

Indigenous Leaders Forum Gladstone - 16 October 2023 Minutes

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10:02am – Opening

- MC: Jon Guarna, Communications Manager, LGAQ
- Acknowledgement of Country
- Opening Prayer: Cr Gabriel Bani, Deputy Mayor, Torres Shire Council

10:06am – LGAQ President's Welcome, Mayor Mark Jamieson

- Acknowledgement of country. The LGAQ is proud to stand with our First Nations members and represent our First Nations councils.
- Today's ILF is being held in the wake of the Voice referendum, and it's standing room only at the back of the room, there are many extra people attending today to show their solidarity with your people. This is not the end of the line. We continue the work.
- I also acknowledge the people we have lost this year. In particular, we remember the life and work of our ILF colleague from Doomadgee. The LGAQ remembers his passion and dedication to the Doomadgee community and people.
- The LGAQ and the PE have learnt many things from the people in this room. This year we have had opportunities such as when Mayor Ross Andrews from Yarrabah presented on the Uluru Statement to the Policy Executive as part of the actions around last year's motion on support for the Uluru Statement from the Heart, the Makarrata Commission and the Indigenous Voice to Parliament. As part of that work, we have commissioned an installation to sit in the LGAQ foyer as a clear statement that the LGAQ supports and advocates on these issues.
- As you know, the motions at conference are submitted by councils and then assessed by an Agenda Committee made up of LGAQ Policy Executive representatives. We have a situation this year in which a motion that was discussed at the ILF in June was put forward but was not accepted by the Policy Executive's Motions Committee. The Committee's reasons included that the motion, while critical for the councils and communities involved, was not a motion that had a council impact statewide. The Committee was also of the view that the Masig Statement was not for other councils to make a call on. What the motions committee has done instead is direct this motion straight to the LGAQ's advocacy team for it to offer its support and to open doors. There are members of the LGAQ's Advocacy team here in the room; and the team is there ready to engage and work with you on this despite the motion not being voted on. That's because the LGAQ team knows how important this issue is to you.
- The election is coming up very quickly in March next year. I've learnt an incredible amount from visiting your communities and attending the ILFs, about your communities and the work that you do.
- Enjoy your time at the LGAQ Annual Conference this week. The Annual Conference is the best opportunity to network and learn.

10:12am – LGAQ Update, CEO Alison Smith

- Acknowledgement of Country
- Last year, when we scheduled the dates for this Annual Conference we didn't know that the referendum was going to be the same weekend.
- Every time I interact with you and attend ILF it makes me a better person. Your frank and open interaction gives me better insight and makes me a stronger advocate for your communities.

- We have taken a slightly different approach for today's ILF. The ILF we hold in the first half of the year is a two-day event that includes yarning sessions and attracts Ministers to give updates from their policy areas and hear from you directly. We held that one in Cairns in June this year. The ILF we hold alongside Annual Conference has always been a shorter event, and this year, based on your feedback, we have cropped the agenda to free you up to attend other sessions.
- We are always looking for members to be part of our ILF steering committee to help us shape these forums, so we will be looking to hear your feedback on how the day goes.
- When I think back to the last ILF in Cairns, we ended that session talking about the OIA and the LGAQ's advocacy for you, not just conflict of interest, not just the law. But it was about how LAW and LORE can come together better. I am pleased to be able to say that the OIA Bill of reform is now at the parliament. We have worked with the Parliamentary Committee into the Office of the Independent Assessor reforms to have them come to Gladstone and conduct a public hearing alongside our Annual Conference today, so that members can either participate or observe. And we've asked the Parliamentary Committee to come here, to you, for a closed session with the ILF at approximately 1pm to hear about the challenges preventing you from operating successfully as an Elected Representative of an Indigenous council area. The Committee has said it needs to understand why you need these reforms. So for those who have been invited to that closed session, I encourage you to speak freely and share your stories. Your stories are the most potent way you can advocate for your community and for your council. Currently, the Bill includes the consideration of Indigenous LORE in OIA determinations where relevant. However, the LGAQ has asked that it is a mandated consideration - in other words, it MUST be considered, rather than it MAY be considered, so please put forward your views and help explain, with real lived experience to the committee why this is so important. As we approach a new local government electoral term, the reforms of the OIA need to be embedded before we can expect the next cohort of councillors to put their hands up to take on the role of leading communities.
- I want to touch on advocacy for a moment. The LGAQ is not limited to only working on motions that pass conference, it is able to exercise discretion in certain areas. We have the ability to take on the Masig Statement without having to be discussed at conference. The team is here and ready to help you with the Masig statement. I know that you give us the tough motions, we know that if you didn't give them to us you would continue to progress them on your own. Our team is here to work with you.

