriginal staffing issues within that analysis.

Staffing levels

- 4.48** The number of officers stationed at the Redfern LAC was criticised by several submission makers. For example, in his submission Sergeant Huxtable argued that '[t]he only way that crime can be reduced in Redfern, in the short time, is by an increase in police numbers. At present there are insufficient police to provide either a physical deterrent or to solve crimes committed.'²⁷⁰ In addition, Sergeant Frank Reitano, the Redfern Branch Delegate of the Police Association, argued in his submission and in evidence that there are not enough

²⁶⁸ Submission 50, Redfern Legal Centre, p3

²⁶⁹ Reverend William Crews, Chairman, Exodus Foundation, Evidence, 26 May 2004, p9

²⁷⁰ Submission 29, Sergeant Huxtable, p18

officers dedicated to investigating robberies at the Redfern LAC. (Police strategies to deal with robberies are examined in detail later in this chapter.)

4.49 Deputy Commissioner Madden advised that the Redfern LAC has an ‘authorized strength’ of 164 officers (ie the number of positions in the corporate structure) and an ‘actual strength’ of 180 providing front line service in the Redfern local area command.²⁷¹

4.50 Superintendent Smith stated that while Local Area Commanders could always do with more police ‘...the reality is that they have to come from somewhere.’²⁷² He advised the Committee of the staffing resources currently available at the Redfern LAC, including resources that can be drawn from other areas of the State in certain circumstances.

My job as the Local Area Commander of Redfern is to manage with the police and resources I have available to me. We are at full strength. We have 164 officers, and that moves up to 180 if we include our overstrength probationers. Basically that includes our mounted police unit as well. I have the ability to deploy that group throughout the week on intelligence-based reports, and we do that. Beyond the local capacity, I can also approach the region and we have access to a range of resources there from the transit police to the dog squad, the robbery unit, anti-theft and Vikings.

Beyond that we have State resources that I can call on through the State crime command on agreement by the deputy. We have enough police to get the job done. In June last year the deputy granted us eight additional police. Those police form Operation Concertina, which is a high visibility operation in and around Redfern railway station. I have the police; it is my job to ensure they are effectively deployed. I believe we do that. If I need additional resources I can call on them.²⁷³

4.51 Some inquiry participants expressed the view that community liaison officer numbers needed increasing rather than the number of sworn officers. In this regard, Mr Tony Pooley, Councillor for the City of Sydney, argued that:

While Council acknowledges that the incident on Lawson Street on 15th February was unfortunate, it is suggested that committing more resources to Police in community liaison roles (including upgrading such positions to the sergeant level) especially Aboriginal Community Liaison Officers, and increasing dialogue with the local Aboriginal leaders may be beneficial in developing a more culturally appropriate policing model for the area.²⁷⁴

4.52 Views were also expressed that increasing staff numbers of itself would not necessarily reduce crime or improve policing in the area. For example, the Aboriginal Medical Service (AMS) argued that an increase in staffing numbers was only a ‘partial solution’:

A major strategic objective of policing in Redfern/Waterloo ought to be the arrest of local drug dealers, the identity of whom is known in many cases. In our view, there would be little point in a significant increase in police numbers in the Redfern Waterloo area unless this happens. We also say that an increase in the number of

²⁷¹ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p52

²⁷² Superintendent Smith, NSW Police, Evidence, 25 May 2004, p19

²⁷³ *ibid*

²⁷⁴ Submission 45, Mr Pooley, City of Sydney Council, p6

police per se is only a partial solution. Of critical importance is a very substantial increase in the community resources to address the service gaps highlighted in this submission.²⁷⁵

- 4.53** The Committee notes that, as well as the AMS, several other inquiry participants expressed frustration at the relative failure of the Redfern LAC to successfully arrest and charge known drug dealers. The Committee intends to examine the issue of police strategies to deal with drug related crime in the second stage of its Inquiry. The Committee notes its agreement with the comments made by the AMS that an increase in police presence is only a partial solution.
- 4.54** Despite claims that the number of officers at the Redfern LAC needs to be increased, insufficient evidence was presented for the Committee to draw the conclusion that the Redfern LAC is understaffed in total. The Committee also notes the comments made by NSW Police (which are borne out by the BOCSAR statistics) that the level of most crimes perpetrated in the area has either reduced or stabilised. The Committee is conscious of the warnings from members of the Aboriginal community that over-policing can increase tensions. We also agree that there is a need for more community liaison officer roles at Redfern. The Committee is also wary of assuming that an increase in human resources, particularly in rank and file officers, will in itself will reduce crime and improve policing generally.
- 4.55** The Committee notes that the recent initiatives announced by the Minister for Police included an increase in staff at the Redfern LAC to 'around 220'.²⁷⁶ This increase is made up of a range of new positions, secondments and transfers of positions into the Redfern LAC, as summarised below.
- **5 permanent duty positions:** NSW Police will allocate an additional five permanent general duty positions to Redfern, to be filled by experienced officers. In six months a further review will be conducted of general duties staffing levels.²⁷⁷
 - **4 criminal investigation positions:** Three sergeant positions (Investigations Manager, Crime Coordinator and Criminal Investigation Team Leader) and a constable position will be allocated to criminal investigation. The NSW Police Workforce Planning Unit reviewed Redfern LAC and recommended an increase in positions from 164 to 168, with a focus on criminal investigation capabilities.²⁷⁸
 - **6 criminal investigators seconded:** Six criminal investigators to be seconded to Redfern LAC, to target serious drug and robbery crime, for 6 months minimum.²⁷⁹
 - **12 officers for Operation Concertinas:** Operation Concertinas is to be retained, and the number of officers assigned to the operation is to be increased by 12, to a total of 20 officers.²⁸⁰ (Operation Concertinas is discussed in paragraph 4.132)

²⁷⁵ Submission 47, Aboriginal Medical Service, p5

²⁷⁶ Hon J Watkins MP, Minister for Police, 'Redfern Crime Plan: Enhanced numbers, training, response and relations', *Media Release*, 16 July 2004

²⁷⁷ Hon J Watkins MP, 'Enhanced Policing in Redfern 2004 - 32 Strategies and initiatives to improve policing in Redfern Local Area Command', 16 July 2004, Item 13

²⁷⁸ *ibid*, Item 9

²⁷⁹ *ibid*, Item 10

- **29 TAG officers relocated to Redfern LAC:** The 29 member City Central Target Action Group will be relocated from Regent Street to the Redfern Police Station. This will result in an increase in police visibility and activity in and around Redfern Station and other “hot spots” within Redfern LAC and bordering commands with a focus on serious criminal activities including robbery and drug activities.²⁸¹

4.56 The Minister also stated that current vacancies at the Redfern LAC would be filled as a matter of priority, including one duty officer position, an unidentified number of supervisor positions and an Aboriginal Community Liaison Officer (ACLO) position.²⁸² With regard to the ACLO position the Minister stated there are currently three ACLOs with a fourth position to be filled:

ACLOs are usually recruited from within the community they will be working in to ensure they are aware of the specific cultural issues. Recruitment processes for the fourth position are underway and the position is expected to be filled by August. Having a full complement of ACLOs will substantially increase the community-police partnership approach to solving problems in the area.²⁸³

4.57 The Committee strongly supports the filling of existing vacancies as soon as possible, including the vacant ACLO position. The Committee is unclear, however, as to how many of the four ACLO positions are currently vacant. In this regard, Superintendent Smith advised the Committee on 25 May 2004 that ‘a third’ ACLO position was to be advertised ‘that week’.²⁸⁴ The Committee urges the Redfern LAC to fill all four positions as soon as possible. The role and effectiveness of ACLOs will be examined by the Committee in the second stage of the Inquiry.

4.58 The Committee, however, greets the increase in officers announced by the Minister with caution, for the reasons set out in paragraph 4.54. We are particularly mindful of views expressed that the difficult problems faced by the police in Redfern, in terms of both investigating crime and the relationship between police and the local community, cannot be solved by increased police numbers alone.

4.59 The Committee is therefore of the view that the review of the Minister’s initiatives, to be undertaken in six months time,²⁸⁵ should carefully examine the impact of the increase in officers on the ability of the Redfern LAC to investigate crime and on the local community. The review should also identify whether the new positions and secondments, and the existing vacancies, have been filled.

²⁸⁰ *ibid*, Item 4

²⁸¹ *ibid*, Item 3

²⁸² *ibid*, Item 19, 20 and 24

²⁸³ *ibid*, Item 24

²⁸⁴ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p28

²⁸⁵ Hon J Watkins MP, ‘Enhanced Policing in Redfern 2004 - 32 Strategies and initiatives to improve policing in Redfern Local Area Command’, 16 July 2004, Item 32

Recommendation 13

That the Minister for Police, as part of the six month review of the initiatives announced on 16 July 2004, carefully examine the impact of the increase in officers on the ability of the Redfern Local Area Command to investigate crime and on the local community. The review should also identify the actual and authorised strength of the Redfern Local Area Command, the number of officers on leave and whether the new positions and secondments and the existing vacancies have been filled.

Turnover of staff

- 4.60** It was suggested to the Committee that there is a high turnover of staff at the Redfern LAC. For example, one submission referred to the ‘constant stream of rookies coming through with little or no experience in dealing with Aboriginal and/or Torres Strait Islander people.’²⁸⁶ Ms Deirdre Cheers, the Senior Manager of the South East Sydney area for Barnardos, who expressed general support for the Redfern LAC, referred to the ‘rapid’ turnover of officers:

Our observation is that Redfern police are managed appropriately. The local commander there does a good job in trying to provide effective policing strategies. They are very visible in the community. We have had a lot to do with the youth liaison officer positions, as I have said, and have felt that they are very effective. Staff feel that sometimes the police presence is hampered by the rapid turnover of officers. I understand that is often a problem for numbers of government departments and for many different reasons. Turnover prevents that continuity and trust developing so, again, that is a problem.²⁸⁷

- 4.61** As to the reasons for staff leaving the Redfern LAC, a range of issues were raised. Some submissions from officers stationed at Redfern indicated that police are under stress and may be ‘burnt out’. One officer argued that there is no incentive for police to go to Redfern because the conditions they must put up with on the street and in the station itself are ‘terrible’. He also suggested that ‘...Police should provide incentive for Police at Redfern perhaps serving your tenure and be allowed a choice of their next placement.’²⁸⁸

- 4.62** Superintendent Smith expressed the view that there is not a high turnover of staff at the Redfern LAC, noting that he does not have ‘...a revolving door of police wanting to get out of Redfern. Police come there; they are committed to their job’.²⁸⁹ Similarly, Deputy Commissioner Madden advised the Committee that the turnover of staff at the Redfern LAC in the last 12 months is not disproportionate to similar LACs:

An analysis of staff movements (from SAP) between 23 June 2003 and 25 May 2004 for Redfern Local Area Command and other similar commands within the Inner Metropolitan Region demonstrates that the number of officers transferring out of

²⁸⁶ Submission 53, Confidential at request of author

²⁸⁷ Ms Cheers, Barnardos, Evidence, 4 June 2004, pp5-6

²⁸⁸ Submission 72, name suppressed at request of author, p2

²⁸⁹ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p19

Redfern LAC over the last 11 months is not disproportionate to similar size commands within the Inner Metropolitan Region. At Redfern, for Constables and Senior Constables there were 20 officers who transferred from Redfern, 8 and 12 respectively. At Surry Hills LAC there were 15 Senior Constables and 10 Constables and at northern beaches there were 7 Senior Constables and 8 Constables.²⁹⁰

- 4.63** Whether or not the turnover of staff at Redfern LAC is greater or the same as other LACs, it appears to the Committee that the lack of continuity among officers is having a negative impact on the local community. In the context of police/youth mentor programs, Mr Robert Welsh, Chairperson of the Metropolitan Local Aboriginal Land Council described the impact of the rotation of staff:

So the problem that we have, and that I had with trying to set up and structure mentor programs and that kind of stuff, is that the on-rolling, how they move in and out of the Redfern Police Station, as they get to know the community they are then pushed off and moved along. So you can set up and structure mentors but you are going to have to do it on an annual basis basically because the police are just rolling in and just moving on: bringing them into Redfern to train off their cadetships, given the quick fast-learning experience of dealing with the Aboriginal people in Redfern and then pushing them off to somewhere else.²⁹¹

- 4.64** Mr Gary Moore, the CEO of NCOSS indicated that the capacity to build relationships between the Police and the community is hampered by the ‘significant rotation of staff’:

... It is also put to us constantly that Redfern - and Waterloo, but Redfern - numbers remain below level on establishment and have done and continue to do, but one of the real issues is that it almost appears that the place becomes a dumping ground for inexperienced police who stay there very short periods of time. ... it is put to us that the capacity to build relationships, the capacity to do things in proper police community relating ways, particularly in this community, are undermined by the significant rotation of staff, by the fact that there are a number of positions that are not filled. ... that is a real concern about how you ever hope to promote strong active police community relations in these sorts of communities and build some trust and some social capital etcetera along the way.²⁹²

- 4.65** Mr Charlie Richardson, Coordinator of the Inner Sydney Regional Council for Social Development, stated that with the loss of staff comes a loss of corporate memory which also creates difficulties in building trust between the police and the community:

... much of the local police ‘population’ is also, to some extent, transient. The frequent turnover of Commanders and of police Aboriginal Community Liaison Officers is of particular concern, but other police officers also seem to move on with unhelpful frequency. We do not say this to denigrate those officers that leave. It is a difficult posting. However, it must be recognised that with a frequent turnover there is a loss of corporate memory and of the wisdom that might otherwise be built up in regard to the area in which they work. We must keep a Commander who will stay around long enough to put long term strategies in place. We must also keep

²⁹⁰ Answers to questions on notice taken during evidence 18 May 2004, Deputy Commissioner Madden, NSW Police, Qu 1, Turnover of staff

²⁹¹ Mr Welsh, Metropolitan Local Aboriginal Land Council, Evidence, 25 May 2004, p11

²⁹² Mr Gary Moore, NCOSS, Evidence, 18 May 2004, pp31-32

Aboriginal Community Liaison Officers in place long-term, because the very nature of liaison between groups that are often in conflict (Aboriginal people and police) demands it. It is necessary to build up trust, it is necessary that the personal qualities of the officer become respected.²⁹³

- 4.66** The Committee notes that the evidence provided to the Committee indicates that the turnover of officers at the Redfern LAC appears to be mainly among probationary constables.

Level of experience

- 4.67** An issue that has stood out, more so than the number of officers stationed at the Redfern LAC, is the level of experience of those officers. While some submission makers expressed support for young police officers working in Redfern and Waterloo,²⁹⁴ an overwhelming number of inquiry participants highlighted the impact that the lack of experience among officers working in the area is having on the local community.

- 4.68** For example, in its submission the Aboriginal Housing Company referred to the disrespectful and racist behaviour of some inexperienced officers toward members of the Aboriginal community:

Generally, the Redfern command deserves to be applauded for their cooperative, proactive approach to policing in this area. The efforts of the Redfern command are sometimes undermined by the stupid action of a few inexperienced police in the area. We have observed that on occasion new recruits to Redfern have shown disrespect to law-abiding members of the Aboriginal community. We have heard racist taunts and just general loutish behaviour by rookies with an Arnold Schwarzenegger attitude. The inexperience of police officers like this can really damage relations in Redfern and this issue should be addressed.²⁹⁵

- 4.69** Ms Deirdre Cheers of Barnardos expressed concern that younger officers can sometimes appear anxious:

The other observation made by Barnardos staff is that the younger police officers sometimes appear anxious about the hotspots or the troublesome areas. Again, that is not helpful, because the community perception of that is very acute and very high. Overall, I think there is a need for as experienced staff as possible to be working in those front-line sorts of positions, whatever the department is.²⁹⁶

- 4.70** Ms Helen Campbell, Director of the Redfern Legal Centre, stated that inexperienced police make 'community relations objectives challenging'. She also noted the reported behaviour of some officers at the memorial service for TJ Hickey:

... the high turnover of young, inexperienced frontline staff makes the achievement of community relations objectives challenging, to say the least. We commend the restraint of the police shown on the night of the riot. They showed courage in very

²⁹³ Submission 70, Inner Sydney Regional Council for Social Development, p2

²⁹⁴ For example, Submission 40, name suppressed at request of author

²⁹⁵ Submission 42, Aboriginal Housing Company, p2

²⁹⁶ Ms Cheers, Barnardos, Evidence, 4 June 2004, pp5-6

difficult circumstances. Were it not for the hysterical and biased media response they might even have been able to delay arrests until after the funeral. But anyone who attended the memorial service for TJ the following week, including my staff who can, if required, attest to this tribunal, would have observed inappropriate and disruptive behaviour shown by street police. This is part of an ongoing culture—a wider culture—of racism and disrespect for human rights. Redfern should not be the first police job after training school, or the place that everyone wants to get out of as soon as possible. We need experienced police who take this posting with pride. It may be with enhanced pay or promotional opportunities for those who demonstrate Aboriginal cultural training and experience.²⁹⁷

- 4.71** Ms Marcia Ella Duncan, Chairperson of the Regional Council of ATSIC, pointed out, in the context of the relationship between police and the Aboriginal community, that the focus on young inexperienced officers is not the only issue:

Certainly I agree that is an issue and it could well be a critical issue in the Redfern/Waterloo area, but do not be fooled for a minute that older and more mature police are better, because sometimes they are not and sometimes it is the older and more mature police that maintain that culture.²⁹⁸

- 4.72** As to the number of inexperienced officers, Sergeant Reitano advised the Committee that:

... in February 31 per cent of our staff were probationary constables and a further 38 per cent had less than five years service so, if my maths is right, 69 per cent of our staff had under five years service at Redfern. Obviously, that includes plainclothes and everyone else, but when you take the proportion of probationary constables to front-line general duty officers, that percentage comes probably closer to 50 per cent of our general duty staff are probationary constables.²⁹⁹

- 4.73** Deputy Commissioner Madden informed the Committee that 35% of the officers at the Redfern LAC are probationary constables (ie officers at some point within their first twelve months of service). He also stated that this percentage reflects the average in the State:

Interestingly if you look across inner metropolitan region and greater metropolitan region, that is in fact the average. The Redfern command does not stand out as an area that has a large number of inexperienced police, nor does it come out as one that has very few inexperienced police. It has the same number on average as most other commands.³⁰⁰

- 4.74** Deputy Commissioner Madden noted that the proportion of young officers is due to the recruitment of approximately two and a half thousand officers in the last few years:

That is not surprising when you think of the massive recruitment that the organization has gone through in the last few years. We have recruited some two and a half thousand officers in just a few years to rebuild our strength because we have been

²⁹⁷ Ms Helen Campbell, Director, Redfern Legal Centre, Evidence, 26 May 2004, p36

²⁹⁸ Ms Marcia Ella Duncan, ATSIC, Evidence, 18 May 2004, p39

²⁹⁹ Sergeant Reitano, Police Association of NSW, Evidence, 8 June 2004, pp3-4

³⁰⁰ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p52

falling in strength. So as a result these officers need to be trained and they do go to metropolitan commands and that is where the area of greatest need is.³⁰¹

4.75 Mr Bob Prichard, President of the Police Association expressed the view ‘...because we are the youngest police force in Australia in most local area commands we have very junior police’.³⁰² The Director of the Police Association’s Research and Resource Centre, Mr Greg Chilvers, elaborated on the issue as follows:

This is a problem we have been looking at for quite some time. A number of factors have contributed to the difficulty in terms of experience levels. Certainly one of them is that we have had a massive increase in numbers in recent years. As Mr Prichard said, we are the youngest police force in the country not only in terms of age but in terms of experience. Even though we have older people coming into the job it does not impact on experience levels. We have also had a loss in the key area of experience in supervision over many years. Part of the problem is the way the occupation is structured in terms of promotion. There are simply not enough promotional positions available for people coming up so there has been a drain from the organisation in that area as well...

There has also been a crisis, which we accept, in experience levels and retaining good investigators and detectives. We actively participated in the recent detectives review in an attempt to improve conditions for detectives so that we can retain their experience as well. There have been significant changes in the organisation in recent times. The problem of experience levels is certainly obvious in Redfern, but it is throughout the State as well.³⁰³

4.76 Sergeant Huxtable argued that the lack of experience is due to the difficulty in attracting experienced staff to the Redfern LAC:

I also want to touch on the issue of experience levels. The problem is how to attract experienced police to Redfern. We cannot. Someone asked why we did not move experienced police from Newtown to Redfern and from Marrickville to Newtown. But Newtown and Marrickville do not have any experienced police. We need to be looking at giving incentives to police to stay in Redfern for three or four more years—doing the hard yards. For example, custody manager is a sergeant's job; it is a very important job that involves looking after prisoners and custody issues. I believe that in the last two advertising rounds Redfern has had vacancies and we have not got one application. That is because it is so far down the list of people's choices. When you look at Redfern and the custody issues and the high-risk clientele—members of the Aboriginal community—it is outrageous. We cannot adequately task our command with people to perform the job.³⁰⁴

4.77 A Constable stationed at the Redfern LAC speculated in his submission to the Committee that the lack of experienced officers at the Redfern LAC was a consequence of the effects of the Wood Royal Commission and over-concern about police accountability:

³⁰¹ *ibid*

³⁰² Mr Prichard, Police Association of NSW, Evidence, 8 June 2004, p7

³⁰³ *ibid*

³⁰⁴ Sergeant Huxtable, Police Association of NSW, Evidence, 8 June 200, p9

The level of policing experience within the Redfern Command is extremely junior and inexperienced, which results in flawed investigations, crime control and supervision of staff in general. This occurs in many Policing Commands and I believe is a result of the Wood Royal Commission into Policing in NSW as the effects are still being felt from this Inquiry. Senior Police have left the NSW police Force leaving a substantial experience gap between management and operations. Another symptom of this is that the NSW Police is too concerned with Policing accountability and corruption than actual policing. As a consequence officers are being promoted who show a more organisation minded approach to policing than officers who prove themselves time and time again in actual operational policing successes. This proves a general failure of Police hierarchy in understanding core policing failures.³⁰⁵

4.78 The Committee accepts that the level of experience among officers at the Redfern LAC may be similar to other LACs. The Committee also notes the reasons for the high proportion of junior officers State-wide. The Committee's concern, however, is the impact of that lack of experience in the particularly troubled area of Redfern and Waterloo.

