TRANSCRIPT OF DAY 12 – PUBLIC HEARING

PROFESSOR ELEANOR A BOURKE AM, Chair
MS SUE-ANNE HUNTER, Commissioner
MR TRAVIS LOVETT, Commissioner
DISTINGUISHED PROFESSOR MAGGIE WALTER, Commissioner
THE HON ANTHONY NORTH KC, Commissioner

MONDAY, 24 JUNE 2024 AT 9.30 AM (AEST)

DAY 12

HEARING BLOCK 7

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<THE HEARING COMMENCED AT 9.30 AM

CHAIR: Welcome to today's hearing of the Yoorrook Justice Commission. Today we are continuing our inquiry into historic and ongoing social injustice for Victorian First Peoples, Hearing Block 7. As we commence, I would like to ask Commissioner Hunter to give the Welcome to Country.

COMMISSIONER HUNTER: Thank you, Chair.

I would like to acknowledge we are on the Lands of the Wurundjeri, pay my respects to Elders past and present, all those who have come before us to give us voice here today. I would like to welcome you back, Minister Shing, to a warmer space than last time we met. I would like to acknowledge all those online, their Elders, their ancestors, other Aboriginal people in the room and may Bunjil watch over us as we conduct Aboriginal business, thank you.

CHAIR: Thank you, Counsel.

MR GOODWIN: Thank you, Chair. Mr Goodwin appearing to assist the Commission today.

I thank Commissioner Hunter for her Welcome.

And I too pay my respects to the Traditional Owners of this Country the Wurundjeri people of the Kulin nation and I do that as a Yuin person from the south-east coast of New South Wales and I acknowledge that sovereignty was never ceded over these Lands.

Commissioners, we now have the Minister for Housing the Honourable Harriet Shing here to discuss housing and homelessness issues as they affect Aboriginal Victorians. I would first like to invite Ms Cafarella to announce her appearance on behalf of the State.

MS CAFARELLA: Good morning, Chair, and, Commissioners. I appear on behalf of the State of Victoria with Mr Petrie today.

On behalf of the State I would like to thank Commissioner Hunter for her Welcome to Country and acknowledge that today's hearing is being held on the Land of the Wurundjeri people. I acknowledge the Wurundjeri people as the Traditional Owners of this Land and that sovereignty has never been ceded. The State pays respect to Wurundjeri Elders past and present, to Aboriginal Elders of other communities and to all First Peoples who are here today or watching online. Thank you.

MR GOODWIN: Thank you.

Now, Minister, I know you have already given evidence in your capacity as Minister for Water before, but could you please reintroduce yourself and your role to the Commissioners?

THE HON. HARRIET SHING: Yes, good morning, Commissioners, again my name is Harriet Shing. I am here today in my capacity as the Victorian Minister for Housing.

MR GOODWIN: Thank you. And do you undertake to tell the truth to the Commission today?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: Thank you. Minister, I invite you to read your opening statement.

THE HON. HARRIET SHING: Thank you, Counsel. Thank you, Commissioners, again on a less chilly morning than our last experience. Good morning also to those who are here today or otherwise participating in or observing the work of the Commission. Thank you for the opportunity to present evidence on the housing portfolio.

And thank you, Commissioner Hunter, for that Welcome to Country.

I acknowledge the Traditional Owners of the Land upon which we gather this morning, the Wurundjeri people of the Kulin nation, and I pay my respects to Wurundjeri Elders past and present and I also acknowledge all Aboriginal Elders and all First Peoples either here today or watching online.

I also acknowledge and extend my respect and gratitude to the many First Peoples' groups, organisations, individuals and representatives who have assisted me with their time and the sharing of their lived experiences to better understand the problems that exist, the shame and hurt that persist and the opportunities that we as governments have available to us, responsibilities, that lie with us to do better and to be better. I acknowledge that sovereignty was never ceded.

My commitment in appearing before the Commission today is that I will not turn away from the reasons and the history that have brought us to this point. Over the past two centuries the brutal dispossession of Traditional Owners from Country and from home in every sense of the concept has had a profound and enduring impact on health, wellbeing, safety, dignity and opportunity. We imposed our rules of family and of home on First Peoples. We took land. We took children. We destroyed families and generations and communities, with our assumptions, disrespect and laws rooted in wilful ignorance. We created Aboriginal homelessness and then we turned away from it. And for too long we refused to even acknowledge that its existence and impact was our doing.

And for this I am sorry. The First Nations communities, families and people who ache for homes they have lost or have had taken, who long for homes they have never had or who live in substandard homes when they are available. I apologise. I apologise for the hurt and loss of dispossession and of lack of recognition. For being denied the right to be on and to connect to and care for Country, to have the homes that you deserve. For the enduring disadvantage that you bear that was never of your doing. We have so much work to do across all levels of government, to address the centuries of systematic dispossession and to provide the right housing that is needed now, and into the future.

We have made some progress, but there is so much more to be done. And I am determined to engage with, listen to and work with First Peoples and to apply what I am learning and doing in my work with ministerial colleagues across both the state and federal governments. I commit to continuing my advocacy for dedicated First Peoples funding and measurable, accountable targets. I commit to doing what I can, what we in government can do to contribute to providing homes and healing, underpinned by Mana-na woorn-tyeen maar-takoort and by decisions and processes grounded in self-determination, respect, safety and pride. Thank you, Commissioners.

MR GOODWIN: Thank you, Minister. You have provided a statement dated 3 June to the Commission, that's correct?

THE HON. HARRIET SHING: I have.

MR GOODWIN: You have had an opportunity to revisit that statement prior to giving your evidence?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And otherwise that statement is true and correct as you best know?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: Thank you.

I tender that statement, Chair.

CHAIR: Thank you, that will be included on the record.

MR GOODWIN: Minister, how long have you been Minister for Housing?

THE HON. HARRIET SHING: I was sworn into the portfolio on 2 October, 2023, last year.

MR GOODWIN: And what are your key portfolio responsibilities as Minister for Housing?

THE HON. HARRIET SHING: As the Minister for Housing, I have got statutory responsibility for parts of the Housing Act and parts of the Residential Tenancies Act. I work alongside the Treasurer and work to make sure that responsibility alongside the Minister for Planning, Minister for Consumer Affairs and the Commonwealth Government are addressing the challenges and the responsibilities under a range of legislative frameworks.

That relates to everything from homelessness through to transitional housing; social housing, which is community and public housing; and then into an affordable housing framework, which is where it intersects with a range of different portfolios. Housing as we know is a continuum and, therefore, the pieces fit together in various ways laterally and it is also then about multiple levels of government working this that space as well.

MR GOODWIN: And as part of your portfolio responsibilities, you oversee and are responsible for Homes Victoria?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And you are also the Victorian representative on the Housing and Homelessness Ministerial Council, Chaired by the Commonwealth Minister for Housing, the Honourable Julie Collins. What role does that council play?

THE HON. HARRIET SHING: The Ministerial Council brings together the needs, aspirations, priorities of various jurisdictions around Australia with the Commonwealth, in particular to engage with the Federal funding that is available, the negotiated funding agreements, the Commonwealth's targets on delivery of housing and funding arrangements that involve those partnerships with states and territories.

MR GOODWIN: And I just want to - similar to the cross-examination of the Secretary of the Department and the deputy CEO of Homes Victoria, I just want to make sure we are on the same page in relation to the terminology being used. So as I understand it "social housing" is an umbrella term for various housing that is provided to low and medium income persons with housing needs. And public housing is an element of social housing that refers to government owned and managed housing for low-income Victorians.

THE HON. HARRIET SHING: Yes, that's correct.

MR GOODWIN: And community housing is typically owned or managed for not-for-profit community housing providers.

THE HON. HARRIET SHING: Yes, and they receive funding also from the government.

MR GOODWIN: And part of that funding is contingent on being a registered housing provider, is that right?

THE HON. HARRIET SHING: Yes, that's correct.

MR GOODWIN: And if we refer to "Indigenous community housing" we are referring to primarily housing operated by registered Aboriginal Community-Controlled Organisations, but there is some housing that is operated by non-registered Aboriginal Community-Controlled Organisations as well.

THE HON. HARRIET SHING: Yes, in the main housing is provided through First Peoples registered housing provider arrangements, Aboriginal Housing Victoria, the Victorian Aboriginal Housing Services and Rumbalara, and this is also something that sits alongside a range of Aboriginal organisations that have a component of housing available to them, as part of a range of services and assistance that are provided to people across communities.

MR GOODWIN: And you have just mentioned there that there are three registered Aboriginal Community-Controlled Organisations currently in existence.

THE HON. HARRIET SHING: Yes, that's correct.

MR GOODWIN: And in terms of those categories of housing, if I can put it this way, there are mainstream providers, Aboriginal community-controlled providers and Homes Victoria itself as a provider, and Aboriginal Victorians would access all of those types of housing, is that right?

THE HON. HARRIET SHING: Yes, that's correct. So there is the specific and then there is the general and obviously for reasons of cultural safety the importance of First Peoples controlled, led and operated housing projects and services is the key point of contact for the overwhelming majority of First Peoples across the housing sector. Within homelessness that goes to a range of service providers, including the support provided by Homes Victoria.

MR GOODWIN: You mentioned at the start of one of your answers that there is a continuum of housing across various portfolios, but also various - for people in terms of various journeys in terms of housing - housing needs. I just want to start from almost the end point in terms of private home ownership. So you understand that a majority of Australians generally speaking, I think approximately 68 per cent in Victoria own their own home?

THE HON. HARRIET SHING: Yes, that is the data we have at the moment.

MR GOODWIN: That compares to about 45 per cent of Aboriginal Victorians.

THE HON. HARRIET SHING: Yes, it is about a 20 per cent difference in private home ownership, whether through a mortgage-held property or through outright ownership.

MR GOODWIN: As was highlighted in evidence before the Commission by a panel of various academics and housing experts, that 45 per cent figure might be slightly inflated, given it's based on Census data and generally speaking First Peoples failed to respond to the Census at a higher rate than the general population.

THE HON. HARRIET SHING: Yes, and data is one of the things that I am particularly interested in, particularly where the systems involved in collecting, gathering data are often themselves enormous disincentives to participate due to a range of factors including a lack of cultural safety and the history involved in the processes of collection of data.

MR GOODWIN: And in circumstances where a majority of non-Indigenous Australians own their own home, compared to Indigenous Australians, in today's world - and I know I am speaking in broad terms, but do you agree that it is right to say that owning your own home is becoming very difficult for more Australians, particularly young Australians because of an increasing lack of affordable housing?

THE HON. HARRIET SHING: I think it is not just about owning your own home, we are saying Australia as an outlier has home at a high right rate of engagement with the property market in terms of other jurisdictions. It is not about owning one's home it is about keeping a home in private ownership as well and the cost-of-living I think has had a huge impact on that, as has the lack of availability of housing.

MR GOODWIN: And that - in terms of that very issue, owning your own home and being able to, as you said, keep your own home is a major issue in relation to intergenerational wealth creation for Australian families, is that right?

THE HON. HARRIET SHING: Amongst other factors, it affects everything from credit ratings through to the capacity of drawing down on a loan and, therefore, financial security. It is, I think, a direct outcome of the loss of economic opportunity across multiple generations, combined with systemic disadvantage that has created, I think the worst of all possible circumstances for First Peoples as evidenced in that 20 per cent difference in first home ownership.

MR GOODWIN: And so the increasing lack of capacity to access home ownership in Australia has a particular compounding effect on Aboriginal Victorians, is that right?

THE HON. HARRIET SHING: It not only compounds the effect, but it demonstrates the impact of centuries of disadvantage, and it manifests across so many different things but, yes, for the purposes of the discussion on housing, that's correct.

MR GOODWIN: And in terms of a lack of home ownership amongst Aboriginal Victorians, that puts pressure on the private rental market and social housing sector to deliver housing to First Peoples in Victoria who are unable or unwilling to purchase a home, that's right?

THE HON. HARRIET SHING: Yes, the housing continuum is really interlinked and so when we see pressure in the private part of the continuum moving into rental and private rentals, so from ownership through to rental, through to social housing and then through to transitional housing and crisis accommodation and homelessness, we know that where there is pressure brought to bear on one part or multiple parts of that continuum, it appears in other parts of the continuum and affects the outcomes in those other parts of the continuum.

MR GOODWIN: And the data bears that out in a way, because Aboriginal Victorians are underrepresented in terms of home ownership but overrepresented in both the private rental market, which is in the realm of 39 per cent as at the 2021 Census and in terms of the housing - social housing sector.

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And the social housing sector provides very important services to provide short, medium and long-term housing needs to persons who might not be able to access private home ownership or the private rental market. And do you accept that on average Aboriginal people in Victoria are more in need of support from the social housing sector, proportionately than non-Aboriginal people in Victoria?

THE HON. HARRIET SHING: I would go so far as to say that Aboriginal people are more in need of support across the housing continuum of which social housing is a part, yes.

MR GOODWIN: And do you agree that in every aspect of the housing system on that continuum Aboriginal Victorians experience structural disadvantage?

THE HON. HARRIET SHING: Structural disadvantage, lack of cultural safety, inability to access programs because of the way that they are framed, a lack of funding to address need and a range of factors that come into play, yes, to create and to entrench that disadvantage.

MR GOODWIN: As your statement makes clear, you accept that such structural disadvantage is as a result of the dispossession of Aboriginal Traditional Owners from their traditional Lands.

THE HON. HARRIET SHING: As a result of the dispossession, yes, but then the entrenched intergenerational dispossession and disadvantage, lack of safety and lack of opportunity, yes.

MR GOODWIN: The Aboriginal Housing and Homelessness Forum provided a submission that stated that homelessness did not exist prior to colonisation, and it is a reflection that you offered as well in your opening statement. To any non-Indigenous Victorian who is cynical or unaware of the link to dispossession of Traditional Owners from their Land and the current homelessness crisis that exists for First Nations peoples in Victoria, what would you say to those people about your own journey of understanding about that direct link?

THE HON. HARRIET SHING: I have had a sense of the damage caused by and perpetuated by dispossession, I would say, for as long as I can remember. The impact of this dispossession and of the cultural violence perpetrated upon First Peoples within the housing space is something which I became increasingly aware of and focused on when I was first elected to Parliament, representing a regional seat from the outskirts of Melbourne, through to the New South Wales border in the east. Not only has part of the world been the site of enormous tragedy and violence, but it is also the site of incredible dispossession and of the removal of First Peoples from Country.

That, combined with a lack of opportunity to connect with and to care for Country has contributed over time to an aggregate disadvantage that manifests in all sorts of ways, but in the notion of home and of kinship and of connection to family and to community and to Country the dislocation that we see, that persists today, continues to reverberate in social and in economic and in cultural terms.

MR GOODWIN: Thank you, Minister. I might take you to paragraphs 14 and 15 of your statement, on pages 4 and 5.

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And I know this is slightly repetitive because it is - this evidence is also reflected in the answer that you just provided, but I just wonder if you could please read out to the Commissioners paragraphs 14 and 15 of your statement.

THE HON. HARRIET SHING:

> "Colonisation resulted in First Peoples land and homes being stolen. The Commissioners heard extensive evidence about the incredible speed and violence of colonisation in what is now Victoria, which saw the mass theft of First Peoples' land. As a result of colonisation First Peoples were forced into homelessness, a concept grounded in colonisation that had profound and lasting impacts on First Peoples' communities. Since colonisation First

> Peoples have been systematically excluded from the management, allocation and ownership of land for housing, which has contributed directly and incorrectly to multi-layered, persistent and intergenerational exclusion and disadvantage. Historically State and Commonwealth legislate, strategic and policy settings have underpinned adverse housing outcomes for First Peoples."

MR GOODWIN: You highlight the history of housing policy in the state in your statement and we have also been provided with information from the Department in relation to that history. Part of your evidence explains that the Housing Commission of Victoria established in the last century resisted government directives to accept the responsibility for housing of First Peoples in need and that in 1951 only two State-owned houses had been allocated on a trial basis for the housing of First Peoples. You call that a reprehensible injustice by the State in your statement. How has that existing housing policy informed your own view of what needs to occur today to meet First Peoples housing needs?

THE HON. HARRIET SHING: A lack of meaningful, measurable outcomes that lead in a real-world sense to cauterising that pain and that disadvantage is something which shows up throughout your entire colonised history, that systems have been designed with a measure of total control at their heart and that that has included dispossession and it has included, for a range of reasons and a range of ways, piecemeal attempts to demonstrate progress. This is persistent injustice, however.

And as I said in my opening remarks, there has been some progress made but there is a long way to go and I think from the learnings of the Housing Commission of Victoria, the work of the Aborigines Welfare Board, moving on from the history of the Central Board for the Protection of Aborigines and that colonial idea of suppression and control amounting to protection, that at every step along the way the idea of pride and of safety and of connection to Country has been ignored, and that that has resulted in numerous and ongoing injustices.

MR GOODWIN: You just mentioned the Aborigines Welfare Board, which was established in 1957 and you highlight in your statement that:

> "While it focused on housing post its establishment, the provision of public housing came with an inherent risk of children being removed from their families."

Given that history you can understand then that Aboriginal Victorians might feel suspicious of Government Housing authorities despite their needs for a secure home.

THE HON. HARRIET SHING: I absolutely accept that that is the case and I accept that this is grounded in fear, and it has been defined by a complete ignorance of cultural safety by successive governments and generations. And I

also acknowledge that housing threads through the themes of so much disadvantage and dispossession, grounded in fear and grounded in shame and it radiates out into whole-of-life disadvantage, intergenerational disadvantage in every sense of the term.

MR GOODWIN: And so those risks and that lack of cultural safety, do you agree would be a major reason why when surveyed, the overwhelming majority of Aboriginal Victorians in social housing prefer an Aboriginal landlord?

THE HON. HARRIET SHING: Absolutely, and this speaks to the importance of cultural safety, whether that is the use of language, or the spaces created, whether that is the processes that are involved or the sense of being able to speak and speak freely without fear of repercussion. That cannot be overstated, as I think one of the key areas where self-determination needs to be better demonstrated and needs to be part of the ongoing work through partnerships and through organisational change, cultural change, changes to funding models and changes to the way in which we understand the notion of home and what it means to First Peoples, both when it exists and when it doesn't.

MR GOODWIN: The data shows that a majority of Aboriginal Victorians in social housing are placed with either Homes Victoria or mainstream services, as opposed to those operated by Aboriginal Community-Controlled Organisations. What is Homes Victoria doing to ensure that the services it provides to Aboriginal Victorians in social housing is culturally safe?

THE HON. HARRIET SHING: Homes Victoria operates both in a standalone fashion, but also in partnership with organisations in the work to build capacity within First Peoples' organisations, so the latter includes examples such as the entry points and the work that is being undertaken there with those pilot programs through Ngwala Willumbong and Rumbalara.

Homes Victoria also works to embed the best possible measure of cultural safety albeit within systems that are inherently viewed as not culturally safe themselves. This is about engagement in a range of different ways over time to understand what First Peoples needs and aspirations are. It is about a facilitative approach rather than a punitive one, creating and implementing systems whereby complaints or questions can be raised and are encouraged to be raised to combat and counteract the measure of fear too common those in that power asymmetry feel they cannot make a complaint lest they risk losing housing.

COMMISSIONER WALTER: Excuse me Commissioner, what Counsel was talking about, it is that idea of a fair hearing. What happens at the moment? Can you put in place, what happens in Homes Victoria at the moment, which systems are in place to ensure Aboriginal people both feel safe and also feel they will get a fair hearing should there be any dispute about rental, the standard of the home or complaints from neighbours or any of the other things that could happen?

THE HON. HARRIET SHING: So there are a few ways that complaints and questions can be raised. The problem is that when people raise those complaints they are raising them with the system that applies in delivering on the standards that are the measurables. So it is, in essence, one of those things which is about oversight by the provider. They are are - and by "the provider" I mean Homes Victoria, not a community housing provider. The community housing sector is accountable under legislation. The ombudsman also has a role to play.