10:21am – Policy Executive (PE) Update, Mayor Jason Woibo, Hope Vale Aboriginal Shire Council

- I pay my respects to the land we are on today. Coming down the road into Gladstone and coming through the hills you can see the change in the country. It's my first time to be here and visit this country.
- Unfortunately, Wayne (Mayor Wayne Butcher) isn't able to make it today and sends his apologies. We're it for the day, you got to put up with me!
- At yesterday's PE meeting talked about many of the things the issues the Annual Conference motions will be discussing including windfarms and dangerous dogs.
- On Saturday's referendum, it didn't go the way that a lot of us wanted it to go. We are talking about where do we go from here. Now that this has happened, the sun still going to rise in the morning and still set in the afternoon. There's been issues that has come out of it, but we got to keep moving forward. Treaty and Truth are still happening. There's a lot of work to do, there will be a lot of committees and I ask you put your hand up. There's an opportunity to go forward so we keep working with the state to move forward with state.

- The first time we all walked in here there was a thing called covid. We were locked down already. That was a challenging time. This is a challenging time too. All we can do is try the best that you can. We are working in the background, you don't see a lot of it. When I come to these meetings I try to sit quietly so you get a voice, you get a say. So keep talking.

10:30am – Low Earth Orbit Satellite Receivers (LEOs), Chris McLaren, QLD Government Customer and Digital Group

- I want to acknowledge the traditional owners, the original caretakers, problem solvers, leaders.
- When I first started working with remote communities I was struck by the missed opportunity, the absence of opportunity to harness digital for better access to literacy, jobs, education. We built a digital profile of each of your communities, which you should already have, but we can also send it if not. Based on that work we built up an action plan. We are currently in the process of that actioning those plans. We are excited and feeling opportunity for success in the future and I look forward to working with each and every one of you.
- The first thing to talk about is connectivity. **We have \$2.2mill for Indigenous communities.**
- We rolled out the RCP2 and we had good wins on a small scale. The RCP3 is the newer, current process. This is bigger and better. My team have worked very closely with each of our councils to come up with targeted solutions for your community.
- We have \$28m in QLD Gov contributions and this is being matched federally. We are hoping we'll get clarity over the next few months about what the firm commitment will be from federal gov as to how much we'll get in QLD. \$20m minimum will go to discrete communities.
- There will be future rounds, RCP4, RCP5 etc.
- What we're going to do in the interim before the full program is rolled out, **we're going to give every community 5 Starlink units.** That means we can bring the internet into community buildings, DFV shelters, local business... the 5 spots in your community where you believe it's needed most.
- **This is fully paid for for 3 years.** Hopefully by then we'll have longer term solutions in place. This program is being rolled out with LGAQ. You can sign up with them here at conference. If you have any questions let me know.
- Another project we've been doing, is going really well in Aurukun. When you go on country people tend to have limited digital capacity, not great quality devices (poor phones and laptops), then also hard to get on to a phone plan. You have to go on pre-paid phones because of ID issues. Then people go through phones quickly, they throw out the phone when the data runs out. We're getting people better devices and better plans, twice the data for the same price. We'll get you a good quality phone and get you connected to the services and Centrelink. We've done a trial for 50 people so far and it's working well.
- Also, we have a partnership with Litehaus. Too many kids in school don't have access to a laptop. For this trial we're in TSIRC and NPARC. We've handed out around 50 laptops so far. Phase one is for 500 laptops and we'll see how that goes after that.
- We have a partnership with TAFE. We pay a wage to participants while they're in training for Digital Skills training. The training is for job readiness and it's a 12 week program. Anyone can do it. (referring to photo on screen, this participant is 63 years old, this one is 18). Come and see us at the trade booth, we have a contact sheet and able to get people signed up. We've trained 25 people in Cherbourg as a trial. There is no playbook for how to run training programs like this in community, nobody has done it before. Where does this lead to? It leads to jobs. (referring to photo on screen) These are our Cherbourg heroes. We can help

set up a community owned business, nobody has to leave the community to do this. Telstra said that Cherbourg is our number one performing call centre.