4.79 In this regard, Mr Clive Small expressed the view that '...while the police as a whole has a high proportion of very junior and inexperienced officers, the impact of this is far greater on the more difficult commands such as Redfern'.³⁰⁶ Similarly, Sergeant Reitano stated that '[it] is probably not very different from other commands but in a LAC such as Redfern, with the sorts of problems that it has, it could perhaps be beneficial to have police with a little bit more experience in the suburb'.³⁰⁷

4.80 The senior management of the Redfern LAC contended in evidence to the Committee that, while many of its officers are inexperienced, they are enthusiastic and are provided with adequate support. For example, Detective Inspector Darren Bennet, the Crime Manager at Redfern LAC stated that in relation to the level of experience: '...it is very junior but they are second to none in the State in their enthusiasm and skill level'.³⁰⁸ Deputy Commissioner Madden, also argued that probationary constables in Redfern become experienced very quickly:

I suppose the question is, are there a large number of young officers, inexperienced officers at Redfern. Probably the command and many others would argue that an officer in Redfern after a very short period of time is an experienced officer. They work alongside experienced officers. There are excellent supervisors within the commands. There are excellent field training officers. There are excellent detectives and there is good supervision and leadership in the command. Whilst there may be a large number of probationary constables, I believe that a probationary constable who serves at Redfern will be a very experienced officer in a very short period of time.³⁰⁹

4.81 Superintendent Smith described to the Committee the type of support that senior officers provide to the junior recruits:

³⁰⁵ Submission 24, name suppressed at request of author, p12

³⁰⁶ Submission 80, Mr Clive Small, p6

³⁰⁷ Sergeant Reitano, Police Association of NSW, Evidence, 8 June, p5

³⁰⁸ Detective Inspector Darren Bennet, Crime Manager, Redfern, NSW Police, Evidence, 25 May 2004, p40

³⁰⁹ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p52

About 35 per cent of police are in their first year and probably half have less than five years service. With that youthfulness and enthusiasm comes the sprinkling of experience that I provide. The team leaders are sergeants of police, and they are on every shift. They are available and they go out in the field with the constables. Above that I have a duty officer, who is an inspector of police and who ran police stations seven years ago. The duty officer is there around the clock to provide leadership for junior police in Redfern-Waterloo. We have senior police on duty throughout the day and night, seven days a week, to work with police who may not necessarily have years of service but are still committed to do the job.³¹⁰

4.82 It is clear to the Committee that despite this support, the level of inexperience among officers stationed at Redfern LAC creates problems, especially for the Aboriginal community, as noted in paragraphs 4.67-4.71. Various measures to encourage officers to stay at Redfern and to increase the level of experienced officers were posited in submissions and in evidence. At one end of the spectrum, the Redfern Legal Centre recommended in its submission that ‘inexperienced police should not be posted to Redfern’.³¹¹

4.83 Mr Bob Prichard, President of the Police Association, stated that the Association is advocating ‘...that we must get very experienced supervisors, especially into areas such as Redfern’.³¹² The Police Association also argued that more training is required:

Police new to the command should receive a reasonable in depth orientation to the community and relevant issues. Selection of officers to police in an area with the specific problems of Redfern and Waterloo should ensure that those police are sensitive to the needs of the community and are trained in the unique policing strategies that are required. These officers should have an understanding of the cultural differences of the local community. This strategy has been used successfully in other commands such as Cabramatta, where the local community cultural mix requires particular understanding from police.³¹³

4.84 An officer stationed at the Redfern LAC suggested that ‘...officers at Redfern should be stationed there for a fixed tenure, of perhaps 4 years. At the end of this period of tenure the officer can elect to be transferred, although this should not be forced’.³¹⁴

4.85 Some submission makers proposed incentives to encourage officers to stay at Redfern for longer periods. For example, Mr Richardson of the Inner Sydney Regional Council for Social Development proposed that incentives should be offered to reduce the turnover of staff and increase experience levels:

To keep officers in place may require incentives for them to stay. It is not an easy posting. Therefore it may be necessary to add a ‘loading’ to the pay of officers in difficult postings such as Redfern and Waterloo, and/or to award points toward

³¹⁰ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p19

³¹¹ Submission 50, Redfern Legal Centre, p3

³¹² Mr Prichard, Police Association of NSW, Evidence, 8 June 2004, p7

³¹³ Submission 59, Police Association of NSW, p8

³¹⁴ Submission 43, confidential at request of author

promotion or transfer to more attractive postings for those who stay for a period of, say, five years or more.³¹⁵

- 4.86** Senior Constable Shannon White suggested that officers who stay at Redfern for a certain length of time should be eligible for favourable transfers:

I propose that Redfern be classified as a disadvantaged station, allowing officers who work there for a certain period of time be given special consideration in relation to the Tenure and Transfer Policy. I have worked in the inner city area for seven years and because of the current Tenure and Transfer Policy, I will not be considered for a position at a station close to my family. The issue in relation to Redfern having special consideration in relation to the Tenure and Transfer Policy was raised and supported at the Association Meeting of the Redfern Branch after the riot.³¹⁶

- 4.87** It was suggested to the Committee that a change in the ranking of the Redfern LAC from a Level 2 LAC to a Level 1 could impact on the level of experience among its officers. Local Area Commands are ranked from Level 1 to Level 3. The rankings are relevant to the rate of pay accorded to senior officers. The NSW Police Association has recommended that the Redfern LAC be upgraded to a Level 1 command:

We have been advocating—and this is one of the major focuses of our next enterprise bargaining—a remuneration model that will attempt to retain that experience level so that people can be rewarded for staying as operational police officers at a supervisory level without having to move out of that in the promotional scheme. This is a very significant issue for us and it is an issue that the other police agencies throughout the country will face at some stage as well.³¹⁷

The status of Redfern and a number of other LACs was the subject of a NSW Police evaluation committee which met over 4 days resulting in a report dated August 2003. The Police Association was represented on this committee, as is the normal practice. It was recommended that 5 LACs, including Redfern be upgraded from Level 2 to Level 1, a further 4 LACs be upgraded from Level 3 to Level 2 and 2 LACs be downgraded from Level 1 to Level 2. At this point the recommendations of the committee have not been acted on (we presume due to financial implications – around \$400,000 pa).³¹⁸

- 4.88** The Police Association advised that the upgrade would mean that senior positions would be upgraded without providing any more resources or numbers:

The effect of this change would be to provide more senior positions (and pay) to the Command Management Team. The Commander, Duty Officers (Inspector to Chief Inspector), Crime Manager (Inspector to Chief Inspector), Crime Coordinator (Sergeant to Senior Sergeant) and Investigations Manager (Sergeant to Senior Sergeant) would all be upgraded. It would not of itself provide any more resources or numbers. It would however, ensure equity in status and pay based on the complexity of the managerial roles, as it would arguable recognise those Commands that are more

³¹⁵ Submission 70, Inner Sydney Regional Council for Social Development, p2

³¹⁶ Submission 82, Senior Constable Shannon White, p2

³¹⁷ Mr Prichard, Police Association of NSW, Evidence, 8 June 2004, p7

³¹⁸ Correspondence from Mr Greg Chilvers, Director, Research and Resource Centre, NSW Police Association, to Committee, 10 June 2004

challenging. The evaluations are based on Hay methodology and attempt to objectively compare the positions in the Local Area Commands based on an overall complexity of the job being done.³¹⁹

4.89 The Police Association argued that an upgrade would ensure that the best officers were attracted to the Redfern LAC:

An upgrading would attract the best and most senior officers to managerial positions and therefore serve to provide greater assistance to more junior officers. It would serve to act as an incentive to attract and retain such officers to places such as Redfern, which are generally difficult to fill. We believe that the recommendations of the evaluation committee should be implemented as a part of the overall strategy to better support officers in difficult and challenging locations.³²⁰

4.90 Ms Clover Moore, Member for Bligh, advised the Committee that she has previously lobbied for the upgrade:

When Commissioner Ryan was the Commissioner of Police he downgraded commands like Kings Cross and Redfern without any reference to the local community or to me as the local member. So I followed up by making representations to John Watkins, and I asked that he return to level 1 Kings Cross, Surry Hills and Redfern. That was because all those commands deal with complex social problems that impact on policing and that are not captured in the mathematical formulae. It was because of the nature of the work they do in those commands and the intensity and complexity.³²¹

4.91 As the preceding discussion illustrates, the level of experience among officers at the Redfern LAC and the related issue of police turnover received a great deal of comment during the first stage of the Committee's Inquiry. The Committee is concerned about the impact that the level of experience is having on members of the local community, particularly the local Aboriginal community.

4.92 The Committee did not receive any comments to the effect that new or young officers were failing to undertake their core policing duties adequately.

4.93 The Committee notes that the Minister's announcement included two initiatives to address the level of experience among officers at the Redfern LAC. First, the Minister announced that the Commissioner's Executive Team has endorsed "Directed Transfers" to increase experience levels within the Redfern LAC:

The Executive recognises the immediate need to place experienced officers at Redfern to stem the number of robberies and related offences occurring. ... In May this year, the Region Commander, Assistant Commissioner Bob Waites, directed the transfer of four experienced investigators from other commands to work at Redfern to meet these important and immediate community needs. This approach will continue to ensure experience levels remain high.³²²

³¹⁹ *ibid*

³²⁰ *ibid*

³²¹ Ms Moore, Mayor of City of Sydney and Member for Bligh, Evidence, 25 May 2004, pp77-78

³²² Hon J Watkins MP, 'Enhanced Policing in Redfern 2004, 32 Strategies and initiatives to improve policing in Redfern Local Area Command', 16 July 2004, Item 11

4.94 Second, the Minister announced a 12 month suspension on the placement of probationary constables at the Redfern LAC, stating:

NSW Police has grown substantially in recent years resulting in the placement of many probationary constables at Redfern and other commands. Submissions from the NSW Police Association and community organisations to the NSW Parliamentary Inquiry into government services at Redfern and the intensity of the riot at Redfern in February justify this special measure.³²³

4.95 The Committee strongly supports the 12 month suspension on the placement of probationary constables at the Redfern LAC. The Committee feels that the experience level of officers stationed at Redfern is an issue of great importance and believes the Minister should, as part of his review of all the initiatives in his package in six months, pay particular attention to this issue. The Committee also intends further examining the issue of experience among officers in the context of the relationship between police and the local Aboriginal community in the second stage of the Inquiry.

Recommendation 14

That the Minister for Police, as part of the six month review of the initiatives announced on 16 July 2004, carefully re-examine the level of experience among officers stationed at the Redfern Local Area Command, including:

- whether it is in the interest of the Redfern Local Area Command and the local community to extend the suspension of the placement of probationary constables beyond the initial 12 month period
- whether any ‘directed transfers’ have been made
- whether any other measures or incentives to encourage officers to go to the Redfern Local Area Command and/or to remain there for a constructive length of time are necessary.

4.96 The Minister also announced two initiatives relating to the relationship between police and the Aboriginal community. As the evidence received by the Committee indicated that the inexperience of some officers was impacting negatively on the Aboriginal community, these initiatives are discussed briefly below. The Committee notes, however, that a full examination of the relationship between the police and the Aboriginal community will be undertaken in the second stage of the Inquiry.

4.97 First, in addition to Aboriginal cultural awareness training provided to new recruits at the Police College, police at the Redfern LAC will undergo additional cultural awareness training. The Minister stated that ‘training developed in consultation with local Aboriginal community leaders, organisations and police will strengthen relations and maximise outcomes for police and the Aboriginal community in Redfern.’³²⁴

³²³ *ibid*, Item 12

³²⁴ *ibid*, Item 14

4.98 The Committee was advised by Superintendent Smith in evidence that officers new to the Redfern LAC currently undergo Aboriginal cultural awareness training and a new training program is to commence in June next year:

New police officers have a four-day induction period, which includes some hours spent talking to Aboriginal community liaison officers [ACLOs] about local Aboriginal issues. Barry Williams, a civilian officer who comes from the academy, trains all people in Redfern about traditional Aboriginal awareness and cultural issues. Half the staff members have gone through that training and the other half will complete their training in June. We are starting a new Aboriginal program with Tranby College in June next year.³²⁵

4.99 It is unclear whether the Minister's announcement refers to training in addition to that described by Superintendent Smith. Several submission makers and witnesses raised the issue of Aboriginal cultural awareness training and the Committee intends to examine this in the context of the relationship between the police and the Aboriginal community in the second stage of the Inquiry. On the basis of the evidence presented to the Committee so far we strongly support additional cultural awareness training for officers at the Redfern LAC.

4.100 The Minister also announced that Superintendent Smith, as the Redfern Local Area Commander, will be 'strongly supported' in his current initiative to implement Local Area Command Aboriginal Consultative Committees (LACACCs), an initiative recommended in the *NSW Police Aboriginal Strategic Direction 2003-2006*:

As stated in the NSW Police Aboriginal Strategic Direction, solutions to many of the crime problems confronting Aboriginal people are best identified by their community and resolved through a working partnership with police. Redfern LAC is currently discussing with Aboriginal people the best ways to establish and develop new senior and youth advisory committees that can demonstrate and deliver long-term, consistent attention to the concerns and needs of Aboriginal people. ...The new committees will maximise the police and community partnerships approach to problems in the area.³²⁶

4.101 The Committee supports the concept of the LACACCs and is interested to learn the outcomes of the current discussions between the Redfern LAC and local Aboriginal people about the best ways to establish the LACACCs, to which the Minister refers. Once the senior and youth LACACCs are established, the Committee looks forward to receiving feedback from them in the second stage of the Inquiry. The Committee also notes that the Minister's initiatives relating to youth liaison officers appear to be a positive step toward improving the relationship between the police and the large youth population in Redfern.³²⁷

4.102 With regard to the *Aboriginal Strategic Direction*, the Committee notes that in evidence Ms Brenda McDonnell, the Coordinator of the Aboriginal Catholic Ministry, expressed concern that the document had not been implemented:

³²⁵ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p28

³²⁶ Hon J Watkins MP, 'Enhanced Policing in Redfern 2004, 32 Strategies and initiatives to improve policing in Redfern Local Area Command', 16 July 2004, Item 15

³²⁷ *ibid*, Items 22 and 23

...what fell into my lap and a colleague's lap was the report *Aboriginal Strategic Direction for 2003-2006*. I am sorry, but the Aboriginal community were not aware of this. If this were implemented, it would be wonderful. But it is like any other report on the stolen generation, the removal of children, and deaths in custody. I have consulted so many Aboriginal communities and come up with so many reports, but they have not been acted upon. That is why I am really concerned about this report as well.³²⁸

- 4.103** 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 15

That the Minister for Police undertake an audit of the implementation of the initiatives contained in the *NSW Police 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 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 *NSW Police Aboriginal Strategic Direction 2003-2006*.

Proposal for an Operational Support Group

- 4.104** In submissions and in oral evidence to the Committee the Police Association and a number of individual police officers called for the establishment of a permanent full-time Operational Support Group (OSG).
- 4.105** An OSG is a network of officers with particular training to respond to special situations including protests and demonstrations, chemical, biological and radiological emergencies and security needs at court complexes.³²⁹ The Committee was informed that currently a

³²⁸ Ms Brenda McDonnell, Coordinator, Aboriginal Catholic Ministry, Evidence, 7 June 2004, pp23-24

³²⁹ Submission 55, NSW Government, p371

single part-time OSG services the State. The Government submission describes the current OSG as follows:

The unit participates in both reactive and proactive policing strategies, including high visibility policing (HVP) operations within the city area and crowd management situations including protests and demonstrations. They also contribute to Vikings Operations in the Inner Metropolitan Region, Greater Metropolitan Region and Southern Region. The unit is also involved in local proactive operations conducted by LACs and ceremonial engagements. This unit falls within the responsibility of the Redfern LAC.³³⁰

4.106 The Committee was advised that the Police Association has recommended that '[t]here should be a permanent OSG readily available to the Redfern LAC, or have as many police as possible that are attached to Redfern receive similar training to the OSG'.³³¹ The Police Association's submission described the proposal as follows:

The role of a permanent full-time OSG is to provide state-wide operational support on a 24-hour basis to Local Area Commands and Regions in situations falling within the charter of the OSG. The specially trained and equipped personnel can be deployed to attend to complex operations or situations beyond the normal function of police in the area of incident. A permanent full-time tactical presence is required immediately in the metropolitan area. The high level of violence directed at police at "The Block" and the potential for that violence to escalate require the support of trained operatives who can respond in a timely manner.³³²

4.107 Mr Greg Chilvers, Director of the Police Association's Research and Resource Centre, elaborated on the proposal in evidence to the Committee:

We propose to have a permanent, full-time operational support group to provide statewide operational support on a 24-hour basis to local area commands and regions, for example, at events where large crowds are anticipated, at protests and demonstrations, supporting policing operations during emergency incidents, and so on. Given that the majority of these sorts of events occur in the metropolitan area it is our proposal to have the OSG basically stationed in the metropolitan area but to have people at all the hot spots particularly trained in OSG operations and with the ability to call people out on a 24-hour basis to support police in these situations....

It is particularly for large-scale crowd control. Officers are trained to deal with highly volatile situations. An OSG would deal predominantly with volatile situations, where particular skills are required in crowd control and in the management of situations that could potentially turn dangerous for our members. We equip them and train them in the appropriate use of safety equipment in those situations, and they provide a rapid response.³³³

4.108 Sergeant Huxtable was critical of the current part-time OSG arrangement, particularly in relation to February's riot:

³³⁰ *ibid*

³³¹ Submission 59, Police Association of NSW, p8

³³² *ibid*, Attachment: Submission to Strike Force *Coburn*, p1

³³³ Mr Greg Chilvers, Police Association of NSW, Evidence, 8 June 2004, p2

Because the OSG police we have now are part-timers—they perform the function of general duties and all other areas—the problem on the night was getting those people to Redfern in a timely fashion. In fact, at one stage the EKG got on the radio and spoke to channels Charlie, Echo, Foxtrot and Delta, which is effectively half the city and they got five OSG police. When you look at a few short years ago, there was an incident in the city where some member of the Kurdish community occupied the Greek Consul's office and if you look at the review of what the police did on that day and the review of what happened at Redfern, they are almost identical, so the police force has had a real problem learning from the problems and getting a remedy.³³⁴

4.109 Sergeant Huxtable expressed support for a full-time OSG:

The only remedy here is a full-time OSG. We are talking about Redfern, we are talking about closing the railway station. If that riot had have gone for another six hours, through to, say 10.00 a.m. on Monday morning and all the train lines at Redfern had been closed, the city would have been closed down. When you look at the current environment with terrorism and that threat, we desperately need a permanent full-time OSG response.³³⁵

4.110 A Senior Constable stated in his submission that: 'I feel Police need more training for riot style situations. If this requires a full time OSG commitment in the area then I would support that as a good idea'.³³⁶ Similarly, Sergeant Reitano argued that:

The prevalence of riots and violent incidents leading to serious assaults upon police officers in the Redfern LAC, requires an increased resource commitment to the Redfern LAC and the introduction of a permanent Operational Support Group (OSG) to decrease the risk of harm for police.³³⁷

4.111 The Committee did not receive sufficient evidence, representing a range of views on the Police Association's recommendation, in order to properly evaluate the matter. The Committee is also aware that the Police Association provided an extensive submission to Strike Force *Coburn* arguing for the establishment of a full-time OSG. The Committee therefore feels that it is unable to comment on the merits of this proposal.

4.112 The Committee notes that the Minister's recent announcement contained several initiatives relating to 'enhanced incident response' that relate to the Police Association's proposal. These included the establishment of a 24-hour, seven day, OSG to operate through the Operation Vikings Street Crime Unit, OSG training for officers within that Unit and centralised coordination of OSG Policy. The initiatives are summarised below:

- **24 hr, seven day OSG to operate through the Vikings Street Crime Unit:** The Vikings Street Crime Unit will be staffed by trained OSG personnel from October to respond to incidents of civil disorder, public order management and other major

³³⁴ Sergeant Huxtable, Police Association of NSW, Evidence, 8 June 2004, p5

³³⁵ *ibid*

³³⁶ Submission 28, Name suppressed at request of author, p4

³³⁷ Submission 38, Sergeant Reitano, p1

incidents. Officers will be available to support LAC-based OSG officers or as a discrete group.³³⁸

- **OSG training:** Future officers rotated through the Vikings Street Crime Unit will receive OSG training. Officers will be rotated every six months to increase the number of OSG-trained police who can respond to civil disorder and public order management. Officers rotated through Vikings will return to their local commands with OSG skills and knowledge.³³⁹
- **OSG policy to be coordinated by the Special Protection Group:** The SPG will assume responsibility for central coordination of OSG policy, procedures and training.³⁴⁰

4.113 The Minister also announced several initiatives relating to riot training and equipment. For example, basic riot training and familiarity with riot equipment will be introduced to recruit training.³⁴¹ Redfern police will continue to receive specific training for use during riots and officers in neighbouring commands will also undergo riot training 'to ensure maximum numbers of police are trained and available for deployment.'³⁴² The Minister also announced that NSW Police Incident and Emergency Management Training will be upgraded to include specific training for commanders and supervisors in the management and resolution of civil disorder incidents and public order management events. Training will reflect lessons learnt from the Redfern riot.³⁴³

4.114 As for equipment, the Minister announced that new riot equipment is to be provided to the Redfern LAC including riot helmets, shields and leg protectors.³⁴⁴ A modern Command and Control Vehicle will be 'made available' on a 24 hour basis:

The vehicle will be deployed to scenes of civil disorder and public order management and other major incidents at short notice. Officers at the Redfern riot identified that access to a fully-equipped command post (Vehicle) would significantly assist in establishing command and control of major incidents. A vehicle with equipment to assist in commanding and coordinating the police response to major incidents has been made available 24 hours and day seven days a week. Commanders will be encouraged to use this vehicle as a command post at major incidents.³⁴⁵

4.115 The Minister also announced that a state-wide assessment of local public order response capabilities, risk assessment systems and profiles will be conducted:

All commands will be required to reassess their procedures to ensure they achieve maximum public order response capacity. This will include standardised intelligence

³³⁸ Hon J Watkins MP, 'Enhanced Policing in Redfern 2004, 32 Strategies and initiatives to improve policing in Redfern Local Area Command', 16 July 2004, Item 6

³³⁹ *ibid*, Item 5

³⁴⁰ *ibid*, Item 7

³⁴¹ *ibid*, Item 28

³⁴² *ibid*, Item 18

³⁴³ *ibid*, Item 17

³⁴⁴ *ibid*, Item 8

³⁴⁵ *ibid*, Item 16

collection plans, developing resource strategies (including triggers to activate criminal investigators) and support units. Commands will also be required to review their risk assessment processes to ensure location profiles are current and operationally sound. All police will be required to familiarise themselves with the current Standing Operating Procedures for Public Order Management and ensure local plans are developed in line with these procedures.³⁴⁶

- 4.116** As the Minister's announcement was made shortly before the finalisation of this report, the Committee has been unable to ascertain the response of interested individuals and organisations to the Minister's announcement. Nor has the Committee received a copy of the Strike Force *Coburn* report. As stated in paragraph 4.111, the Committee did not receive sufficient evidence on this matter to comment on the merit of the Police Association's proposal. Similarly, the Committee reserves its comments on the Minister's initiatives.