COMMISSIONER WALTER: But what precisely are the systems that are in place right at the moment with Homes Victoria to ensure that Aboriginal people feel safe in their interactions and in any disputes or otherwise that they might have about - around their housing. Is there something specifically in place with Homes Victoria to ensure that Aboriginal people have a culturally safe place and a place where they feel they will get a fair hearing?

THE HON. HARRIET SHING: I think the efforts are there. There are resources that go into cultural safety training, the way in which processes operate in complaints as they are raised, questions as they are raised, maintenance requests as they are raised. I think when you say that they can be sure, I don't think we can. That all too often the very shape of the system that operates is not culturally safe and it is about combating that operationally as well as through the system.

COMMISSIONER WALTER: So there is nothing actually in place at the moment to do that. So it is more of a wish or intention or a commitment that things will change, rather than something actually being in place right now.

THE HON. HARRIET SHING: There are principles. So again, it is about the Forum, the work of the Blueprint and the steering committees. There is a range of parts of the system that come together, I think that may have been the subject of the panel discussion, but this is then about what it means for individual people and that is as much as anything based in relationships and in trust, and it is also about partnerships with organisation.

COMMISSIONER NORTH: (Inaudible) prefer an Aboriginal tenant. Sorry. They had some issue with their premises.

THE HON. HARRIET SHING: There are about 190 First Peoples staff across the Department of Families, Fairness and Housing, and that include Homes Victoria. It is also then about cultural safety in what a tenant resident might identify, but the problem is we are saying that people need to identify the lack of cultural safety in order to seek some form of remedy. But that in and of itself is a barrier, because it requires someone identifies that they want or need a particular approach to raising a complaint.

COMMISSIONER NORTH: But can a particular tenant seek out an Aboriginal staff member for the purposes of making a complaint?

THE HON. HARRIET SHING: Homes Victoria - so a tenant is in a position to request a First Peoples person to assist them. Cultural safety is something which is embedded in the principles that guide many government departments. The extent to which that works, though, on the ground, I think is a very different story.

COMMISSIONER NORTH: Do you know how many complaints made by First People go to First Peoples staff?

THE HON. HARRIET SHING: I don't. I am happy to look to get that information if that would assist, Commissioner.

MR GOODWIN: And also for the Commissioners' benefit, Minister, you have outlined in your statement that the Victorian Public Tenants Association is also provided funding from the Department for an Aboriginal advocacy program at points to identify Aboriginal and Torres Strait Islander tenant advocates, advocate roles for First Peoples in social housing. Do you know how many advocate roles are funded through that program?

THE HON. HARRIET SHING: There is one I believe. Can I just add also there are other programs also where - so correctional post-carceral release and placement, family violence and placement, again, the challenge is that - not the challenge. The fact is housing weaves it is way through a number of areas where support is needed, family violence, for example, is one of the areas where First People experience persistent disadvantage and difficulty in accessing support.

So there is a dedicated First Peoples approach to almost assisting with the delivery of or the access to emergency accommodation. That is - that is the sort of thing which is across a range of parts of the system. It doesn't, however, happen in a joined-up way and this is where the entry points are actually really important around - guided by the Forum and the way in which those entry points have been developed, to have a person-centred approach rather than a portfolio-centred approach.

COMMISSIONER LOVETT: Just in response to that, Minister, what is your role? There is multiple entry points that will obviously touch upon other ministerial portfolios. What is your role and what have you done about bringing other ministers together to work through the conundrum that our people find ourselves navigating?

THE HON. HARRIET SHING: My role sits within the work of the housing continuum that sits under the Act for my responsibilities, but it is also, when we talk about - so, for example, if we talk about private rentals and private rental assistance, for example, and that sits within my portfolio, but it also sits across family violence, across child protection, across disability, across health. There are many ways that that intersects, because we don't live as - through one lens and dispossession for First Peoples hasn't occurred in one way.

COMMISSIONER LOVETT: Yes.

THE HON. HARRIET SHING: So that is about multiple portfolios within Cabinet, including through the Minister for Treaty and First Peoples, the Minister for Family Violence, Consumer Affairs, Government Services, Health, Child Protection, Disability. Understanding what firstly, need looks like and how need can be met, noting really the enormous gaps that exist across various parts of the system as much as anything because of the way in which those systems have been designed or evolved over time.

COMMISSIONER LOVETT: Thanks, Minister. Can you articulate what you are doing, you, as the Minister responsible for housing in the context to our people, in bringing those other ministers together to work on a holistic or a systematic response to enable our people in this portfolio?

THE HON. HARRIET SHING: There are a few elements to that.

COMMISSIONER LOVETT: Yes.

THE HON. HARRIET SHING: One is funding, and this is where the work that has been part of my responsibilities has been to preserve the funding for those targets to be delivered over time, that while we look to those multi-billion-dollar investments across the state in the Big Housing Build, in the Regional Housing Fund that First Peoples needs and aspirations are understood and are met. It is a competitive space looking for budgetary funding, but it is also one of the things that I am doing with the Commonwealth, that I have continued to advocate for.

I have very publicly stated and will continue to advocate for a dedicated stream of funding for First Peoples through Commonwealth funding allocations. I have asked for that to be put on the agenda for the next Ministerial Council meeting later this year. I haven't been successful in securing that funding stream for First Peoples. I am - I am determined to see that where the Commonwealth is able to fund First Peoples housing in remote communities in the Northern Territory that we are also able to see that funding here in Victoria.

And this is where the Housing Australia Future Fund applications are about making sure that through the systems we have in Victoria, we can assist First Peoples applications to be given the primacy and the visibility that they deserve. So, it happens across the State Government including with other portfolios around those entry points and that access, with the Treasurer in looking for that money and securing that money from homelessness right through to housing, and then vertically I suppose you could say, with the Commonwealth and they are significantly larger buckets of money.

COMMISSIONER NORTH: Minister, could I just follow up on what Commissioner Lovett asked with sort of a practical example? Say with family violence, so you have got an intersection of the Minister for Prevention of Family

Violence who has to deal with a situation where you have got an Indigenous family involved and say a woman, Indigenous woman who has been the subject of family violence, and your Department where we have been told that housing is the greatest single contributor to family violence situations. So that a woman subjected to family violence needs a place to go, how to get it.

Now, the question really is in that situation, do you work with the Minister for Family Violence? And if so how do you do it, through what - is there a framework or is there - that might give you a sort of practical scene to really nut out this question about your role in bringing other ministers together to deal with overlapping situations.

THE HON. HARRIET SHING: There are a few parts to that question. Family violence is one of the main factors that contributes to vulnerability and to disadvantage and to violence for overwhelmingly women and children. Within the Big Housing Build it is around 1,000 homes will be provided to victim survivors of family violence. We know that older women are also a growing cohort of vulnerability when it comes to homelessness, rough sleeping and we know that First Nations women and children are overrepresented in the space of family violence.

It is about 11,000 applicants across the board for housing support, which identify family violence as a primary part of that request for assistance and it is more than 5,000 of those people identifies First Peoples, so it is a hugely disproportionate number of victim survivors of family violence. This is something which has been really at the heart of a lot of the work that we have done from the Premier right through to the Minister for Prevention of Family Violence, the Minister for Treaty and First Peoples, the Minister for Women, gender responsive budgeting.

And this year's budget also identified very clearly what needs to be done, not just with funding and with support and services, but with the infrastructure that needs to go to addressing that lack of any kind of home in every sense of the term. The Commonwealth has also prioritised funding for victim survivors of family violence in the most recent Commonwealth budget, so it - and that was part of a first Minister's discussion.

So the Premier is leading a lot of this work and within the way that family violence manifests across the entire system all ministers have a role to play in that work. It is also about users of family violence too and this is where again, the sorts of programs that are about behavioural change, about separation, about post release support and also about making sure that behaviour can change over time is one of those things. I do, however, want to note the overwhelming majority of people who perpetrate violence against women and children, First Nations women and children are not - are not Indigenous men.

COMMISSIONER NORTH: I think the focus of the inquiry is about how you coordinate. You have told us that a number of ministers are involved. I mean, do you sit down over morning tea and discuss it do you have a formal process?

THE HON. HARRIET SHING: It is not morning tea but there is a - there are a number of committees and groups where this is discussed. So I can't go into the deliberations that occur in Cabinet or in Cabinet sub-committees, but I can say that the First Peoples experience of family violence in a system that does not - that does not exist by its design to provide cultural safety and therefore to provide safety is a running theme through that work.

MR GOODWIN: Thank you, Minister. I just want to go to some of the key data that you have outlined in your statement, that the Commission has available today that highlights the structural disadvantage faced by Aboriginal Victorians in that continuum that we have been discussing. First of all, as we have already discussed the Victorian 2021 Census data shows that there is a more than 20 per cent gap between First Peoples and non-First Peoples in terms of private home ownership.

As we have also discussed there is a growth in Aboriginal Victorians accessing the private rental market, with 38 per cent in the 2021 Census data. However, as the Commissioners have heard in evidence from others, among other things average earnings are lower for Aboriginal Victorians, so that would increase vulnerability to the private rental market, that's right?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And in addition, the recent report by Swinburne University Excluded from the Start highlights concerning levels of racism in the private rental market at all stages of the renter's journey, but particularly at the application stage. You are aware of that?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: In terms of social housing, I think you have accepted before that Aboriginal people are overrepresented in terms of accessing social housing. You have provided some updated data to the Commission in your statement as at March of this year, and as of that date 4,099 First Peoples households were living in public housing and up to 1,699 First Peoples households were in properties owned by Aboriginal Housing Victoria. The number of First Peoples households in social housing continues to increase, that's right?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And so on the basis of the data between 30 June 2023 and March 2024 there was an increase of 400 First Peoples households living in public housing.

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And we have heard evidence that those figures roughly translate into about one in 10 First Peoples living in public housing.

THE HON. HARRIET SHING: Yes.

MR GOODWIN: That is a huge proportion, isn't it?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And really indicates the structural disadvantages faced by Aboriginal people in housing.

THE HON. HARRIET SHING: Yes, it is worse than disadvantage. It is abject failure.

COMMISSIONER WALTER: By whom?

THE HON. HARRIET SHING: By a series of governments and people and decision-making frameworks and more than whom, by what.

COMMISSIONER WALTER: But what? 'Whats' are created by 'whoms'.

THE HON. HARRIET SHING: Governments of all levels, leadership, the people who have made decisions about everything from land rights through to the lack of opportunity to connect with Country, through the systemic racism and discrimination that prevents either actively or indirectly people from accessing support. The lack of opportunities in parity or opportunity for employment, employment in secure industries.

Lesser rights in enforcing the rights to work, lesser access to childcare, greater, you know, interaction with child protection, lesser opportunity to access disability services. It is a really long list and together these things amount to an aggregate of disadvantage that, of course, yields the sort of results that - that present ongoing barriers to not just safety and opportunity, but to any measure of pride that should be offsetting the shame.

COMMISSIONER LOVETT: Minister, I say this with respect, you are definitely well across the issues around our people and across your brief and I think today I really want us to focus in on what are we doing about it? We have sat in this Commission and heard about our people's traumas for a long period of time now, and the continual systematic barriers for us to be able to thrive, generate wealth and so forth as well.

So I think it would be really good in the responses as well to be able to articulate when you are talking about barriers, what are you doing and what is ultimately your Department doing. Senior bureaucrats have come through here and admitted that the system is in crisis and I really encourage us to be having, I guess, responses around what is happening about actually the issues that impact our people.

MR GOODWIN: I don't know, Minister, if you wanted to respond to that or -

THE HON. HARRIET SHING: No, I am happy if you can perhaps identify when you would like me to go into the details of what is being done and how things are changing. I am trying to respond to questions as I am getting them and I am really - you know, I would really like to talk about what is being done as well as the gaps, so if you can guide me on that as we go that would be great.

COMMISSIONER LOVETT: Yes.

MR GOODWIN: I do want to kind of wrap up the data, because I think it is important to measure the problem to understand the solutions. Can I take you to paragraph 29 of your statement? So this it is in relation to Aboriginal Victorians seeking homelessness services and you have already mentioned some data. So in 2022-'23 First Peoples were 13 times more likely than non-First Peoples to seek assistance from homelessness services. And in the same time period around 11,500 First Peoples, which represented close to 12 per cent of all people sought assistance through specialist homelessness services.

And then there is a break down in data about various persons who attempted to access services. So we have heard evidence that this translates to one in five Aboriginal Victorians attempting to access specialist homelessness services compared to one in 50 for the general population. So you have heard kind of similar figures.

THE HON. HARRIET SHING: Yes.

MR GOODWIN: As Darren Smith, CEO of Aboriginal Housing Victoria explained in his evidence:

> "If the numbers of Aboriginal Victorians attempting to access specialist homelessness services was replicated in the general population that would translate to over 1 million Victorians."

Now, that would be a humanitarian crisis, wouldn't it?

THE HON. HARRIET SHING: Absolutely.

MR GOODWIN: And I would suggest it would be front page news if that was the case.

THE HON. HARRIET SHING: I think it is already a tragedy. Whether we extrapolate that out to the general population or not it is already a tragedy.

MR GOODWIN: Why do you think then that the same level of attention is not given to the issue as it relates to Aboriginal Victorians?

THE HON. HARRIET SHING: Because I think that there is a persistent ignorance and persistent and all too often wilful ignorance that is based in racism. It is based in prejudice. It is based in, I think an inability to accept responsibility. And I have said this at the last hearing, one of the things that was said to me very early on around the work to do from here and the work to assist First Peoples is, "Why should we fix the problems that you created", you as in governments.

And I think that this is an example of again, systems continuing to perpetuate all sorts of discrimination and that includes the way in which public conversation happens around these issues. So the front page that you talk about won't be a front page, because we continue to revert to our own prejudiced misunderstanding of what home means, what a denial of home looks like and what is needed to address that problem and that crisis.

MR GOODWIN: If I can go to paragraph 31 of your statement.

COMMISSIONER HUNTER: (Inaudible).

MR GOODWIN: Yes, Commissioner.

COMMISSIONER HUNTER: I wanted to bring up paragraph 30 a sentence in there:

> "Those sleeping rough accessing homelessness services in 2022 and '23, 43 per cent of those were females."

Is that of any concern?

THE HON. HARRIET SHING: Absolutely, absolutely.

COMMISSIONER HUNTER: A big number.

THE HON. HARRIET SHING: We see within the homelessness and rough stepping space women continue to be overrepresented as a growth area and that includes First Peoples women, yes.

COMMISSIONER HUNTER: That is really high concern. I think there is - it goes on to talk about youth as well. And I am wondering is that a continuation of the child protection system or -

THE HON. HARRIET SHING: I think it is a range of factors and, yes, child protection is a component of that. I think some of the materials that are set out at the back of my statement do refer to the interface with child protection and that system. The challenge is as much as anything that we don't know where the data sits in relation to people. We have data against certain points of the system, but it doesn't carry through to what an individual person, young person, woman, victim survivor of family violence is experiencing a range of other ways that require a person-centred approach to fix, including a home.

COMMISSIONER HUNTER: It is really concerning, our women are overrepresented in the prison system -

THE HON. HARRIET SHING: Yes.

COMMISSIONER HUNTER: - homelessness, family violence. It is not really setting our women up for a really good family life.

THE HON. HARRIET SHING: No.

COMMISSIONER HUNTER: Or being a mother or being a sister or - I have safety - really quite safety concerns about any woman on the street, but the overrepresentation of Aboriginal women and the vulnerability they have is even worse for me.

THE HON. HARRIET SHING: It is also an exacerbation where there is intersectionality, so women with disabilities -

COMMISSIONER HUNTER: Like I totally get that and that is what Commissioner Lovett was saying what are we doing, are we talking to the other -

THE HON. HARRIET SHING: Yes.

COMMISSIONER HUNTER: Because as Counsel pointed out, we are at crisis and to see that in a statement from the government is really concerning.

THE HON. HARRIET SHING: The budget that we handed down, the gender responsive budget actually acknowledges the disproportionate impact felt by women across a range of different areas and that is where understanding where that funding goes to women to address that disadvantage and that lack of safety and that lack of opportunity is part of what the Victorian budget now does as a separate whole-of-state budget that is issued on the - on budget day.

COMMISSIONER HUNTER: Can I just say the 43 per cent don't care about government's budgets. They care about outcomes and about being alive. So I just want to point that out. If we don't see stuff on the ground and this continues, we are not going to have many women left.

COMMISSIONER WALTER: Can I also say you have a gender responsive budget, why can't we have a First Peoples responsive budget? Why is it - because I share Commissioner Lovett's exasperation. We keep talking and people saying, "Yes, this is terrible, this is terrible." As if somehow, this is just the way things are and nobody can do anything about it. But clearly that is not the case.

The State is in the prime position to do something about it and do something about it now, and yet we don't seem to be getting much in the way of transformational change. Everything seems to be at the beginning. We get maybe a pilot. There doesn't seem much will to actually change things and that is deeply frustrating. We don't need to be told how bad things are. We know.

THE HON. HARRIET SHING: Can I respond to that? I am trying not to be defensive and this is where again I am trying to, I suppose, outline how we have gotten to where we are at. We are making progress through the Forum and through Mana-na woorn-tyeen maar-takoort and through the leadership of the 38 organisations and Aboriginal Housing Victoria and those entry points. And we do have funding which is about responding to First Peoples experiences of homelessness, and tenancy support. Again, there is a lot of work happening but when I give answers it is not that I am trying to be defensive. I want to make sure we can have that conversation whilst I am not giving any impression that the system is perfect, but there is a lot happening.

COMMISSIONER WALTER: With respect, there have been forums that have been operating for 30-plus years without appreciable change. So being told that the Forum is meeting does not give myself, as a Commissioner, any comfort that that is actually leading to change. It just seems like more bureaucracy to give the illusion of concern.

THE HON. HARRIET SHING: There are transfers of houses taking place. There are targets in place that are guiding the way in which housing is made available. There is work around maintenance, around complaints. The steward role through the Blueprint, the regional trials that we are undertaking, the delivery through the Social Housing Growth Fund. Homes Victoria is working in a way that it hasn't worked before.

And you are right, these systems have been in place and have presented all sorts of barriers for decades and decades and decades and that was talked of earlier in my statement. But it is about partnership, it is about money and it is about decision making that also doesn't seek to hand a broken system to the idea of self-determination, that we are fixing what we can and that we are mainstreaming better outcomes as well as providing support for capacity within First Peoples organisations.

COMMISSIONER NORTH: Minister, perhaps can you explain what is being done in this homelessness area.

THE HON. HARRIET SHING: The work of First Peoples experiences of homelessness comes against the backdrop of the very thing that we started talking about, that homes were taken, and that homelessness is our creation. Within the '24-'25 budget there is $16.1 billion of self – to assist with self-determined approaches to First Peoples homelessness. So that is funding that could include an expansion of the entry points and that is work that the Forum has guided in the which in which those entry points have operated.

The Aboriginal corrective Housing Partnerships Initiative, the Aboriginal Private Rental Assistance Program and expanding that to additional sites –

COMMISSIONER NORTH: But I suppose when I said, "Homelessness" I mean people who are on the streets. What – is that $16 million – what is it used for in relation to those people?

THE HON. HARRIET SHING: So if we take the entry points and the expansion. So Ngwala Willumbong and Wuthaurong, and the work they are doing that is about outreach and in-reach. So when people are experiencing homelessness, having that provision of crisis accommodation and support, where child protection is involved. It is then about working with child protection officers and agencies. It is about cultural safety because again, where that doesn't exist First Peoples may be so deterred that they are not seeking assistance, because it is such a deterrent that there isn't a space that is safe.

COMMISSIONER NORTH: So the 16 million buys properties, does it? It means - sorry, it is money that goes to ACCOs to provide actual residences and staff who do the outreach, so that people on the street can be approached and then provided with accommodation. Is that the way it works on the ground?