- Once the corporates hear about it, they are very excited to get on to country and find ways to work with you.
- We have \$14m to support councils with cybersecurity. It only takes one incident to have things go really wrong. We have free stuff here for you with training and cyber response.

10:49am – Panel Session: Blue Card Reform

- Chair & Panellists:
 - Simon Booth, LGAQ
 - Robbie Katter MP, Member for Traegar
 - Tom Allsop, CEO, Peakcare QLD
 - Kate Greenwood, Senior Policy Officer, ATSILS

Simon Booth

- To start this discussion on the Blue Card system and the reasons reform is needed, I want to make one thing very clear. At no point is anyone talking about children at risk. This is not about making it easier for violent individuals or paedophiles to gain access to our children.

Robbie Katter

- For me, I want to make it clear, I got no deep insight, I'm just responding to what people are saying. They said to me, can you fix the *** Blue Card. Back then the justice action group was pretty active in Mornington. They wanted to take control of the system and maybe instate a local card that let them work with their own kids, and decide who should look after kids. We tried to put an amendment to parliament, but it didn't go through. The more I looked at it, the more you see what a problem it is. There's not many jobs that don't need a Blue Card. Even in the wider community. But we decided to focus really on Indigenous communities. If I go out on limb, I'd say that people are reluctant to change in parliament, nobody wants to be the person who gets kids caught out with bad people.
- If Rob Katter was applying for a Blue Card but you didn't know me and you saw a big rap sheet. You'd probably say no. If you are in community you know who is trustworthy and able to look after the kids, maybe they've grown up and good now.
- The whole purpose of this? The whole point is to keep kids safe. I'd say the Blue Cards are making things worse. I'm not saying throwing the Blue Cards in the bin, I'm saying make them purpose fit. If someone is applying (for a Blue Card) in an Indigenous community there needs to be community decision as to who is fit to looking after the kids.
- There's a few ways you could do this (deciding who in the community can issue a blue card equivalent), we went with advising that the local justice groups be the ones who make the decisions on who gets a Blue Card. If you get approval in that community, it's only good for use in that community. You would need another card for another community.
- First Nations people make up 5% of Blue Card applicants but make up 20% of the rejections. Mayor Mislam Sam made a great speech... How are we going to get the kids to school if they don't see their parents get jobs?
- At the start of this everyone kind of knew it was a problem, but not exactly how bad it was. Now there's becoming more awareness and understanding. We got to move forward.
- Be bold, take a risk on people. It would cost us nothing to change this and fix it. No system is perfect, but I do really believe that its much better to have the decision making back in the community.

Question: Cr Athol Waldon, Doomadgee

- We've done a lot of work with Robbie on this. You know, government make decisions on things and they don't know nothing about us. The kids come home to stay with their parents and they don't have a Blue Card. They put up policies they know nothing about.
- The Blue Card issue, why don't they come around to the council and talk to us about it.

Robbie Katter

- Your voice is a lot stronger than mine. You out there have got to drive these changes.

Comment: Nikki Boyd MP, Assistant Minister for Local Government

- I was on a reference group to talk about this. The last committee report had a lot of recommendations that came out of this. Particularly recommendation 6.
- Called on the Attorney General to implement the outcomes of those recommendations.

Simon Booth

- There are two motions going to LGAQ Annual Conference this week, should these motions be endorsed at conference this will give LGAQ the ability to further push the issue.

Comment: Mayor Jason Woibo, Hope Vale

- I just want to give another example. I got a teacher's aide, she was getting attacked, getting hit in the back of the head, she retaliated. Then that person who attacked her called up Blue Card and told them and she got her Blue Card taken off her. Now she's been sitting at home doing nothing because someone complained about her and anyone can do that to you. It's going to take years and court cases for her to get back on the Blue Card.
- We can't keep saying just get rid of them, they're good people. These are ladies who have lost their jobs over something out of their control.