³⁴⁶ *ibid*, Item 29

Policing robberies

4.117 The Committee was advised that robberies constitute the most significant crime problem in the Redfern LAC. In this regard, Deputy Commissioner Madden stated that the Redfern LAC ranked number one for robberies in the State:

The thing that stands out in terms of Redfern's specific crimes are robberies. It is ranked number one in the State for robberies. The way in which I examine robberies is obviously through business plans and targets and Redfern in the latter part of 2003 was not number one but it has become number one in more recent months.³⁴⁷

4.118 Deputy Commissioner Madden also indicated that the main problem is with 'street robberies', perpetrated against people walking in the area:

The nature of the robberies are such that it is street robberies, particularly of young victims walking in and around the Block area or around the Lawson Street area, many of them on their way back from the universities or local colleges. That is the young people who are out on the street, travelling along and often preyed upon in the form of making it stealing from the person. That is the biggest issue and you will notice from the BOCSAR stats that it shows whilst robbery with a weapon has declined over a period, over the five year period, robbery without a weapon has in fact increased by over 50%. That is the nature of the problem in terms of robbery. It is not the violent bank robberies that we are talking about, we are talking about robberies upon the person and most of the offences are robbery with aggravation, that is pushing, shoving, punching the victim and removing their bag or removing their wallet, things that can be easily used, such as cash or cards or mobile phones.³⁴⁸

4.119 Deputy Commissioner Madden also pointed out that 'break and enter' crimes were not high compared to other LACs:

The break and enters, as indicated, it is not high on the list in terms of ranking but certainly in terms of if you were a resident of Redfern or Waterloo it would be of concern. Again, I make the point in terms of ranking, not to indicate that it is not a problem for that command but in comparison with other commands across the 80 local area commands it does not figure prominently. But again what you find there is removal of property, computers, jewellery, cash, things that are easily disposed of through windows, through doors, first floor apartments to about the fourth floor apartments or even in some of the commercial premises that they are taking from.³⁴⁹

4.120 The Committee was advised that the problem areas for robberies were the Redfern Railway Station, and to a lesser extent Waterloo.³⁵⁰ The Redfern Legal Centre also noted that '[t]here is a higher than average rate of bag snatches at Redfern Station, a frequency ascribed to the drug dealing activity undertaken nearby.'³⁵¹

³⁴⁷ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p53

³⁴⁸ *ibid*

³⁴⁹ *ibid*, p54

³⁵⁰ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p19

³⁵¹ Submission 50, Redfern Legal Centre, p3

4.121 Several submission makers also highlighted the high incidence of robberies in the Redfern area. For example in its submission the Vine and Hugo Action Group details a range of crimes frequently committed in their neighbourhood, including robberies:

We get burgled like many other people living in Sydney – these seem to be primarily opportunistic crimes, we have been robbed and mugged, some at knife point. A bag-snatching almost seems minor. We've had distraught cab drivers, who have just been robbed, knocking on our doors for help. We've had visitors who've arrived from the airport early in the morning, only to have their cab driver robbed at knife point while they sit helpless in the back seat. Not surprisingly, booking a cab is no guarantee that it will turn up.³⁵²

4.122 The high robbery rate in the Redfern LAC was also discussed by Sergeant Huxtable in his submission:

Redfern has more street robberies than any other command in NSW. Since I arrived at Redfern in January 2001 there have been 2744 robberies, this is more than the combined total of the Southern Region and Western Region. In the first three months of this year there have been 162 people robbed at Redfern. This is more than the total of Bankstown, Mr Druitt, Cabramatta and Green Valley combined.³⁵³

4.123 Sergeant Huxtable emphasised that the available figures only reflect reported crimes and speculated that some victims may choose to leave the area quickly rather than stay and report the crime:

The Bureau of Crime Statistics and Research (BOCSAR) estimate that 48% of robberies go unreported. I believe that that is a conservative figure for the Redfern Command. Why? Many robberies are perpetrated on victims who are heading to and are near the Redfern Railway Station and once robbed choose to dust themselves off and continue home and get away from the area rather than wait for police to attend as they have little to no description of the offender/s due to the speed and ferocity of the attack and the stress that it brings.³⁵⁴

4.124 Mr Steven Gale, a local resident, also noted in the context of crime in general that many incidents go unreported:

Policing in this area is of prime importance for all residents. The area has a notoriously high rate of crime. Over the last ten years it has been my experience as a resident in the area around the Block (Bounded by Eveleigh, Vine, Louis and Lawson Streets) has been one of increasing levels of crime, drug abuse and antisocial behaviour. In my opinion less than half of all crime is reported. I state this on the basis of the amount of crime I am told about by victims and the amount that actually gets reported by the same victims...The police obviously cannot act upon crime that is not reported. However, the crime that goes unreported generally does so as people often perceive that there is no point in reporting crime for the reason that there is nothing the police can do. This in itself is a self defeating circle.³⁵⁵

³⁵² Submission 27, Vine and Hugo Action Group, p8

³⁵³ Submission 29, Sergeant Huxtable, p3

³⁵⁴ *ibid*, p5

³⁵⁵ Submission 13, Mr Steven Gale, pp1-2

4.125 Sergeant Huxtable also argued that another reason why the robbery figures may not be accurate is due to the legal definitions of various types of robberies:

A typical steal from the person offence involves the offender running to the victim, usually female, from behind and snatching her handbag and running on. Such an incident would be recorded by police as a Steal from the Person. Steal from the Person offences are recorded as a stealing and are separate to robberies. ... Often they will drag the victim along the ground and punch and kick the victim. So the progression from a steal from the person offence to robbery is slender. The recording of steal from the person offences as a stealing, in the same category of shoplifting, is inappropriate. ...

In the first three months of this year there have been 133 steal from the person offences in the Redfern LAC. In addition to the 162 robberies there is a combined total of 295. If the BOCSAR reporting figures are accurate there is possible total of 437 people robbed in the first three months of this year (14 a day) in the Redfern LAC. When one robbery offender was arrested in 2003 he admitted to robbing on average five people per day.³⁵⁶

4.126 Deputy Commissioner Madden described the State-wide strategies employed by the Redfern LAC to deal with robberies as follows:

Many of these offences occur in and around the Block area so we are looking at roads that pass what is known as the Block. These are significant and in fact they were so much so earlier last year that we created Operation Castings, which was a specific operation where local area command staff worked with the metropolitan robbery unit to focus on robberies that were occurring on taxi drivers. That operation went for a few months and resulted in a number of arrests of people who were responsible for conducting that form of crime. ...

In terms of the responses by the command to the crimes that exist, there are organizational strategies which are then adopted and changed to suit local area command. The first organizational priority is what we refer to as high visibility policing, so we are actually referring to uniformed police, marked cars in and around the areas of trouble, so wherever we can we put uniformed police because not only does it deter offenders, but it also gives that reassurance and the people of New South Wales deserve that in terms of having constant reassurance of police presence.

We also have partnerships with councils and others in terms of CCTV. So again I am referring to the use of State-wide strategies that are then deployed in the local area commands. For instance, if you take a crime prevention officer at Redfern, there is an organizational commitment to environmental design. That is, we try and design through change in buildings, locations, lighting, design crime out of areas and the local crime prevention officer works with the councils and works in terms of safety audits to look at areas around Redfern where they can design out potential for crime, so, alleyways that are poorly lit or other things that they can get to actually try and reduce that problem. ...

One of the best strategies we have adopted is Operation Concertinas, which commenced in June 2003, which is the provision of additional officers, eight additional officers from neighbouring commands, specifically in Redfern to target

³⁵⁶ Submission 29, Sergeant Huxtable, p6

robberies and high visibility policing around the top of the Block area and in the Block area.³⁵⁷

- 4.127** Deputy Commissioner Madden noted that repeat offenders and repeat locations where robberies occur are targeted by police:

We target repeat offenders, repeat victims and repeat locations. Under the repeat offenders title we use a program called Suspect Target Management Plan. That is based on the principle that a small number of offenders are responsible for a large amount of crime that exists. The STMP allows officers to go through, again, certain criteria, to identify high risk offenders, those people who are continuing to perpetrate crime and they are then targeted by the command. Indeed, Redfern has adopted the STMP the HRO strategy and has at least seven offenders as we speak who are targeted by teams within their command because they are prolific offenders.

As indicated, we then move into the areas of repeat victims, where we give advice and counsel and then locations, by saturating those areas with police or using high visibility policing. There are Vikings, there are arrangements with the metropolitan robbery unit, there is support given by the State crime command. Indeed, there has been something like 26 requests for assistance to the State crime command in a little over eighteen months, which have been responded to on all but one occasion, which was withdrawn.³⁵⁸

- 4.128** The Committee heard views expressed that the resources dedicated to investigating robberies at the Redfern LAC are insufficient. For example, Mr Reitano described the current resources allocated to deal with robberies as follows:

At the moment we have four police officers out of the 19 who are allocated to investigate robberies. That is four on paper, however, when you have a look, one at the moment is on annual leave and the other one is on leave at court. As of today, we have one officer who is investigating robberies at Redfern and he is a very junior officer. ...One officer who is specifically allocated to investigate robberies at the moment at Redfern. To show you just how disproportionate that is, in the first six days of June, Redfern has had 16 robberies, including a serial robber, who is going around robbing elderly people.³⁵⁹

- 4.129** As noted in paragraph 4.48, Sergeant Huxtable expressed the view that the only way to reduce crime in Redfern in the short term is to increase police numbers. In relation to robberies, he argued that:

The investigation of robbery and drug supply is a specialised and time-consuming endeavour and as such requires experienced investigators who have adequate time to devote to the problem. In many other commands the experienced detectives investigate robberies. In Redfern they are investigated by junior uniformed police.³⁶⁰

- 4.130** Senior Constable Shannon White shares the view that the Redfern LAC is insufficiently staffed to tackle robberies:

³⁵⁷ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, pp53-54

³⁵⁸ *ibid*, p54

³⁵⁹ Sergeant Reitano, Police Association of NSW, Evidence, 8 June 2004, p4

³⁶⁰ Submission 29, Sergeant Huxtable, p18

Unfortunately, Redfern continually have the most amount of robberies per month, yet an understaffed office, mainly comprising of junior staff are trying to manage and solve this problem. Compared to City Central Local Area Command, Redfern do not have a hope in hell of trying to manage the robbery problem. City Central have a robbery unit comprising of 8 officers with a Detective Sergeant in charge and at least 4 of the officers designated detectives. At present the Redfern Robbery Unit consists of 4 officers, two Detective Senior Constables, one who is on leave, and two officers with less than three years experience each. As you can see this is a common thread at Redfern. Lack of staff and lack of experience.³⁶¹

4.131 Sergeant Reitano advised the Committee that the Redfern Branch of the Police Association has called for the establishment of 'a full-time robbery unit at Redfern LAC, comprising a minimum of eight police officers to investigate the disproportionate number of robbery and steal from person offences that were occurring in the LAC.'³⁶² Mr Reitano spoke of the need for a specially resourced robbery unit as follows:

...What Redfern desperately needs is a properly resourced robbery unit. Our figures for robbery are absolutely abysmal. We have had 16 in six days. We are headed towards 100 for this month. Last month we had about 60. Other LACs have approached the problem in a different way. They have employed a specialist approach, for example, Operation Nitsana out at Liverpool... They have been able to reduce their robberies down to about 30 a month. They have got four people full time investigating robberies.

What we need is a minimum of eight, preferably investigators, plainclothes officers, ordinary detectives, dedicated full time to investigating robberies in the Redfern LAC. The units need to be set up either along the lines of Nitsana or along the lines of another unit that is operating at City Central, which has had six officers and an analyst going for quite some time. They have been able to reduce robberies down to approximately 30 or so per month. Redfern has never had a proper full-time unit dedicated solely to investigating robberies. We have always had piecemeal units, either one, two or three officers, and it is just not enough.³⁶³

4.132 Mr Reitano also advised that the Redfern Branch has called for Operation Concertinas to be made a permanent operation, with a minimum of 30 full-time staff.³⁶⁴ Operation Concertinas was described in the Government's submission as follows:

Redfern LAC has been running Operation Concertinas since mid 2003 as a part of its crime reduction strategies. The Operation is part of the Redfern Intelligence Response Team which has 22 officers under the command of a team leader and also includes a drug team (6) and High Visibility Policing Unit (5).

Concertinas consists of eight police officers seconded from other LACs in the Inner Metropolitan Region. Officers are seconded for a three month period. The main activity of Operation Concertinas is HVP with a proactive focus, specifically targeting robbery, steal from person, drug related crime and anti-social behaviour in the area close to Redfern Station. Concertinas has also been involved in covert activities. Up to

³⁶¹ Submission 82, Senior Constable Shannon White, p2

³⁶² Sergeant Reitano, Police Association of NSW, Evidence, 8 June 2004, p3

³⁶³ *ibid*, pp4-5

³⁶⁴ *ibid*, p3

mid March 2004, Concertinas conducted 30 operations with 199 charges and submitted 405 intelligence reports. Concertinas is not a permanent operation.³⁶⁵

- 4.133** The Committee is concerned at the level of robbery crime in Redfern and Waterloo, particularly around Redfern Railway Station and the Block. The Committee is also concerned about the level of resources dedicated to tackling robbery crime. There is inconsistency, however, in the views expressed by individual officers stationed at Redfern LAC and the senior management, and the Committee has been unable to ascertain the real extent of the need for additional resources.
- 4.134** The Minister's initiatives included two that relate to resources dedicated to investigating robberies. First, the Minister announced that Operation Concertinas 'is to be retained', and the number of officers assigned to the operation is to be increased by 12 to a total of 20 officers 'to ensure ongoing high visibility policing'.³⁶⁶ Second, the Minister announced that an additional six criminal investigators will be provided to the Redfern LAC, to better target serious drug and robbery crime, for a minimum of six months.³⁶⁷
- 4.135** The Committee supports the allocation of additional resources to areas that have an identified need. The Committee notes that the Minister's announcement regarding Operation Concertinas falls short of making it a permanent operation. The Committee also notes that the six additional officers provided to the Redfern LAC to target robberies (and drug crime) are seconded rather than permanent positions. The Committee believes that the Minister's 6 month review of the initiatives should incorporate an assessment as to whether sufficient resources are dedicated to robberies, with regard to crime statistics and the views of the officers working to target robberies.

Recommendation 17

That the Minister for Police, as part of the six month review of the initiatives announced on 16 July 2004, should incorporate an assessment as to whether sufficient resources at the Redfern Local Area Command are dedicated to robberies, with regard to crime statistics and the views of the officers working to target robberies.

Conclusion

- 4.136** In this Chapter the Committee has addressed a number of important issues relating to policing strategies and resources in Redfern and Waterloo, which were raised in evidence. In the second stage of the Inquiry we will be addressing a number of broader policing issues, including the relationship between police and the Aboriginal community, police strategies to deal with drug-related crime and coordination between police and other agencies.

³⁶⁵ Submission 55, NSW Government, 268

³⁶⁶ Hon J Watkins MP, 'Enhanced Policing in Redfern 2004, 32 Strategies and initiatives to improve policing in Redfern Local Area Command', 16 July 2004, Item 4

³⁶⁷ *ibid*, Item 10

- 4.137** The Committee has been able to include in this Chapter a brief discussion of the package of initiatives announced by the Minister for Police on 16 July 2004. The Committee has had only a short amount of time to examine these initiatives. The Committee is of the view that, in addition to the six month review of the initiatives announced by the Minister, an 18 month review should also be undertaken. An 18 month review would enable the initiatives to be in place for a sufficient amount of time to gauge their effectiveness. As part of the 18 month review the matters addressed in Recommendations 13, 14, 16 and 17 should be examined.

Recommendation 18

That the Minister for Police, in addition to the six month review of the initiatives announced on 16 July 2004, undertake an 18 month review of the initiatives. As part of the 18 month review the matters addressed in Recommendations 13, 14, 16 and 17 should be examined.

- 4.138** The Committee notes that it has not yet received the Strike Force *Coburn* report. The Minister has advised that he has sought the advice of the Coroner and the Crown Solicitor concerning the release of the report. The Committee is of the view that it is in the public interest for the report to be released as soon as possible. The Committee notes that it may be necessary that relevant parts of the report relating to the Coroner's inquiry into the death of TJ Hickey, or sensitive operational matters, be kept confidential.

Recommendation 19

That the Minister for Police release the final report of Strike Force *Coburn* as soon as possible with, if necessary, parts relating to the Coroner's Inquiry into the death of TJ Hickey or to sensitive operational matters, kept confidential.

Chapter 5 Mobile needle and syringe service

Drug and alcohol use and misuse in the Redfern and Waterloo area has been the subject of some debate in the evidence to this Inquiry. The Committee has heard a range of views on the extent and the seriousness of drug and alcohol related problems, and the impact on government policy and service delivery. The Committee will continue to investigate the complex issues surrounding drug and alcohol use in Redfern and Waterloo as they relate to our terms of reference. The substantial debate on government and non-government services, and in particular the adequacy of drug and alcohol services in Redfern and Waterloo, will be dealt with in the Final Report due in November. In this chapter we consider the Redfern/Waterloo Anti-Drug Strategy and the mobile needle and syringe service. The Committee believes it is important to address the issue of the needle van at this stage of the Inquiry process given the degree of community interest and concern.

This chapter begins with an overview of the Government's approach to drug and alcohol issues in Redfern and Waterloo. This overview provides the context in which to understand the establishment of the needle and syringe service in Redfern. The chapter then covers the range of views put forward in evidence on the needle van, including its location, the image of a drug culture at the Block, the potential 'honey pot' effect, the number of needles provided and referral services. The Committee briefly canvasses views on different approaches to drug and alcohol problems, such as a safe injecting room, decriminalisation and 'wet rooms'. The Committee's view and recommendations complete the chapter.

Addressing drug and alcohol issues in Redfern and Waterloo

- 5.1 The Redfern/Waterloo Anti-Drug Strategy (RWADS) was announced by the Premier in November 2002 in response to community concerns about illicit drug use as a contributing factor to crime in Redfern and Waterloo. The Strategy aims to address illicit drug use in specific sites such as the Block and in public housing. The Strategy does acknowledge, however, that illegal drug use is not limited to these sites, nor to the two suburbs of Redfern and Waterloo.
- 5.2 RWADS was build upon previous drug strategies including a number of initiatives resulting from the 1999 NSW Drug Summit. The Summit was instrumental in achieving a level of consensus on the development of a new approach to drug policy. The Office of Drug Policy, was established in the Cabinet Office to guide the whole of government approach and ensure better interagency collaboration.
- 5.3 Community Drug Action Teams (CDATs) have been established to assist communities to act on drug related issues. The Redfern/Waterloo CDAT was established in 2001 but, according to the NSW Government submission, in spite of 'intensive support' from the Premier's Department, the CDAT has had limited achievements between 2001 and 2003. The Government notes that the CDAT 'struggled to reach agreement on key issues and projects identified under the plan were not fully implemented.'³⁶⁸ In negotiations with the Redfern Waterloo Partnership Project, it was agreed that the CDAT would suspend its

³⁶⁸ Submission 55, NSW Government, p122

operations until a Drug and Alcohol Taskforce had been established and was fully operational.³⁶⁹

5.4 In late 2003 a Drug and Alcohol Taskforce was established to oversee the implementation of RWADS. The Taskforce included six government agency representatives, a representative from the then South Sydney City Council and six community representatives. The Taskforce included two members from the CDAT. At the time of its introduction, the key aims of RWADS included:

- proactive policing to target drug dealers and drug houses in Redfern and Waterloo, including strategies to stop transient drug users from entering the area
- increased opportunities for magistrates to adopt a more flexible approach to bail conditions and sentencing including the establishment of a Redfern MERIT Program (Magistrates Early Referral Into Treatment)
- relocation of the needle and syringe service after 3pm to account for school hours, with a subsequent gradual reduction in hours for the services on the Block
- the establishment of an effective daily needle clean up program
- the introduction of new programs to increase access to services by local drug users
- establishment of early intervention programs for young people and families at risk
- addressing environmental factors contributing to illegal drug trade in the area
- development of a long term Community Safety Plan
- supporting the Aboriginal Housing Company in its plan to redevelop the Block in 2004.³⁷⁰

Drug use in Redfern and Waterloo

5.5 There has been some debate during this Inquiry about the level of drug use by residents in the Redfern and Waterloo area, and in particular by residents of the Block.

5.6 A 1999 study conducted by NSW Health revealed that there was widespread concern in the community about drug dealing and injecting in and around the Block. Anecdotal evidence from other community consultations suggested that residents are concerned about the level and impact of drug use in the community:

Many people mentioned the number of dysfunctional families in the area where drug and alcohol issues were perceived to be a problem and which was mentioned as an issue contributing to the numbers of unsupervised children and young people in the two suburbs.³⁷¹

5.7 The former Mayor of South Sydney Council, Mr Tony Pooley, when asked about the extent of the drug problem in Redfern and Waterloo, suggested it was:

³⁶⁹ ibid

³⁷⁰ ibid, p247

³⁷¹ City of Sydney Council, *Redfern-Waterloo Community Safety Plan – March 2004*, p79

Huge. I would also go as far as to say that I think it is less than it probably was a couple of years ago and I base that only on my own assessment of the number of needles around. There are literally hundreds around there on a daily basis but three or four years ago it might have been closer to thousands. A significant drug-heroin injecting culture exists amongst a number of people living in and around the Block.³⁷²

5.8 A small number of witnesses to our Inquiry have argued that there is not a significant drug misuse problem in and around the Block. The Aboriginal Housing Company (AHC) suggests that there has been a marked decrease in drug use in the Block since they have undertaken to evict drug dealers and demolish derelict properties. A tenant audit conducted by the AHC in 2001 found only six injecting drug users living on the Block.³⁷³ The Aboriginal Medical Service also conducted a survey in 1997 and found that at that time there were only seven to eight people living on the Block who were drug users.³⁷⁴

5.9 While it is difficult to find statistics to quantify the level of drug use by residents of Redfern and Waterloo, there are some figures on related health issues. According to the NSW Government, the need for a public health approach to drug and alcohol use in Redfern and Waterloo is particularly pertinent when considering the findings of a 2002 report, *Australian NSP (Needle and Syringe Program) Survey National Data Report 1999 – 2003*. 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.³⁷⁵ The NSW Government submission quotes the following figures arising out of this national survey:

- the rate of HIV prevalence in 2002 is higher in Redfern (3.2%) compared to national (1.3%) and state (2.0%) levels
- the rate of HCV prevalence in 2002 for Redfern (69%) is similar to that of New South Wales (71%), though significantly higher than the national level (44%)³⁷⁶
- the number of times respondents have reused a syringe twice has increased in Redfern
- the percentage of respondents who re-used another's syringe has shown an increase since 2001
- re-using syringes greater than five times has also significantly increased from 2001.³⁷⁷

³⁷² Mr Pooley, City of Sydney Council, Evidence, 25 May 2004, p60

³⁷³ Submission 42, Aboriginal Housing Company, p4

³⁷⁴ Dr Mayers, Aboriginal Medical Service, Evidence, 4 June 2004, p25

³⁷⁵ National Centre in HIV Epidemiology and Clinical Research, The University of New South Wales, *Australian NSP Survey, Prevalence of HIV, HCV and injecting and sexual behaviour among IDUs at Needle and Syringe Programs, National Data Report 1999-2003*, June 2004, p2

³⁷⁶ While not indicated in the NSW Government submission, the Committee understands that these figures are percentages of the sample tested

³⁷⁷ Submission 55, NSW Government, p121

5.10 In evidence to the Committee, Dr Gregory Stewart, Public Health and Chief Health Officer, NSW Health said that among the public health issues in Redfern and Waterloo, 'high rates of drug and alcohol use are of particular concern.' According to Dr Stewart:

... these problems are prevalent across the area and are not confined to any one location or population. It is quite evident, however, that drug and alcohol related problems are having a particularly destructive effect on Aboriginal people in the area and they are especially concentrated in the Block.³⁷⁸

5.11 According to Dr Stewart, there is a high level of injecting drug use at the Block, with heroin the most common drug and Aboriginal people making up the majority of injectors. Much of the injecting occurs in public places or in derelict buildings, unlike elsewhere in New South Wales where 80% of the injecting drug use occurs in private dwellings:

Reported levels of self-neglect, self-harm and high-risk behaviour, including indiscriminate needle sharing, are higher than elsewhere in New South Wales. Amongst the using population there are higher levels of physical and mental health problems. Health workers frequently report unpredictable and dangerous behaviours, including threats and assaults. Lastly, the majority of injectors have Hepatitis C and a number are known to have HIV.