THE HON. HARRIET SHING: It is also programs. So if, for example, we take the Aboriginal Private Rental Assistance Program. So that is been - that is about $5.8 million on top of those who are on the Victorian housing register. As I said earlier when you take pressure - when you apply pressure to one part of the system it comes out somewhere else. So that has assisted about 5,000 families. So it started in 2020 and the work is about AH - Aboriginal Housing Victoria doing that work to deliver that housing support to keep people in their homes. We would - we would like to continue and I want to continue doing everything we can to keep people in homes and then to simultaneously support people who are not in homes to get into them.

COMMISSIONER NORTH: This is the scheme that provides a maximum $7,000, isn't it?

THE HON. HARRIET SHING: Yes.

COMMISSIONER NORTH: Which is really pitiful, isn't it, in relation to a year's rent for people who are finding it difficult - difficult to stay in private rental accommodation?

THE HON. HARRIET SHING: There is a range of other supports, though, so it might be bond assistance. It might be work around helping people in arrears. Through the whole of -

COMMISSIONER NORTH: Are you disagreeing with me that that is a very small amount in the context of that scheme? Like it is a good scheme but when you look at what it actually provides. It is no use having bond assistance if people are suffering, as we know, from the data, across the board lesser median incomes than non-Indigenous people. So you get them into accommodation, but by providing, if you like, inadequate income support you are setting up a system to fail, aren't you?

THE HON. HARRIET SHING: I don't think we are setting it up to fail. I think it does fail. I think it is the intention to pay lip service to what is needed.

COMMISSIONER NORTH: I don't mean about intention, I just mean the dynamic parts of the system. The bits of the system means in a lot of cases you are targeting people whose incomes are depressed and then you support them with an amount which can't rectify the disadvantage.

THE HON. HARRIET SHING: Yes, and I think that comes down to housing and how we provide housing fundamentally as well.

COMMISSIONER NORTH: Money.

THE HON. HARRIET SHING: Money plus housing plus program and plus person support.

COMMISIONER NORTH: I really was actually more interested at the beginning in what you are doing about homeless people and my concept of that, and I could be wrong, it is not the private rental market, it is people who are living rough on the streets.

THE HON. HARRIET SHING: And this is where the Homelessness to a Home, the HousingFirst work, the way in which those things come together is imperfect because of a lack of money. But it is also a challenge, an incredible challenge for First Peoples organisations to be able to provide the support for people who are homeless, or vulnerable to homelessness because of the sheer number of people who are in that situation.

COMMISSIONER NORTH: Well, this gets us back to the question Commissioner Lovett asked about, what can you as Minister for Housing or what do you as Minister for Housing do vis-à-vis other ministers to get this moving?

And an example might be funding, say, of this private rental assistance scheme. I mean, can you knock on doors and explain that you have got here a gross disproportionate amount of the population in the First Nations community, and it can be fixed by money and not all that much of it, as I would imagine.

THE HON. HARRIET SHING: I think it -

COMMISSIONER NORTH: I am focusing on what you, the Minister, can do and do do to rectify what seems - I think you've agreed that it is an unacceptable situation.

THE HON. HARRIET SHING: I have absolutely agreed that it is unacceptable. I think it is about money, but it is also about process, particularly when it comes to accreditation and registration in that piece around cultural safety.

COMMISSIONER NORTH: So what do you do about it?

THE HON. HARRIET SHING: I am constantly advocating for more money for First Peoples and within the housing space, within homelessness and crisis accommodation and transitional housing, social housing and affordable housing. I spoke earlier to the advocacy that I have continued with the Commonwealth, for example. The funding that we have is insufficient. The processes that we have are a deterrent on the question of registration and accreditation. And I think the cultural load that is being born by the registered housing providers that we have is enormous.

This is where again, I think Homes Victoria is providing - and it is my expectation will continue to provide - support for other organisations to become accredited, to build that scale, so that people in risk of homelessness or experiencing and living with homelessness have that person-centred support that they need. Money, programs, processes, cultural safety.

COMMISSIONER HUNTER: With that $7,000 does that resolve the barrier around private rental for First Peoples?

THE HON. HARRIET SHING: No.

COMMISSIONER HUNTER: So it is good and well when we talk about the $7,000, but that - I mean if we are looking at cultural safety -

THE HON. HARRIET SHING: Absolutely. Cultural safety and again, it is a huge barrier and this is where - to the point that was raised earlier about the front page of a paper. It is all too easy to find a reason as to why a First Nations person or family shouldn't be given a residential tenancy. I co-chair the ministerial Housing and Homelessness Ministerial Advisory Group and we have two First Peoples representatives on that group. It consistently comes up within community housing providers and as well as the private rental market. I have spoken with the

community housing group, the peak body CHIA around my expectation that it will do more actively to break down those -

COMMISSIONER HUNTER: $7,000 is all good and well for private rental, but we can't even access it because there is these barriers. So the $7,000 doesn't really work for First Peoples.

THE HON. HARRIET SHING: I think that - so there have been 1,300 families that have been assisted but it is only one component that needs to be done. I don't think it is adequate to the point you have both raised. But the lack of safety is often the reason that, you know - and the experience of discrimination, the outright racism is one of the challenges around even finding a place to even move into. And that's why the transfers of properties and having a First Nations landlord is really important.

COMMISSIONER NORTH: Have you approached the Real Estate Institute or the organisation that governs agents to encourage them as a first step to implant the philosophy that, in effect, outlaws racism in their activities?

THE HON. HARRIET SHING: It is already illegal. It is already illegal to deny somebody a service on the basis of a protected attribute. It is about what happens on the ground, though. And the problem is I see and hear constant examples of how somebody who has put in an expression of interest or an application is turned down by - either at the outset or if the application has been made under a separate provider name, for example, once somebody realises that the tenant will be First Nations person or family. So the law is already there, but it is not working.

COMMISSIONER NORTH: That is the point. How to you get them?

COMMISSIONER HUNTER: Is being enforced? Is that law - is that -

THE HON. HARRIET SHING: There are matters that become complaints, for example, to the Equal Opportunity Commission. I don't have the detail of those complaints or investigations because they are almost always private, but that is - another barrier is actually making that complaint and seeking that investigation, because people don't want to ruin their prospects of getting a rental home, in a non-First Peoples market, I should say.

MR GOODWIN: And on those issues for the Commissioners information - the recommendations arising from the Aboriginal Private Rental Access in Victoria Report "Excluded from the Start", which was authored by the Commissioner for Residential Tenancies, Aboriginal Housing Victoria, Victoria Legal Aid and the Consumer Policy Research Centre includes some recommendations directed to the Real Estate Institute of Victoria to deliver training in Aboriginal cultural safety to the real estate industry and that Aboriginal Housing Victoria with the Real Estate Institute investigate the feasibility of a targeted program to recruit and train Aboriginal property managers.

And there is also another recommendation that the project partners work with relevant Aboriginal Community-Controlled Organisations and the Victorian Equal Opportunities and Human Rights Commission to identify and better address discriminatory conduct. Minister, are you aware of those types of recommendations following that report?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And you support those recommendations?

THE HON. HARRIET SHING: Absolutely.

MR GOODWIN: Unless there are other - I will - I will move on to some other questions, but I just wanted to see if the Commission had any follow up.

COMMISSIONER NORTH: I am just wondering on that last issue about agents, because it seems to be a really embedded problem of racism. Have you given thought to the idea of where you get a complaint, which your Department regards as substantiated racism in - by a real estate agent, that government actually actively opposes the grant of a real estate licence to that particular person in the future? Because nothing encourages good behaviour more than self-interest. It is all very well having the law and the Equal Opportunity Commission but if you had one objection to the renewal of a licence based on racist conduct, I expect you'd see a rapid change rather than a business-as-usual situation.

THE HON. HARRIET SHING: I think there are challenges around people making complaints in the first instance, but -

COMMISSIONER NORTH: You only need one, though, you only need one.

THE HON. HARRIET SHING: Yeah, and I think that where, for example, a complaint is made to the Equal Opportunity Commission or to Consumer Affairs it would be very useful to - to your point, earlier to, move into the space of self-interest in what that looks like. Not dissimilar to having safe systems at work and the way in which prosecution can occur there. Having safe systems for the provision of services is something that I think might build on the prohibitions on discriminating against somebody on the basis of race amongst other things, within that piece of law.

Within the private rental market it's - I don't want to speak for the Minister for Government Services, Minister Gabrielle Williams, because she has oversight for that work. But there is Residential Dispute Resolution Victoria - Rental Dispute Resolution Victoria - I beg your pardon - the taskforce that has been set up as part of the reforms in the housing statement. That is about those relationships and about making sure that the relationships can be not just supported to continue, that good behaviour can be encouraged. So no matter how much we put as a stick we

need a relationship to be able to continue to operate for a landlord in a really pressed rental market to be able to do what it needs to do as the right thing.

MR GOODWIN: Chair, is that a convenient moment for a 15-minute break?

CHAIR: Thank you, Counsel. 15 minutes.

MR GOODWIN: Yes.

CHAIR: 11.05.

MR GOODWIN: Famous last words, but I remain on track to finish at a quarter past 12.

CHAIR: Thank you.

<THE HEARING ADJOURNED AT 10.51 AM.

THE HEARING RESUMED AT 11.06 AM

MR GOODWIN: Thank you, Chair.

Minister, if I can take to you page 13 of the 2022 Annual Report Card against the Framework, which is developed by the Aboriginal Housing and Homelessness Forum and if we can just focus on the graph. This is a little out of date because it is from 2021 to 2022 data, but it just shows the rate of persons attempting to access specialist homelessness services in Victoria. And you will see that the top line is Aboriginal Victorians, the second line is Aboriginal people more generally in Australia, the third line is non-Indigenous people in Victoria and the fourth line, dotted line at the bottom is non-Indigenous people in Australia generally.

A concerning aspect of this graph is that in Victoria - Aboriginal Victorians outperform Aboriginal people in every other state and territory in terms of attempting to access specialist housing, and it is getting worse for them at a higher rate than it is for non-Indigenous people. Why do you think - yes, that is the 2022 report card, annual report card for -

COMMISSIONER NORTH: Tab 6, is it?

MR GOODWIN: Tab 6.

COMMISSIONER NORTH: What page?

MR GOODWIN: 13.

COMMISSIONER NORTH: 13. No, it is not tab 6. Sorry it is not -

MR GOODWIN: Is it tab 5?

COMMISSIONER NORTH: It is tab 4. Yes, tab 4.

MR GOODWIN: Tab 4. It is page 13.

So my question, Minister, is why do you think Victoria's underperforming regarding Aboriginal Victorians including at a more rapid rate than others?

THE HON. HARRIET SHING: I think we are seeing an increase in people seeking assistance in Victoria, and that coupled with a growing First Peoples' population and a lack of the scale of funding and supply means that while we do have a target that will mean that we will have 50 per cent growth by the end of '26-'27 that is not enough to address demand.

MR GOODWIN: And I will ask some questions about the Big Housing Build and that need for extra supply in the market shortly. But this kind of increasing attempts to access specialist homelessness service obviously puts pressure on the Victorian Housing Register, doesn't it?

THE HON. HARRIET SHING: Yes, it does.

MR GOODWIN: And the Victorian Register is essentially the waitlist for people in new and social housing, right?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And so, you highlight in your statement that as at 2024, 5,222 new First Peoples households were waiting for social housing, and 1,272 were waiting to transfer from one property to another. So if my maths is right that is 6,464 First Nations household on the register as at March 2024.

THE HON. HARRIET SHING: Yes.

MR GOODWIN: Now, based on the government's data that we have, the overwhelming majority of those households, about two-thirds are in the category of priority access, that's right?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And that category is for people with urgent need for housing?

THE HON. HARRIET SHING: Yes, as distinct from emergency accommodation, yes.

MR GOODWIN: Yes.

THE HON. HARRIET SHING: Sorry, which is not to say they are not emergencies. It is just the way in which that is categorised as distinct from natural disaster, for example.

MR GOODWIN: What is your understanding of what the typical problems being faced by persons who are in the category of priority access are?

THE HON. HARRIET SHING: Priority access might mean somebody living with disability where adjustments are required to be made, somebody who is a victim survivor of family violence, those - there are a couple of examples.

MR GOODWIN: Can I take you to paragraph 73 of your statement then? And if we can highlight paragraph 73, thank you. So the last two sentences, if you could just read that out, please, Minister.

THE HON. HARRIET SHING:

> "On average households housed by via the priority access or priority transfer category on the Victorian housing register waited an average of 18.1 months for housing, against a target of 10.5 months in 2022-'23. This is clearly unacceptable."

MR GOODWIN: That is an astounding wait time, isn't it, for people in urgent need?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And that just highlights the very supply issues that you have already raised. What, in your view, is or needs to be done to bring down that wait list for people in the priority access or transfer categories?

THE HON. HARRIET SHING: Firstly, more housing and this is where again, the targets in the Big Housing Build are important. All up the commitment is for 1,023 homes for First Nations people. There have been 165 that have been delivered, with 260 contracted. That is funded to '26-'27. We have spent about 50 per cent of the Big Housing Build to date and over the next couple of years additional housing will come online, to get us to what I would like to see under Mana-na woorn-tyeen maar-takoort up to 100 homes.

There is also the Social Housing Guarantee Fund, so the minimum target of 420 homes that will be achieved. Social Housing Accelerator Fund, which is a 10 per cent target, Regional Housing Package, which is a 10 per cent target. The Building Work Stimulus Package of 35 million dollars, and this is where the Commonwealth is funding 40,000 homes overall and I am, as I said before, advocating in the absence of a dedicated stream for First Nations housing or as much of that housing as possible, noting that in Northern Territory there is a

dedicated fund and to my mind it is not only appropriate but necessary that that would be the case here.

MR GOODWIN: Just in terms of all of those actions that are being taken to deal with this issue, it is the middle of 2024 now, and over a number of years it appears that the data for Aboriginal Victorians on certain issues, particularly in social housing continue to get worse. Now, you have had the Victorian Aboriginal Affairs Framework in operation since 2018. In 2020 there was the release of the Victorian Aboriginal Housing and Homelessness Framework.

Then there was the development of the Blueprint for an Aboriginal-specific homelessness system and in 2020 you also had the announcement of the $5.3 billion investment in the Big Housing Build, including the Aboriginal housing properties. So if the data has gone backwards in the time that has occurred how will Aboriginal Victorians trust that things will get better on the basis of the programs that you have outlined?

THE HON. HARRIET SHING: I think trust is a really hard thing to establish when it has been broken so many times over. What we are seeing now, though is the numbers across the wait list, the register, beginning to not only plateau but to slightly drop. What we are doing is working, and it is about continuing the things that work, about improving the things that need improvement including through registration and accreditation, and it is about stopping the things that don't work and filling in the areas where there is no system whatsoever.

We also have an allocation of support for homelessness funding in Victoria, which is the largest out of any of the jurisdictions around Australia. We have had until very recently, I think it was just last week New South Wales announced $6.6 billion into social housing. But announced as part of the 2020 Big Housing Build and the regional national package, the largest investment in new homes and the targets that are informed by and guided by Mana-na woorn-tyeen maar-takoort.

First Peoples would be well understood not to trust government for all of the reasons that we discussed in the first part of this hearing. But the investment that we have made is unlike any of the investments that we have made in the past. And the approaches that we have taken through the Blueprint, the Forum, the entry points and the ongoing work that might well be informed by Treaty or treaties is part of doing things differently, and I think we are starting to see that the things that are being done differently are having an impact.

COMMISSIONER NORTH: Minister, you have mentioned a couple of times reference to registration - and I take that and correct me if I am wrong - I take that to mean the registration of ACCOs as housing providers in aid of self-determination policy. So that you would have Indigenous-led organisations receiving funding for providing housing in various forms. Is that right? Is that understanding correct?

THE HON. HARRIET SHING: Yes.

COMMISSIONER NORTH: So what is it that you were referring to when you were talking about making registration easier? What is the problem and how's it being addressed?

THE HON. HARRIET SHING: I think registration, I think it can be - I think it is costly and time consuming and it requires navigating a system I think, which is very rigid in applying the standards that need to be able to be demonstrated within existing frameworks. I think that the work that Homes Victoria is doing to assist Aboriginal Housing Victoria in its stewardship role, but additional housing - additional ACCOs that are looking to be accredited or to apply for and seek grants where they are interested in being accredited is some measure of trying to alleviate some of those burdens.

I think that there are other areas, though around payment, around resourcing, around decision making that apply very rigidly and apply in a very uniform, bedded down, static way. And I think that there is significant opportunity for that to become easier and for that to become better.

COMMISSIONER NORTH: Because some of those ACCOs have been providing housing, community housing without being registered and having - and have been doing it for decades, two decades I think in some cases and they haven't been subject to an application registration process, but have been fine.

THE HON. HARRIET SHING: Some ACCOs don't wish to seek accreditation and Homes Victoria does provide assistance in the way in which housing might be provided by organisations that are not accredited. Accreditation is a stream that where it is sought though, as I said can often be really difficult and really unyielding. I have been turning my mind to and I have been for some time, some time - I have been in the portfolio since October, so since I began in the portfolio – to understanding what the objectives of registration are and they are to preserve at the first principle the standards that apply in the housing that is delivered to residents and to tenants and those standards are of crucial importance.

Condition of properties, the way in which the system of regulation of housing happens. But it is then also about saying how do we understand that to get to that end point in a way where systems have otherwise been intensely discriminatory or exclusionary, things need to be done differently. So how can that be about assisting ACCOs, communities, organisations, not only to seek accreditation but to partner better with other mainstream organisations if they don't wish to seek accreditation directly and that comes back to cultural safety in non-First Peoples organisations.

COMMISSIONER NORTH: It just sounds to me, curious that some organisations, which have been delivering community housing and apparently satisfactorily now have to go through this hoop in order to get funding. I mean,

isn't that antithetical to the notion of self-determination? Like, why aren't these ACCOs funded to do the job they have been doing in the past on their own funding? And I mean once you insert a - I mean, I know you say it is protective of tenants, but can't you trust ACCOs to look after their tenants without having an accreditation process at all?

THE HON. HARRIET SHING: I think where accreditation is not sought by an organisation, that the system that applies those standards is embedded in - embedded in an approach that engages with accreditation as the framework for setting those standards. I don't want to sound - that sounds waffly, it's not intended to. That the standards that apply need to apply uniformly and that accreditation has been applied as the way in which those standards can apply uniformly.

The thing that I am turning - have been turning my mind to and have been having discussions with Aboriginal Housing Victoria and with others around is, how do we get to the point where organisations, whether they seek accreditation or not are supported and equipped, resourced to be able to do that. And that that comes with the parity across First Peoples communities, as well as within the system more broadly.

MR GOODWIN: Just building on Commissioner North's questions, the Framework itself recommended that consideration be given to more flexible criteria -

THE HON. HARRIET SHING: Yes.

MR GOODWIN: - associated with the registration and accreditation process, and access to funds. In terms of your thinking on the issue, is that partly in response or wholly in response to that type of recommendation?

THE HON. HARRIET SHING: No, it is not in response to that recommendation. I suppose the recommendation confirms a number of my concerns about what doesn't work, about the obstacles and the barriers and that is the case across a range of different areas within the housing portfolio. Whether that is access to wraparound services with the entry points, whether that is the accreditation process, whether that is the funding and grants application process, reimbursement of fees, transfer of properties and the costs associated with that.

It reflects, however, the things that I have been thinking about how to improve and the thinking that I have that where we can make housing about people and we can make the life experience through which housing runs about the person whose life it is and that lived experience, then we may yet have a more holistic approach that breaks down some of those issues around vulnerability or disadvantage.

COMMISSIONER LOVETT: (Crosstalk). With all due respect, Minister, the State and the rules and requirements set out by the State have not delivered

outcomes for the community. I trust ACCOs to deliver a safer option of housing for our people.