Tom Allsop

- As head of Peakcare QLD, the peak body for child protection, I think the Blue Card is the one thing that's the worst thing for communities and biggest barrier to child safety.
- We are heading towards 2000 kids in resi care. You're probably aware that a large proportion of these kids are First Nations. Currently we have 31 children under the age of 4 in resi care, which is a system designed for kids over 12.
- Most of the offences holding up First Nations people from getting a Blue Card are public nuisances offences, not violent offences.
- I spoke to an Aboriginal girl last week who is 19 and homeless / couch surfing. She left school last year and had spent 6 years in resi care. When she turned 18 she had to be removed from care, to homelessness. Then 6 months later her baby was taken off her, because she was homeless. The cascading effect of how the system has let her down is terrible.
- The resi care facilities are often a long way from remote communities, so children are being removed from the community altogether and placed in resi care along the east coast.
- We believe that kinship care, a family member caring for their family members shouldn't need a Blue Card.
- We also believe that if the Blue Card is relied upon too much organisations become too complacent. There are not safeguards in place to continue to monitor child safety because they think 'everyone's got a Blue Card', as if that's everything that's needed to prove an individual is fit to look after children.
- The Blue Card doesn't make children safer, it makes corporates feel safer and removes their liability concerns. Not good enough.

Kate Greenwood

- There's a saying in IT that an elephant is a mouse that was invented by a committee.

- ATSILS have submitted comment to the Blue Card reform. We want to add a range of things to the bill including the offences that should and shouldn't be considered in the Blue Card assessment.
- I have a focus on the north and the far north of Queensland. One of my clients was provoked to hit someone. He was charged with a public nuisance. Now, if it were a violent assault charge I could have defended that. But as a public nuisance there's not much that can be done legally to defend that. It's not fair. We would be entirely overwhelmed if we were to even help people with applying for Blue Cards.
- There are limited jobs in communities and if it takes you a long time to get the Blue Card someone else will get that job.
- In particular the whole system moves far too slowly for kinship carers. When the traditional adoption legislation was being discussed, there was discussion around carers needing blue cards. I'm horrified to hear that volunteer fire fighters are required to have a Blue Card just in case they need to give first aid to children.
- One of the proposals that ATSILS put forward on this bill is to modify it slightly to create hybrid groups within the community to get a local Blue Card, so there's no favouritism between families for a community or a collection of families within communities. Confidentiality is important as well. The consequences of confidentiality breaches can be severe in small communities.
- There's talk that there shouldn't be different standards (between remote communities and metropolitan). But the one size fits all approach does not work. Teachers and police have their own standards already.
- When I was doing community education I would visit remote communities talking to councils, I would always ask what their top legal issues to discuss were and every time Blue Card was in the top 3. There's systemic problems and we need systemic solutions.

Comment: [Cr Roxanne Thomas, Mornington](#)

- I want to work in the school to teach language, singing and dance. I can't go to the school because I can't get a Blue Card. Now kids won't learn cultural things because I can't be there.

Comment: [Cr Robbie Sands, Kowanyama](#)

- It's good to hear people are talking about removing public nuisance offences. AMP offence laws are racist. They only apply in these 17 places in QLD. How do we get AMP offences off the Blue Card (assessment). The Blue Card response to that was if a person has an AMP offence on the criminal history, it will be taken into consideration along with all offences on their record. We are disproportionately affected by this. One can of beer in your house and you can't get a Blue Card.

Robbie Katter

- The opposition says we can't have two standards in Queensland. But I say we already have that. I'm disappointed I didn't say AMPs earlier, it's the highest reason for offences and not related to children!

Question: [Cr Josh Weazel, Woorabinda](#)

- We can't afford to look at the problem in silos. It has to be systemic. We've been strong with demanding our statistics. The train is going that way. How can we influence the way policy and practice rolls out in our community without the proof. In our community we're looking at the data. How many kids are in the system from our community? When did they go in, how long are they in... We find it difficult to get that info out so it's hard to drive the solutions.
- Child services came out and pulled some mothers out of their card game to talk to them because the kids are running around the streets and not attending school and offending in the community. What we're seeing is a failed system. What is the investment and

funding for these kids? We aren't in the power seat, we need to be the leaders. But we need to make informed decisions and we're not getting that info.