This combination of factors means that there is a very high risk of transmission of HIV. In these circumstances, it is critical to ensure that an adequate supply of clean injecting equipment is available, and that any obstacles to accessing the equipment are minimised. In the event that such a supply was not available, or was withdrawn, the risk of a major outbreak of HIV occurring in the location would be extremely serious. The situation described above represents one of the highest risk locations in New South Wales in regard to a possible outbreak of HIV.

On the basis of the criteria that are generally applied within the needle and syringe program, the provision of a large, well-resourced needle syringe program would be considered to be of the highest priority.³⁷⁹

5.12 Information provided by the Department of Aboriginal Affairs indicates that there is considerable community concern, expressed at meetings held earlier this year in Redfern, about the spreading of the drug problem to regional areas if it 'goes on unchecked.'³⁸⁰ As discussed below, suggestions were made at the meetings about the establishment of Aboriginal drug and alcohol services.

5.13 Dr Stewart also suggested that as Redfern is well known as a traditional meeting place for Aboriginal people from all parts of NSW, Queensland and Victoria, in the event of a serious outbreak of HIV occurring amongst Aboriginal injecting drug users in Redfern, there would be a 'very real danger of rapid, undetected spread to other Aboriginal communities, due to the recently infected individuals returning to their homes':

³⁷⁸ Dr Gregory Stewart, Public Health and Chief Health Officer, NSW Health, Evidence, 8 June 2004, p36

³⁷⁹ *ibid*, pp36-37

³⁸⁰ Submission 55, NSW Government, p119

The consequences for Aboriginal communities can only be imagined. I want to emphasise that this is not a fanciful, far-fetched scenario.³⁸¹

Principles of harm minimisation

5.14 Harm minimisation has been part of Federal and State government policy since the mid 1980s. The harm minimisation approach was adopted by public health professionals in response to concerns about HIV/AIDS for both injecting drug users and the broader community. According to NSW Health, harm minimisation does not condone drug use, rather it aims to prevent and reduce harms associated with both licit and illicit drugs.³⁸² The Ministerial Council on Drug Strategy suggests that harm minimisation encompasses:

- Supply reduction strategies to disrupt the production and supply of illicit drugs and the control and regulation of illicit substances
- Demand reduction strategies to prevent the uptake of harmful drug use, including abstinence oriented strategies to reduce drug use
- Harm reduction strategies to reduce the drug related harm to individuals and communities.³⁸³

5.15 The harm minimisation philosophy acknowledges that a range of strategies are required to achieve the desired results of improving the health, social and economic outcomes for individuals and the community. Some of these strategies include abstinence-based approaches, primary prevention, early intervention and treatment and rehabilitation. A key component of harm minimisation strategies is the provision of needle and syringe programs (NSPs) to ensure the use of clean injecting equipment:

NSPs are a public health measure funded to reduce the spread of blood borne viral infections such as HIV and Hepatitis C among injecting drug users and are supported by the National Drug Strategy's harm reduction framework.³⁸⁴

5.16 Central Sydney Area Health Service (CSAHS) is responsible for the provision of health services and public health care for an estimated 496 080 residents which represents 7.6% of the NSW population. These residents live in suburbs covering the Local Government Areas of Ashfield, Burwood, Canada Bay, Canterbury, Leichhardt, Marrickville, Strathfield and parts of the City of Sydney. CSAHS is one of the State's most culturally diverse areas with 39.6% of residents born overseas. Treatments are delivered from more than 70 sites, including six hospitals, a family care centre, a forensic medicine centre and an extensive network of community health centres.³⁸⁵ CSAHS provides a range of services directed at harm minimisation including counselling, detoxification, rehabilitation, pharmacotherapy treatments and health promotion. The needle and syringe programs are also a central part

³⁸¹ Dr Stewart, NSW Health, Evidence, 8 June 2004, p37

³⁸² Answers to QON 18 May 2004, Dr Gellatly, Premier's Department, Qu 2 NSW Health Submission, p16

³⁸³ National Drug Strategic Framework 1988-9 to 2002-3. Ministerial Council on Drug Strategy, Commonwealth of Australia, November 1998, in NSW Health Submission, p16

³⁸⁴ Answers to QON 18 May 2004, Dr Gellatly, Premier's Department, Qu 2 NSW Health Submission, p16

³⁸⁵ Email correspondence from Ms Karen Becker, Director, Drug Health Services, Central Sydney Area Health Service, 19 July 2004

of the CSAHS harm minimisation strategy. According to NSW Health, a key premise behind the strategy is that 'some drug users cannot cease their drug use at the present time. The task is to minimise the risk, or occurrence, of harm.'³⁸⁶

Redfern and Waterloo fixed and mobile needle services

- 5.17** CSAHS provides a range of health services in the Redfern and Waterloo areas. Three CSAHS facilities are located in Redfern: the Redfern Community Health Centre, the Redfern Early Childhood Centre and the Resource and Education Program for Injecting Drug Users (REPIDU).
- 5.18** The REPIDU provides a fixed needle and syringe outlet in Redfern as well as a mobile service currently located in and around the Block. The fixed service is located in Pitt Street, Redfern and operates from Monday to Friday from 9am to 6pm. A home delivery and disposal service can be provided on Tuesdays, Thursdays and Fridays from 6pm to 8pm where necessary and appropriate. The fixed service also operates on Saturdays and Sundays from 12pm to 2.30pm.³⁸⁷
- 5.19** The mobile service was established in 1993 with a view to minimise the harms associated with high levels of drug injection in the area. At the time, the service operated for a couple of hours per day, Monday to Friday. Between 1993 and 1996, the service operated in a number of locations with moves occurring in response to either community consultations or concerns about limited effectiveness.³⁸⁸ According to the NSW Government submission, the mobile service was required due to an increased and identified need in the community.³⁸⁹ The mobile service currently operates on Monday to Friday from 10am to 3pm in Hugo Street and from 3pm to 5pm in Hudson Street. On Saturdays and Sundays the mobile service operates from 10am to 11.30am and 3pm to 5pm in Hugo Street.³⁹⁰
- 5.20** The attached map shows the locations of the mobile service. The debate around the location of the service is discussed in detail below.

³⁸⁶ Answers to QON 18 May 2004, Dr Gellatly, Premier's Department, Qu 2 NSW Health Submission, p16

³⁸⁷ Email correspondence from Ms Karen Becker, Director, Drug Health Services, Central Sydney Area Health Service, 19 July 2004

³⁸⁸ Answers to questions on notice taken during evidence 8 June 2004, Ms Karen Becker, Director of Drug Health Services, Central Sydney Area Health Service, NSW Health, Qu 1, p1

³⁸⁹ Submission 55, NSW Government, p253

³⁹⁰ Email correspondence from Ms Karen Becker, Director, Drug Health Services, Central Sydney Area Health Service, 19 July 2004

Figure 5.1 Locations of mobile needle and syringe van and demolished houses



Source: Submission 55, NSW Government, Part 6 – Community Safety and Justice, p250

5.21 The health services provided seven days per week through REPIDU's fixed and mobile outlets in Redfern and Waterloo include:

- provision of information, resources and education on issues including harm reduction, overdose prevention and safer sex practices
- management of accidental overdose, including interventions to provide critical life support prior to arrival at emergency services
- facilitating referrals to other health and human services including drug treatment services
- provision of sterile equipment, safe disposal containers, condoms and lubricants

- ensuring a process of clean up of inappropriately discarded syringes in and around the Block.³⁹¹

The effectiveness of the anti-drug strategy and harm minimisation

5.22 A number of witnesses commented on the effectiveness of the anti-drug strategy and harm minimisation. Mr Alex Wodak from the Australian Drug Law Reform Foundation is a supporter of the harm reduction strategies taken up by Australian governments over the last few decades. He argues that harm reduction has been shown to work in reducing the health risks to users, particularly the risk of HIV and Hepatitis transmission. He says that while there will always be an important role for law enforcement, it is unrealistic to place the major burden of drug policy on police:

In general, health and social interventions have been shown to be far less expensive and far more effective than customs, police, courts and prisons.³⁹²

5.23 Mr Clive Small spent many years with the Police Department and, as he explained in his submission, has provided considerable input to government on the drug problems in areas such as Cabramatta, Kings Cross and Redfern. He has witnessed the development of the Redfern Anti-Drug Strategy in response to the policing and health issues surrounding the illicit drug problem. Mr Small suggests the problems in Redfern are the result of many factors including poverty, unemployment, mental illness and alcohol and illicit drug dependency. In his view, at least one of the solutions to the problems in Redfern lies in the Anti-Drug Strategy:

Rigorous application of the 2003 Redfern Anti Drug Strategy would go a long way towards making things better for the Redfern community and towards reducing the illicit drug trade and its associated problems in the area.³⁹³

5.24 According to a study by the United States Surgeon General, referred to in the NSW Health submission, there is conclusive scientific evidence that NSPs, as part of a comprehensive HIV prevention strategy, 'are an effective public health intervention that reduce transmission of HIV and do not encourage the illegal use of drugs.'³⁹⁴ In relation to economic effectiveness, a report in 2002 for the Commonwealth Department of Health and Ageing concluded that Australia's needle and syringe programs have prevented 25,000 new HIV infections and 21,000 Hepatitis C infections in 10 years, saving an estimated \$2.4 billion in public health funding. The study found that 'NSPs are effective in reducing the incidence of both diseases and that they represent an effective financial investment by government.'³⁹⁵

³⁹¹ Answers to QON 18 May 2004, Dr Gellatly, Premier's Department, Qu 2 NSW Health Submission, p6

³⁹² Submission 9, Mr Alex Wodak, p2

³⁹³ Submission 80, Mr Clive Small, p7

³⁹⁴ Answers to QON 18 May 2004, Dr Gellatly,, Premier's Department, Qu 2 NSW Health Submission, p17

³⁹⁵ Health Outcomes International Pty Ltd, The National Centre from HIV Epidemiology and Clinical Research & Professor Michael Drummond, Centre of Health Economics, York University, from the Commonwealth Department of Health and Ageing, Return on Investment in Needle & Syringe Programs in Australia, 2002, p6

- 5.25** In its submission to the Inquiry, Anex, a community-based not-for-profit organisation working in this area, provides an overview of the role NSPs have played in the prevention and reduction of the spread of HIV and Hepatitis C. They argue that research from Australia and overseas suggests that the success of NSPs is based on an approach that is confidential, anonymous and respectful of drug users accessing services. Evidence also shows that accessibility to services and sterile injecting equipment are vital to the primary aim of NSPs. Anex cites research that indicates difficulties in accessing sterile injecting equipment, such as the location of the NSPs, hours of operation and policies that limit the distribution per visit, have been given as reasons for sharing injecting equipment.³⁹⁶
- 5.26** A small number of witnesses raised concerns about the effectiveness of harm minimisation. Sergeant Paul Huxtable, Administrator for the Redfern Branch of the Police Association of NSW, told the Committee:

I think harm minimisation has failed. I have some figures, and I can source all these figures. In 2002 there were 195 diagnosed AIDS cases. We talk about the problem with harm minimisation, there will be this epidemic of AIDS if we do not continue it. In 2001 there were 16,000 new cases of Hepatitis C, 91 per cent from intravenous drug users. That means there are a hell of a lot of people out there not using clean syringes. Yet for AIDS, only seven of the 195 were put down as intravenous drug users—3.8 per cent. The evidence does not support the fact that harm minimisation, if we get rid of harm minimisation there will be an epidemic of AIDS. The figures just do not back that up.³⁹⁷

Concerns about the mobile needle and syringe service

- 5.27** In this section we consider the variety of issues raised in relation to the needle van including concerns about the location of the van, the possible ‘honey pot’ effect, the number of syringes distributed to users, clean-up programs, referral services and other options to the van. The section briefly canvasses different approaches to drug and alcohol problems in the area including the establishment of a safe injecting room and ‘wet rooms’, and the decriminalisation of illicit drugs. The section begins with a brief description of the different views held by NSW Health and NSW Police, and attempts by them to resolve these differences.

Health and Police views on the mobile needle and syringe service

- 5.28** While both NSW Police and NSW Health are committed to the principles of harm minimisation, evidence to this Inquiry suggests there are a number of differences in each agency’s view of the Redfern mobile needle and syringe service.
- 5.29** According to NSW Health, needle and syringe services are an essential public health measure. They argue that there is overwhelming evidence to show the services are a vital

³⁹⁶ Dwyer, R, C Fry, S Carruthers, A Bokketer, K Dolan, A Donald, J Byrne & W Loxley., ABRIDUS: The Australian Blood Borne Virus Risk and Injecting Drug Use Study – A study of hepatitis C risk practices and contexts in Melbourne, Perth and Sydney, Fitzroy, Turning Point Alcohol and Drug Centre Inc, 2002, in Submission 85, Anex, p4

³⁹⁷ Sergeant Huxtable, Police Association of NSW, Evidence, 8 June 2004, p21

part of Australia's HIV/AIDS and Hepatitis C strategies aimed at reducing the spread of blood borne viral infections. NSW Health is of the view that needle and syringe programs need to be accessible and therefore located in relatively public places. In response to community pressure to withdraw services from the location on the Block, NSW Health believes that:

...the withdrawal of this service has the real and immediate risk of a resulting increase in sharing of needles amongst injecting drug users with the risk of a major outbreak of HIV and Hepatitis C potentially affecting Aboriginal communities throughout NSW.³⁹⁸

5.30 In addition, NSW Health expressed concern that any spread of HIV and Hepatitis C would also be expected to rapidly extend into the prison population, affecting both Aboriginal and non Aboriginal people over a short period of time. They argue this would present a grave risk to the Aboriginal community and to the overall effectiveness of the State's HIV/AIDS prevention strategies.³⁹⁹

5.31 In evidence, Deputy Commissioner David Madden, NSW Police, told the Committee that the NSW Police are committed to the agreements made with the Department of Health on the principles of harm minimisation. Deputy Commissioner Madden explained that while mindful of the need for an exchange van or supply van to try to stop the spread of infectious diseases, NSW Police were also charged with the enforcement of the law. Operationally, Deputy Commissioner Madden explained, this causes some difficulties for the two Departments:

we are talking of competing priorities: Department of Health and Police. One is law enforcement; one is harm minimisation, and they often conflict.⁴⁰⁰

5.32 The difficulties for policing are explained in the Government submission:

In relation to policing issues, while it is lawful to possess or supply needles and syringes for the purpose of promoting health, it is illegal to inject or self administer illicit drugs. As a result, the law in this area does not reflect the Government's policies aiming to promote public health.⁴⁰¹

5.33 A number of individual Redfern police officers expressed their frustration with these arrangements. One officer said in a submission to the Inquiry:

... police have been told and I have personally been told when the exchange was in Caroline Lane not to search or speak to users in the laneway. I was told to wait till (they) leave the lane area away from the van, I could then search them under the provisions of Stop, Search and Detain. Even if they are wanted for a bagsnatch and go to (the) van. Police are then harassed or even hindered by operators of the van for harassing these people or arresting them.⁴⁰²

³⁹⁸ Answers to QON 18 May 2004, Dr Gellatly, Premier's Department, Qu 2 NSW Health Submission, p18

³⁹⁹ Submission 55, NSW Government, p254

⁴⁰⁰ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p67

⁴⁰¹ Submission 55, NSW Government, p255

⁴⁰² Submission 72, Name confidential at author's request, p2

- 5.34** According to Deputy Commissioner Madden, particular problems for police include the potential ‘honey pot’ effect of the location of the van at the Block, the large number of needles exchanged and the proximity of the van to the children’s playground. These issues are discussed further below.
- 5.35** In 2003, there was agreement to move the van for two hours per day, between 3pm and 5pm, from the Block to the corner of Abercrombie and Hudson Streets. According to NSW Health, an intensive education strategy was conducted with clients prior to the relocation of the service from 3pm to 5pm.⁴⁰³ While this location is an industrial area, the police continue to experience operational difficulties:
- [The location at Abercrombie Street] still remains a problem operationally in a sense because we are encouraging officers to do everything they can to stop people using drugs and to enforce rules and legislation about suppliers, people who may be in possession of drugs, so in effect people are getting off the railway and are being stopped, people are being searched, names are being taken, move-alongs are occurring, but people can then go to the needle exchange van or needle supply van and obtain syringes which facilitate drug use in and around the area.⁴⁰⁴
- 5.36** While difficulties exist for Health and Police, Deputy Commissioner Madden told the Committee that both agencies continue to work together to find solutions to the competing priorities of each department.⁴⁰⁵
- 5.37** Ms Karen Becker, Director of Drug Health Services, Central Sydney Area Health Service, NSW Health said in evidence that the CSAHS supports the work being done by police in reducing the illicit drug use in the area. She explained that there was an agreement between the service and police that officers do not approach people who come directly to the van.⁴⁰⁶
- 5.38** A number of witnesses suggested that a Memorandum of Understanding (MOU) between the Departments of Health and Police was created at the time that the mobile needle exchange was established in Redfern to guide the responsibilities of each agency. In correspondence to the Committee, Deputy Commissioner Madden said that the document referred to in evidence is not a MOU but a NSW Police Circular:
- ...a direction from then Commissioner Avery, dated 17 June 1988 and which remains in effect. The circular provides advice from health officials about the introduction of needle-syringe distribution and exchange programs and guidance for police cooperation in these programs. It is not strictly a memorandum of understanding between agencies.⁴⁰⁷
- 5.39** The information contained in the 1988 Circular remains in effect, and according to Deputy Commissioner Madden, ‘still provides apt and accurate guidance for police.’⁴⁰⁸

⁴⁰³ Answers to QON 8 June 2004, Ms Karen Becker, NSW Health, Qu 1, p2

⁴⁰⁴ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p67

⁴⁰⁵ *ibid*, p68

⁴⁰⁶ Ms Becker, NSW Health, Evidence, 8 June 2004, p47

⁴⁰⁷ Correspondence from Deputy Commissioner David Madden, Deputy Commissioner Operations, NSW Police, dated 4 June 2004, p2

⁴⁰⁸ *ibid*, p2

- 5.40** The Committee understands that the information contained in the Police Circular has not been updated since this time to reflect the changes that have occurred in relation to the location of the needle van, changes in policing priorities for the area and the demolition of buildings in the Block. In his evidence to the Committee, Superintendent Dennis Smith, Redfern Local Area Command, reiterated the commitment of police to harm minimisation, but also explained the importance of having a Memorandum of Understanding to guide current police tactics and strategies. According to Superintendent Smith, while there are some guidelines, there is no current MOU regarding the mobile needle and syringe service.⁴⁰⁹
- 5.41** In her evidence, Ms Becker said that NSW Health and NSW Police were meeting in June 2004 to discuss the needle van and the issue of a MOU:
- We will look at the possibility of developing a memorandum of understanding in Redfern.⁴¹⁰
- 5.42** The Committee understands that as a result of that meeting, health and police are considering the development of an MOU. The need for a MOU is discussed further below in the section, 'A way forward for the mobile needle and syringe service'.

Location and operating hours

- 5.43** One of the contentious issues surrounding the mobile needle and syringe service is its current location. There is a range of views from community members living in Redfern and Waterloo on the appropriateness of the location of the mobile van. A number of people support the public health principles of harm minimisation and the needle van. Ms Joyce Ingram told the Committee:
- Those that are on drugs, it is better for them to have a clean needle to stick into their arm with drugs but if you take that van and needles away, as the saying goes, they are hanging out. So that if they walk around the streets and see a needle laying on the ground and get it, wash it under the tap, they do not know what is in it. They do not know who had that needle. It does not worry them, as long as they can put the drugs into their arm or wherever. That is my opinion, so I think it would be better for the van to be there then we know that they are going to have clean needles than for them to pick up dirty needles.⁴¹¹
- 5.44** In answer to the question of where the needle van should be located, Ms Ingram said:
- Seeing that I do not live on the Block now, I suppose in Louis Street where it usually is or there could be a special place.⁴¹²
- 5.45** Another local resident, Mr Kevin Smith, told the Committee that there was a need for a needle van service in the area:

⁴⁰⁹ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p29

⁴¹⁰ Ms Becker, NSW Health, Evidence, 8 June 2004, p47

⁴¹¹ Ms Ingram, Evidence, 19 May 2004, p30

⁴¹² *ibid*, p30

Another thing why the needle exchange van is essential is because there is a hidden HIV crisis in the inner city. We have people who are drug users who also suffer from HIV. In particular, one young kid is in a bad way and he walks around and literally up-ends the needle bins and takes out all what is left over in the needles and puts them into one needle and shoots it up his arm, and it is really a sad thing to see.⁴¹³

5.46 According to Mr Tony Pooley, while the van is not ideally located, it needs to stay because ‘the potential for an HIV epidemic would be significant.’⁴¹⁴

5.47 A number of other witnesses were not supportive of locating the mobile needle and syringe service on or around the Block. The majority of the criticism of its location concerned the needle van’s proximity to children’s play areas. The Vine and Hugo Action Group expressed concern about the location of the needle van directly opposite a children’s playground:

Children in this area grow up seeing injection of recreational drugs in the middle of the street, in the middle of the day, as a normal part of everyday life. As a society, do we really want this? As a community we certainly don’t.⁴¹⁵

5.48 Another submission to the Inquiry expressed concern about the close proximity of the van to the new community centre located in Hugo Street:

Children who play at this park and who use the new community centre in Hugo Street are forced to mix with drug users and dealers as they play and move about on the street. ... (No one in my street would ever go near the new community centre because of the drug-dealing on its doorstep.)⁴¹⁶

5.49 Ms Clover Moore, Member for Bligh and Lord Mayor of the City of Sydney, told the Committee that while deeply committed to harm minimisation and the location of the van in the local community, she was aware of concerns about the location of the van near the community centre. According to Ms Moore, she has had discussions with the CSAHS about a more acceptable location for the van, ‘so it is close enough to be used but perhaps minimising the impact on mothers with young children.’⁴¹⁷

5.50 In evidence to the Committee, the Aboriginal Medical Service (AMS) stressed that the AMS supported the principles of harm minimisation and needle and syringe programs, but not the location of the needle van. According to AMS Chief Executive Officer Dr Naomi Mayers, the AMS asked that the van be moved:

And we did ask them to move it up to Rachel Foster Hospital. We asked them to move it over to Prince Alfred—to move it off the Block where the families were. They also rented a property near Redfern station but on the other side, out of the

⁴¹³ Mr Smith, Evidence, 19 May 2004, p47

⁴¹⁴ Mr Pooley, Evidence, 25 May 2004, p60

⁴¹⁵ Submission 27, Vine and Hugo Action Group, p22

⁴¹⁶ Submission 40, Name confidential at the author’s request, p2

⁴¹⁷ Ms Moore, Member for Bligh and Lord Mayor of the City of Sydney, Evidence, 25 May 2004, p81

Block. It was rented for three years. Nothing was done in there. That is where they were supposed to have the needle exchange and so on.⁴¹⁸

5.51 The NSW Police would like to see the van moved from Hugo Street to Abercrombie Street because:

...if we can actually move it to a point where we are not getting through traffic through the Block or in the areas we may be able to achieve the needs of the department of health in terms of harm minimisation and allow police enforcement practices, but at a moment there is a memorandum of understanding with the department of health about what is appropriate and we cannot target people who are using the needle exchange van and we cannot, for want of a better term, harass but target in the sense of speaking to them and getting names, details, searching and doing what we would as police officers do normally.⁴¹⁹

5.52 Superintendent Smith from NSW Police argued that moving the van into an industrial area 'could certainly stop people accessing the van in terms of drug dealing.'⁴²⁰

5.53 In its submission to the Inquiry, the NSW Government expressed a commitment to the permanent relocation of the mobile needle and syringe service away from the residential area. The Government acknowledges, however, that there continues to be significant debate both within Government and the community on this approach and the timing of any relocation.⁴²¹

5.54 As noted above, according to NSW Health, the mobile service has been moved on a number of occasions in response to either community consultation or limited effectiveness. In summary:

- 1993 – 1996 – the service operated from a range of locations including corner of Caroline and Eveleigh Streets, a number of locations along Vine Street, Hudson Street and Little Eveleigh Street
- 1996 – 1998 – the service operated from Caroline Lane
- 1998 – 1999 – the service operated from Louis Street
- 1999 – 2004 – the service operated from a variety of places including Caroline Street, and several different places along Louis and Hugo Streets.⁴²²

5.55 The latest Update of the Redfern/Waterloo Anti-Drug Strategy in March 2004 provides an overview of the approach taken in relation to the operation of the needle van, as well as other issues to address drug use and misuse in the area. This Update can be found at Appendix 7. The Update provides information on the location and operation of the needle van as well as details of the education program targeted at intravenous drug users on changes to the operating arrangements of the needle van. Proposed future permanent

⁴¹⁸ Dr Mayers, Aboriginal Medical Service, Evidence, 4 June 2004, p26

⁴¹⁹ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p68

⁴²⁰ Superintendent Smith, NSW Police, Evidence, 25 May 2004, p30

⁴²¹ Submission 55, NSW Government, p250

⁴²² Answers to QON 8 June 2004, Ms Becker, NSW Health, Qu 1, pp1-2

locations identified in the Update include Hugo Street, opposite the Wilsons Brothers site and the corner of Abercrombie and Hudson Streets.