THE HON. HARRIET SHING: Yes, and we want to assist ACCOs to be able to provide housing.

MR GOODWIN: And your answer in terms of the holistic view of the system is laudable and important. But, Minister, in terms of money on the table, the Big Housing Build is a significant investment from the Victorian Government and currently in terms of grant rounds, only registered housing organisations have access to applying for those grants. Are you concerned that by the time the government reaches a landing on the flexibility that might be offered for access to funds it will be too late, because all of the money will have been spent?

THE HON. HARRIET SHING: It is not only ACCOs that have access to that funding. There are partnership mechanisms that work there too. So as I said, when ACCOs are not seeking accreditation and they can partner with a provider, and this is where CHIA comes in and where the work of Aboriginal Housing Victoria comes in, that this can actually provide a measure of access to those grant funds.

The Big Housing Build will have acquitted - so it is $5.3 billion by the fourth quarter of 2027-'28 that will be acquitted, so we are about 50 per cent of the way along now. Within that work we have got those targets and within those grants rounds alleviating the barriers that exist around accessing funding might come through a range of different ways, including through making it easier to partner, including by defraying costs by payments along the way rather than at the end, a range of flexibilities around the sort of housing that is sought to be provided and assisting those that are currently in the process of working through an accreditation process.

MR GOODWIN: On the supply issue you admit in your statement that the modelling that is being performed in the framework of requiring 300 new houses a year to meet demand by 2036 will not be met by the numbers of houses committed for Aboriginal social housing under the Big Housing Build or the Social Housing Accelerator or the Regional Housing Fund. But what active steps are the government taking in relation to planning to meet that inevitable supply/demand shortfall?

THE HON. HARRIET SHING: We have got around 9,500 homes within the Big Housing Build that are completed or underway. And within the work that we have been doing to date, we are tracking for the 10 per cent target to be realised over time. Now, Mana-na woorn-tyeen maar-takoort has the target within it that we will struggle to meet, but we are also seeing progress against minimum targets, for example, in the Social Housing Growth Fund, that that 420 minimum target will also be achieved. So we are seeing a pretty disparate set of outcomes here and there are a number of things that we can see across First Peoples housing that

are occurring in the broader housing market as well, but I think the impact is felt disproportionately worse and experienced disproportionately worse for First Peoples.

MR GOODWIN: And another - an important element that you discuss in your statement in relation to both funding and supply are opportunities with the Commonwealth through the Housing Australia Future Fund. So you mention this in your statement at paragraphs 81 and 82. And you mention that you have been actively working with the Forum and the Commonwealth to maximise First Peoples housing through the Housing Australia Future Fund and that fund aims to build 40,000 homes across Australia, with a total investment of 10 billion over 10 years. And you have written to the Commonwealth advocating for a dedicated funding for First Peoples housing and in support of a dedicated national First Peoples housing and homelessness plan.

At paragraph 82 you mention that:

> "The first round of the fund's funding did not include specific targets for First Peoples' housing."

Although you are aware that submissions were lodged for dedicated First Peoples housing in Victoria. Clearly you believe in targets, because you are advocating for them at that level. Are you disappointed that targets for First Peoples housing was not included in the Housing Australia Future Fund?

THE HON. HARRIET SHING: I am - I am disappointed, and I am determined to continue to advocate for a dedicated funding stream for First Peoples housing. We have worked to make sure that within the Social Housing Growth Fund and the applications that have come in under that they have been part of applications to the HAFF. There is about 21 per cent of the applications from Victoria to the Commonwealth are for First People's housing organisations.

And this is where we do want to make sure that wherever possible Victoria can influence, as I say in my statement, the way in which decisions are taken in future rounds of housing, noting that the Commonwealth is prepared to accept the gaps and its decisions in the Northern Territory show that. And I am heartened by that decision, and by the opportunities that we have to continue to advocate in a way that secures an outcome in similar - in similar proportionate terms. One of the other challenges we have is definitional.

The Commonwealth understands well the nature of rural housing in other states and territories, but there are problems with its understanding of rural housing in Victoria. That is one example of the sorts of things that Victoria is doing around advocating for a better understanding of the Victorian housing landscape and the continuum there. And the states are doing a lot of work in understanding collectively what it means to act on homelessness.

We have secured $451 million in the Commonwealth's recent budget. That doesn't do enough to enable us to address the sorts of challenges that we spoke about earlier, the volume of challenge. We know that, for example, access to services has nearly doubled since 2011 and '12 from 10.2 per cent in 2011-'12 to 16.9 per cent in '21-'22. So access is increasing, but so is demand and I am pointing that out to the Commonwealth. Officials are engaged in ongoing discussions with the Commonwealth about First Nations disadvantages that relates to housing and homelessness within those discussions about Commonwealth funding.

MR GOODWIN: And I don't want to undermine your negotiations with your ministerial colleagues, but what confidence do you have that your advocacy might bear fruit?

THE HON. HARRIET SHING: You mean ministerial colleagues that are at an interstate - inter-jurisdictional level or state level?

MR GOODWIN: Yes, inter-jurisdictional, I mean.

THE HON. HARRIET SHING: I am leading the charge in a pretty vocal way for Victoria. I have asked that it be on the agenda for the next Ministerial Council meeting. I am applying myself to this work, because it is not good enough that we don't have a dedicated stream of funding for First Nations housing where the Commonwealth budget has articulated the importance of funding for victim survivors of family violence who are represented and overrepresented in First Peoples' experiences and young people who are represented in First Peoples' experiences, but who are not named specifically. I think that can change and I am continuing to urge my colleagues to not only come to the same conclusion, but to support that work to secure it.

MR GOODWIN: Can I just ask some questions about funding and historic funding levels? If I can go to page 27 of the 2022 report card under the framework.

So this is back to tab 4, Commissioners, and it is page 27.

Had it. Yes. And if we can highlight the graph, please. So this is based on Productivity Commission data that shows Victorian Government spending on social housing per head of population between 2014 and 2015 to 2020 and 2021. Now, I should be clear, this is about operating expenditure, so it is not capital expenditure. So it doesn't include the announcement of the Big Housing Build in November 2020 and the commentary makes that clear. But nonetheless, this shows a significant underinvestment in operational funding for social housing in Victoria, doesn't it?

THE HON. HARRIET SHING: For 2020-2021, yes.

MR GOODWIN: And clearly that is rising and again, in terms of the figures you have provided us in your statement and in the annexure rising again. But does that mean that Victoria is constantly playing catchup in terms of housing policy and funding in the circumstances of that historical underinvestment?

THE HON. HARRIET SHING: I think Victoria has been playing catchup and I think the amount of investment means that significant progress has been made. That is a challenge, however, against increasing population numbers and we are already at more than 7 million people in Victoria. We are going to go up to around 8.8 million people in Victoria by 2041 and so we are going to need to continue to invest in social housing across the board and that is what the Big Housing Build is about, and the Social Housing Accelerator and the Regional Housing Fund.

It is unprecedented funding, but with that comes the need to make unprecedented funding in other parts of the continuum, specifically in homelessness. And this is where again, the Commonwealth's investment of $451 million does not address that need. It requires Victoria to match funding and we already more than do that, but there is always, always more work to do not only in the response but the early intervention and prevention work as well.

COMMISSIONER NORTH: I mean, what these figures do show is a very clear upswing in spending in Victoria compared to almost static on the Australia-wide figures. So there is a sort of a positive side to that story as well, isn't there?

THE HON. HARRIET SHING: Until last week when New South Wales announced $6.6 billion, Victoria was absolutely head and shoulders above other jurisdictions. But all that says is that that has begun to turn things around, but there is still so much work to do. And the 40,000 target for the Commonwealth is significant, but unless it is matched by the sort of operational funding that is not reflected in recent Commonwealth Government budget announcements then we are going to struggle to address that need alongside the rest of the population growth challenges.

And the Housing Statement makes this really clear that if we are to meet the challenges of population growth, whether it is through private housing, through social housing, build-to-rent, the ground lease model we are going to need to throw everything we have at it, which has what is underpinned the housing statement and the redevelopment of sites and the work that we are doing to deliver social housing.

MR GOODWIN: And I want to ask some questions about the housing statement in a second, but just to cover off on the funding issue, am I right in saying that the government has a commitment to progressively increase the proportion of dedicated housing funding for First Nations housing issues to 10 per cent by, I think 2029? Is that right?

THE HON. HARRIET SHING: There is a 10 per cent target and that is about making sure that we have that representation. So the Big Housing Build and the Social Housing Funding Growth Fund is 820 homes; the Social Housing Accelerator, 73; the Regional Housing Fund, 130. And that is the 1,023 number, as I said earlier, of that 165 have been completed, 30 more are imminent and 260 have been contracted.

Commonwealth funding though again, and I am wanting to talk to the joined-up approach to this without being perceived to be kicking the can to somebody else, but we do need to see that funding to make the most of what we have done. And the Commonwealth has done it with the Social Housing Accelerator. $496 million and that will deliver around 679 additional homes. So that work needs to continue again, with targets and again, with those measurable commitments.

MR GOODWIN: And in terms of that percentage proportion of funding, as your annexure makes clear, the percentage of homelessness funding dedicated to First Peoples has increased from 2.91 per cent in 2021 to '22, to 5.38 per cent in 2023 to 2024. And so there has been an increase in an attempt to reach that 10 per cent target and a quite significant increase over a period of two years, is that right?

THE HON. HARRIET SHING: Yes, there is $16.1 million in self-determined approaches to address First Peoples homelessness, which we spoke about earlier and then there is the Housing First funding which is $16.7 million and a proportion of that will be for First Peoples housing. I am again, in the process of throwing everything I have at that to make sure that dedicated allocations to First Peoples are made available.

MR GOODWIN: And so my understanding of the $16.1 million that you mentioned that was announced as part of the most recent Victorian State Budget that the use of that funding, as you outlined this your annexure will be determined by the Forum and the Blueprint Steering Committee, is that right?

THE HON. HARRIET SHING: Yes, that's correct.

MR GOODWIN: And so Aboriginal Community-Controlled Organisations will play a direct role in determining the use of those funds?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And is that the type of potential, I suppose you see in the development of the Forum which is - which has been in existence since 2019? Are you open to further opportunities of that type of engagement and partnership with the Aboriginal community-controlled sector in terms of funding allocations and priority setting?

THE HON. HARRIET SHING: Absolutely. Can I just say also that builds on the work that has happened over a number of years. My predecessor, Richard

Wynn did a power of work to be able to launch that program as part of Mana-na woorn-tyeen maar-takoort and the strategic goals of the Framework are very much about self-determination, are very much about delivering outcomes that are grounded in a transition of power and responsibility at the same time as support and partnership from Homes Victoria and that is born out in the structure of other parts of the Blueprint and the Steering Committee.

MR GOODWIN: And in terms of the Framework, is the government committed to the implementation of the Framework in full?

THE HON. HARRIET SHING: Yes.

MR GOODWIN: And a number of projects have arisen, or been strengthened as a result of the Framework. So you have already mentioned the pilot project on entry points in terms of Aboriginal Community-Controlled Organisations having dedicated staff to provide support for people accessing specialist homelessness services. Are you hopeful that that program can be expanded subject to its evaluation?

THE HON. HARRIET SHING: Its evaluation is being - is being considered by a procurement process and that is being guided and determined by the Forum. The approaches to address First Peoples homelessness through the $16.1 million in this year's budget might well include the entry points expansion. We know that this work is already having an impact.

When it was announced in December last year it couldn't come soon enough, but we are seeing that Ngwala and Wathaurong are able to reach more people and are able to share what is working. Two representatives on the ministerial advisory group who attended - the most recent meeting was actually only a couple of weeks ago, about the impact of the entry points, Ngwala Willumbong has in fact secured further work within Melbourne CBD and when the Forum, should it determine that expansion of the entry points should occur, then I will be guided by those decisions and do everything I can to make sure that that is able to happen.

MR GOODWIN: A program we have discussed and in particular between you and Commissioner Hunter is the Aboriginal Private Rental Assistance Program. So it is an embedded program now that is been expanded to 10 departmental regions out of 17, but nonetheless there are seven departmental local areas that - where it is not available currently. Your statement mentions that there is a current evaluation of that program with the potential for full expansion subject to that evaluation.

It is clear from recent funding commitments that it is, if can I put it this way, a popular program, that some top-up funds were provided recently to meet demand. Is that in of itself really a sign of success for you? And are you confident that if the evaluation recommends full expansion that the government will be in a position to do so?

THE HON. HARRIET SHING: I can't comment on what the outcomes of a budget bid might be. But back to the comments you were making earlier, Commissioner Hunter, and, Commissioner North, I think it is having an impact. Whether that impact is sufficient remains to be seen around what the outcomes are into the longer term about people staying in housing.

Guided by the Forum and what it wishes to do on self-determined approaches, including as they relate to an expansion of the private rental assistance program I again, would make sure that I advocated for that on the basis that it has been identified by and for and with First Nations communities and organisations, including AHV around what it can achieve.

MR GOODWIN: Now, also that - your answer raises a question about programs across the continuum, and obviously there is a significant gap as we have discussed a number of times in terms of home ownership for First Nations people. Now, I know it is a - it is a program operated by the Department of Treasury rather than your own Department. But the Shared Equity Home Buyers Fund has had some recent success with 57 First Nations people accessing that fund over the previous two years following some significant changes to criteria. What opportunities do you see in those types of programs to build home ownership for Aboriginal Victorians?

THE HON. HARRIET SHING: Again, without wanting to tread on the Treasurer's toes, I think you will be hearing from him shortly. I think that programs like the Shared Equity Home Buyer Fund, which remove the comparative barriers, for example, through a lesser requirement, so from 5 per cent in a non-First Peoples application through to 3.5, dismantles some of the existing disadvantages around the inability to create wealth inter-generationally and, therefore, an inability to access private home ownership.

Again, the objective of that program is to remove the barriers that have required in a hugely expensive private housing market, the barriers for anyone to ever even consider home ownership. It has never been harder to own a home. I think that this work is really important, and it is also about how that translates into the Commonwealth's obligations and responsibilities with the Help to Buy Scheme, as the Home Buyers Equity Scheme at a Victorian level moves into that space within the Federal space.

MR GOODWIN: I want to ask some questions about some of the programs that the Victorian Government is developing or has developed in relation to certain vulnerable subgroups. First, in terms of young people leaving care. This is at your statement at paragraph 125. You mentioned in your statement that you have commissioned the Department to explore the costs, benefits, and implementation approach for a home ownership scheme for young First Peoples who are exiting care services and for the Department to present you with options in the next financial year on a business case. I am just interested in what led you to

commission the Department to perform such a task, and why is that important to you as Minister?

THE HON. HARRIET SHING: Because I see that the financial obstacles experienced in a disproportionately greater way by young First Peoples who are exiting care services amplify whole of life loss and entrenched lack of opportunity. And I think where we can innovate at any point along the way, whether it is the Village 21 program or whether it is the entry points, or whether there is an opportunity for a home ownership scheme that that starts to start to close some of the gaps that then become an abyss if left unchecked that is impossible to scale.

COMMISSIONER WALTER: Minister, can I ask, I guess I am a little bit - young people coming out of care, I am just wondering why - how that could be possible for them to go into home ownership. I was just - I am sort of wondering whether there needs to be - it seems like a big leap to come out of care at age 18 into home ownership and I am just wondering whether a secure tenancy or - until they reach that sort of - when we know the brain catches up to the body at age 25. I am just wondering how you think that might work. I just sort of see lots of opportunities for disasters that may actually prevent young people owning a home in the future, because they muck things up at age 18. I know I would have, and I suspect most people would at 18 moving into a home ownership scheme.

THE HON. HARRIET SHING: So exiting care services and again, when we talk about the partnership with VACCA and Kids Under Cover, for example, there is a long-term process around secure housing in that space for young First Nations people. There are stepped supports that are very much geared toward that measure of certainty, so it might be something like the Village 21 sites. It might be Room to Move and the Melbourne City Mission's work. It is also then about home ownership as well. So if it presents as an opportunity that there is something there to enable that to happen rather than saying that in all instances it won't be within the reach of a young person.

I'd just like to see what that looks like, because I think we need to think differently around that continuum and how First Peoples can access every part of it in a beneficial way, whether that is homelessness services or right through to private ownership. So it is part of a whole spectrum of things that I am looking at.

MR GOODWIN: Then just in terms of issues of family violence, as data shows from the Department itself, First Peoples in Victoria are 15 times more likely to be experiencing family violence, mental health issues or rough sleeping in terms of those accessing specialist homelessness services. The 2016 Family Violence Royal Commission found that First Peoples refuges were performing an important role, but had limited availability and since that time only another - well, at that time four refuges existed and three more have subsequently been funded eight years later. Are you concerned that that is an insufficient response to the Royal Commission findings in relation to the importance of First Peoples refuges?

THE HON. HARRIET SHING: I think as a response the objectives are good. I think that the scale of the response will not meet the need, as I think I said earlier, when we are talking about a proportion of around or more than half of people who are accessing homelessness services for family violence are First Peoples. We know that safety and cultural safety need to go together, and that is why these refuges are important.

We have seen around - or more than 20 per cent of social homes allocated within the family violence allocations in '21-'22. That is still not enough and that is why those refuges are important. But I do think that scale is important and that in doing that cultural safety and capacity for First Peoples' organisations, and also mainstream organisations to be able to provide that is of central importance to whether those refuges are then used because there is that level of trust and safety.

MR GOODWIN: And so what are you, as Minister, doing to ensure that the problems that you have outlined can be rectified?

THE HON. HARRIET SHING: I am continuing as part of the work set out in Mana-na woorn-tyeen maar-takoort and the Framework, and all of those overarching investments to advocate as stridently as I possibly can for funding. I will continue to advocate in the absence of dedicated First Nations funding in Commonwealth agreements, notwithstanding the funding priorities identified for victim survivors of family violence, to ensure that First Peoples are represented in a way that reflects the acuity of need. And there are budget processes that happen every year and my job is to continue to advocate for funding for the capital programs, but also the operational funding that is needed that we went to on that graph earlier. We see the increase there, but it needs to be something we stick with.

COMMISSIONER LOVETT: Minister, can you share with us what are the funding blockers here in Victoria?

THE HON. HARRIET SHING: I think a finite amount of money within the funding envelope. I think the work that Victoria is doing as part of the post-COVID recovery. I think the need to assist with a range of the challenges that people are facing in cost-of-living, in skills shortages, in industry are all making for a competitive space in arguing for funding. It is then about ministerial portfolios though, coming together to advocate for budget bids that actually go across a range of areas and this is where again - I keep coming back to the impact of housing upon people as that interfaces, whether it is with child protection or disability or health, and that is where that critical mass comes in around saying, "Here's what we can do. Here's how we can see better outcomes."

And early intervention funding is something which is a relatively new concept for the Productivity Commission. But we do see at a State level we have invested money up front and early, which then yields an economic benefit but it also stops people from entering into systems without hope of coming out of them. So there

is money in that set of programs, so $45 million I announced a couple of weeks ago, Sacred Heart Mission. It is getting in front of that, but it is a really competitive space for a finite amount of money.

MR GOODWIN: Another potential is unlocking surplus land for the purposes of housing, and the Housing Statement that you have mentioned highlights that as a potential option and highlights that Homes Victoria will be part of that process. The Department of Transport and Planning in a response to the Commission provided information that:

> "There is no current program to identify opportunities for Crown land to be set aside for First Nations housing purposes."

Now, I acknowledge that that is a different Department to your own but have you, as Minister, thought about the need to create such a program to access Crown land for the purposes of Aboriginal social housing?

THE HON. HARRIET SHING: For the purpose of social - so social housing can be built and developed in a range of different ways. The land that is made available for that to occur is within planning and also within precincts. So I don't want to perhaps put myself in the shoes of Minister Kilkenny or Minister Brookes on what the selection of those sites looks like, or the work that is being undertaken to identify those sites. I don't have any means by which to go beyond pressing for the greatest number of social housing dwellings to be built and delivered for First Peoples in a way that is underpinned by self-determination.