Tom Allsop

- It costs \$420k per year for a child in resi care. It costs \$30k per year for a child in kinship care. The government want to double the kinship care numbers, but it won't happen with the current Blue Card system. None of their commitments will come to fruition unless things change.
- I encourage you to advocate for Blue Card reform. Communities should be demand to be heard.

Comment: Cr Kitty Gebadi, NPARC

- The Blue Card issue is that it's affecting our communities now. We're expected to have blue cards for volunteers, like getting the rugby league competition up and running. It's preventing services and things to happen in communities.
- The kinship system is now being milked like a cash cow. The extended family members can't get Blue Cards to look after the kids. The kids are not being shaped into being good people in resi care. The system removes them from the community because of the Blue Card and they're not learning cultural life. They come back to the community when they're 18 and they bring their problems with them and now we got to deal with them including violent crimes.
- The resi care system is benefiting financially and causing us problems.

Comment: Cr Peter Scott, Cook

- I ran the junior rugby league for 20 years. I was so reliant on people from Hope Vale and Wujal Wujal to keep the club running. Not being able to get community people to do community activities means that nobody does them. There are two motions about Blue Cards to LGAQ Conference, but we think the Pormpuraaw motion is better so we might focus on that one and pull out our motion.

Comment: Cr Aileen Addo, Mapoon

- It's a problem and needs to be fixed. Are people paying mortgages from these kids. If there's a problem in the house, they don't take the adult, they take the kids! It's a broken system and we really need to fix it. There's a lot of people out there and they need to do their work.

Tom Allsop

- I think the rates of removal of Aboriginal children is a national shame. We have 116 companies providing care for children. 68 of them are unlicensed. They're just making money. I think removing Blue Card requirement from kinship care is on a good start.

Kate Greenwood

- One thing you may be able to do collectively is offer to work in partnership to co-design co-deliver, and co-evaluate the care providers.

Robbie Katter

- It's probably bold to say... But if I set foot in Doomadgee or Mornington, they'll let rip on me with what's happening. You need that. Don't sit back and be polite. Don't let visitors get away from you without you telling them the real problems. Asking them what they're going to do to fix it. What are YOU doing for that?

Comment: Cr Josh Weazel, Woorabinda

- In Woori, if we were to get a data and a position on service delivery we could propose a system that works. I get frustrated with the rhetoric. We know it's not working.

Comment: Cr Yen Loban, Torres

- We have safehouses in our community. I speak to them sometimes. Some of the kids need a bit of loving and talking to and respect. We think maybe should put these safehouses in other communities.

Comment: Cr Keri Tamwoy, Aurukun

- If you're a teenage mum they will discriminate against you. In Aurukun, they rocked up to the airport with the police and ripped a 2 week old baby out of a young mum's arms. She was traumatised. In front of everyone. I had to be there to help her, my granddaughter, they were really threatening her. She didn't want to hand that baby away. The family were able to take the baby because they have a Blue Card.
- Also, there are no checks on people after they get the Blue Card. They give you a piece of paper and expect you to sign it and then abide by it forever. No follow ups, that does not work for our people.

12.11pm - Break for lunch

12:53pm – Department of Local Government Update, Nikki Boyd MP

- Since we last met the Palaszczuk government has legislated Path to Treaty. We are very much excited by this from a government perspective. Path to Treaty allows us to educate the community and through truth telling and healing. What is lacking is an understanding of the impact of colonisation and to accurately disclose and map a journey forward.
- We've tied up 3 streams of funding into 1. We are aware of the challenges of addressing the issues of seeing results on the ground of funding allocations.
- Financial sustainability. We are looking at how we can deliver critical infrastructure and services for local government. The takeaway for me in the sustainability project is being able to have a blank page discussion around how we can support you better. It's a project that we're really excited about.
- The other thing I wanted to touch on is the OIA hearings that are happening right now. When I saw the timeline for the committee hearings I was really excited that they have timed it that they could come here today.
- Elections - We've got the 'So, you want to be a councillor' training live now. In terms of the Local Government dept. I want to highlight the work around the sustainability measures. We're not trying to create work for work's sake. We're wanting to work better and improve the relationship with councils.