5.56 According to NSW Health, the education program was conducted and the mobile needle service is 'currently in a position to respond effectively to overdoses on the Block.'⁴²³ The Committee understands that an evaluation process will be undertaken.

5.57 As indicated earlier in the Chapter, the mobile service currently operates on Monday to Fridays from 10am to 3pm in Hugo Street and from 3pm to 5pm in Hudson Street. On Saturdays and Sundays the mobile service operates from 10am to 11.30am and 3pm to 5pm in Hugo Street.⁴²⁴

5.58 NSW Health representatives told the Committee there is no simple solution to the complex problem of where to locate the needle van. NSW Health argues that while there remains a drug using community on the Block, the CSAHS:

... has a statutory responsibility to effectively manage the public health risks and is committed to providing an appropriate level of care in relation to public health risks on the Block. This means being in an accessible location for the injecting drug users.⁴²⁵

5.59 Ms Karen Becker from CSAHS said one of the problems with moving the van is that it can potentially limit or reduce injecting drug users' access to the service:

They have stated that down at Abercrombie and Hudson, for example, where we moved from three to five o'clock in the afternoon, it is too far they say. They have also stated that they get arrested if they actually come that far down, and that was supported in some sense by what Superintendent Smith said at the hearing here. In terms of access, clients do not actually come and access the van at Abercrombie and Hudson where we are now located from three until five. We have had a significant reduction in the afternoon service since we have relocated, and I think the statistics show us that an average of three people will access the service in the afternoon on a daily average of three people versus close to 40 in the morning. That is a real concern in terms of where we are actually locating the van.⁴²⁶

5.60 In answer to a question on notice, NSW Health added that:

An interim evaluation indicated that clients were reluctant to access injecting equipment from this site and there was a significant shift in the pattern of accessing the service between 2 and 3pm. This has not changed.⁴²⁷

5.61 The Committee's view on the future location of the mobile needle and syringe service is discussed below.

⁴²³ Answers to QON 8 June 2004, Ms Becker, NSW Health, Qu 1, p3

⁴²⁴ Email correspondence from Ms Karen Becker, Director, Drug Health Services, Central Sydney Area Health Service, 19 July 2004

⁴²⁵ Answers to QON 8 June 2004, Ms Becker, NSW Health, Qu 1, p2

⁴²⁶ Ms Becker, NSW Health, Evidence, 8 June 2004, p40

⁴²⁷ Answers to QON 8 June 2004, Ms Becker, NSW Health, Qu 1, p2

The image of a drug culture at Redfern

- 5.62** In her evidence, ATSIIC's Marcia Ella-Duncan told the Committee she felt 'terribly uncomfortable' with the reputation of Redfern as the drug capital of Aboriginal Australia:

[The reputation] is not consistent with my experience in the Redfern/Waterloo area, although it certainly has changed over time. There is still a vibrant Aboriginal community.⁴²⁸

- 5.63** A number of other inquiry participants felt that the presence of the needle service contributed directly to the image of the Block as a drug centre. The AHC believes the program has undermined their attempts to remove the drug industry from the Block and has perpetuated the image of a drug culture in the area:

Although research from other areas may indicate the needle services do not attract drugs but simply respond to a drug culture, the reverse is true on the Block. The presence of the needle bus on the Block has substantiated and ratified a culture of tolerance for drugs in the immediate area.⁴²⁹

- 5.64** One of the key issues raised in the 2002 South Sydney Council Community Safety Audit for Redfern was that the area has a reputation for substance abuse, and in particular illicit drug use. According to the Audit, information suggests that the majority of people using the mobile and syringe service are not from the local area and may be attracted by the bus:

Members of the audit team also indicated that there are a number of transients that have moved into the area to either deal or use drugs. Some of the transients have been classified as homeless when in fact they have accommodation in other parts of Sydney or New South Wales. These people will often bunk in abandoned buildings or around public or private buildings in the area. They often contribute to the 'negative image' the area has been given.⁴³⁰

- 5.65** The Aboriginal Medical Service believes that the location of needle van at the Block is motivated by racism:

...it is pure out and out racism that they have kept that van on the Block so that it is hidden and the community would break down. There is prime real estate worth millions. They are trying to get the blacks out of there. We were told this is what they tried to do way back; we had the biggest fight. Now we are back to square one again fighting over the Block.⁴³¹

- 5.66** Some Aboriginal organisations and individuals feel that the location of the van in the Block gives the impression that the drug problem in the Redfern area is exclusively an Aboriginal problem. Mr Michael Ramsey agreed with the Aboriginal community that the van is not servicing only Aboriginal people, but instead 'services a mixed group of people.'⁴³²

⁴²⁸ Ms Ella-Duncan, ATSIIC, Evidence, 18 May 2004, p38

⁴²⁹ Submission 42, Aboriginal Housing Company, p3

⁴³⁰ Answers to QON taken during evidence 8 June 2004, Ms Monica Barone, Director, Community Living, City of Sydney Council, Qu 2 Redfern/Waterloo Safety Audit, May 2002, p2

⁴³¹ Dr Mayers, Aboriginal Medical Service, Evidence, 4 June 2004, p25

⁴³² Mr Ramsey, Redfern Waterloo Partnership Project, Evidence, 18 May 2004, p24

‘Honey pot’ effect

5.67 A considerable number of witnesses expressed the view that the location of the van in Redfern attracted a drug culture to the area. The Aboriginal Housing Company (AHC), located at the Block, believes that the needle van is a ‘honey pot’ for drug users and dealers. The AHC is concerned about the transient population attracted to the area because of the location of the needle van on the Block:

Many of the transient people who were involved in the riot were directly or indirectly attracted to the Block because of the needle bus.⁴³³

5.68 The AHC argues that the small number of injecting drug users and the recent removal of drug houses from the Block is justification for the complete removal of the mobile needle and syringe service.⁴³⁴

5.69 NSW Police’s Deputy Commissioner David Madden told the Committee, that from the intelligence collected by police:

It is our belief that the large proportion of those people who obtain needles do not come from the Redfern/Waterloo area, they do not come from the Block, they are actually coming in from other areas and obtaining needles, and the sheer numbers of needles that are supplied would support that assertion.⁴³⁵

5.70 While it is difficult to determine where people were coming from, according to Deputy Commissioner Madden, anecdotal evidence suggests people come to Redfern from Campsie, Campbelltown, Bankstown, the southern suburbs, the northern suburbs and from Kings Cross. The proximity of Redfern train station to the Block contributes to the ease with which people can come and go from the area.

5.71 The Committee heard that the number of people travelling to the area was causing concern for police, with people making their drug purchases in the Block and then ‘shooting up’ in the area. Numerous witnesses gave accounts of people shooting up in the laneways and drug houses in and around the Block.

5.72 In his submission to the Inquiry, Sergeant Paul Huxtable from Redfern LAC suggested that while heroin is a health issue in Kings Cross, in Redfern it is a crime issue:

Drugs are the hub that all other crimes orbit. If drug use is to be a crime issue then we have to make life for those who trade in and use it as uncomfortable as possible. One way is to remove the needle giveaway from the Block, which acts as a honey pot for drug suppliers and users and thus criminals.⁴³⁶

5.73 Others believe that while there is a serious drug market operating in Redfern, the mobile needle and syringe service is not the problem. Mr Clive Small suggests that the claim that

⁴³³ Submission 42, Aboriginal Housing Company, p3

⁴³⁴ Submission 42, Aboriginal Housing Company, p4

⁴³⁵ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p68

⁴³⁶ Submission 29, Sergeant Paul Huxtable, p18

the needle and syringe distribution van in Redfern has acted as a 'honey pot' for drug users is 'nonsense':

Dealers and users do not set up drug markets around needle distribution centres. Rather these centres are established in areas where there are already active and mostly highly visible drug markets operating. Such a claim is an excuse for a failure of strategy and action.⁴³⁷

- 5.74** According to Anex, while members of the local community attribute increases in drug activity to the existence of a needle and syringe service, evidence suggests that increased security and policing activity are the most likely factors to impact on the migration of drugs.⁴³⁸ Anex points to the recent examples of Cabramatta in Sydney and Fitzroy in Melbourne.
- 5.75** The NSW Police Association and others suggested that there is a serious drug trade operating in Redfern.⁴³⁹ The increase in statistics on robbery and break and enters for Redfern over the past 5 years indicates that the availability of drugs in the area may be a factor in that it can encourage crime to take place near to the drug supply source.⁴⁴⁰ According to the City Of Sydney Council, offenders have reported to police that one of the main motivating factors behind offences such as stealing and break and enter is drug addition.⁴⁴¹ A number of policing issues are dealt with in Chapter 4. Other policing issues will be dealt with in the second stage of the Inquiry including the way in which police tackle drug related crime.

Number of needles provided to users

- 5.76** The Committee heard a range of views on the number of needles provided to users. Some witnesses suggested a link between the number of needles provided to users at each 'contact' and the number of needles littering the streets. Other criticisms include the allegation that drug dealers are obtaining a high volume of needles and syringes and on-selling them at a profit to users as part of a package with their 'fit'. In response to comments made during our Inquiry, NSW Health representatives said needle van staff would not knowingly distribute needles to dealers.⁴⁴²
- 5.77** While supportive of the needle van, Mr Clive Small suggested that effective management of the service by NSW Health professionals is an essential part of the success of needle exchange programs. According to Mr Small, in 2002 in Redfern, for each 'contact' with a user an average of 28 needles was handed out compared with about 10 needles per 'contact' in Cabramatta and Kings Cross:

⁴³⁷ Submission 80, Mr Clive Small, p8

⁴³⁸ Fitzgerald, J, S Broad & A Dare, *Regulating the Street Heroin Market in Fitzroy/Collingwood, Parkville*, University of Melbourne, 1999, in Submission 85, Anex, p6

⁴³⁹ Submission 59, Police Association of NSW, p8

⁴⁴⁰ City of Sydney Council, *Redfern-Waterloo Community Safety Plan – March 2004*, p34

⁴⁴¹ *ibid*, p35

⁴⁴² Ms Becker, NSW Health, Evidence, 8 June 2004, p41

Little wonder that Redfern was littered with needles.

Reports suggest that there has been little, if any improvements in the clean-up of discarded needles since the announced 2002 Anti-Drugs Strategy, yet improved needle clean up programs were a component of that Strategy.⁴⁴³

- 5.78** The Aboriginal Housing Company (AHC) told the Committee that until recently the Block was covered in discarded used syringes and needle stick injuries were common amongst children living in the Block. Research conducted by social planner Ms Angie Pitts on behalf of the AHC found that the way the needles were distributed on the Block did not conform to REPIDU's own standards for the fixed needle exchange service. The AHC suggests that where the fixed service places a limit on the number of needles an individual could access per day:

At the needle bus on the Block the side door of the van was open and users of the service were welcome to take as many needles as they wanted.⁴⁴⁴

- 5.79** Several individual police officers working in the Redfern area questioned the rationale behind the distribution of large numbers of syringes. One police officer who asked for his/her name to remain confidential, suggested that the needle van should operate as an 'exchange':

Why isn't there a return system? You hand a syringe in you get a clean one in return. Not let's hand you five or ten and receive no dirty syringes.⁴⁴⁵

- 5.80** In evidence, NSW Health representative, Ms Karen Becker suggested that approximately 15,000 to 30,000 syringes are distributed per month in Redfern. Ms Becker also suggested, as indicated above, that prior to 3.00pm the needle van is getting approximately 40 users per day, and between 3.00pm and 5.00pm an average of 3 users.⁴⁴⁶

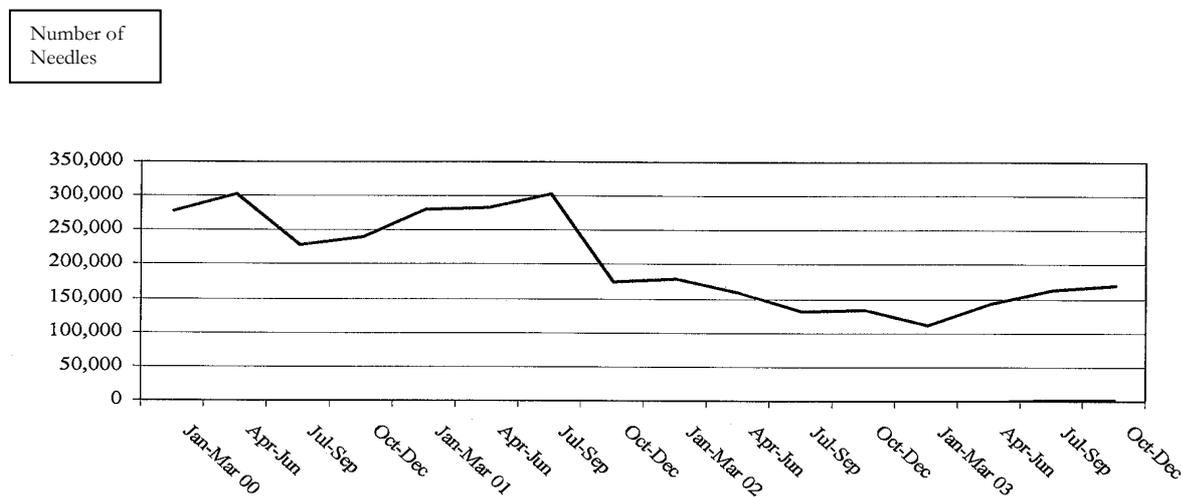
- 5.81** According to the NSW Government, there has been a decline in the overall distribution of needles in Redfern since January 2000.

⁴⁴³ Submission 80, Mr Clive Small, pp8-9

⁴⁴⁴ Submission 42, Aboriginal Housing Company, p4

⁴⁴⁵ Submission 72, Name confidential, p1

⁴⁴⁶ Ms Becker, NSW Health, Evidence, 8 June 2004, p42, 48

Figure 5.2 Distribution statistics for the Needle and Syringe Program - Redfern

Notes: Needle and syringe program (2003). Needle and Syringe Distribution Data 2001-2003.

Source: Submission 55, NSW Government, Part 6 – Community Safety and Justice p249

- 5.82** The CSAHS reports that between August 2002 and March 2004, the number of needles distributed to each person presenting to the service decreased by 30-40%.⁴⁴⁷ The Committee understands that the process of reducing the number of needles distributed to clients was a gradual process. At the same time as the reduction, a re-education program was undertaken by health officers to ensure that clients of the van were informed of changes to the provision of needles per presentation. The education program also informed users that requests for large numbers of needles and syringes would be referred to fixed outlets such as the Pitt Street service. The re-education of needle van clients as to the current arrangements for needle distribution is on-going.
- 5.83** According to the City of Sydney Council, the education program is one of the major achievements of the Anti-Drug Strategy. They claim that the numbers of needles distributed per presentation on the Block have decreased from 30.9 in August 2002 to 18.8 in March 2003.⁴⁴⁸
- 5.84** While agreeing with the changes made to the distribution of needles and syringes, NSW Health told the Committee they would not like to see a reduction in the access to sterile injecting equipment due to the increased risk for injecting drug users to share needles. Ms Becker also indicated that a reduction in the access to clean equipment could potentially increase the black market trade in needles.⁴⁴⁹

⁴⁴⁷ Submission 55, NSW Government, p248

⁴⁴⁸ City of Sydney Council, *Redfern-Waterloo Community Safety Plan – March 2004*, p80

⁴⁴⁹ Ms Becker, NSW Health, Evidence, 8 June 2004, p41

- 5.85** Other submission authors warned against reducing the access to sterile injecting equipment. Anex provided the following example to illustrate the need for access to an adequate supply of clean equipment:

In Vancouver during 1995, HIV prevalence tripled in an 18-month period despite the presence of the largest-volume NSP on the North American continent that distributed an estimated two million needles and syringes a year. In this instance the operational policy for the service that restricted the number of equipment provided to six sets of needles and syringes per visit was cited as a contributory factor.⁴⁵⁰

Clean-up programs

- 5.86** According to the NSW Government submission, the clean-up of the streets of Redfern and Waterloo to remove discarded needles is being undertaken regularly and effectively. In December 2002, CSAHS engaged a contractor to undertake the clean-up of needles seven days a week in the streets in and around the Block.⁴⁵¹ The Project Director of the Redfern Waterloo Partnership Project, Mr Michael Ramsey, told the Committee:

Part of the Anti-drug Strategy was about cleaning up of needles in and around the Block. There has been a far more aggressive clean-up of needles in and around the Block by the area health service, they have brought in a contractor to actually do that.⁴⁵²

- 5.87** According to Ms Monica Barone, Director, Community Living, City of Sydney Council the Council also has a role in addressing the number of discarded syringes in the area:

We also have a syringe program for the whole city where we roll out the syringe bins and we are responsible for co-ordinating cleansing around syringes and that kind of thing.⁴⁵³

- 5.88** The Committee understands there is a real need for fixed syringe bins for Redfern and Waterloo. The City of Sydney Council has suggested that recent shifts in injecting drug activity due to the demolition of the shooting galleries have resulted in more syringes being discarded in public places. To address this significant public health and safety issue, the Council is committed to install new fixed syringe bins built to NSW Health recommended standards. The Council identified two locations in City South as requiring urgent installation of the 23 litre fixed syringe bins. The Council advises that the CSAHS will service the two fixed bin locations via their syringe clean up contractors.⁴⁵⁴ The Committee understands that there are two bins now located in the Redfern and Waterloo area, with a new larger bin recently installed in Caroline Lane.