COMMISSIONER LOVETT: I mean, just to draw parallels, Minister, you are not responsible for children in care, are you?

THE HON. HARRIET SHING: No, but the home ownership scheme is what I am working towards investigating.

COMMISSIONER LOVETT: Yeah, what impacts children in care.

MR GOODWIN: Commissioners, I was going to ask some final questions about the Treaty process, but I just wanted to pause there in case Commissioners had any questions in relation to the matters that we have canvassed or additional matters in terms of housing policy.

COMMISSIONER LOVETT: Yes, just around - thanks, Minister. Are you doing any work with Victorian Traditional Owners around housing needs or any kind of reform opportunities that you'd like to share with us?

THE HON. HARRIET SHING: Yes. I have been having continuous conversations with Traditional Owners, whether Registered Aboriginal Parties or not. The need for housing as they are expressed vary very dramatically obviously.

First Nations is a plural, and it comes in a variety of different priorities for what is needed.

I was in Preston for the Aboriginal Housing Forum, and we talked about opportunities for social housing to be developed there. I have been speaking with Rumbalara and GLaWAC and Wuthaurong and Djaara. The list goes on. I don't want to exclude anybody, because I am trying to be as accessible as I possibly can. Because I need to hear what is needed in order to try to address that need through budget and other processes. There is also the advisory group, the work of Homes Victoria's advisory board and Mr Greenway is a member of that board, and then within Homes Victoria as well.

When we do work on developing projects, for example, within the Big Housing Build these are guided by what it is that First Nations communities and groups are telling us is important. And that is where we get a range of views on accreditation, for example, but it is also about the programs that wrap around people. So, from VACCA to VALS, to any number of specific First Nation groups it is continuous conversation.

COMMISSIONER LOVETT: Yeah, I mean, I think you identified a bit earlier about the other portfolio, the Minister for Planning and so forth around TOs wanting to build houses on their own Country, so people can come back to return to go to work or even live on Country as well. And I think a lot of work needs to be done actively with Traditional Owners to enable that to open up for them too. I think historically it has been - housing has been an issue for the ACCO sector, but Traditional Owners are increasingly advocating pretty hard for their aspirations to be met as well.

MR GOODWIN: And that probably leads me well to my final question, Minister, which is we know as the Premier confirmed that everything is on the table for Treaty negotiations. But I wanted to provide you with an opportunity to set out what you consider might be the key areas of opportunity from the perspective of Treaty negotiations in the area of housing.

THE HON. HARRIET SHING: I don't want to - I don't want to say what I think should be the priority areas for negotiations in Treaty or treaties, because that is a process of self-determination. What I want to do though, is to re-affirm my unwavering commitment to Treaty and support of Treaty or treaties. We are working already and have been for some time on leaning into the awful truths and tragedies of our past and committing funding to providing housing and homelessness supports, and that respect and recognition and dignity and safety that First Peoples deserve and for too long have been denied.

I will continue to support the work of First Peoples organisations, whether ACCOs or groups, to make the system navigable and as Treaty work continues, so too will the work of Mana-na woorn-tyeen maar-takoort. And as things continue to evolve through Treaty or treaties my role in this position will be to deliver outcomes

along the lines of the targets that we have set, but also the quality of lived experience that First Peoples have in the housing system.

COMMISSIONER LOVETT: Thank you, Minister.

MR GOODWIN: Thank you, Minister. Unless there are other questions?

COMMISSIONER WALTER: I just wanted to follow up with one. You have made a number of statements and we all agree with you that housing is central and impacts on all the other areas of systemic injustice that First Peoples currently and have previously experienced. So I would expect, and I am obviously not a party to it, but I would expect that housing would be at the centre of Treaty negotiations, or one of the central aspects and perhaps as Commissioner Lovett also pointed to with TO groups. So how is your Department, I guess and yourself preparing to be there at the Treaty table?

THE HON. HARRIET SHING: I have never stopped preparing for Treaty. That has been - when I say unwavering, unflinching support for Treaty that has guided the work I have done to understand and to learn. Ever since our commitment to Treaty was affirmed and confirmed, and the work to build upon Uluru Statement from the Heart and the work to - to establish this Commission with all the powers of a Royal Commission, everything that I do in understanding First Peoples aspirations and opportunities and the obstacles and barriers that exist in systems has been what will inform my work in listening and in acting, and in partnership and in facilitating self-determination.

That is already happening I think in a lot of the systems that we have, and I think Treaty or treaties will continue that work and I will be continuing to prepare and continuing to advocate and to doing the work that I can do to contribute.

COMMISSIONER LOVETT: Minister, is there any messages you'd like to share? We have a lot of people listening in. Some of our people listening in may be homeless or on very long, lengthy waiting lists as we have heard. Is there any other - or other stakeholders listening in about some of the expectations that you have shared. But any other messages that you would like to reaffirm or share with people, particularly listening in to give them confidence that you and your government is working really hard?

THE HON. HARRIET SHING: I don't underestimate for a moment the indignity and the shame, and the lived experience of homelessness or of vulnerability for First Peoples and that dispossession and dislocation from Country. We are funding programs and services, and we are building homes. We are starting to see change in the Victorian housing register. Those numbers coming down. We have established targets. The work to undo decades and generations of disadvantage is slow and difficult work.

First Peoples deserved so much better and so much more than the contempt shown by successive governments. We are working so hard in the spirit of self-determination to transfer decisions, to create cultural safety, to deliver funding and that work goes on. It is long-term work, and it is my hope that it will be work that spans many, many parliaments and many, many governments and that it will operate with support and funding from the Commonwealth, right through to support and resourcing from ACCOs in a way that means that outcomes are delivered by and for and with First Peoples.

That early intervention and prevention occurs in a well-placed, safe way and that this then leads to outcomes that show better health, show better outcomes as far as economic participation, intergenerational wealth, aspiration, connection to education. That this leads to better outcomes in child protection, better services for people living with disability. For neuro-divergent folk, for LGBTIQA+ First Nations people. Housing runs through everything, homelessness runs through everything that we have talked about today. I am grateful to everybody who has assisted me to learn, and I am determined to put those learnings to the best possible use.

COMMISSIONER NORTH: Thank you, Minister.

COMMISSIONER HUNTER: Can I add something on to that? Just - we have got to remember every time we hear evidence, we hear it from a person's point of view. So we have got - WDAC was a panel they gave evidence about thousands of dollars spent and they could only house people for one or two nights and also buying sleeping bags, because they have nothing else for people to live in. A woman in custody telling us she couldn't - she got locked up because of family violence and stealing a tent. These are the extremes people are going to, and I think it is just - for me it is just not happening quick enough. And you know what the weather is like at the moment.

I just can't even imagine being a mum on the street, maybe with your child or in a car or wherever that be. It is just not happening quick enough for our people, and we have heard evidence time and time again. And people not being able to get out of prison or not being able to get their kids back. As you said, it intersects with everything, but it is just - it is heartbreaking that we have to sit here and hear this again and again, and again.

It is it just is not coming quick enough for our people. And my fear is that particularly these young women on the streets are not looking at a great - actually they are not looking at a future at all. So it is quite concerning and I just wanted to point out that for our - it is just not - you know, people are dying on the streets, and our people are overrepresented. It is just not good enough.

Do you want to go, Commissioner Lovett?

COMMISSIONER LOVETT: I just - thank you. Any - probably (crosstalk).

MR GOODWIN: Yes, I don't know if you wanted to respond, Minister.

COMMISSIONER HUNTER: Look, I'm not - I don't know if you want to respond or not, but it is just the reality of what we have been hearing. And for people to come forward and give those accounts, trying really hard to do their jobs of the - they said it was heartbreaking. All they to do is buy a sleeping bag.

THE HON. HARRIET SHING: It is heartbreaking, because this is about people. At the end of the day in all of these millions of dollars that we have talked about and all of these metrics and figures that we have gone to today it is about people and it is about lives and outcomes. And I hope that I have given you a sense of the work that we are doing to turn that around. It isn't, as you say, happening fast enough. It is, however, what drives me. It is absolutely what drives me.

COMMISSIONER HUNTER: Leadership comes from the top and the words you have said today are great and I really want to see that in action, and I hope those under you hear those words and respond appropriately. Thank you.

MR GOODWIN: Chair, there is a lengthy tender list of documents relevant to housing that have been provided by the State. So I will just, to the extent that those documents have not been tendered some of them have been previously, I tender the remaining documents.

CHAIR: They will be entered into the record.

Can I thank you, Minister, for the way in which you dealt with all the questions that have been asked of you and I know this is a very difficult space. It has always been with us. When Aboriginal - the first Aboriginal Minister was appointed in the state, housing was part of the deal way back in the day. So it has been known for a long time, but thank you for your evidence today and we look forward to some outcomes with the programs that are on foot now.

THE HON. HARRIET SHING: If there is any other information, I can provide to assist the Commission with your work that has come up in the course of today's hearing as well I would be very happy to receive those requests, perhaps through counsel and we can address them from there.

CHAIR: So we shall -

MR GOODWIN: Adjourn until 1 pm, I believe.

CHAIR: Yes, thank you.

<THE HEARING ADJOURNED AT 12.21 PM

THE HEARING RESUMED AT 1.05 PM

COMMISSIONER HUNTER: We will recommence.

MS MCLEOD SC: Commissioners, I call Aunty Muriel Bamblett and Sarah Gafforini who are here representing the Victorian Aboriginal Child Care Agency.

AUNTY MURIEL BAMBLETT: No, no, no Child and Community Agency, we have changed our name.

MS MCLEOD SC: Apologies.

AUNTY MURIEL BAMBLETT: Just for the record.

COMMISSIONER HUNTER: No, that's fine.

MS MCLEOD SC: Apologies.

So, Commissioners, I appear for this evidence and offer my Acknowledgement of Country. Commissioners, I will start with each of you.

Aunty Muriel, if I can start with you. Can you state your full name for the record, please?

AUNTY MURIEL BAMBLETT: I am not sure I want everybody to know my middle name, anyway, but I will. Muriel Pauline Bamblett and I am a Yorta Yorta, Dja Dja Wurrung, Taungurung and Bunurong woman and CEO of the Victorian Aboriginal Child and Community Agency. I am only getting used it to myself, so thank you.

MS MCLEOD SC: Thank you, Aunty. Do you undertake to give truthful evidence to the Commission this afternoon?

AUNTY MURIEL BAMBLETT: Sorry?

MS MCLEOD SC: To you undertake to give truthful evidence to the Commission -

AUNTY MURIEL BAMBLETT: Absolutely. Yes, yep.

MS MCLEOD SC: Thank you.

And, Sarah, can you state your full name, please, for the record?

MS GAFFORINI: So Sarah Anne Gafforini. I am the Director of the Office of the CEO at VACCA.

MS MCLEOD SC: Do you had undertake to give truthful evidence this afternoon?

MS GAFFORINI: Yes, I do.

MS MCLEOD SC: VACCA has prepared a submission to the Commission dated February of this year addressing the issue of family violence. Is that submission true and correct and does it represent the views of VACCA?

MS GAFFORINI: Yes.

MS MCLEOD SC: Commissioners, the submission is NUT.0001.0474.0003_R and I tender that submission. And just a question about the tender list, I will wait for further instructions, but we were going to tender a bundle last week.

COMMISSIONER HUNTER: I think -

MS MCLEOD SC: We will put a hold on that for the time being until I can get further instructions but this for now, can be tendered.

COMMISSIONER HUNTER: Thank you.

MS MCLEOD SC: So Aunty Muriel, I understand you'd like to make an opening statement.

AUNTY MURIEL BAMBLETT: Yes, thank you. Thanks very much. I would really love to begin by acknowledging the Traditional Owners of the Land, the Wurundjeri people obviously and Traditional Owners in the room of the Land that we gather on today and pay my respect to Elders past, present and emerging and all Aboriginal people here. I want to acknowledge each of the Commissioners for the work that you have been doing here in this space and the truth-telling and creating public records for our people.

Obviously, I particularly wanted to acknowledge that after the last - the evidence on child protection that we were able to get from the Victorian Government a commitment to a reform agenda. So you would have heard $140 million was actually put into the budget and so the Premier actually worked and said, "I want to really make a change." And so you will be pleased to know that we have begun rollout of Aboriginal Children, Aboriginal Care across the state, but also we are now taking on investigations where we are seeing obviously more and more children go home. So rest assured that the work that you have begun has begun to hit the road and the things are changing.

I think we would like to acknowledge the hard work also of your staff especially the lawyers, Fiona and Sarala and especially for their questions and dedication to unpacking the truth and really for their support in making us feel comfortable

before we come in here, because it is terrifying sitting in front of you four people, sometimes five.

We want to give a little bit of a statement up front because we do want to speak about some of the things that are not well articulated, I don't believe or that we went far enough and particularly around sexual violence in our communities. It is unspoken of and if you look at the data there is no really strong data to say that it is an issue. But having grown up with many incidences of sexual violence that story is still very personal, so how do we actually address it and I think it is starting to be demonstrated in our response that we have for child sexual - well, just for general sexual abuse where the program is absolutely full of clients.

I really want to as well place the issue of digital violence and our, you know - the mobile phone; social media is causing lots of issues for our community; financial violence, and really the lack of acknowledgment of how family violence impacts on children and the rights of children. VACCA is the largest family violence provider in Victoria, so we employ over 190 staff that work in Orange Door, therapeutic, work with men, work with women, work with children, run yarning circles and so we have quite an extensive family violence footprint.

If we look about – at our data it shows that for the month of March this year we received 775 referrals for family violence support across all metropolitan Melbourne, inner Gippsland and Ovens Murray. If these 121 repeat referrals - of these, sorry, 121 were for repeat referrals for one month. We receive 656 unique calls for help and that is each and every month. So it gives you an idea that we are not stemming the issue of family violence and it is at critical proportion, I think it is an absolute issue. And I am really glad, I know it is sad you are in your fifth week but I am really pleased that the Commission has taken the time to really hear about how much - how family violence impacts on us, well, generally violence impacts on our people.

Before COVID and the lockdowns our average was about 250 referrals per month and so that is gone up and we were in around three Orange Door sites. Our peaks with regards to numbers was always when school goes back, so after Christmas and after Easter and long weekends we found that when COVID lockdowns were finally ended we were averaging 450 per month. In years our referrals have doubled. Now, four years on, pre-COVID levels we see, after COVID we see 650 people each month and we are now in 11 or even 12 Orange Door sites, so you give - of the 18.

We see our Ovens Murray Orange Door site was the first site to be led by an Aboriginal Community-Controlled Organisation. Most of the others were all led by mainstream providers, which is disappointing, and Ovens Murray is the only one. I highlight this because when it comes to anything to do with Aboriginal families we are often formed - asked to be a consortia with mainstream, which our families don't really accept and really struggle with.

We are never seen as valid, trustworthy or a capacity to lead our mainstream and we know that many of the reforms that happen have been driven by Aboriginal evidence about what works. In our submission we talk about the need for reform and the importance of Aboriginal-led solutions, and the family violence sector is yet another example where universal service provision is the norm. However, good intending does not work for us, and so we know you would have heard from Melanie Heenan last week and there was a very serious commitment, but it doesn't go to really - it doesn't go far enough.

We are not really reforming, we are not really being able to address the numbers. No doubt in the testimony of others you would have heard about the L17 police responses and the adequacy or lack thereof of referral points. We know that many of the police - the police in many of our families over and over again, but there is – it never refers to an Aboriginal Community-Controlled earlier. Police reports drive 80 per cent of our referrals and these by default go through the Orange Doors, but they are all very low level. But I think that this leads to the fallacy that Orange Doors are working for women fleeing violence.

For us they are a central point of data collection and then the real work happens behind the scenes. Most of our time in the Orange Door space is responding to cultural safety requests or advice and sadly being exposed to racism and bias by mainstream. Our wait period is much shorter for referral to Aboriginal Community-Controlled Organisations. You can wait up to two to three months if you are in a mainstream. For Aboriginal it is six weeks, so we are much more responsive as far as a response to our women.

I am involved in a lot of different groups, committees, inquiries and advisory panels around family violence. In each new wave of consultation or action plan I find myself asking what it is about Aboriginal women and children that makes it okay to ignore the horrific violence, abuse, oppression and coercive control. How come we are more exposed to - our children are more exposed to grooming and exploitation? It has to be a legacy of colonial oppression and invasion. It is an injustice and a national emergency, because the system is not changing.

So I wanted to pick up on the term coercive control today as it relates to family violence. We know how governments are now moving to make it illegal through legislation and it is talked about something - as something new women are experiencing. When mainstream or media talk about coercive control they mean the man's hidden day-to-day control of women. Not through hidden acts of violence, but through other forms of manipulation, control and gaslighting. For we as Aboriginal people this has been our last 260 years of exposure, and this is why the Commission exists.

We experience it is daily, hidden in plain view, as a whole peoples and as gendered violence and racism against us. We have known and still know the systemic coercive control by the family violence system through legislation, budget processes, by government ministers, by policing responses, by courts and

by reinforcing the popular feminist discourse which works against Aboriginal ways of knowing, being and doing, and through our family systems that most of all do not recognise children's rights, our Aboriginal children's distinct rights.

If governments ban coercive control between a man and woman then they should ban it against all people and acknowledge the role they play in perpetrating it. Racism is violence and racism is used to coercively control us as Aboriginal people. We hear power and control play out day in and day out in the family violence sector. Only self-appointed specialist family violence services are provided a seat at the table of important decision-making forums. We hear bias and legacy building without our own Aboriginal sectors being in the room.

We strive to limit - and many strive to limit the voice that we have instead of inclusion of the diversity of our views and that we have a rightful seat at the table. We hear that you need a legal response or intervention, yet family violence is not considered a justice system or really a crime in Victoria. You would not get to break and enter, assault a stranger over 20 times before there is a consequence, but if it is against a family member it is okay.

We hear that in order to provide crisis accommodation or access to a helpline, or by appointed government to have a voice with impact the average woman in the street doesn't care whose specialist or what title you have. Our women want to know we listen, that we support them and we don't put them on a wait list where they have to wait months for a service. They want to know that we are going to address their homelessness issues. They want to know that their kids will be safe, that they will have money to eat and that by leaving their partner they don't have to leave family, community and leave with a debt.

The system players and governments who fund these systems are not holding themselves and those responsible for creating environments, including the media to account, the level of abuse and race racism. For me history shows that Aboriginal women have been sexualised, demonised and cast aside. You can only need to look at the product of rape and sexual violence that has been dealt on us as women since colonisation. Our fairer skinned babies, evidence of sexual violence and rape. Removed not as to offend or align the whites, so they were taken away.

Society and government acknowledge all of the atrocities of white men against our women. History tells us an Aboriginal man sought retaliation against a white man who raped our women. This too often resulted in death, death of him, whole groups and clans being massacred to cover up their crime. It speaks to deliberate and systemic human rights and Aboriginal rights abuses. Violence against Aboriginal women and children that is compounded by racism, sexism, ablism, homophobia and transphobia is not a historic issue, but it is an ongoing and enduring issue of human rights abuses and violations.

Because I don't see significant change even today our women are more likely to experience intimate partner or family violence at the hands of non-Aboriginal

men. In one of our regions alone over 12 months ago 85 per cent of the violence perpetrated against our Aboriginal women was perpetrated by non-Aboriginal men. That never gets reported. So these rates are so high they are shameful as to the failure of these men and society that so often turns a blind eye to it.

Our girls are groomed to violence, they expect violence, sexual violence as a norm which is beyond sad and makes you feel physically sick. At the centre of all of it is racism, so let us talk racism and how it is intertwined with family violence. It is reinforced belief that Aboriginal women are not equal to other women, nor are valued by society. We are commodity to be consumed and discarded. Our babies hidden, removed, acculturated the hide society's shame.