Comment: Cr Patricia Yusia, NPARC

- Local Government Dept is doing initiative regards shared services. Whoever is doing that work, we need to make sure that they are listening to the council. What we put forward is not being taking into account. Some decisions look like they are going to disempower the councils and we really want to work with you to make it work.

Nikki Boyd MP

- we are really committed to working with you and listening to you

Comment: Michael Bissell, Palm Island

- We've just finished the 2021 audit through the QAO. We had given them very clear expectations that we wanted it done last year, but they didn't get to us. We won't now be caught up until 2024. They originally quoted \$140k to do the work, then in the end cost \$210k. For 6 people to come up, that we have to pay for! There's latent racism rife throughout the auditors. Our dealings with the QAO have been appalling. There's got to be a better way for us to get an appropriate response.
- We put up 5 motions last year, we got zero outcomes on them as yet. Its frustrating. I'm not sure how we can get a better outcome. We're not getting a response from the

department. We sent a letter 6 months ago asking for an extension on the audit, but no response.

Nikki Boyd MP

- It's frustrating that there seems to be delays in responses. Is anyone else having similar issues with the QAO? (3 councils raised hands). **Thank you for the feedback. I will take that information back to look into.**

Question: Cr Patricia Yusia, NPARC

- Does the funding have to be sustainable? What does shared services do for us?

Nikki Boyd MP

- We haven't got the best way yet and we need your input. When it comes to shared services, it is not intended to disempower you. It's not intended to take jobs away from the community, but we can look at centrally located services. Perhaps in Cairns.

1.16pm move to a closed session.

1.20pm – Parliamentary Committee on the OIA

CLOSED SESSION

MC – Jon Guarna

1.56pm- Motions discussion.

Cr Yen Loban, Torres

Cr Patricia Yusia, NPARC

Cr Jason Woibo, Hope Vale

Edward Natera, Pormpuraaw

Cr Yen Loban

- We put in three motions in to conference, 2 were knocked back, one was amalgamated. The other one we're going to withdraw.

Cr Patricia Yusia

- We have put forward a motion addressing the Indigenous Land Use Agreements. I ask you to support our ILUA motion.

Cr Jason Woibo

- After the discussions at the last ILF, Hope Vale has put together a motion to make home dialysis and palliative care possible. People will go for care and they come back in a box. That's the only time you see them again. They die away from their family.

Edward Natera

- Blue card motion. We all know it stops us from making a difference. From building up the household's capacity. It's important to get behind Robbie Katter and his Bill.

2:10pm – Closing Discussion

Cr Robbie Sands, Kowanyama

- TCICA takes 14 of the 17 indigenous councils. It should be recognised as the peak body of Cape York. Let us know if you want to join and be recognised as the peak body for councils. Time has come for us to join together and be united. We will invite all the councils to join TCICA.

Cr Jason Woibo

- Where to from here? What to do now that referendum is done? The sun's going to rise, the sun's going to set. Just a thought. We're going to ask for feedback. We got to talk about what to do and we need to look at things like youth. We got to think about what we are leaving behind for our kids. This is an option that we could have.
- There were a few mayors involved last week in meeting about our Plan B, the LTCs. If you want to come back to us in the next month or so to talk about where we think we are going and what to do next. We are lucky we have the LTC in Hope Vale.
- With the Voice we're talking about community people. We all want the best for our community. That was just an option. I want to thank everyone for coming today.
- We had a good conversation today with Blue Cards. It's holding a lot of people back.
- The big one today was the OIA. It would have been good to see someone Aboriginal or Torres Islander on that panel. It doesn't matter which one of us would sit on that panel. I am hoping we can sit with them again. Before the Bill passes not after.

Cr Josh Weazel, Woorabinda

- An alternative option, consistent with the local government recognition motion... We have always argued for place-based solutions to our issues. I think our advocacy should be to create a direct line to the Commonwealth. We need more transparency and dialogue with these people. I think there's still a system that we have to exhaust and utilise the mechanisms available to us.
- We are very respectful of the need for a united voice, but we don't see that option as right for us. The councils on the Cape have their own issues. Maybe we need a coalition of Peaks.

Cr Jason Woibo

- For too long governments have divided us and conquered us. We need to stand together.

2.25pm close.