- 5.89** Some inquiry participants acknowledged the changes that have occurred in relation to the clean-up of needles:

⁴⁵⁰ Submission 85, Anex, p5

⁴⁵¹ Submission 55, NSW Government, p248

⁴⁵² Mr Ramsey, Redfern Waterloo Partnership Project, Evidence, 18 May 2004, pp9-10

⁴⁵³ Ms Barone, City of Sydney Council, Evidence, 8 June 2004, p79

⁴⁵⁴ Submission 55, NSW Government, pp257-258

It was not until the Redfern Waterloo Partnership Program director Michael Ramsey stepped in and insisted that CSAHS do a daily clean up on the Block that things have improved.⁴⁵⁵

5.90 A small number of submissions noted where improvements could be made to the current needle and syringe clean-up arrangements. Anex outlines the approach taken by different jurisdictions in dealing with syringe litter. For instance, the City of Melbourne has adopted a comprehensive syringe management plan for 2001 – 03 and 2004 – 06, including daily syringe clean-ups, expansions of syringe clean-up services for ‘hot-spot’ areas and installation of syringe disposal units in every cubicle in Council public toilets. A similar syringe management strategy was developed by the City of Brisbane together with the Queensland government. Components of the strategy include the installation of 500 sharps disposal bins in public toilets and other public places, ‘sharps sweeps’ throughout the city and drug user education programs. Anex recommends that:

...the NSW Government and the City of Sydney Council initiate a review of strategies relating to the management of syringe litter in the Redfern/Waterloo area, and develop and implement further enhanced strategies to ensure that sufficient numbers of and efficiently serviced syringe bins and chutes are installed.⁴⁵⁶

Referral services and other drug related services

5.91 As mentioned above, one of the major aims of NSPs is to provide referrals to other health and human services including drug treatment services. NSW Health have identified that NSPs provide a unique window of opportunity to engage users who may not access mainstream health services:

NSPs are often the first contact that these clients have with any health service. By engaging injecting drug users through NSP services, those who continue to use drugs are likely to incur less harm to themselves and the broader society.⁴⁵⁷

5.92 NSW Health stressed the importance of the opportunity provided by the needle van to give information and link injecting drug users to other health services. One intention of the service is to allow for health workers to engage with injecting drug users and talk to them about the risks associated with drug use, as well as related issues such as the impact on families. According to Ms Karen Becker, referral services include counselling services provided through Royal Prince Alfred Hospital and other services through the Redfern Community Health Centre and the MERIT program. In addition to that, the recently established Street Team provides a range of outreach services.⁴⁵⁸

5.93 The Aboriginal Medical Service (AMS) expressed support for the drug services within the area health service. The Coordinator of the AMS Drug and Alcohol Unit, Mr Bradley Freeburn, acknowledged that health workers with the mobile needle service were working

⁴⁵⁵ Submission 42, Aboriginal Housing Company, p4

⁴⁵⁶ Submission 85, Anex, p1

⁴⁵⁷ Answers to QON 18 May 2004, Dr Col Gellatly, Premier's Department, Qu 2 NSW Health Submission, p17

⁴⁵⁸ Ms Becker, NSW Health, Evidence, 8 June 2004, p40

under an ‘incredible amount of pressure’.⁴⁵⁹ Despite this support, Dr Mayers told the Committee that the AMS is unwilling to participate in the delivery of services such as counselling to users of the service while the needle van is located at the Block:

So we said we do not want anything to do with it unless you move it off the Block. So they set up where they pay the rent and they have not even moved it there. They were going to have everything there. There was a building that would have been suitable, and it would have been away from the Block and away from the families and the kids. Then we would have worked in with them.⁴⁶⁰

5.94 One of the issues identified by the Aboriginal community is the need for Aboriginal drug and alcohol services, including detoxification and rehabilitation services. Ms Shirley Lomas told the Committee that funding should go to land councils and medical services to provide rehabilitation services.⁴⁶¹ In community meetings held earlier this year with the Department of Aboriginal Affairs, it was suggested that the former Rachel Foster Hospital was a possible site for the location of drug and alcohol services. As mentioned earlier in the chapter, there is concern that the drug problem may spread to regional areas if the issues ‘goes on unchecked.’⁴⁶²

5.95 NSW Health’s Ms Karen Becker told the Committee that she was unaware of any formal request to establish Aboriginal specific drug and alcohol services at the Rachel Foster hospital site:

The Rachel Foster site is currently being redeveloped. It is proposed to put the Redfern community health centre there. There have been a number of discussions about what sorts of services will be provided. We are providing some places for them. Central Sydney Area Health Service will certainly support the establishment of an Aboriginal specific rehabilitation program in the area if the appropriate resources are provided.⁴⁶³

5.96 A number of inquiry participants told the Committee that the Rachel Foster Hospital site has ‘lain dormant’ for years. The Inner Sydney Regional Council for Social Development argue that the site has the potential to be a place that could be used to provide necessary services for the community.⁴⁶⁴

5.97 According to the March 2004 Redfern/Waterloo Anti-Drug Strategy Update, the feasibility of establishing a health/overdose management response team operating from the Aboriginal Housing Company building on the Block is being examined.⁴⁶⁵ The Update has identified the need to convene a meeting between the Aboriginal Medical Service (AMS), the CSAHS and the Aboriginal Housing Company (AHC) to develop a letter of intent between the AMS, the CSAHS and the AHC to work collaboratively to improve health

⁴⁵⁹ Mr Bradley Freeburn, Aboriginal Medical Service, Evidence, 4 June 2004, p34

⁴⁶⁰ Dr Mayers, Aboriginal Medical Service, Evidence, 4 June 2004, p26

⁴⁶¹ Ms Shirley Lomas, Evidence, 26 May 2004, p52

⁴⁶² Submission 55, NSW Government, p119

⁴⁶³ Ms Becker, NSW Health, Evidence, 8 June 2004, p46, 48

⁴⁶⁴ Submission 46, Inner Sydney Regional Council for Social Development, p6

⁴⁶⁵ See Appendix 7, March 2004 Redfern/Waterloo Anti-Drug Strategy Update, Issue 10.6

outcomes for residents on the Block and reach agreement on locating a health/overdose management response team from the AHC offices.⁴⁶⁶

- 5.98** The Anti-Drug Strategy is also considering the feasibility of establishing a program to provide free needles, syringes and sterile water for injecting drug use through local Redfern and Waterloo pharmacies.⁴⁶⁷

Other options to the needle van

- 5.99** The use of back-pack exchanges is one alternative to the needle van canvassed by the Departments of Health and Police. According to NSW Police's Deputy Commissioner Madden, one alternative discussed at a meeting with NSW Health in 2002 was for health officers to go into the Redfern area with back-packs with syringes to exchange. Another suggestion put forward was the use of vending machines.⁴⁶⁸ In her evidence to the Committee, Ms Monica Barone explained the current progress on the consideration of vending machines:

The issue of the vending machines was one option, so it was like if we do not have the van is this an acceptable option? The City of Sydney will just be consulting with the local community around their tolerance to that idea and really we do it via the partnership project, via the drug and alcohol task force, because that is the appropriate mechanism.⁴⁶⁹

- 5.100** In answer to a question on notice, Ms Barone added that while the City of Sydney Council had received no formal submission from the Government on the placement of a needle vending machine near the Block:

I can confirm that a number of ongoing discussions have been taking place with Government representatives and other relevant stakeholders on this issue. Council is currently considering several options.⁴⁷⁰

- 5.101** NSW Health representative, Ms Karen Becker explained that the issue of vending machines arose in relation to discussions about moving the mobile needle and syringe van from the Block:

There is very strong pressure for the van to move off the Block, as you are well aware. The primary role of an NSP is to provide clean injecting equipment to reduce the spread of blood-borne virus. That was the primary goal. If the van was located off the Block, then we could put up a dispensing machine, which could provide the clean syringes. That was a compromise. Certainly, in an ideal world we would prefer to have face-to-face contact with clients to provide a range of different services.⁴⁷¹

⁴⁶⁶ *ibid*, Issue 10.5

⁴⁶⁷ *ibid*, Issues 10.7 and 10.8

⁴⁶⁸ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p69

⁴⁶⁹ Ms Barone, City of Sydney Council, Evidence, 8 June 2004, p79

⁴⁷⁰ Answers to QON 8 June 2004, Ms Barone, City of Sydney Council, Qu 1, needle vending machine, p1

⁴⁷¹ Ms Karen Becker, Evidence, 8 June 2004, p48

- 5.102** There have been a number of proposed locations for vending machines in and around the Block, including Caroline Lane and Holden Street. Witnesses have suggested that, in the event of the relocation of the needle van from the Block, vending machines should be located in the Block. The Committee understands that there are a number of concerns about locating vending machines in unsupervised areas or places where there is no opportunity for contact with health professionals.

Different approaches to drug and alcohol issues

- 5.103** During evidence, a number of witnesses expressed views on whether more radical solutions for the drug problems would be appropriate for the Redfern and Waterloo area. Such proposals included the decriminalisation of illicit drugs and the establishment of a safe injecting room.

- 5.104** The Lord Mayor of Sydney, Ms Clover Moore MP, told the Committee that she would support the introduction of a medically supervised injecting room similar to the service that operates in Kings Cross for Redfern and Waterloo. Ms Moore explained that such a service would ‘take injecting off the streets, getting people into treatment and saving lives from overdosing.’⁴⁷² In the context of providing this kind of service, with the aim of minimising the risks associated with illegal drug use, Ms Moore also favoured the decriminalisation of hard drugs. She told the Committee:

For someone with an established drug habit a supervised centre would be very beneficial for the community because of the reduction of crime and again helping people get appropriate support...you should also provide prescription drugs for people in those centres, under supervision.⁴⁷³

- 5.105** In his submission to the inquiry, Dr Alex Wodak, President of the Australian Drug Law Reform Foundation, suggested that the full range of harm reduction strategies should be considered, including a medically supervised injecting room.⁴⁷⁴ Aboriginal community representative, Mr Kevin Smith also told the Committee that he believed a legal heroin gallery was needed to ‘allow heroin users to be registered and monitored and the statistics could be better confirmed by those who are using heroin on whether the rates are increasing or decreasing.’⁴⁷⁵ Conversely, a number of witnesses advised the Committee that both a medically supervised injecting centre and the decriminalisation of hard drugs would seriously compromise the Redfern and Waterloo areas. Mr Clive Small argued that such a service ‘would send the message that the government accepts that Redfern will continue to have flagrant and open drug markets, supported mostly by “visitors” to the area’⁴⁷⁶
- 5.106** Deputy Commissioner Madden also argued that, in his experience, such a service would actually increase the risk of crime in the area:

⁴⁷² Ms Moore, Lord Mayor of City of Sydney, Evidence, 25 May 2004, p81

⁴⁷³ *ibid*, p82

⁴⁷⁴ Submission 9, Dr Alex Wodak, p2

⁴⁷⁵ Mr Kevin Smith, Evidence, 19 May 2004, p48

⁴⁷⁶ Submission 80, Mr Clive Small, p9

...at some of the other locations where we have trouble with methadone clinics, where people are committing crime around methadone clinics, it is the same type of thing where people are looking for funds to make purchases...⁴⁷⁷

5.107 Premier Carr did not dismiss the possibility of a medically supervised injecting centre, although he emphasised the need for a cautious approach:

We would need all the Aboriginal leadership and the police and the other stakeholders in Redfern to come to the government and say 'look we think this is a way forward' before we would seriously contemplate it.⁴⁷⁸

5.108 In relation to alcohol, a small number of witnesses commented on the possibility of establishing 'wet rooms' in the area. Ms Clover Moore MP told the Committee that the Redfern Waterloo areas would benefit from a 'drying out place...particularly to address domestic violence related to alcoholism':

Wet centres are working successfully in the United Kingdom. A recent evaluation showed that they improve safety and amenity, they reduce costs for government and business, and they reach homeless people who do not currently use services.⁴⁷⁹

5.109 The Committee notes that the issues of drug and alcohol misuse are extremely serious issues in relation to Redfern and Waterloo. The Committee will continue to consider these in the second stage of the Inquiry. We welcome any further comments on issues related to drug and alcohol use and misuse in the Redfern and Waterloo area.

A way forward for the mobile needle and syringe service

5.110 The Committee strongly supports the principles of harm minimisation as a tested public health measure aimed at improving the health of drug users and general community wellbeing. We accept that a range of strategies are required to address harmful drug use including abstinence-based approaches, primary prevention, early intervention, treatment and rehabilitation. In addition, the Committee believes there is an important role for needle and syringe programs. There is overwhelming evidence to suggest that needle and syringe programs are effective in terms of health outcomes for drug users and the broader community, and for their cost effectiveness.

5.111 The Committee is of the view that the Redfern/Waterloo Anti-Drug Strategy is an important initiative aimed at addressing many of the serious drug problems in the area. We believe there is a role for a needle and syringe service in the Redfern/Waterloo area. The Committee acknowledges the evidence provided by NSW Health's Dr Gregory Stewart and others that without access to clean injecting equipment, there is a very real possibility of a major outbreak of blood borne diseases such as HIV, particularly among the Aboriginal community. The Committee agrees that the rates of HIV and Hepatitis C amongst injecting drug users are already too high, and every effort should be made to reduce the risks for all

⁴⁷⁷ Deputy Commissioner Madden, NSW Police, Evidence, 18 May 2004, p68

⁴⁷⁸ Premier Carr quoted in Australian Associated Press, 'Redfern injecting room only under certain conditions: Carr', 26 May 2004

⁴⁷⁹ Ms Moore, Lord Mayor of City of Sydney, Evidence, 25 May 2004, p81

injecting drug users. While the Committee accepts that there is not necessarily a large number of injecting drug users living in and around the Block, Redfern is well known as a traditional meeting place for Aboriginal people from all parts of NSW and other States and Territories. For this reason, Redfern is an appropriate place to locate a range of services for Aboriginal people, including access to harm minimisation programs such as needle and syringe services.

- 5.112** The Committee is concerned about the image of Redfern as a place with a substantial drug problem. We are mindful of the comments made by the Aboriginal Housing Company and others that services such as the needle and syringe program located in the Block give the impression that the Aboriginal culture is a ‘drug culture’. The Committee strongly believes this is not the case. During our inquiry process, we have witnessed first hand that which was spoken about by Ms Marcia Ella-Duncan – a vibrant Aboriginal community. The Committee believes that governments, the media and the local community should make every effort to ensure that Redfern and Aboriginal culture are not identified with a ‘drug culture’. We note too, the comment made by RWPP’s Mr Michael Ramsey and others that the needle van is not only servicing Aboriginal people, but instead a mixed group of people from a range of cultures, socio-economic groups and places of residence.
- 5.113** The Committee acknowledges that the Government understands the challenge in maintaining a strong public health presence and preventing outbreaks of HIV and Hepatitis C among particular populations with high risk behaviours, while being flexible and responsive to concerns about illicit drug use in public places.⁴⁸⁰ However, the Committee is concerned about the slow pace with which a number of elements of the Redfern/Waterloo Anti-Drug Strategy have been implemented. In addition, the level of community anger and frustration from inquiry participants about the mobile needle and syringe service indicates a poor level of communication from government on the rationale for the service and changes to the service.
- 5.114** One particular area of concern for the local community is the location of the needle van. The Committee strongly supports the evidence to this Inquiry that the service should not be located directly adjacent to children’s play areas. We also acknowledge that the location of the service close to the Community Centre is a concern for those people accessing the centre. The Government has indicated to the Committee a commitment to the relocation of the mobile service permanently away from the residential areas to a nearby industrial area on Hudson Street.
- 5.115** The Committee strongly believes that the mobile needle and syringe service must not be located in a residential area. While there have been a number of locations suggested, we believe the most appropriate place to locate the van is in Hudson Street. The Committee suggests that the service should be moved within the next three months.
- 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.
- 5.117** The Committee is aware of NSW Health concerns that the relocation of the van not limit or reduce injecting drug users’ access to the service. There has been a reduction in the use

⁴⁸⁰ Submission 55, NSW Government, p256

of the afternoon service since it was relocated. The Committee believes that the Redfern Waterloo Partnership Project, NSW Health and the City of Sydney Council must ensure that there is an education campaign to alert users to changes in the location of the service. In addition, they should ensure there is a comprehensive review process and evaluation of the impact of the relocation of the mobile needle and syringe service, including the changes in demand patterns for Redfern and Waterloo.

5.118 The Committee believes there is an urgent need to develop and implement a new Memorandum of Understanding (MOU), to guide the activities of health workers and police officers. There has been considerable confusion as to the responsibilities for each agency. The Committee acknowledges that the harm minimisation strategy in general, and the mobile needle van in particular, can cause conflict between Health and Police due to competing priorities. Evidence to this Inquiry suggests that this is creating considerable difficulties for police officers working in the area. For example, police expressed frustration with the confusion about determining the appropriate distance from the needle van for a police officer to target an individual suspected of criminal activity, while health workers expressed concern about police officers inappropriately targeting and intimidating users of the needle van. Nevertheless, it seems clear that police can do more to target drug dealers. The Committee believes that a comprehensive MOU must address these and other issues. As mentioned above, a meeting took place in June 2004 between police and health officers to discuss the development of a MOU. The Committee understands that as a result of that meeting, health and police are considering the development of an MOU. The Committee believes a comprehensive information campaign should be undertaken to ensure all relevant police officers and health workers in the Redfern and Waterloo area are aware of the MOU and the rationale behind harm minimisation strategies such as mobile needle and syringe services.

5.119 The Committee is concerned about the large numbers of syringes distributed in recent times by the needle van. We received assurances from NSW Health that they had reduced the number of needles distributed per user, and had undertaken to advise users to approach the fixed service for large numbers of needles. The Committee strongly urges adherence to the limit set on the number of needles distributed to users per contact with the mobile needle and syringe service. The Committee notes the comments made by some participants that drug dealers have been obtaining a large number of needles from the van and on-selling them at a profit to users as part of their 'fit'. The Committee also notes the evidence provided by Anex and others that lack of access to sterile injecting equipment can lead to increases in the incidence of Hepatitis C and HIV.⁴⁸¹ The Committee believes that while there must be a limit to the number of needles distributed, we would not like to see any reduction in access to sterile equipment for injecting drug users.

5.120 The Committee acknowledges that significant work has taken place to clean-up dirty needles and syringes in Redfern. This issue was a major cause for concern for a large number of inquiry participants. We encourage the Redfern Waterloo Partnership Project to ensure the continuation of the needle and syringe clean-up program. In addition, we urge the RWPP to work with the City of Sydney Council to ensure that there is appropriate maintenance of the syringe bins currently in place in two locations in Redfern and Waterloo. The RWPP should also conduct a review of services provided in other

⁴⁸¹ Submission 85, Anex, p5

jurisdictions including the installation of disposal units in all public toilets and 'sharps sweeps'.

- 5.121** In relation to the overdose management team, the Committee understands that arrangements are in place to ensure the overdose management team is able to respond when overdoses occur. The Committee believes the overdose management team must continue to operate with the re-location of the needle van.
- 5.122** In relation to referral services, the Committee took evidence from a range of organisations about the adequacy or otherwise of referral services in the area, particularly for Aboriginal people. The Committee will investigate further the adequacy of drug and alcohol related services in the Redfern and Waterloo areas for the Aboriginal and non-Aboriginal communities in the second stage of this Inquiry. No doubt the Human Services Review will provide useful information on the adequacy of these services. However, based on the evidence provided by the Aboriginal Medical Service and others, we believe there is value in investigating the adequacy of referral services for Aboriginal people with drug and alcohol problems in Redfern and Waterloo, and the feasibility of establishing an Aboriginal drug and alcohol services in the area, with the possible location at the Rachel Foster Hospital site or another appropriate site.
- 5.123** While the Committee believes the mobile needle and syringe service should remain located in the area, we also believe that the need for the service should be regularly reviewed. We note that some people have suggested that, with the relocation of the needle van to Hudson Street, consideration should be given to the installation of vending machines in the Block, with possible sites including Caroline Lane and Holden Street. The Committee notes that the location of vending machines in the area is under consideration. While we have not taken extensive evidence on the efficacy of vending machines, the Committee is not convinced that vending machines are an appropriate means of the distribution of clean injecting equipment. In addition, we are concerned about the location of vending machines in unsupervised areas or in places where there is no opportunity for contact with health professionals.
- 5.124** The location of the needle van at the Block has caused tension between government and local services, particularly Aboriginal services. The Committee believes the NSW Government should take a lead role in ensuring there is adequate understanding of the need for harm minimisation strategies such as the mobile needle and syringe service.

Recommendation 20

That the Redfern/Waterloo Partnership Project, NSW Health and the City of Sydney Council work together to ensure that the Redfern/Waterloo Anti-Drug Strategy is fully implemented including:

- the relocation, within the next three months, of the mobile needle and syringe service away from the residential area to a nearby industrial area on Hudson Street, Redfern, with comprehensive information to users of the needle and syringe service about the relocation
- a comprehensive review process and evaluation of the impact of the relocation of the mobile needle and syringe service, including the changes in demand patterns for Redfern and Waterloo
- as a matter of urgency, a Memorandum of Understanding between NSW Health and NSW Police on the mobile needle and syringe service with appropriate guidelines and operating procedures for front line police and health workers
- adherence to the limit set on the number of needles distributed to users per contact
- continuation of the needle and syringe clean-up program and review of services provided in other jurisdictions including the installation of disposal units in all public toilets and 'sharps sweeps'
- appropriate maintenance of the syringe bins currently in place in two locations in Redfern and Waterloo
- ensuring there is access to the overdose management response team.

Recommendation 21

That the NSW Government, through the Redfern/Waterloo Partnership Project, liaise with the Central Sydney Area Health Service, relevant Aboriginal organisations and representatives from the Aboriginal community, to ensure there are adequate referral services for Aboriginal people with drug and alcohol problems in Redfern and Waterloo. In particular, consideration should be given to the feasibility of establishing detoxication and other drug and alcohol related services, particularly for Aboriginal people, at the Rachel Foster Hospital site or another appropriate site.

Recommendation 22

That the NSW Government, together with the City of Sydney Council, undertake a community education campaign in the Redfern and Waterloo area providing information on the rationale for harm minimisation, the Redfern Anti-Drug Strategy and the needle and syringe service with a view to improving community understanding of the benefits to the health of illicit drug users as well to the wellbeing of the broader community.

Appendix 1 Submissions

No	Author
1	Mr James Walsh
2	Ms Rachel Williams
3	Ms Carol O'Donnell
4	Ms Marcia Neilson
5	Mr Brian Charlton, Life Engineering
6	Ms 2 Tone
7	Mr Ian Tomkins
8	Confidential at request of author
9	Dr Alex Wodak, Australian Drug Law Reform Foundation
10	Mr Jon Phillips
11	Name suppressed at request of author
12	Ms Julie Druce, SDN Children's Services
13	Mr Stephen Gale
14	Name suppressed at request of author
15	Mrs Kristina Keneally, MP, Member for Heffron
16	Ms Brenda Ann McDonnell, Aboriginal Catholic Ministry
17	Mr Ross Smith
18	Mr Desmond Lambley
19	Mr Ian Thomson
20	Mr Ian Thomson, Redfern Oval Action Group
21	Confidential at request of author
22	Confidential at request of author
23	Ms Joyce Ingram
24	Name suppressed at request of author
25	Confidential at request of author
26	Professor Mick Dodson, Australian Institute of Aboriginal and Torres Strait Islander Studies
27	Vine and Hugo Action Group
28	Name suppressed at request of author
29	Sergeant Paul Huxtable
30	Mr Chris Bath, Redfern Neighbourhood Advisory Board
31	Mr Neil Hills
32	Ms Louise Voight, Barnardos

33	Mr Richard Spencer, The Benevolent Society
34	Mr Con Panyotopoulos
35	Ms Clover Moore, MP, Member for Bligh
36	Confidential at request of author
37	Confidential at request of author
38	Sergeant Frank Reitano
39	Mr Boris Reznitsky
40	Name suppressed at request of author
41	Ms Cathy Duncan, Aboriginal Employment Strategy
42	Mr Michael Mundine, Aboriginal Housing Company
43	Confidential at request of author
44	Name suppressed at request of author
45	Councillor Tony Pooley, City of Sydney Council
46	Mr Charlie Richardson, South Sydney Interagency
47	Confidential at request of author
48	Mr Rob MacGregor
49	Ms Tanya Plibersek, MP, Member for Sydney
50	Ms Helen Campbell, Redfern Legal Centre
51	Mr Nick Juradowitch, Planning Institute of Australia (NSW Division)
52	Ms Caroline O'Brien
53	Confidential at request of author
54	Ms Elizabeth Rice
55	Dr Col Gellatly, Premier's Department
56	Mr Gary Moore, Council of Social Services of New South Wales (NCOSS)
57	Ms Samantha Ngui, Eastern Sydney Multicultural Access Project
58	Ms Rose Tracey, Redfern Australian Labor Party Committee
59	Mr Ian Ball, Police Association of New South Wales
60	Confidential at request of author
61	Confidential at request of author
62	Mr Ian Tuit, Hornsby Area Residents for Reconciliation
63	Dr Raymond Williamson, New South Wales Ecumenical Council
64	Ms Sharon Price, Conference of Leaders of Religious Institutes of New South Wales
65	Mr Geoffrey Turnbull
66	Confidential at request of author
67	Ms Deborah Sharp, Community Justice Centres
68	Reverend Bill Crews, Exodus Foundation
69	Mr Stuart Rosewarne, Fact Tree Youth Services

70	Mr Charlie Richardson, Inner Sydney Regional Council for Social Development Co-op
71	Mr Peter Rodgers
72	Name suppressed at request of author
73	Submission withdrawn
74	Confidential at request of author
75	Mr Michael Cottier
76	Ms Eva Toth
77	Name suppressed at request of author
78	Emeritus Professor Tony Vinson
79	Dr Wendy Shaw
80	Mr Clive Small
81	Confidential at request of author
82	Senior Constable Shannon White
83	Confidential at request of author
84	Ms Clover Moore, City of Sydney Council
85	Mr John Ryan, Annex
86	Mr John Collins
87	Mrs Dianne Cairncross
88	Name suppressed at request of author
89	Confidential at request of author