Racism is candlelight vigils, people marching in the street if a white woman is murdered, media stories for days or weeks. No one including a community gathers at Coronial inquests, particularly of the recent Aboriginal death of an Aboriginal woman here in Victoria in front of her children. There were no photoshoots, faces on T-shirts, legislation that doesn't change. That is because she was Stolen Gen, removed from family.

We at VACCA are a charity and we have learnt that when we fundraise we can't mention the words "family violence" if we do our staff are on guard 24/7 to combat racist, misogynistic comments that family violence isn't real. "It is a conspiracy theory", that is what they say. I want you to think about the next time you use a laughing emoji on a Facebook post, because for us at VACCA there are the Aarons, the Jakes, the Pauls, the Micks and the Grahams and the one Cheryl or Sharon laughing at family violence because they think it is a joke.

We know because they tell us it is a conspiracy, that it is the woman's fault and then general racist stuff follows. They are men from 18 years old to 80 years old that laugh at us. Those who show their faces are highly visible or family - family or men, those that don't show their profiles are Australian flags, old cars and motorbikes. If you post a case study with a woman with fairer skin, “They are not Aboriginal” is what they say and everybody's woke. A darker skin face, turn off your comments. The vile sexist, racist posts that we receive is disgusting.

A male post, well, they just are a helping hand. They are doing their best. For our winter appeal that is currently running the abuse got so bad, to protect the safety of our staff we pulled all the ads. And the direct link to the referendum vote is there to see. That is why I and many others voted “No”. But you get too - because people say we get too many handouts. That is why they voted “No”. They voted no because they thought we already get everything. Until we own facts that family violence is real, that racism is a critical driver of gender violence, our efforts continue to fail especially in mainstream government responses.

In Victoria we have arguably the best family violence response system in the nation, but we don't have a funded peak body for family violence like Safe and Equal. We have refuges that Safe Steps is the central voice. We don't have a

women's information and referral service. Where do women ring when they are in crisis? Who do they talk to? What resources are available? We have legal services focused on family violence, but they are often underfunded. We have had a network of women's health services focused for family violence or over 10 years that constantly have to fight for relevance and funding. How many women - Aboriginal women's health services do we have? Well, actually we only have one.

It isn't stood up yet, but only funded last year. Our health, social, emotional wellbeing and safety, despite being the best state. 20 years of Aboriginal leadership last year, we celebrated 20 years of the taskforce. We know that we are - there is leadership and innovation and we know that Dhelk Dja and our funding is never ever really guaranteed. Our voice is optional, and women and children often are invisible.

I do want to talk about perpetrator responses today. Unlike women who don't get an option to opt out of violence towards them, men using violence have an option to opt out of referrals for support to stop using violence. For Aboriginal men honest disclosure in order to get tailored support, like with all systems for Aboriginal people, results in punishment and adverse consequences instead of treatment. And we need safe reliable Aboriginal responses for these men and young people.

There is an accepted practice that men generally cycle through men's behaviour change about five, six times, until it sticks. We yet again blame the program instead of the behaviour and assume the program is not right, which is probably true. But there is no accountability of perpetrators, just victims. Men's behaviour programs are accredited, structured and another universal system offering. It tries to unpack gender views and challenge societal norms, but it doesn't address the racism of men towards Aboriginal women. Men need case management too, mandated treatment to challenge behaviours and allow supported practice, but this is only to lower-level offenders.

We have heard from police and the media that the number and frequency of high-risk offenders has skyrocketed and abuse texts have now been normalised into stalking. Police reported that 80 per cent of men breach their IVO. We taught men's behaviour change, but that is for the 20 per cent and that is that piece of paper. Isn’t it supposed to be a deterrent? 80 per cent of men breach an order and one woman is being killed every four days and more often their kids see it all.

We need systems and practice approaches in place to manage high risk perpetrators, to protect Aboriginal and Torres Strait Islander women and children. The State's latest and only funding round for high-risk offender programs was for six Aboriginal men. The funding was so poor, so restrictive and so unrealistic that only one provider put in and then they know it is going to be almost impossible to make the difference they hope, but as is the Aboriginal way they will try anyway. Like men's behaviour change that has no Aboriginal dedicated approved approach,

we need to develop an Aboriginal and Torres Strait Islander model of management of high-risk offenders. Not just for Aboriginal men, but for men who use violence against Aboriginal women, because racism has to be the key element.

We need to build an integrated perpetrator response system including coordination between crisis response, immediate containment, criminal and civil proceedings, sentence or ordered compliance, risk monitoring and behavioural change components that provide services based on risk and need so it is along the continuum. At the moment, most of our services are aimed at the end of the system.

We believe the necessary components include best practice in risk management and reassessment processes that are consistently - that are used consistently with findings well documented, providing more dangerous perpetrators more oversight and assistance than less dangerous cases. That we prompt detection with increases in risk status with a corresponding change in response. That we provide case managers for those with high and complex needs, including mental health.

Our men are presenting with mental health, alcohol, drug and alcohol, housing and homelessness. Imagine if we had - we manage women, but we do not manage men who need those supports. There are examples of promising and proposed Torres Strait Islander pathways, these include current and information sharing, protocols to be inclusive of Aboriginal and Torres Strait Islander decision making in managing perpetrators across three categories and that is punishment, containing and rehabilitation. And so important that we get we get it across those three areas.

The capacity of the Aboriginal and Torres Strait Islander community-controlled sector has to be enhanced to enable the provision of intensive community surveillance forms of probation, curfews and electronic monitoring. We need to actively work to change community conditions that support men's use of tactics of power and control over our Aboriginal and Torres Strait Islander women.

We need to ask whether the current system would benefit from family members as well being more involved and being told the violence that is being perpetrated, so that we can manage the perpetrator's current level of risk and progress, or otherwise. We do often do to this through family-led decision making in child protection, but should we do it in family violence?

Designation of provision of resources for case managers. There is a need for more programs given the various levels of perpetration, risk, the changeable factors that underpin the risk and the capabilities to engage in programs of behaviour change. We also know how costly court time is and the trauma caused by prolonged processes of violence hearings in the courts, so we do need an investigation stage of family violence reports or else L17 to child protection.

We are proposing that we fund teams that have - provide an immediate response. We think this must be a cheaper model than the current model. We also need Aboriginal-led research and evaluation. We know Anne Rose is great, as is Monash and the others, but where is the Aboriginal-led knowledge and evidence of about what works? We need to invest in large scale research to inform our knowledge of perpetrators of violence against Aboriginal and Torres Strait Islander women, their relevant characteristics and needs and how this relates to their violent behaviour.

We need to address high risk Aboriginal and Torres Strait Islander perpetrator responses including but not limited to the processes operating across all of the different regions of Victoria. We have different approaches. There are specialist courts in some, but not across our state and so we need to make sure there is equitable service delivery.

Lastly, I want to talk about children. About 60 to 80 per cent of child removals are due to family violence and we must do everything to keep children safe. We know the impact of violence on the developing brain. Victims though of - children are victims in their own right. No parent owns them. Sadly, children are not always better off with their parent if the parent keeps exposing the child to abuse and violence.

But what we have found at VACCA in the first six months of being able to lead child protection investigations is that we can often safely address family violence in the home by putting those intensive supports in. We can keep children at home and out of the child protection system if we put the resources in much earlier.

So far we estimate that our approach that we have stopped over 25 families from having their children removed by addressing their family violence issues at the family level, by creating safe homes. And our work is intensive, but it takes a lot longer and significant effort, but often we find the Department doesn't have the ability to do that. They tend to do short, episodic and we know that we need to hang in there long term.

We know that we have the expertise in healing and it is better to - it is absolutely proving that there is a better investment by - than child removal in keeping children safe at home. Imagine if we can do this for every family, not just the 87 targets that we have at the moment. We all know we should be, but actually need to focus more on children as victim for family violence as a matter of urgency. We need family services for ACCOs, funded to deliver in-house therapeutic response.

Healing is the only way to break the cycle and we need to refer to the primary care. Lastly, the law system as it relates to family violence must be centred on the best interests of the child. We now have prevention as the last really - the Aboriginal child placement principle in legislation. Imagine if we applied that to family violence. Thank you.

As you could hear, I really wanted to focus on perpetrator management, children as victims, the ability now that we see on taking on guardianship and now community protecting (indistinct) which is the investigations. 66 per cent of those notifications have got family violence, so it shows you how big the issue. And so the Orange Door is an important element, but it is just a referral pathway, so we need to be able to really make sure the resources are there. I think we are doing it in child protection. I think we are making a difference, but I just - the stats are alarming, and we have to go back to what is causing the stats. That is me, thank you very much.

MS MCLEOD SC: Thank you, Aunt.

Sarah, is there anything you would like to say in opening?

MS GAFFORINI: No, thank you.

MS MCLEOD SC: So, Commissioners, I am looking at the submission and I would like to begin with the last thing you, said, Aunty, about the Orange Door process. So at page 17 and 18 of your submission you talked about the Orange Door being a referral service or referral pathway. At page 17 you note:

> "The Orange Door receives L17 reports..."

Those are the police capture of what happens when they attend an incident of family violence:

> "..referrals from professionals or community and can also accept self-referrals. The vast majority come through the L17 portal".

And you highlight the success of the north-eastern Melbourne area Orange Door as an example of where things are doing well. So can you tell us what it is about that north-eastern service, that Orange Door service that is a gold standard, if you like for how this should be done?

AUNTY MURIEL BAMBLETT: Do you want to talk to that?

MS GAFFORINI: So in the - at the Neema site normally as Aunt spoke to - Orange Door's work, you accept the referral then you go on a wait list to get a whole of - it is almost like your Rolls Royce service that serves you for everything. The way that we can shorten the waitlist and get services to families quicker is that we don't believe in waiting to do absolutely everything.

We undertake a second type of triage service to actually look at immediate need, so we try and provide service. We respond to the referral within two weeks, which is the fastest response time. We make sure that we try and provide some sort of service within that first six weeks, so it doesn't need to be everything. It

just needs to be a start. And then when you solve one issue you build in more processes and then it is much easier to engage the family when you are delivering.

They see you have built trust, you deliver a service then you add on and then you add on and then you add on. And so in the same time frame at that end of if - sometimes it can be 18 weeks if you go through a mainstream service to get a response at all. By the time we hit the 18 month - the 18-week mark, sorry, the full suite of services have almost been delivered. But it allows us to tailor the supports as well, which is why I think we get better results. Each woman and family that comes through, we at look at their unique needs and give them something instead of them just sitting there waiting.

MS MCLEOD SC: Aunt, I think you mentioned the figures early on in your opening statement that pre-COVID you were seeing 250 services or referrals a month, or request for services. The number post-COVID is up to 650 a month. To what do you attribute that surge in demand?

AUNTY MURIEL BAMBLETT: I think the numbers were always, you know, going to jump but I think obviously COVID tested a lot of families, people in being in the house, there's lots of pressure, the drug and alcohol. Families were under huge pressure and we are even finding it now that we are dealing with huge issues around mental health, drug and alcohol, family violence, criminalisation, there is so many. COVID really has, you know, really made things worse and so we do our best under COVID to provide resources to women. Mobile phones, duress alarms, things to help, you know, protect women.

But we couldn't - with women not being able to go to the Orange Door, with not being able to get out of the house it was really a challenge. So I think even our resources and being able to let women know where they could go and get help, I think normally they would go to a health service, they would go to a, you know, different type of service. But everybody's doors were closed, so I think the floodgates opened once we all started to open up.

And very slowly those numbers are still creeping and so I think we have to understand that there were a lot of pressures put - additional pressures put onto families during COVID and I think that that really has tipped, I think issues of children, issues of mental health and disability. All of those things have all - all of that data has shown that across all those areas under COVID there has been a significant increase.

MS MCLEOD SC: And have the funding and other resources to VACCA and the ACCOs kept pace with that increase in demand?

AUNTY MURIEL BAMBLETT: No, no, the - we are sort of capped at a particular amount. I mean, part of the really big issue is, you know, like, there is uncertainty in funding as well in the family violence space and so this, you know, having to - you know, every few years having to go back and ask for things like

CPI increase to be able to, you know, look at workforce. Workforce is the biggest challenge that we have, really we don't get funded for skilling our workforce.

But now there is a requirement that all of our staff must be qualified and so it is not like we have Aboriginal staff coming out of university that have got a tertiary qualification, or even TAFE. And so we are really struggling with the fact that we have to spend a lot more resources to be able to put out, to train our staff. And so the Department has given us workforce funding, but it is often short-term and not recurrent. So understanding the real - the needs of Aboriginal Community-Controlled, but I think Sarah spoke about the Orange Doors.

There is not one model and, like, VACCA is very lucky that we have got a lot of early intervention and prevention that we are able to refer families to a lot of our programs, but none of the ACCOs have got that across the state. So many of the ACCOs are lacking in the ability to be able to take the referrals and to be able to work with families. And so families get a different model of service in each region and so I think we need to understand what the actual model is, how - and the referral pathways and to be able to have equitable access to the same supports in each region.

COMMISSIONER HUNTER: Can I - just on the Orange Door, so we understand more, Sarah, if I - can - you talked about the referrals, do they all come through - the L17s all come through Orange Door?

MS GAFFORINI: Yes, so the L17s are part of the intake service.

COMMISSIONER HUNTER: Yes.

MS GAFFORINI: But of our - the last March data that Aunt talked about, about I think 460 of those 650 were L17s, the rest were self-referrals.

COMMISSIONER HUNTER: Did they self-refer to Orange Door or -

MS GAFFORINI: No, to VACCA.

COMMISSIONER HUNTER: Okay.

MS GAFFORINI: So, the way that we respond to it is essentially it's that paperwork in, then we take them and deliver services. But you need the Orange Door to access the funding pool that comes with it. So case management, brokerage that actually supports that family.

COMMISSIONER HUNTER: And, Aunty Muriel, you just spoke about being able to get, I guess, a wraparound service if they come through VACCA, because you cover the state and you obviously get funding to do early intervention and other programs.

AUNTY MURIEL BAMBLETT: I think because we are an older established service, because obviously we have got, you know, family preservation. We have got a number of programs that we can - and so what we have done is, you know, put all of our programs into one area and so there is no wrong door. And so families can - so we can work with dad, mum and children. So not just focus on - often the system only works with the female, but it is important that we have a whole - be able to work with the whole family.

And being - I was talking before about the critical importance is having Aboriginal men now in the workplace and being able to have yarning circles, to be able to work one-on-one with men, to be able to set up support groups for men. It is a really important role, and it is actually, as I spoke about, it is actually creating environments where children can go home, but we can also work with them, dad and mum when they are at home as well. So to the caseworkers don't pull out once children are home and families are doing okay.

It is really about continuing, but there is some really great programs and, you know, Dardi Munwurro is up the road from us and I drive past there, you know, almost every day and you can see the amount of men in there. And those - I would say a lot of those men, they would be working one-on-one with family violence and so, you know, you have got to have all of those programs. We have got, you know, VACSAL who work with young boys. And so having a range of services, I think and being able to build, like, good referral pathways between all of the services.

We work with the VAHS with the mental health, referring young people for counselling and support and being able to have all of those. I haven't mentioned the data on - we do a lot of referrals through the Orange Door to both VALS and to Djirra. So when families need referrals for legal help we will do a lot of the referrals. Those are things we are working out. We also run the Aboriginal access - one of the access points, so it is placed in First Nations Health in Frankston and so that is basically an Aboriginal access point, so they don't have to go through the Orange Door.

If people want to, you know, get access to family violence services they can come through the Aboriginal access point. So there is different models that the Victorian Government are providing and I think, you know, like, we are very lucky we have got protocols, we have got family violence courts. But I think still too many - I don't believe the response always has to be to lock up men, because once we lock up men we need to be able to be with families much - or men much earlier, I believe.

COMMISSIONER HUNTER: And the sites that VACCA has, is not at for Orange Door, is there another Aboriginal organisation involved?

AUNTY MURIEL BAMBLETT: That has got access points?

COMMISSIONER HUNTER: Yes, well at the Orange - the L17, for example.

AUNTY MURIEL BAMBLETT: I think the northern region is a little bit different in the way that - because we actually sit down with the police and so look at all the L17s. So it's - where you are the oldest and professional, and you have got a skilled workforce you can actually sit at the table with professionals. That is what we need to do to build the capacity to be taken up, saying, "You don't have all the solutions."

I think we just often accept that the experts know everything. But what we find particularly in our older established sites, like the northern region where they have worked for child protection, they have worked for systems, so they know that often child protection don't know all the answers. So being able to sit around the table with police, to be able to look at the L17s, to get to understand the - what is - the particular issues that our families are presenting with, that they are not just - you know, related to the violence. There is financial stress, there is, you know, issues around drug and alcohol or gambling or things that are contributing and so being able to work on those things is really important.

MS MCLEOD SC: Can I just come back to the Orange Door? VACCA provides services at 11 out of 18 Orange Door locations and your submission notes there remains an inequitable access to resources, supports and information available to Aboriginal women.

And, Sarah, you mentioned before and I just want you to explain this to Commissioners, that nine of those 11 provide cultural services. That is the high-level cultural advice and that is distinct from the case management or operational type response. So could you just explain to Commissioners those two separate things and the way in which there is inequitable access to Aboriginal women through those 11 services?

MS GAFFORINI: So we currently are contracted - so to answer your question as well, Sue-Anne, yes, there is Aboriginal involvement in all of the Orange Door sites, but it does come down to what Fiona said around the variability of that. So there are cultural safety advisors in the majority of the Orange Doors, if not all. Their case load and how many you have will be determined by population as well. So they're high-level experts, so they give cultural safety advice cross the board. And then you also have ACCOs delivering case management services through that.

So that is what we were talking about in terms of how we can take the women and then wrap our 80 programs around them and really tailor off what they need. But you need to go through that front door to getting the funding package to be able to do that and to have the brokerage. And then it really does depend on who the lead agency is of that Orange Door in terms of inequity. Sometimes we are embraced and really used for our expertise and the high-level advice that we give.

In other places I think we are a little bit more token and a little bit annoying that they have to engage with us. We have had Orange Doors where we have had the possum skin on the table and we have had complaints, because that person's a vegan, doesn't understand the importance of the possum skin cloak. It is that level of silliness sometimes that our staff are exposed to. Thankfully it is not across the board, but there are enough instances of that.

I think as well, back to your question as well about early intervention and prevention, the access point that Aunt spoke about in Frankston really is the first time of an early intervention. The people that can go through the access point don't qualify, don't meet the threshold for case management. So, we use journey walkers to help those families navigate what their family actually needs. What we have found so far is of the 40 families that have gone through, they definitely meet the threshold for case management.

There is no such thing anymore as low-level family violence or the start of, you know, "I am not happy with my behaviour." The escalation and the level of violence is so extreme, and I think as well, in terms of the numbers Orange Doors are amazing. They are something that allow demand to happen. You have got a resource to go to. But what we find is that over time as the Orange Door becomes less shiny and new, they come directly to us to get that service, because we have built the trust, we have delivered.

And the sad things is, family violence isn't considered frontline. So especially during COVID we were very vocal about, "Where is the family violence staff recognition of frontline?" It was all health. And in terms of funding for prevention, prevention and therapeutic funding is through innovation funding, so they are two-year cycles. So for the last round of what they call “community infrastructure funding”, we funded 39 frontline workers because we had no other funding for them. And that money is meant to seed innovation, but we had to fund the direct response because it is just not there.

COMMISSIONER HUNTER: Does that also include - well, is there funding for the - because we know culture is a protective factor, so cultural - well, say for this sake, cultural activities. Do you actually get funding in the family violence space for culture to be a part of?

MS GAFFORINI: Every now and again.

AUNTY MURIEL BAMBLETT: No. Well, we - there is a grant called Community Initiatives Funding so CIF funding. So it is very little and hasn't increased for a number of years. But a lot of the time communities use it to be able to do things like sporting carnivals, to fund them and with a lot of messaging about stop violence and so it has been very, very popular and so a lot of doing things that are not, you know, programmatic. It is really about changing educational awareness and marching and doing different things, and I think that really - I would hate it if that ever stopped, because it actually does.

Because we were funding Fitzroy Stars at one stage, but all the men had to sign up to no violence before they could play. So, you know, doing those sorts of things I believe are changing attitudes to community. We need people to stand up, so I think it is important. But I just want to finish I think if we miss the point having a dedicated Aboriginal access point is, working for us if we are seeing families earlier. I think only having two across the state, one in VACCA and one in which is in southern, in Frankston and one in Geelong. And already Geelong's numbers and they are demonstrating.

So I think it goes to how we get funded for a couple of things and then we are highly likely - the issue around - we are funded at the moment in Victoria for three sites for sexual abuse. So we have got one run out of a healing service in Ramahyuck in Sale. We have one run out of VAHS, which is run out of a health service and then we've got one running in child protection.

And so what we are seeing is different approaches to sexual abuse, but we are seeing huge numbers coming in and so not understanding - you know, imagine if we were running those across the state, we may be able to address the scourge of sexual abuse, grooming, you know, sexual exploitation which is a really big issue for VACCA and, you know, for us as far as our residential unit. We know sadly that there are perpetrators waiting out in the street for our young people to walk out of the residential unit and, you know, obviously - our kids being exploited in the cities. So everybody knows about it, but don't talk about it and don't come up with responses to it, so it is a really big issue.

COMMISSIONER WALTER: So ministers that have been here, a number of them have sung the praises the Orange Door. I am hearing slightly less enthusiasm. So I am wondering if you could re-constitute or change the way, how would you redo the relationship between the services you offer or want to offer and happens with Orange Door at the moment?

AUNTY MURIEL BAMBLETT: Yeah, look, I still support 100 per cent the Orange Door, because, you know, it is the only state where family violence is really identified as, you know - as well as the child protection and there is an entryway, so Victoria is the only one. The issue that we have is often our staff are treated as less than, so often viewed as, "Oh you are not as expert, because you are Aboriginal." And so that type of issue. And I know Melanie Heenan and the Department are really trying to address it, but, you know, when we are seeing the difference between having an Aboriginal access point and having it, I think you need both.

Because I do worry if you only have it in the Aboriginal space many of our people - too many relatives know and when you go to a service, so how do we create and that is what the Orange Door did. Try to take away the stigma' of going to a women's service or, you know, so we put - the Orange Doors are in shopping centres, so you can go to a, you know, a shopping centre - tell your husband are

going shopping and you can go into an Orange Door. And there is various levels of support that you can get.

But I just think there are still - even though they have put Aboriginal artwork everywhere, you know, they are absolutely inclusive. But it is just a very different environment and a lot of our Aboriginal families, you know, want a cup of tea and want to have a yarn. Unfortunately a lot of our process is get you in and get you out as quick as possible. So I think we have still got a long way to learn about how do we make those centres more, you know, relatable for Aboriginal and Torres Strait Islander men and women.

We haven't spoken about LGBTIQA+ and so - brother boys and sister girls and some of the issues that they have in going to a lot of these, you know, places, and, you know, diversity and being able to deal with people with a disability. And so people that are - you know, we are very much focused on male and female - the Aboriginal woman and the abridge until male. We know many of our people have got significant mental health issues and so, you know, being able to - I think what we are not going to read - you are going to read pure numbers, but what we see in our clients is all of those issues, you know, people presenting with illness, with mental health issues, drug and alcohol. We deal or we address all of those issues as well. Thanks, Maggie.

MS MCLEOD SC: I do want to ask you about the intersectionality aspects in a minute. But just staying on Orange Door, on page 25 of the submission you talk about the Central Information Point sitting within Orange Door with limited access available to other family violence services. And discussing this with you before you gave evidence today you mentioned the way the data is shared doesn't allow you to pick up trends amongst families and the red flags and hot spots. So could you just explain that to the Commissioners, please?

MS GAFFORINI: So the way that the Orange Door system, the data is - there is a new portal now and all the data is meant to be - anyone from a site can just log in and pull your data down. In that essence it is better if it worked, currently it is really hard to get the data out. We are thinking of going back to actually asking our direct staff to put it back in an Excel spreadsheet, so we have more of an idea of what's going on. In fairness there are teething problems, so I know that they are, in the Department working towards it.

However, it goes as well to some of the policing and the way that the L17s are used. We are still not getting - we might get mum asked if she is Aboriginal, sometimes they do or don't ask if the kids are Aboriginal. We don't know if dad's Aboriginal and so, therefore, we don't know the kids. So actually being able to track mum and her kids where the male - where the perpetrator is in that relationship, it is actually really hard to go just follow one family.

It is almost impossible to track them across their trajectory. How many times have they had an intervention? We shouldn't have to get to a Coronial inquest to go

back through all of that to piece together the story. We also can't see by a geographical area if something is happening in community. Is there a hotspot that we need to focus on? Is there, you know, a drug and alcohol issue or something? We can't actually tell what is happening in the moment.

And so we pull snapshot data monthly, which is really good. It gets us to sort of see some generic trends and we get to see things like what is brokerage used for. But in speaking of the intersectionality, we don't ask if women have an acquired brain injury. We don't always ask their, you know, LGBTIQA+ status, or their kids if they need another response. We don't really track Elders, we can't track Elder abuse. So the data is just not sophisticated enough for us to know what the issues are and then how to tailor a response to it.

COMMISSIONER WALTER: I think you are being too kind there, when you call it "not sophisticated enough." Because there seems to be two problems. The problem is (1) data access, which you know is part of Pillar 4 of Closing the Gap. But it also seems that they are not collecting the variables that are important to inform you and your service to be able to do your job properly. So deciding what data, what variables are collected, what are important, and what are not is key to getting good data and that is where you should be at the front of the queue saying, "This has to be collected, that has to be collected and we are less fussed about that." Do you get - do you have input into what data are actually collected or is it sort of a pre-set?

MS GAFFORINI: It is a pre-set, the L17s especially, because they are designed by that by police to rapidly get it through. We can add more information once we get to the MARAM stage. But, no, I mean, disability status is not really something that is ever been collected. You know, we don't really do that well in other settings either.

COMMISSIONER WALTER: Yes, if we were to recommend that the - what data are collected, by whom, at what stage, at what level and who it is shared with that would be something that would be worth it for you?

AUNTY MURIEL BAMBLETT: Yeah, I have offered to send a paper that we did on data for the national - we have been obviously working at the national level on data as well. And so looking at how do you actually understand the demographics, you know, the types of issues and so I have offered - we have sent a copy, I don't know if you have got it already - you have got it? Oh good. It talks about the data and the challenges because it is like - are we talking about - for many years Dhelk Dja funded the Department of Justice to try and collect their data. And so what we got was very much focused on prison, that was affected family members and all their data, but it didn't marry up with the housing data with the child protection data.

So we were getting data from everywhere, but it wasn't - and so we have been at Dhelk Dja really - and even the local communities are saying, "What is our data

saying?" We don't even know the types of issue how much - how can we - because we have got this Close the Gap. We have been told there is data, there is a component of that to look at best practice and data. How can you Close the Gap when you don't even know what the gap is?

We don't - many of the communities don't know what the numbers are, how big an issue is it. Is it Aboriginal men or Aboriginal women? Is it Aboriginal women that are having violence perpetrated by non-Aboriginal men? Is it Aboriginal on Aboriginal? We don't know all of that and that then goes to the demographics. Is it local Aboriginal people or is it people that we don't know? And so they are ostracised from the system.

So I think there's a really - data and being able to tell the narrative and do even the data analytics to be able to understand what does it mean, place based and how do we actually come up with really good systems and I think that is been the challenge. I was on the Dhelk Dja data working group and it was doing my head in every time we came to a meeting, because it was a whole different - we had the police talking there, you had the women - you know, Respect, and so you had different people really trying to of put it in.

But I think it would really sort of - if we can come up with a comprehensive data set that actually tells us to be able to really - how do we address the issue of family violence. But we have under Close the Gap and talking about how much funding does Victoria invest into family violence and so understanding expenditure and how does that relate proportionally to the rest of mainstream. How much funding goes to mainstream and so where do we need the funding? Asking the question about do we want to fund child protection, or do we want to fund more housing and homelessness? Where do we need to invest?

And I think unless we really understand where do we need - where are the hot spots and the areas that we need to address in family violence, because the danger is we could put more money into the prison system and often it goes to the prison, not to the community. If you look at you know things like the justice approach and, you know, people can put it up as best practice, but most of the money for justice in Victoria goes to the government, for the prisons, for the courts and everything. And then they give us a little tiny bucket of money in the Aboriginal sector to fight over.

So I think the danger is systems absorb a lot of the funding for Aboriginal and Torres Strait Islander, and it needs to really sort of - if you look at child protection them transferring authority and power back to Aboriginal, it is actually making - having gains. And I think governments now, really interesting, Treasury is really trying to talk to us about what does self-determination and how do we fund Aboriginal differently and how do we govern Aboriginal differently. And I think treasury is really trying to look at - if there was a Treaty in process how would we fund differently.

MS MCLEOD SC: Aunt, are you happy to share the briefing note from the Aboriginal Advisory Council meeting on data?

AUNTY MURIEL BAMBLETT: Yes.

MS MCLEOD SC: To highlight a couple of things, the Commissioners don't have it in front of them, but you have highlighted the need for national consistency so that data can be shared across jurisdictions and between members who are accessing that data.

AUNTY MURIEL BAMBLETT: Because a lot of victims and perpetrators come to Victoria and so being able to have the jurisdiction to share information. And some of our families are cross-border. So Albury-Wodonga, if you think about Mildura and (indistinct) and places like that and so really wanting to have - to know about - being able to have those sort of agreements in line.

MS MCLEOD SC: Another one that you highlight is the rate of prevalence of non-physical forms of family violence and that comes back to the point you made before about there is no low level of family violence that is acceptable or doesn't need a response, right?

AUNTY MURIEL BAMBLETT: Yes, all forms of family violence need a response.

MS MCLEOD SC: Yes, I have just got my eye on the time. Can I ask you to speak now in some more detail about disability, Elders and other intersectionality issues? You do address those in some detail in the report, but you wanted to come back and talk about ABIs and disability particularly.

AUNTY MURIEL BAMBLETT: I think obviously Marcia Langton has done a lot of research on the bias and impact on the brain of shaking and forms of violence. And obviously being hit about the head so many times affects obviously women's ability to make decisions. And so I think you look at a lot of our women who are in the prison system, they are undiagnosed disability and being able to map. And so I think that is critical.

But there is obviously people that - a lot of our Aboriginal people who come to us have got various forms of disability that doesn't get recorded. And so it goes back to your point, Maggie, about the data and how do we actually record. Because I haven't seen any family violence data that actually records disability or even asks the question about disability unless it is obvious. If you come in in a wheelchair, you are more likely to be identified as having a disability.

Elders, I think that is a critical element. I know that ACES the Aboriginal Community Elders Service has been doing lot of lobbying, but there's - particularly financial abuse is a really big issue as far as Elders, but also access to health. Many of our Elders get left - their health gets neglected and so

how do we define and look at Elder abuse and how do we actually make sure. Because I think our Aboriginal men and women now are getting older, but I think we know very little about Aboriginal women Elders in our community and the level of violence.

LGBTQI+, our workplace is full of young people and we have got a commitment to the Rainbow Tick and so what we are really finding is we don't know enough about LGBTQI and family violence, but I think it is something. We just don't look at diversity, we just plonk all of Aboriginal into the Aboriginal group and then everybody is an Aboriginal. But we are not distinct as far as Elders, disability and I think that it is a body of work that we need to better understand. Because it means then that we don't treat intersectionality different and we don't consider our people differently across those groups or ask the right questions, because I think the key question we ask, "Are you Aboriginal and Torres Strait Islander?" But we don't go to any other indicator.

MS MCLEOD SC: Do Commissioners have questions arising on the topics we have covered so far? I did want to cover misidentification as the last topic.

COMMISSIONER HUNTER: No, I just - thank you for bringing that up, particularly Elder abuse nobody has really brought that. But I think the data thing is for us to really think about, how we capture all of that in the first instance and why aren't we capturing all of that would be my question. Because it does make a different response than someone who is just Aboriginal, because that is -

AUNTY MURIEL BAMBLETT: Yeah, I mean, the days of community and like if you think about Chinese and all of those cultures, they very much respect and look after Elders and I think that there is a body of work that - there is a real concern that that level of respect and that ability to look after our Elders. Because our Elder people now are living longer and in the past, we never had to really consider it. And I think there are - you only have to go to ACES, and you see a lot of Elders that are left there, no family visit them, there is no - so you have got to question sometimes where there is caring nurturing community.

But our Elders and the stories that they tell and so I think, you know, it is really, really a challenge to make sure that we look at Elders, we understand them. But there is the broader issue of Elder neglect. We don't map them for, you know, their needs as far as, you know, health, as far as checks, you know. Like my brother, he has got early dementia and if he didn't have us he would be so isolated in his house. He would not have, you know, somebody to check on him, do his washing. When he - when, you know, the nurses can't find him we go track him down and so all of those things that family do.

And so I just worry that Elders are probably our biggest risk and understanding more particularly the vulnerabilities that colonisation is setting. It's setting up Elders that they are not in families anymore, they are not in a nuclear family. We don't live all in a house in a community type setting where we have eyes on

Elders. We have eyes on children and we have families. But Elders I think, particularly - really big challenges. Their health, their ability to support them, to be able to make sure they have got legal advice. My brother's in so many troubles with legal, around fines and cars and things like that. Who supports Elders and do all of that work?

COMMISSIONER HUNTER: Yeah, thank you.

MS MCLEOD SC: I am conscious of the time, so I might ask Commissioners if you have any further questions? Travis?

COMMISSIONER LOVETT: (Inaudible).

MS MCLEOD SC: Sarah, Aunty, is there anything you would like to say by way of closing?

MS GAFFORINI: I think in terms of the disability space we have all the data from emergency departments about family violence attendance and the correlation between that and what Aunt was talking about. We know that our women end up, you know, they are presenting with lacerations and head injuries, and then the follow through from that we don't know if they are going to access disability services. If it wasn't for you here in the Commission asking the questions of the Justice Department, we had no idea that disability data existed of young people in prisons and so once we read that in your hearings it all made sense to us.

Of course, these kids and these adults in prison and then they get released. And I think there is another part as well for our women that have ABIs when they - because of the violence and they get to access NDIS. We have got a case study where a woman that got - who came through our diversion program once she got her NDIS bucket that was his new way of controlling her. He tried to get her to sign those papers so he could have control of her package. So it is just another way, but, yes, I just wanted to make - thank you for the data on disability. It is so important, and we just don't get it anywhere.

COMMISSIONER LOVETT: All right. I've got one. All right. This is about the Respectful Relationships. Now, we understand in - they're teaching this in schools, so my question to you is how important is it that First Nations women and educating society on the importance of our culture, our history, but also addressing the racism against our women is embedded into programs like that?

AUNTY MURIEL BAMBLETT: Look, I think there is a lot of approaches. I mean, obviously Dhelk Dja as well works with education, so getting into schools and talking to young people, but they don't talk about racism. The big issue is the racism and so we are less than. You know, I went to school we were, like, the worst. There was no way any of the girls would consider looking at me at school. So, you know, you were poor, you were black, you were dirty, everything like that that goes with it.

So dealing with that, but I think you are absolutely right. It is how do we build respectful relationships. What do we need to do? How do we talk to young girls? I mean, I think the Commonwealth should fund us for relationship counselling as well, for talking to young girls about getting into good relationships. That they have to right to feel safe, to be able to be special. You know, really sort of talking and doing that work with younger women, particularly young women in child protection because they are more likely, they are more at risk because they often never had a mum or a good parental figure.

So I think the role of prevention, education, early intervention, but also of, you know, schools and the importance of education and building respectful relationships and having that for young fellas to know that, you know, being really sort of a great, you know, boyfriend and how to be that and not, you know, this jealousy. Because this is the big thing that is coming up at the national level, it is this jealousy, you know, can't stand them to have a look at anybody, can't talk to anybody. The way that they put - isolate young people from their friends and so, the young girl will think, "That is great, you know, he loves me", and that is - that is not a really good relationship, so talking to young people and doing a lot more work and it should be across justice, education. It should be everywhere; how do we get the message to young people.

MS GAFFORINI: If I could draw your attention to the education submission we do go into that. I was happy you said that Travis, because that is exactly my recommendation, our recommendation in the VACCA's education submission around respectful relationships and unpacking racism in that. But also I think we have been doing a lot of work internally around language of our staff and how they talk about boys and girls differently. We have always privileged boys more in society than what we do in girls and we have found that historically through our case files and so we have been making a lot of effort to really talk about language and how we report and talk about boys and girls differently.

MS MCLEOD SC: Thank you very much, Commissioners.

And thank you, Aunty Muriel, and, Sarah, for your attendance this afternoon.

Commissioners, could we just have a short break for a changeover for the next, 15 minutes?

COMMISSIONER HUNTER: Yes, we can.

Thank you for coming in and thank you for your submission.

COMMISSIONER LOVETT: Thank you.

AUNTY MURIEL BAMBLETT: Thank you. I hope that Aunty Nola (indistinct) gets well soon. Thank you.

<THE HEARING ADJOURNED AT 2.18 PM

<THE HEARING RESUMED AT 2.33 PM

COMMISSIONER HUNTER: Counsel, we can resume.

MR GOODWIN: Thank you, Commissioners. We now have a panel of First Nations people to discuss economic life before the Commission. I will allow each of them to introduce themselves shortly but we have Ian Hamm, Paul Briggs, Karen Milward and online we have Associate Professor Michelle Evans.

Maybe just starting with you then, Paul, could you please introduce yourself to the Commissioners?

UNCLE PAUL BRIGGS: Paul Briggs, Yorta Yorta, executive Chair of the Kaiela Institute in Shepparton.

MR GOODWIN: Thank you. Do you undertake to tell the truth to this Commission today?

UNCLE PAUL BRIGGS: I do.

MR GOODWIN: Thank you.

And, Karen, could you please introduce yourself to the Commissioners?

MS MILWARD: Yes. Good afternoon, Karen Milward. I own and operate Karen Milward Consulting Services and I am the Chairperson of the Kinaway Chamber of Commerce, Victoria.

MR GOODWIN: Thank you. And, Karen, do you undertake to tell the truth to the Commission today?

MS MILWARD: I do.

MR GOODWIN: Thank you.

And then, Ian, could you, please, introduce yourself to the Commissioners? I know you have given evidence before, but if you could, please, reintroduce yourself.

MR HAMM: Yes, my name is Ian Hamm. I'm a Yorta Yorta man, I Chair the First Nations Foundation among other boards.

MR GOODWIN: Thank you. And do you undertake to tell the truth to the Commission today?

MR HAMM: Yes, I do.

MR GOODWIN: And then, Michelle, if I could turn to you. Could you, please, introduce yourself to the Commissioners?

ASSOCIATE PROFESSOR EVANS: I am Michelle Evans, I am the director of the Dilin Duwa Centre for Indigenous Business Leaderships at the University of Melbourne and Melbourne Business School.

MR GOODWIN: And, Michelle, do you undertake to tell the truth to the Commission today?

ASSOCIATE PROFESSOR EVANS: I do.

MR GOODWIN: Thank you.

Just if I can start with you, Ian, you have had extensive experience in both State and Federal Governments. What roles have you had in that work?

MR HAMM: Yeah, so - so I was in the public service for over 32 years, but I think most relevant to today's hearing was I was Executive Director for Aboriginal Affairs for the State Government of Victoria and Deputy Director there for a total of eight years. I was Director of Aboriginal Economic Development for the State as well, Director of Workforce Access and Participation, and Director of Economic Inclusion for the State. Currently I also am Chair of the Indigenous Land and Sea Corporation as well, with other things mixed in that as well, but that is, if you like the overview of direct economic activity from a government perspective and also done some other work outside of government as well.