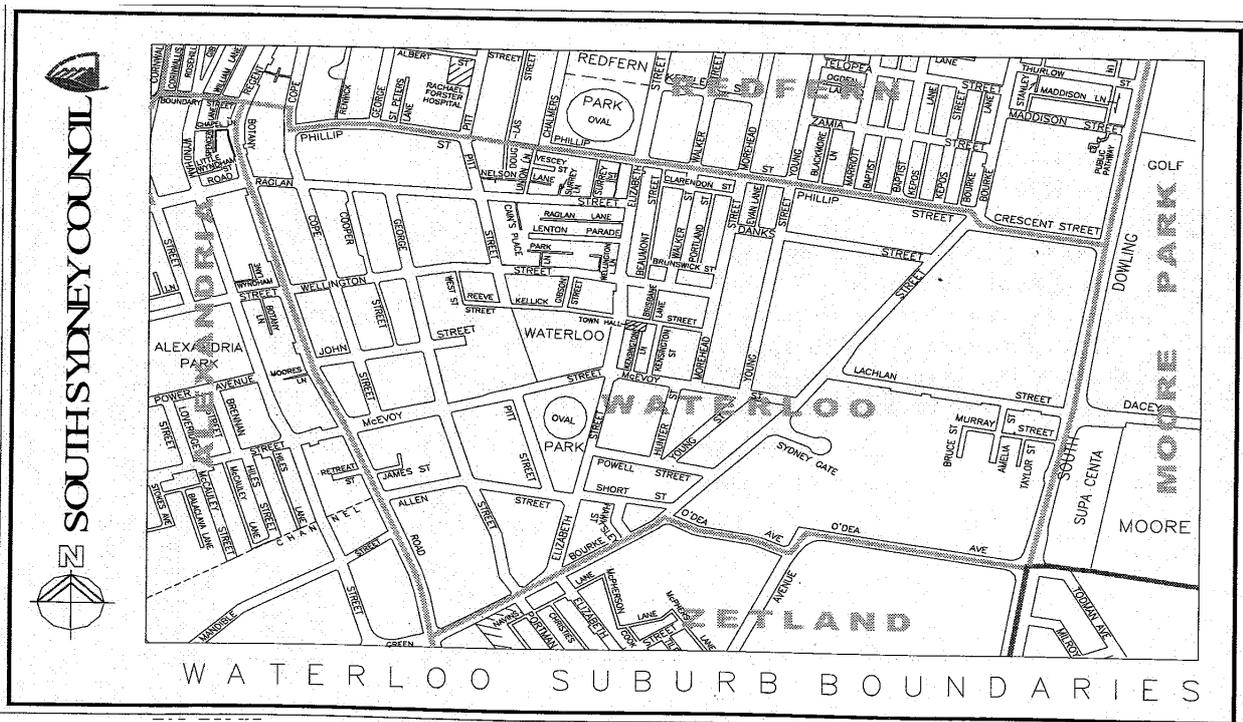
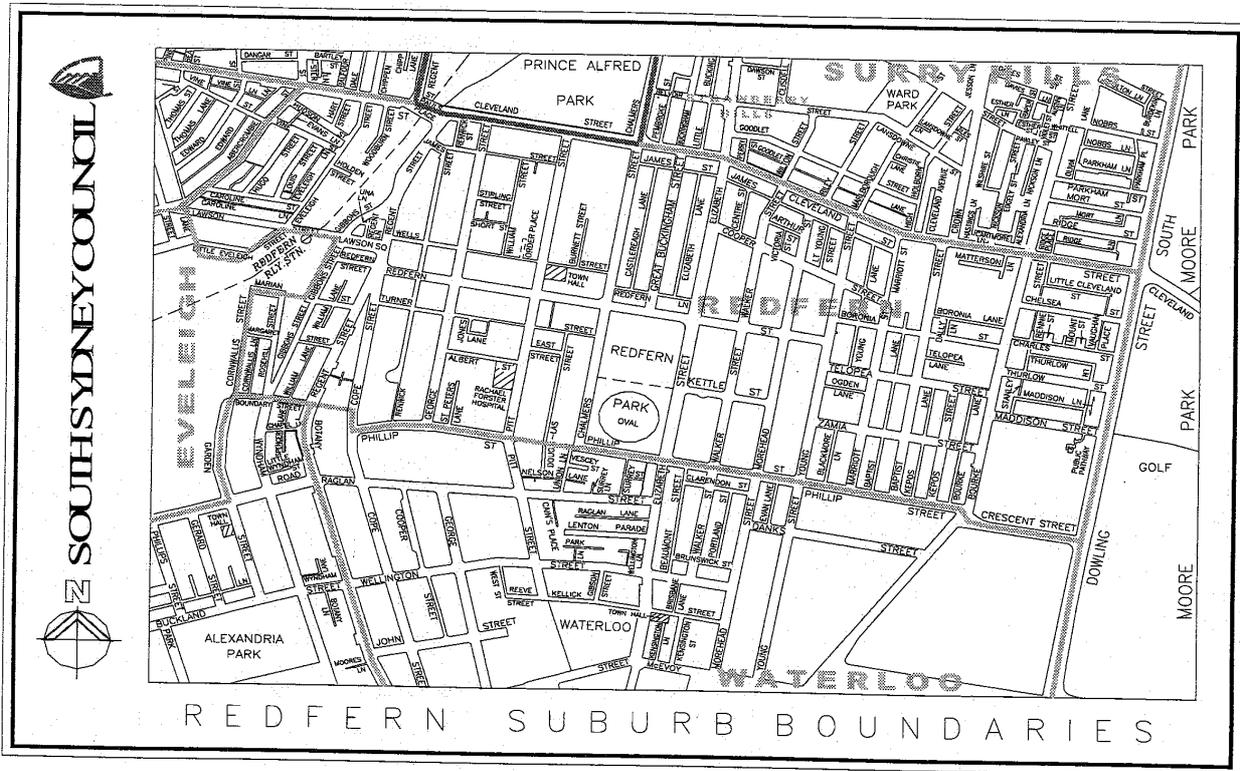
Appendix 2 Witnesses

Date	Name	Position and organisation
18 May 2004 Jubilee Room, Parliament House	Dr Col Gellatly	Director General, NSW Premier's Department
	Mr Michael Ramsey	Project Director, Redfern/Waterloo Partnership Project, NSW Premier's Department
	Mr Gary Moore	Director, Council of Social Services New South Wales
	Ms Marcia Ella-Duncan	Chairperson, Regional Council of the Aboriginal and Torres Strait Islander Commission
	Deputy Commissioner David Madden	Deputy Commissioner Operations, NSW Police
	Commander Morris West	Western Region Commander, Corporate Spokesperson for Aboriginal Issues, NSW Police
	Commander Robert Waites	Commander, Inner Metropolitan Region, NSW Police
19 May 2004 Redfern Community Centre	Witness A	
	Mr Michael Mundine	Chief Executive Officer, Aboriginal Housing Company
	Ms Lani Tuitavake	Property Manager, Aboriginal Housing Company
	Mr Peter Valilis	Project Manager, Aboriginal Housing Company
	Mr Colin James	Director, Ian Buchan Fell Housing Research Centre, University of Sydney
	Mr David Liefer	Lecturer in Facilities Management, University of Sydney
	Ms Angela Pitts	Urban/Social Planning Consultant, Aboriginal Housing Company
	Mr Richard Green	Youth Liaison Officer, Elouera Gym
	Witness B	
	Witness C	
	Witness D	
Witness E		
Ms Joyce Ingram	Aboriginal community representative	
Mr Lyall Munro	Aboriginal community representative	
Mr Kevin Smith	Aboriginal community representative	

Date	Name	Position and organisation
25 May 2004 Jubilee Room, Parliament House	Mr Shane Phillips	Aboriginal community representative
	Mr Robert Welsh	Chairperson, Metropolitan Local Aboriginal Land Council
	Mr Paul Coe	Chief Executive Officer, Metropolitan Land Council
	Mr Lindsay Hardy	Manager, Tunggaré News
	Superintendent Dennis Smith	Superintendent Commander, Redfern Local Area Command, NSW Police
	Detective Inspector Darren Bennett	Detective Inspector, Crime Manager, Redfern Local Area Command, NSW Police
	Senior Constable Georgina Owens	Senior Constable, Crime Prevention Officer, Redfern Local Area Command, NSW Police
	Mr Charles Richardson	Coordinator, Inner Sydney Regional Council for Social Development
	Mr Tony Pooley	Councillor, City of Sydney Council
	Ms Linda Burney, MP	Member for Canterbury, NSW Parliament
26 May 2004 Redfern Town Hall	Ms Clover Moore, MP	Member for Bligh, NSW Parliament and Lord Mayor of the City of Sydney
	Rev Bill Crews	Chairman, Exodus Foundation
	Mr Richard Boyd	Treasurer, Exodus Foundation
	Mr Stuart Rosewarne	Chairperson, Fact Tree Youth Service
	Ms Sharne Dunsmore	Executive Officer, Fact Tree Youth Service
	Ms Jody Broun	Director General, NSW Department of Aboriginal Affairs
	Ms Helen Campbell	Director, Redfern Legal Centre
	Ms Lyndal Gowland	Coordinator, Women's Domestic Violence Court Assistance Scheme
	Ms Kirrillie Moore	Solicitor, Redfern Legal Centre
	Ms Shirley Lomas	Aboriginal community representative
4 June 2004 Jubilee Room, Parliament House	Ms Tania Laurie	Aboriginal community representative
	Ms Deirdre Cheers	Senior Manager, South East Sydney Barnardos Australia
	Ms Tanya Plibersek, MP	Member for Sydney, Commonwealth Parliament
	Dr Naomi Mayers	Chief Executive Officer, Aboriginal Medical Service
	Dr John Daniels	Medical Director, Aboriginal Medical Service

Date	Name	Position and organisation
7 June 2004 Jubilee Room, Parliament House	Mr Brad Freeburn	Coordinator, Drug and Alcohol Unit, Aboriginal Medical Service
	Dr Neil Shepherd	Director General, NSW Department of Community Services
	Ms Anne-Maree Sabellico	Regional Director for Metro Central, Department of Community Services
8 June 2004 Jubilee Room, Parliament House	Ms Brenda McDonnell	Coordinator, Aboriginal Catholic Ministry
	Mr Bob Pritchard	President, Police Association of NSW
	Mr Greg Chilvers	Director, Research and Resource Centre, Police Association of NSW
	Sergeant Paul Huxtable	Branch Administrator, Redfern Branch, Police Association of NSW
	Sergeant Frank Reitano	Delegate, Redfern Branch, Police Association of NSW
	Mr Russell Taylor	Chief Executive Officer, Aboriginal Housing Office
	Dr Greg Stewart	Public Health and Chief Health Officer, NSW Health
	Mr Richard Gilbert	Director of Health Services Planning, Central Sydney Area Health Service
	Ms Karen Becker	Director of Drug Health Services, Central Sydney Area Health Service
	Mr Andrew Cappie-Wood	Director General, NSW Department of Education and Training
	Mr Phil Lambert	Regional Director (Sydney), Aboriginal Education, NSW Department of Education and Training
Ms Kristina Keneally, MP	Member for Heffron, State Parliament	
Ms Monica Barone	Director, Community Living, City of Sydney Council	
Mr John Maynard	Community Safety Officer, City of Sydney Council	

Appendix 3 Maps of Redfern and Waterloo



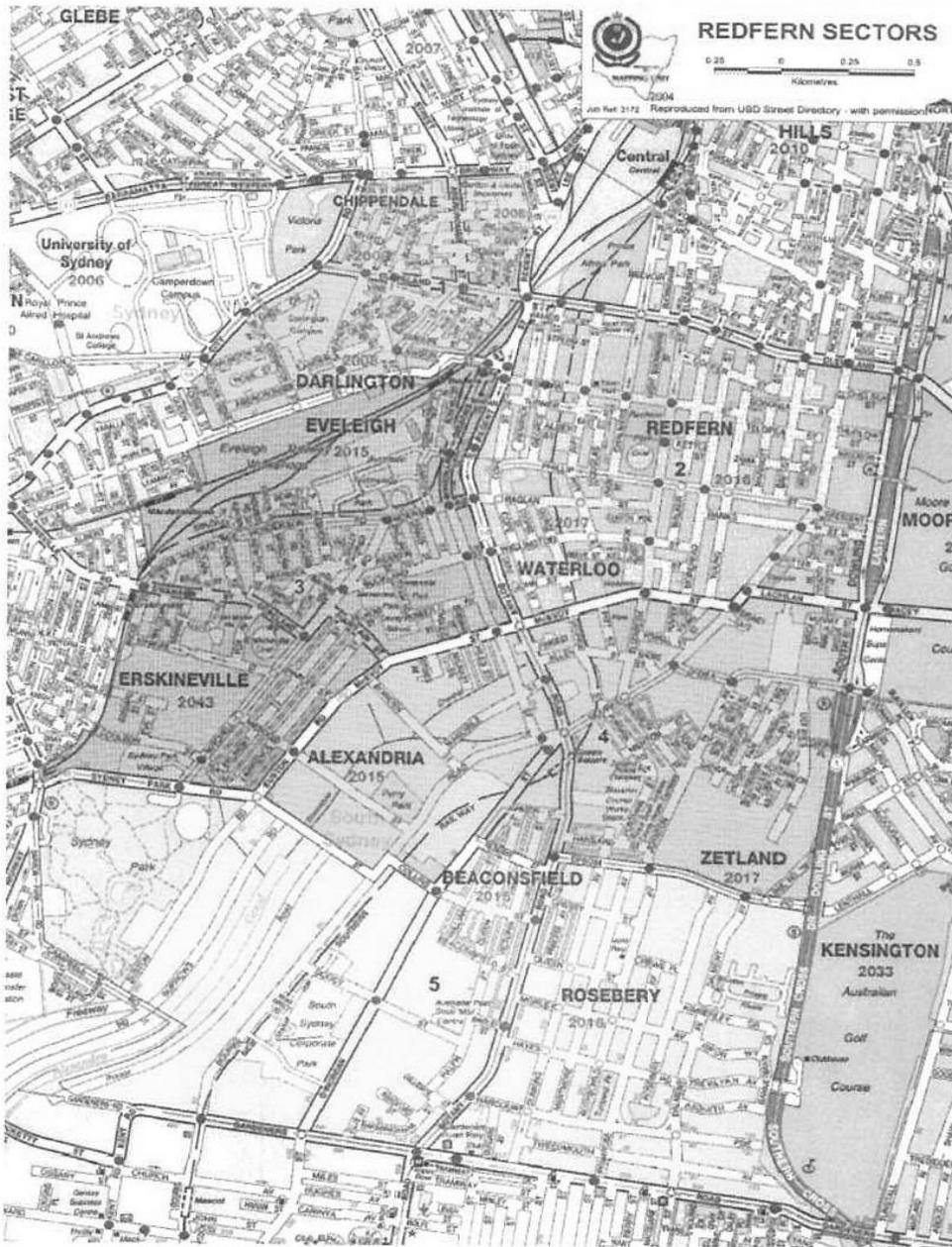
Source: City of Sydney Council, Redfern-Waterloo Community Safety Plan – March 2004, p20

Appendix 4 The Block and surrounding area



Source: *Land ownership in and around the Block*: Submission 55, NSW Government, p218

Appendix 5 Redfern Local Area Command



Source: *Boundaries of the Redfern Local Area Command*: Submission 55, NSW Government, p263

Appendix 6 Crime statistics

Number of criminal incidents recorded in postcodes 2016/2017/2008*								
Offence classification		1999	2000	2001	2002	2003	24 month trend ²	5 year trend ¹
Homicide	Murder	4	0	1	0	2		
Assault	Assault	594	681	794	816	657	down 19.5%	
Sexual offences	Sexual assault	23	18	23	32	24		
	Indecent assault, act of indecency, other sex offences	18	24	32	20	40		
Robbery	Robbery without a weapon	262	291	501	410	401		up 53.1%
	Robbery with a firearm	15	2	6	8	11		
	Robbery with a weapon not a firearm	156	118	236	108	75	down 30.6%	down 51.9%
Theft	Break and enter - dwelling	602	756	990	647	621		
	Break and enter - non-dwelling	291	263	399	244	245		
	Motor vehicle theft	314	315	383	364	266	down 26.9%	
	Steal from motor vehicle	1228	1539	1656	1277	1212		
	Steal from retail store	72	80	95	97	83		
	Steal from dwelling	278	304	361	299	269		
	Fraud	101	122	203	173	219		
Malicious damage to property		823	747	856	851	751		

Notes: Postcode 2016 = Redfern, 2017 = Waterloo and Zetland, 2008 = Chippendale and Darlington

1. The percentage change in the five year trend represents the difference from 1999 to 2003
2. The percentage change in the 24 month trend represents the difference from 2002 to 2003
3. BOCSAR advises that the data for 'stealing from the person' is not available.

Source: NSW recorded crime statistics 1999-2002 for Redfern, Waterloo, Chippendale and Darlington – Major trends, Submission 55, NSW Government, p235

Appendix 7 Redfern/Waterloo Anti-Drug Strategy Update – March 2004

REDFERN/WATERLOO ANTI-DRUG STRATEGY UPDATE - MARCH 2004

Issue	Actions	Lead Agency	Update
<p>1. Illegal criminal activities related to drug usage in Redfern and Waterloo.</p>	<p>1.1 Collect intelligence to:</p> <ul style="list-style-type: none"> ▪ facilitate operations which target drug dealers; ▪ identify demographic characteristics of transient drug using population. <p>1.2 Undertake Police operations which target:</p> <ul style="list-style-type: none"> ▪ drug dealers who frequent The Block and in Waterloo; ▪ drug houses on The Block; ▪ drug dealers who operate in and around the public housing estates; ▪ drug houses that operate out of the public housing estates; ▪ transient persons who travel into Redfern and Waterloo to purchase drugs; ▪ licensed premises frequented by drug dealers. <p>1.3 Implement bail condition protocols to prevent persons who do not live in Redfern or Waterloo from returning to area whilst they are on remand.</p> <p>1.4 Proactive policing around Redfern Station and The Block to turn away transient persons intending to obtain drugs.</p> <p>1.5 Develop a more intensive case management approach to persons on parole who are drug users known to the Local Area Command.</p> <p>1.6 New high risk offender legislation, Bail Amendment (Repeat Offenders) Act 2002 implemented in Redfern and Waterloo.</p> <p>1.7 'High Visibility Policing' implemented in Redfern and Waterloo based upon intelligence and thematic mapping of crime.</p>	<p>LAC, SC</p> <p>LAC, SC</p> <p>LAC</p> <p>LAC, SC</p> <p>P&P, LAC</p> <p>LAC, SC</p> <p>LAC</p>	<p>Commenced October 2002/On-going</p> <p>Commenced October 2002/On-going</p> <p>On-going</p> <p>Commenced Dec 2002</p> <p>Increased move on orders, drug detection, in January 2003</p> <p>Corrective Services have advised that Probation & Parole have intensive case management plan in place</p> <p>December 2002</p> <p>Commenced October 2002</p> <p>November 2002/ increase in intelligence & arrests Jan 2003</p>

Issue	Actions	Lead Agency	Update
3. Other Policing Issues (continued)	3.8 Redfern Police Bike Patrol Unit to be put into operation. Initial focus will be young people. 3.9 Provide funding to assist in the purchasing of Redfern Police Bike Patrol Unit uniforms.	LAC	Bike Course mid Feb 2003 Course commenced
4. Redfern Railway Station	4.1 Sniffer dogs service deployed at Redfern Railway Station. 4.2 Increased coverage of Transit Police at Redfern Railway Station.	LAC IMRC	December 2002, January 2003 November 2002/On-going
4.3	As part of the planning process for the redevelopment of Redfern Railway Station, community safety concerns to be addressed in the design phase.	SRA, SSSC	Ongoing 2003-2007
4.4	'No Loitering' signs to be erected outside Redfern Railway Station.	SSCC	signage on loitering erected by State Rail as Council have no responsibility for such signs
4.5	Review and, if necessary, upgrade CCTV on Redfern Railway Station.	SRA	Review occurred in February 2003 estimated cost if re-cabling required \$20,000
4.6	Review role of SRA security personnel located at Redfern Railway Station to achieve greater integration with the new policing strategies being implemented by the LAC.	SRA and LAC	Commenced December 2002
5. Drug Information and Resources including Treatment Options	5.1 Develop resource kit and information handout to: <ul style="list-style-type: none"> ▪ give to transient persons who are turned away by Police at Redfern Station; ▪ be used by LAC when known drug users are held at the Redfern Police Station pending being charged. 5.2 Resource kit/information handout given to drug users. 5.3 In conjunction with the Redfern Community Drug Action Team, identify strategies for how services (including non-government organisations) can support drug users to access appropriate services.	CSAHS, LAC LAC CSAHS, PDCDS	Worker commenced began process February 2003 February 2003 ongoing February - March 2003 CDAT meetings to address

Issue	Actions	Lead Agency	Update
<p>6. Initiatives to Focus on At Risk Families and Young People</p>	<p>6.1 Establish a Government/non-Government Street Team to focus on young people and children at risk:</p> <ul style="list-style-type: none"> ▪ finalise and implement model; ▪ negotiate appropriate industrial instrument with relevant Unions and Labour Council; ▪ develop protocols and procedures including OH&S protocol; and ▪ commence operations. <p>6.2 Establish an Intensive Family Support Service targeting families who do not engage with traditional services:</p> <ul style="list-style-type: none"> ▪ model finalised and Expression of Interest invited; ▪ non government organisation selected to provide service; and ▪ commence operation. <p>6.3 Employment of In Home Support for Aboriginal Families Workers (2):</p> <ul style="list-style-type: none"> ▪ Expression of Interest invited; ▪ non government organisations selected to provide service; and ▪ commence operation. <p>6.4 Employment of Family Counsellors (2) for families of culturally and linguistically diverse backgrounds:</p> <ul style="list-style-type: none"> ▪ Expression of Interest invited; ▪ non government organisations selected to provide service; and ▪ commence operation. 	<p>RWPP, DOCS RWPP, PSMO, DOCS, CSAHS DOCS, CSAHS DOCS, CSAHS DOCS</p> <p>DOCS DOCS NGO</p> <p>DOCS DOCS NGO</p> <p>DOCS DOCS NGO</p>	<p>Street Team operational Industrial agreement signed Protocols operational January 2003 NGO selection finalised January 2003 Health secondments to DOCS occurred</p> <p>NGO Barnardos selected, announcement February 2003</p> <p>EOI process October 2002 Mudgin-Gal selected January 2003 announcement February 2003</p> <p>EOI commenced October 2002 Selection Centacare May 2003</p>
<p>7. Environmental Factors to be Addressed on The Block</p>	<p>7.1 Development Application (DA) lodged to demolish derelict buildings being used as shooting galleries.</p> <p>7.2 DA approval expedited by:</p> <ul style="list-style-type: none"> ▪ waiving heritage assessment; and ▪ undertaking a structural engineering assessment of the impact of the proposed demolition on the remaining buildings. <p>7.3 Houses demolished and rubbish/rubble removed.</p>	<p>AHC SSCC AHC</p>	<p>finalised</p> <p>Finalised Nov 2002</p> <p>Carried out January 2003</p>

Issue	Actions	Lead Agency	Update
7. Environmental Factors to be Addressed on The Block (continued)	<p>7.4 Other dilapidated properties to be assessed and, if found to be a concern to community safety, orders be issued to repair or demolish the building.</p> <p>7.5 Owner of the privately owned parcel of vacant land on corner of Lawson Street & Little Eveleigh Street be approached to fence area with open style fencing.</p>	SSCC	Demolition finalised
8. Clean up of the areas in and around The Block.	<p>8.1 Undertake an immediate clean up of used needles in and around The Block.</p> <p>8.2 On-going clean up of used needles in and around The Block. The clean up strategy will:</p> <ul style="list-style-type: none"> ▪ ensure that both the private and public space in and around The Block are covered; ▪ specify the tasks to be undertaken and ensure they are delivered in a safe and appropriate manner; ▪ specify the times and frequency of when the cleaning is to take place; ▪ detail the area, by streets, that is to be covered by the strategy; ▪ include measures to assess whether the clean up has met agreed performance standards. <p>8.3 Implement on-going quality assurance program for the clean up of used needles.</p>	CSAHS CSAHS CSAHS	<p>Carried out October 2002</p> <p>CSAHS provide 7 day clean up on Block 6.30 am and at 4.30pm on some days.</p> <p>Cleaning Contractors Nuplex Medisnart commenced Dec 2002</p> <p>Performance Standards monitored monthly</p> <p>Contract specifications developed in private and public spaces- areas specified</p> <p>Contractors carried out clean up post demolition.</p>
	<p>8.4 Notice of demolition of derelict houses to be given to CSAHS at least one week prior to the demolition being carried out to allow for clean up of used needles.</p> <p>8.5 Conduct a clean up of used needles in derelict housing on The Block, which are owned by the AHC, immediately prior to their being demolished.</p>	AHC CSAHS	
8. Clean up of the areas	8.6 On-going clean up of household waste in and around The Block. The clean up will:	SSCC	Ongoing in relation to public

Issue	Actions	Lead Agency	Update
in and around The Block (continued).	<ul style="list-style-type: none"> ▪ ensure that both the private and public space around The Block is covered; ▪ specify the tasks to be undertaken and ensure they are delivered in a safe and appropriate manner; ▪ specify the times and frequency of when the cleaning is to take place; ▪ detail the area, by streets, that is to be covered by the strategy; ▪ include measures to assess whether the clean up has met agreed performance standards. 	SSCC	space around block On going
8.7	Implement on-going quality assurance program the clean up of household waste.	SSCC	On-going
9. Health Outcomes	<p>9.1 Protocols established to ensure that people held in custody at Redfern Police Station, who are clients of the Corrections Health Service, are referred to the appropriate Caseworker.</p> <p>9.2 Memorandum of Understanding established to exchange information on issues related to drugs and care and protection of children and young people in Redfern and Waterloo.</p>	LAC, CH RWPP, CSAHS, LAC, DOCS, DOH, DAA	Corrections will negotiate with LAC RWPP negotiating MOU with Privacy Commissioner May 2003

Issue	Actions	Lead Agency	Update
<p>10. Public Health Management</p>	<p>10.1 Develop and implement a comprehensive education program, targeting intravenous drug users, on the changes to the operating arrangements of the Mobile Needle and Syringe Program operating on The Block and on the availability of health and welfare services.</p> <p>10.2 Provide a needle and syringe service with an overdose management response team from a van in and around The Block from 10am – 3pm, Monday – Friday and from 10am – 11.30am and 3pm-5pm on weekends. The van will be moved to the corner of Abercrombie and Hudson Streets from 3pm – 5pm, Monday – Friday.</p> <p>10.3 Subject to the implementation of the policing strategies (outlined in Section 1 –4) and following the completion of the education program referred to in 10.1, change the hours of the Mobile Needle and Syringe Program located on The Block to operate from to 10am – 3pm, Monday – Friday and from 10am – 11.30am and 3pm-5pm on weekends. The service would include an overdose management response team.</p> <p>10.4 Within 1 month of successful implementation of 10.3, undertake an interim evaluation of the impact of the changes and report back to the Community Solutions and Crime Prevention Cabinet Sub-Committee on the Strategy and on the feasibility of further reducing the hours of the mobile needle and syringe service from The Block.</p> <p>10.5 Convene a meeting between the Aboriginal Medical Service (AMS), Redfern, Central Sydney Area Health Service (CSAHS) and the Aboriginal Housing Company (AHC) to:</p> <ul style="list-style-type: none"> ▪ develop a letter of intent between the AMS, CSAHS and AHC to work collaboratively to improve health outcomes for residents on the Block; ▪ reach agreement on locating a health/overdose management response team from the AHC offices. <p>10.6 Examine the feasibility of establishing a health/overdose management response team operating from the AHC building on the Block.</p>	<p>CSAHS</p> <p>CSAHS</p> <p>CSAHS</p> <p>RWPP, CSAHS, DOH</p> <p>RWPP</p> <p>CSAHS, AMS, AHC</p>	<p>Completed December 2003 Signage displayed on Van Information given to clients prior to changes</p> <p>2003 OD management commenced</p> <p>2003 OD management strategy and Communication strategy</p> <p>RWPP met with DG Health in 2003 RWPP will support CSAHS in implementing evaluation</p> <p>on Block by AMS in collaboration with AHC</p>

Issue	Actions	Lead Agency	Update
10. Public Health Management (continued)	<p>10.7 Following completion of 10.6, assess suitability of appropriate sites at which to locate the van which is to provide the proposed new needle and syringe service for The Block (10.3). Sites to be assessed will include:</p> <ul style="list-style-type: none"> ▪ Hugo Street, opposite Wilsons Brothers site; ▪ corner of Abercrombie and Hudson Streets. <p>10.8 Examine the feasibility of establishing a program to provide free needles, syringes and sterile water for injecting drug use through selected local retail pharmacies in Redfern and Waterloo.</p> <p>10.9 Develop a review process to evaluate and assess if the new arrangements for issuing needles and syringes on the Block need to be varied following the implementation of the Redfern/Waterloo Anti-Drug Strategy.</p> <p>10.10 As part of a review of revised arrangements for the provision of needles and syringes on the Block, evaluate the changed demand patterns comparative to the needs in Waterloo.</p> <p>10.11 Implement and monitor strategy to reduce the number of needles provided per presentation on The Block.</p>	<p>CSAHS, RW/PP</p> <p>CSAHS, DOH</p> <p>CSAHS</p> <p>CSAHS</p> <p>CSAHS</p>	<p>Meeting with RW/PP, CSAHS will move forward on relocation when alternatives negotiated re needle service options</p> <p>ongoing discussions have occurred between CSAHS and Health Department</p> <p>Feasibility assessment occurring between NSW Pharmacy Guild and NSW Health February 2003</p> <p>CSAHS conducting review of needs in areas.</p> <p>Clients informed of reduced number of needles per presentation, sign on van includes changes, requests for large numbers of needles referred to REPIDU</p> <p>Health OD response team will provide information</p>

Issue	Actions	Lead Agency	Update
11. Young People and Children	<p>11.1 Establish and deliver an integrated Sports Development Program with appropriate partners including sporting associations. Activities to be delivered will include cricket, tennis, rowing and little athletics.</p> <p>11.2 Develop protocols between Department of Juvenile Justice, Police and DOCS for an integrated case management approach for the 20-25 most high risk young people Redfern and Waterloo.</p> <p>11.3 Through the Youth Intervention and Development Program, fund activities which target the most high risk young people Redfern and Waterloo. Activities will include camps, mentoring and one to one intensive case management.</p> <p>11.4 Convene a meeting between the Sydney Kings and the National Aboriginal Sports Corporation Australia and appropriate NSW Government agencies to explore the feasibility of establishing an anti-drugs and mentoring program which targets young people in Redfern and Waterloo.</p> <p>11.5 Develop and run a twilight basketball competition to be run from the South Sydney PCYC for young people and children.</p> <p>11.6 Provide transportation for 'at-risk' young people living in and around The Block to attend recreational activities at the South Sydney PCYC after school and on holidays.</p> <p>11.7 Monitor youth enhancement funding to ensure that an appropriate range of programs are delivered outside of normal business hours.</p>	<p>ASCSSDP</p> <p>DOCS, LAC, DJJ</p> <p>RWPP</p> <p>Kings, NASCA</p> <p>Kings, NASCA, PCYC</p> <p>PCYC</p> <p>DOCS</p>	<p>On-going December 2002 program in place January 2003</p> <p>March 2003 awaits Exchange of info MOU</p> <p>Camps commenced with police December 2002/ on-going program will be coordinated through an innovative model in 2003</p> <p>Held December 2002</p> <p>Commenced January 2003/On-going</p> <p>Discussions between Housing and RWPP and LAC designed to increase activities held in February 2003 On-going</p> <p>Additional agencies involved On-going</p>

Issue	Actions	Lead Agency	Update
12. Community Safety Plan	<p>12.1 Establish a Community Safety Task Force to lead the development of a Community Safety Plan for Redfern and Waterloo.</p> <p>12.2 Develop a draft Community Safety Plan for community consultation.</p> <p>12.3 Consult with the community on draft Plan and amend accordingly.</p> <p>12.4 Adopt draft Community Safety Plan and recommend to Attorney-General.</p> <p>12.5 Approve Redfern/Waterloo Community Safety Plan and provide a seeding grant under the Safer Community Compact to assist with the implementation of the Plan.</p> <p>12.6 Evaluate development and implementation of Redfern/Waterloo Community Safety Plan.</p>	<p>RWPP</p> <p>CSTF</p> <p>CSTF</p> <p>RWPP, SSSC</p> <p>AG</p> <p>RWPP</p>	<p>Established October 2002</p> <p>Ongoing. Community Safety workshop held 17 December 2002 including Community Safety Taskforce.</p> <p>On target for April – May 2003</p> <p>May 2003</p> <p>June 2003</p> <p>On-going</p>
13. Community Safety Audit – The Block	<p>13.1 Evaluate the Community Safety Audit which was recently completed for the area in and around The Block and act on the recommendations:</p> <ul style="list-style-type: none"> ▪ upgrade of street lighting in the following locations: <ul style="list-style-type: none"> ♦ Holden Street; ♦ Caroline Street; ♦ Hugo Street; ♦ Ivy Lane; ♦ Lawson Street; ♦ Abercrombie Street; and ♦ Little Eveleigh Street. ▪ upgrade footpaths/pathways in the following locations: <ul style="list-style-type: none"> ♦ Lawson Street; ♦ Little Eveleigh Street; ♦ Abercrombie Street; and ♦ Yellowmundie Park. ▪ trim trees in the following locations: <ul style="list-style-type: none"> ♦ 130, 142, 143 & 150 Little Eveleigh Street; ♦ Yellowmundie Park; ♦ Louis Street, western side; ♦ Ivy Lane; and ♦ Hugo Street Park; 	<p>SSCC,</p> <p>SSCC</p> <p>SSCC</p>	<p>Lighting issues identified in Community Safety Audit November 2002 repaired</p> <p>Lawson Street resurfaced identified in Community Safety Audit February 2003</p> <p>November 2002 –completed February 2003</p>

Issue	Actions	Lead Agency	Update
<p>13. Community Safety Audit – The Block (continued)</p>	<ul style="list-style-type: none"> ▪ implement a program of general maintenance of public amenity; graffiti to be removed in the following locations: <ul style="list-style-type: none"> ♦ Ivy Lane; ♦ Louis Street; ♦ Caroline Lane; ♦ Caroline Street; ♦ Holden Street; ♦ Pemulway Park; ♦ Eveleigh Street; ♦ Vine Street; ♦ Yellowmoundie Park; ♦ Abercrombie Street; and ♦ Little Eveleigh Street; ▪ erect street signage in the following locations: <ul style="list-style-type: none"> ♦ Vine and Abercrombie Street; ♦ Caroline and Abercrombie Street; ♦ Ivy Lane and Abercrombie Street; ♦ Holden Street; and ♦ Eveleigh Lane; ▪ directional signage to be erected outside Redfern Station including signs to: <ul style="list-style-type: none"> ♦ Sydney University; ♦ Redfern Shops; ♦ Australian Technology Park. ▪ strengthen illegal parking and abandoned vehicle provisions in the following locations: <ul style="list-style-type: none"> ♦ No Standing Zones on and around Lawson Street; and ♦ northern side of Eveleigh. <p>13.2 Refer those community safety recommendations not able to be immediately implemented, to the Redfern/Waterloo Community Safety Taskforce for consideration.</p>	<p>SSCC SSCC</p> <p>SSCC</p> <p>SSCC</p> <p>RTA, SSCC, LAC</p> <p>SSCC</p>	<p>On-going November 2002 – February 2003/On-Going</p> <p>New signage in place in February 2003</p> <p>March 2003</p> <p>December 2002- March 2003</p>
<p>14. Other Community</p>	<p>14.1 Develop a schedule for undertaking Community Safety Audits across Redfern and</p>	<p>SSCC, LAC</p>	<p>September 2002</p>

Issue	Actions	Lead Agency	Update
Safety Audits	<p>Waterloo.</p> <p>14.2 Undertake Community Safety Audits in Redfern and Waterloo including within the public housing estates.</p> <p>14.3 Review the recommendations of the Community Safety Audits.</p> <p>14.4 Implement the recommendations of the Community Safety Audits.</p> <p>14.5 Incorporate issues arising out of the Community Safety Audits into Redfern/Waterloo Community Safety Plan.</p>	<p>SSCC, DOH, LAC</p> <p>CSTF</p> <p>Various Agencies</p> <p>CSTF</p>	<p>Audits undertaken - September 2002</p> <p>Community Safety Audit reports prepared February 2003</p> <p>Council contacted agencies February for implementation before June 2003</p> <p>February 2003/On-going</p>
15. Relocation of Fact Tree Youth Service	<p>15.1 Engage RESITECH to develop relocation brief for which identifies requirements for new temporary youth facility for the Fact Tree away from licensed premises.</p> <p>15.2 Locate premises.</p> <p>15.3 Relocate service.</p> <p>15.4 Develop an Integrated Youth Services Facilities Plan for Redfern and Waterloo.</p>	<p>RWPP, DOH</p> <p>RESITECH</p> <p>FACT</p> <p>RWPP</p>	<p>Completed December 2002</p> <p>Unable to locate suitable premises 2003</p> <p>Deferred until Human Services Review completed</p>

Issue	Actions	Lead Agency	Update
16. Redevelopment of The Block	16.1 Prepare RED (Redfern, Eveleigh, Darlington) Strategic Framework. 16.2 Prepare Master Plan and LEP amendment for the Block. 16.3 Process Master Plan and LEP amendment. 16.4 Approve RED Strategic Framework. 16.5 Arrange financing package. 16.6 Finalise design for proposed development and prepare/process DA. 16.7 Issue Construction Certificate. 16.8 Commence construction.	PlanningNSW AHC SCCC PlanningNSW, RWPP AHC AHC, SCCC SCCC AHC	January-June 2003 January-May 2003 May-August 2003 July 2003 December 2003 Aug 03-April 04 May-June 2004 July 2004
17. Community Information Strategy	17.1 Develop a Community Information Strategy, which informs the local community about the Redfern and Waterloo Anti-Drug Strategy. 17.2 Implement Community Information Strategy including a holding community fair with an anti-drug focus on The Block.	RWPP RWPP, PDCDS, AHC	RWPP Report presented to Premier for endorsement outlining key achievements January 2003 Key elements being prepared as baseline information for Community Information Strategy from Report as Information sheets due for completion February 2003

Acronyms Used in Redfern/Waterloo Anti-Drug Strategy

AG	Attorney-General
AGs	Attorney General's Department
AHC	Aboriginal Housing Company Ltd
AMS	Aboriginal Medical Service, Redfern
APCSSDP	Alexandria Park Community School Sports Development Program
CH	Corrections Health, Department of Corrective Services
COMM	Commissioner of Police
CSAHS	Central Sydney Area Health Service
CSTF	Community Safety Taskforce
DAA	Department of Aboriginal Affairs
DOCS	Department of Community Services
DOH	Department of Health
EA	Energy Australia
FACT	Fact Tree Youth Service
Housing	Department of Housing
IMRC	Inner Metropolitan Regional Command
DJJ	Department of Juvenile Justice
KINGS	Sydney Kings
LAC	Local Area Command, NSW Police Service
NASCA	National Aboriginal Sports Corporation Australia
NGO	Non-Government Organisation – the provider of the relevant service
P&P	Probation and Parole Service, Department of Corrective Services
PCYC	South Sydney Police and Community Youth Club
PDCDS	Premier's Department, Community Drugs Strategies
PSMO	Public Sector Management Office, Premier's Department
RESITECH	RESITECH, Residential Technologies Australia, Department of Housing
RWPP	Redfern/Waterloo Partnership Project, Premier's Department
SC	State Command, NSW Police Service
SRA	State Rail Authority of NSW
SSCC	South Sydney City Council

Source: *Redfern/Waterloo Anti-Drug Strategy Update – March 2004*, Submission 55, NSW Government, pp349-362

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 Kayee 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.

Appendix 9 Dissenting statements

Dissenting Statement on Inquiry into issues relating to Redfern and Waterloo Dr Arthur Chesterfield-Evans MLC

The Committee had as its terms of reference to look at not only the policing strategies and resources in the Redfern/Waterloo area, but also government and non-government services, the Redfern/Waterloo Partnership Project (RWPP), and also proposals for the Block. The systemic factors of disadvantage are being examined as part of this. The process is only partially complete.

It is not clear to what extent the problems of the Block relate to the economics of the illicit drug trade. Illicit drugs are a huge problem in disadvantaged communities, largely because their illegality gives them a supernormal profitability, which means that crimes are committed to fund their use. There is a symbiotic relationship between the purchase of illegal drugs and the theft and resale of goods.

The misallocation of resources in the war against drugs was not considered by the committee, but the illegality of drugs is the reason why the police do the personal searches, and is central to the difficulty of balancing preventive health interests with enforcement of the prohibitive drug laws. Evidence was given that the police do search the personal effects of people near the needle van in their efforts to apprehend drug dealers and bag snatchers, and this impinges on the working of the needle exchange van and the harm minimisation strategy on which its presence and actions are based. I was therefore concerned that the Committee did not agree to my motion that:

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.

Evidence was given also that there should be a medically supervised injecting room to meet the needs of injecting drug users, many of whom are not Aboriginal people. This could be off the Block, but still near the train station, recognising transport as a major reason for Redfern being used as a place for injecting drug users. Again the Committee rejected my motion that:

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.

The danger of an HIV/Aids epidemic is stated in paragraphs 5.9-5.13. The importance of needle and syringe programmes for public health is stated in 5.15, 5.22, the relationship between access to clean needles and the location of the van is in 5.58-5.60, and the dangers of restricting needles was in the Anex submission 85 cited in 5.85. It is therefore disappointing that the Committee saw fit to interfere in the debate regarding the location of the needle van, and the number of needles and syringes distributed per client per day. It is important that public policy be guided by the best available evidence. This is an area where Committees should acknowledge that they do not have expertise, and should reinforce the status of the most critically important relevant authorities, in this case public health.

Though this report is overall a good one, I must note my dissent from the omissions and lapses cited above. The omissions can be verified in the minutes and the lapses are particularly in 5.115, 5.119 and Recommendation 20 in chapter 5.

The best available evidence should be what guides public policy. The van should be placed where addicts will get and use clean needles. Needles and syringes should be provided in a way that minimises reuse by addicts. Medically supervised injecting rooms are now well documented to have benefits, and this committee should reinforce best practice, and the agencies that recommend best practice.

Statement of Dissent

by **The Hon. Robyn Parker MLC (Deputy Chair)** and **The Hon. Greg Pearce MLC**

We express deep regret at the tragic death of T.J. Hickey, the riot and the disturbing problems revealed at this Inquiry.

This Inquiry provides an opportunity to consider in depth the complex and difficult problems of the Redfern and Waterloo communities with a particular focus on the needs of the aboriginal community. We have embraced this opportunity. The thoughtful contributions from so many people have been encouraging. However, opposition members believe that greater evidence from frontline Police could have improved the report.

The notion of an Interim Report is sound and we supported many of the recommendations. We look forward to further examination and discussion of issues such as the drug problem in the area before the presentation of the final report.

Our main areas of dissent concern the progress and future of the Redfern Waterloo Partnership Project (RWPP) and the process surrounding the future development of the Block.

Our dissent should not be viewed as a lack of support for increased State Government commitment; indeed our view is that there should be a huge increase in commitment, funding, and resources from the State Government. We are determined however, that past failures are not repeated and that the best possible outcomes are achieved for the Redfern and Waterloo communities, in particular the aboriginal members of those communities.

The Terms of Reference invited serious and unbiased inquiry, leading to direct and fearless recommendations. We believe some recommendations will only result in a continuation of the Carr Government's inaction and ineffective bureaucratic policies.

This is most evident in the majority Committee determination to defend the RWPP, refusing to accept overwhelming criticisms of RWPP, and insisting that it continue its central role in the Government's response to the Redfern/Waterloo problems. There is an urgent need for the Government to allocate resources and priority, to ensure its own Departments and Agencies effectively address the problems. The lack of commitment is sourced directly to Premier Carr who has taken the soft approach, extending the RWPP to 2006, as the Government's major response.

Chapter 2 of the Interim Report deals with the RWPP. We were disappointed that the chapter and recommendations ensure the continuation of the current policy and structure, when it is obvious that an urgent, far-reaching review and change to the Government's delivery of services and strategies, is required.

The Government's own submission recognises the critical failures of the RWPP, ranging from failure to deliver programmes, lack of communication with local and Aboriginal communities, poor co-ordination, slowness on the RED strategy and failure to commence and complete the Human Services Review, and the AHC audit or site valuation on time.

Government should allocate significant resources to an accountable, central co-ordination body with a clear mandate and clear performance indicators. The body should have sufficient authority

to make immediate progress, meet defined medium and long-term outcomes, and properly address the complex issues of the Redfern/Waterloo Community.

We note the Government has committed additional funding for the RWPP to 2006, apparently without evaluating its progress to date or ability to meet the Project's aims. Whilst the Street Team and Yallamundi Project appear worthwhile, further funding of RWPP should be subject to it meeting clear performance indicators.

We fully support the Block remaining in Aboriginal ownership and control and we acknowledge the importance of Redfern to the Aboriginal Community. However Chapter 3 emphasises two areas of significant concern, which must be overcome if the Block is to be redeveloped in a sustainable way.

We do not doubt the good intentions of the AHC management and staff, however until the management and control issues of the AHC are resolved, we view it as irresponsible to raise the Community's expectations about the redevelopment of the Block.

We support the redevelopment of the Block but do not wish to see it degenerate again into a drug and crime infested fortress. It is unfair for community hope to rise again, only to be deflated. If the AHC is unable to satisfy the issues of management ability and independence, then there must be a different solution for the development and management of the Block.

There must be a significant State Government commitment to funding the Block's redevelopment. We do not believe that the question of funding should be dealt with in the Interim Report. It is a matter for the Final Report. In particular the Committee did not canvass funding issues such as why or in what proportion Federal Government should make a contribution, or the legitimacy of Local Government contributing to private property development.

Finally we note RWPP Director Michael Ramsey's evidence:

“There is no solution. The issues in Redfern and Waterloo are incredibly complex and literally there are no quick fixes to those issues.”⁴⁸³

Isn't that compelling enough to insist on real action by Bob Carr?

⁴⁸³ Transcript of Evidence, Hansard Tuesday 18 May 2004 Mr Ramsey p.8