MR GOODWIN: And you mentioned that you now sit on a number of boards, including the Indigenous Land and Sea Corporation, the Koorie Heritage Trust and, in particular for today's purposes, the First Nations Foundation. Could you please explain to the Commissioners what the work of the First Nations Foundation is?

MR HAMM: Yeah, okay. So the First Nations Foundation now, we look at a number of different things. One of them or primarily a lot of it is to do with financial literacy and Aboriginal people. So we look at particularly giving people the skills and the knowledge that they need to be able to manage their own personal finance a lot better. One of the things that we have seen evolve over time is particularly with our younger cohort who are participating more in the economy is giving them the skills they need to be able to manage the income that they are earning.

So what we have found is over time an increase in the number of people who are not only having disposable income that is, you know, money to pay the bills but

increasingly amount of discretionary income. So at the First Nations Foundation we are focused on that, giving people the skills, you know, not only to budget but how to maximise what you have got. We have recently moved into the space as well of providing business literacy, financial literacy as well to Aboriginal people who are in business.

One of the issues that has developed over time that Karen and Michelle will particularly know is with the rapid acceleration and growth of Aboriginal businesses over the past decade in round terms a lot of people - there is a huge startup Aboriginal business sector. A lot of the knowledge of what do you need to run a startup business, how do you get it financially sound, how do you manage all of that, there has been in you like that vacuum of knowledge. We are one of the players in that space now. We have been asked among others to be part of that.

One of the things which we are moving into as well is a sector approach to Aboriginal financial wellbeing. So we work with the superannuation sector more than anything else, so not individual superannuation businesses although we do. But primarily we look at the superannuation sector, so we have a good relationship with the two peak bodies for the superannuation sector and increasingly looking at - we work with the banks, but increasingly wanting to work with them not as individual banks so the big four in particular, but other banks as well.

But looking at how we might work with them as a banking sector for a range of different issues, primarily if you want to break it up into two parts, one is obviously at the individual level, what can the banking sector do to better support Aboriginal people as people who use the finance system. But I think increasingly it will be what can be done to support the Aboriginal business sector better by the banking sector as opposed to individual banks doing their business, so First Nations has - that is the broad suite of what we do.

MR GOODWIN: And that probably leads quite well to some of your work, Karen. You are Chair of Kinaway Chamber of Commerce, Mullum Mullum Indigenous Gathering Place, Indigenous Leadership Network of Victoria and the Boorndawan Willam Healing Service and you're also a director of First Nations Foundation. In particular, could you explain the work of Kinaway to the Commissioners?

MS MILWARD: Yes, sure. So we established Kinaway about 12 years ago now. It is had - this is its fourth iteration of what it actually looks like. So it really is a proper chamber of commerce now, particularly in the last four years. So I have been involved from the beginning, been the Chair the whole time and I guess the main aim is to support Aboriginal and Torres Strait Islander businesses to succeed, to grow, to be sustainable, and provide them those supports that are required depending on what the business need is.

We have about 400 members who are Aboriginal and Torres Strait Islander businesses, and across - they are all working across 47 different industries, so not

just in the Aboriginal space but doing things that other people do like in construction. We have got about 36 construction businesses, which is pretty incredible. Our biggest construction business is Barpa, which is through the Federation of Traditional Owner Corporations.

And last year we decided that we would open up our membership to be more inclusive, so now we accept the Traditional Owner corporations, Aboriginal arts organisations. Anyone who is doing business or making a profit basically we are accepting that membership. We also have over 250 corporate partners, which are your corporates, your local governments, universities, not-for-profits and so on. So when they become members they also get support to actually work with our Aboriginal businesses.

One of the big things that a lot of our corporates will do is we will work through the red tape of their probity and contract information to make sure that procurement practices are not a burden to our community and that is been a huge amount of work that Kinaway does. We are based in South Melbourne, so we relocated from Hoddle Street to there. The space is a lot better, so we have two floors and we allow our Aboriginal businesses and partners to come in and hot-desk, have their meetings there. So it is a bit of a hub, if you like, and we employ 20 staff doing all sorts of different things, and it has just been an amazing thing to be a part of.

MR GOODWIN: Thank you.

And, Paul, you have had extensive experience in the Aboriginal community in Victoria over the course of your life. You mentioned you are currently Executive Director of the Kaiela Institute and you are also Chair of the Dungala Kaiela foundation. Do you mind explaining the work of, in particular the Kaiela Institute?

UNCLE PAUL BRIGGS: Yes, can I take a little bit of liberty to talk about history and what – how long we have got here?

MR GOODWIN: Of course.

UNCLE PAUL BRIGGS: So economic - economic development or building an economy that looks after First Nations peoples. My great grandfather in 1877 was a part of a deputation of Moira and Ulupna men making deputations to the governor of New South Wales for land post the theft and massacres that occurred along the Goulburn, along the Kialla and the Dunggula, the Murray River, along the streams.

The economy that was working at the time of that happening was a holistic approach to building life and wellbeing indicators that supported all of those tribes, all the Yorta Yorta nations people that were living along those rivers. My approach to building an economy or supporting an economy has been one around

the survival and the wellbeing of the culture and identity, the sustainability of the culture and identity of Yorta Yorta people and, in particular, First Nations peoples.

And in 1992 under the Victorian Aboriginal Economic Development Committee that I was chairing at the time, I hosted the first economic development conference at Marysville. Since that time, we have been working to try and find a way to inspire Indigenous peoples to engage in economic pursuits in our communities as opposed to being held on the rations that exist under the crisis management systems. That has been a difficult challenge for us. And I will refer briefly to just what happened in the referendum in - up on Yorta Yorta Country where there was almost a 75 per cent "No" vote against the rights of First Nations peoples.

This underpins our ability to safely navigate the economy and the business opportunities. At the time of my great grandfather we occupied, you know, 20,000 square kilometres of land that was seen to be Yorta Yorta Country. Today I think if we had maybe 2,000 acres, which comprises of the Cummeragunja Aboriginal Reserve and some other minor holdings, has been the dispersal and the deconstruction of an economy that surrounds Yorta Yorta people.

The Prosperity Plan that I talk to comes from the last, probably the last 40 years and the building of the First Nations Credit Union in 1999 and trying to drive people's awareness of the importance of the financial services sector for the future of First Nations peoples and to simulate financial inclusion and financial literacy. We partnered with a financial services institution and that - we didn't have enough protection in that engagement, and it didn't - it didn't continue.

But it showed that Aboriginal people were wanting to buy into the notion of ownership and of having ownership of an approach to financial services and to engage in things like home ownership, et cetera. From the First Nations Credit Union established - as the inaugural Chair established the First Nations Foundation to absorb the copyright of First Nations Credit Union and to continue the approach then to financial literacy and financial inclusion.

So it has been a - I don't know if you can call it a slow burn, but it has been a while that we have been tackling this issue and in line with the partnerships that are currently emerging and the policy environment around recruit - what is the word? The policy environment around buying into the contracts within industry is a slow process around addressing the ignorance, addressing the cultural safety, addressing the challenge that our people have of breaking through that barrier of systemic racism, and to build the skills to do it and to have the resources to back them up, to back ourselves up.

I would say that it is very limited, the amount of resources that Aboriginal people have. If you are not tied to the advocacy of government or the support of government, well, then we don't really have a lot of resources at our disposal. So the Kaiela Institute I established about 2010 after we established the Koori Resource and Information Centre in 1988 to actually do the thinking around, well,

we can't invest all our leadership in the crisis management sector. We have got to think this stuff through as to how do we disentangle ourselves from the bureaucracy and disentangle ourselves from being locked into the rations that government have provided over the last 200 years.

So the Goulburn Murray Regional Prosperity Plan is a rights-based plan that we feel Yorta Yorta people have a right to an economy, that we have a right to an economy that is similar to the economy that we had and the quality of life that we had prior to invasion. That the region - we are still on Yorta Yorta Lands and that there is a regional GRP there of something $8 billion a year that comes off our Lands that Yorta Yorta people don't see the value of.

We think that the Regional Prosperity Plan is the region taking ownership of that and taking ownership of the notion of Closing the Gap and reinstating the wellbeing indicators and economic indicators that orbit around Yorta Yorta people. The premise of the Regional Prosperity Plan in the Goulburn Murray is to close the gap in 15 years and in doing so generate a further productivity into the GRP of $150 million per year.

To arrive in that position in 2008 we asked Access Economics along with the Australian Business Council to support the concept of what happens. What happens in we have a lifestyle that we are happy with, that we have closed the gap, that we are not dogged by all the negative deficit data that describes us, that we have reinstated our rights, what happens? And the notion of, well, if that happens $150 million of increased productivity is the Goulburn Murray, is the win for the Goulburn Murray so it is a win/win.

We have also then asked KPMG Australia to work with us to develop a plan that would help us drive that productivity dividend and over the last five years we have worked with industry, we have worked with local government, we have worked with the leadership of the Goulburn Murray and with Indigenous communities with Yorta Yorta people to develop a plan that would see us integrated not assimilated, but integrated into the regional economy and driving our levels of self-independence at a family-based level and having those wellbeing indicators, that is commensurate with enjoying life.

The Kaiela Institute has put this on the table for both State and Commonwealth. It was launched in 2021 by Minister Pulford in Shepparton and it is - it is still looking for that investment from government and from industry. Because it challenges us to work outside the silos, and to have a holistic approach to driving the wellbeing and the future of Yorta Yorta people, where people are aspirational about their investment in regional priorities, and investment in regional industries and buying into the notion that the investment in regional priorities is an investment into the future for Yorta Yorta people.

So that underpins the Regional Prosperity Plan. As I was saying it is a rights-based model, it is an economic model, and it is a sustainability of the future

and culture and identity of Yorta Yorta people model. It is our way of extricating ourselves out of the poverty. Thank you.

MR GOODWIN: And I might return to some questions about the plan specifically later during the course of the panel, but thank you for that background. That has saved me a number of the questions that I was going to have a bit later on as well.

Michelle, to bring you in now, you mentioned that you are Associate Professor at the Faculty of Business and Economics at the University of Melbourne, and you specialised in the areas of Indigenous leadership and entrepreneurship. I just wondered if you could explain to the Commissioners in a bit more detail some of the focus of your research work and a number of the various initiatives that you have established at Melbourne University regarding Indigenous entrepreneurship.

ASSOCIATE PROFESSOR EVANS: Thank you for that and I would be delighted. I think, you know, alongside the establishment of Kinaway we were really excited to set up a business master class around the same time, 2011, when Karen was also setting up Kinaway, going out and talking with our Aboriginal business owners across the State of Victoria about the sorts of education required to really accelerate their businesses and scale them or build them up for the lifestyle business they wanted. And out of that consultation and partnership with Kinaway, Melbourne Business School established the MURRA Indigenous Master Class Program.

We are about 12 years old, same as Kinaway and we are currently up to our 15th cohort through the program. And I guess why I am starting at in point, Commissioners, is to say that the MURRA program has become very generative. It has built out a community of alumni of nearly 250 alumni across Australia and a great many in the State of Victoria, who not only share their experience of the program but they actually share a real personal commitment to developing the Indigenous business sector and inspiring and working with community around the next lot of businesses that may well come through.

And during doing the MURRA program over the years it has inspired a great many research projects and different initiatives. And research early on in partnership with Kinaway as well as Supply Nation was to look at Indigenous entrepreneurial leadership and what motivated Indigenous entrepreneurs to not only establish their own businesses, but really the sort of motivations that drove those firms over time. And we have developed some great research out of there, including some current work that is coming out around the types of businesses that we see in the Indigenous business sector, those kind of cultural businesses that Karen alluded to earlier that do goods and services.

We have got our businesses that go in and out of non-Indigenous sort of spaces bringing Indigenous networks and ideas and Indigenous knowledges and community into connection, sort of broker-type businesses and we have also got

our open market firms like the construction companies that look like any other construction company perhaps at the front end, but really in the way the business is organised and run on that Indigenous philosophy of the businesses is really quite different.

Further initiatives have developed out of the MURRA program over the time, including the establishment of Indigenous business month claiming all of October to celebrate Indigenous businesses across Australia and to set up a bunch of awards about what we think as the MURRA alumni might be really important to celebrate about Indigenous business. So to Indigenous business trading and indigenous ingenuity award for Indigenous inspired businesses, businesses that give back to community. All of these different types of awards that really speak to the true nature of what we have found not only in the classroom, but through research about the Australian Indigenous businesses.

We have also established a regional and remote sort of business pop-up hub program back in 2017 that has now really become a key plank of the new Dilin Duwa Centre. That is about taking Indigenous entrepreneurs out into regional and remote spaces that they may well be connected to through family and kinship connections and having Indigenous entrepreneurs work with Indigenous entrepreneurs in regional and remote to grow businesses and to even work with people who may be business curious to think about the sorts of things that may come alive when you start your business journey.

And so all of these various different kind of parts really have led to have the MURRA alumni calling upon the University of Melbourne and Melbourne Business School to establish an academy, a research centre, a business education space that really does put Indigenous business at the forefront. And out of the 50 Indigenous business leaders round table in 2015 we have formed the Dilin Duwa Centre for Indigenous Business Leadership. We will be three years old this August.

And the centre is based on three streams of work and using - working with the Woiwurrung around the language, the gifted language of Dilin Duwa which means everlasting flow. The idea that research and education and community engaged work is not separate in its streams but, in, fact it builds upon and generates for each of them. We have found that to be true, so in our research our flagship research project is about quantifying the economic contribution of Indigenous businesses and corporations, around Australia.

Up until this work it has been relatively silent on the economic contribution of our businesses and corporations and I think it is just the beginning. There is a big data story to talk about when we are thinking about economic empowerment, and we can get into that a bit later. We continue to run our MURRA Indigenous Business Masterclass Program and now have built out a postgraduate suite of courses to support the movement of our non-award alumni into postgraduate and post-secondary work.

In fact, 10 per cent of all of our MURRA alumni go on to do postgraduate work, which is an incredible achievement, which is individuals and remain connected to universities across Australia. And thirdly, this engagement work, working with communities and in partnership with communities to build and strengthen economic growth through individual businesses, but also through economic dialogue and research. So that is the work that we are undertaking, and hope to grow out into the future.

MR GOODWIN: Thank you. Each of you in various ways have discussed the importance of Indigenous approaches to the economy or Indigenous economic prosperity through Indigenous business or Indigenous economic plans. The very concept of an economy is often so heavily laden with Western meaning, and I just wondered if you each would be able to describe what a First Nations approach to economic life is.

Maybe I will start with you, Paul, if you have got any ideas about that.

UNCLE PAUL BRIGGS: I think it is a real challenge to try and get sustainability and stability in the relationship if you are not protected by acknowledgment of rights and a more disciplined approach to addressing systemic racism that has locked us out of and excluded us from being engaged in regional economies. And also a part of that is our vision as Yorta Yorta people about where we see ourselves as investing in regional economies and how we work alongside the same people who dispossessed, and how we invest in the business sector of our region that has been driving a very good GRP over the last 100 years without any return to the first - to the Yorta Yorta people.

So I think it is also a challenge around where power and authority operate, and how you compete. And it is not an easy - it is not an easy thing to break into the competition and to have a level playing field to compete on when most of these - most of the industry is over 100 years old, 150 or more and they've got systemic skill sets and family-based relationships to land over that time.

For us to come back in off the mission and try and compete in that environment without having our rights acknowledged is a real challenge. So I think it is spiritual. It is emotional. It has got elements of managing trauma, generational trauma, and it is our capacity to envision ourselves in the next 25 to 50 years as a well - as a community that is enjoying the life on our Country and that the economy is looking after us as we look after the Land. And I think that is a real challenge for us to vision ourselves out of the crisis and to compete on a day-to-day basis in everyday transactions that are happening in our region.

So I don't think there is any one answer to how we do this, but I think cultural expression and cultural affirmation is a way to do this, the value of our cultural expression in our economy, so we are not asked to leave elements of our cultural integrity when we enter the Western space. That is - I think that was sounded out

very strong in our region in the recent referendum, where it was the high 75, 76 per cent of people that said, "No. We don't know enough about you." And where there is a history of our relationships - and white men, black men, white men, black women, white women, black women.

Where we have had this history of - I don't know what that word is, but of challenge around these relationships and then we have to make our way into the Western - Western infrastructure to support the future of our endeavours. And as Yorta Yorta people I think we have to - we will have to see how our investment in regional GRP, in regional economy as an investment in our own future. So we are not creating an economy that sits on the fringes. We have to look at the priorities that sit in our region, the industries that sit in our region and find ways to invest in those economies.

We are only four per cent of the population in our region, so we have to find ways to do that and that is part of the challenge, I think for us. But it is where Treaty takes us, it is where planning takes us and it is potentially where the Goulburn Murray Regional Prosperity Plan enables us to put something on the table that drives governance, drives legislation and provides support to building an economy that will see us extricate ourselves from the deficits over the next maybe 15, 25 years. It is not an overnight success.

MR GOODWIN: Karen, I can see you nodding a lot during Paul's evidence. Did you want to add from your perspective about some of those challenges but also opportunities that particularly Kinaway has examined from the perspective of Indigenous business?

MS MILWARD: Yeah, I think one of the main challenges for Aboriginal and Torres Strait Islander people in business has been that we have had no assets or money behind us like other families do in the non-Aboriginal community. So knowing that you have never had a house, you have never owned a car, you know, you can't get a loan. And these are things that people take for granted sometimes, where people say, "Why don't they just go to the bank and get a loan like anybody else?" And the problem is because you don't have that backing behind. And even if you - say my generation, my parents certainly kept us all going but they didn't own any assets, so it has been up to my generation to create that.

So people of Paul's generation, probably a small number of people have been able to own their own homes and other assets. So I know people who own farms where it has been in their family for a couple of generations, where the white farmer has handed it over, which you know very generous. But they've been able to make money from that, and then being able to pass that on through the next generation. So that is one of the big challenges and, therefore, the challenge that goes with that is if you do have your business, you can't grow your business or sustain your business because you can't have - because you have no equity. So, therefore, you can't grow and go further.

The other thing that goes with that is that when government puts out a contract for something it is usually, say it is for $30 million and it is - it is for five years and it is to lay asphalt. We do have a couple of asphalt businesses and they can't get a piece of that pie, of that contract because they are not big enough, but they can certainly do the work. So we go in and we negotiate and say, "You are giving, you know, this contract to this business you have been giving it to for the last 20 years and then your parents that owned it beforehand, so they are sort of like 60 years of giving this same you know business this contract."

So we go in and say, "Can you just give us a piece of that pie." So we give that piece of the pie and it gets negotiated, and then the relationship is between the two businesses as well, and then all of a sudden they are able to grow. And Aboriginal businesses will always employ Aboriginal people, so, you know we are keeping this going all the time. We are starting to generate our wealth.

The other problem we have is with procurement with government in particular is understanding all the contract requirements and some of these contracts are like 100 or so pages long and if you are providing a good or a service you might be really good that component but you might not be, you know, savvy to understanding the government procurement process. So Kinaway helps navigate through that as well and we have probably about 30 per cent of our businesses need that help with the big contracts. So if our businesses are giving like five to 10-year contracts there is sustainability right there and we are able to grow that business.

We had one business where we had a corporate partner actually invest up front. So they gave all the money to buy all the equipment, resources, tools and so on and to pay their people that they were employing for 12 months. And the condition on that was you just pay it back like a loan, but they did it directly through the company. And this business now has - it is grown four times and it has been able to employ triple the amount of people it had and that is within four years. That was all during lockdown and everything. Quite amazing.

And the owner of that I won't say, because he said, "You can talk about it, but don't talk about it." I said, "Okay." But there is lots of learnings with this and that is what Kinaway has been able to help with. Then we have your sole traders, so at least 70 per cent of our members are sole traders, so they own and operate like myself. So I have been operating my business consulting for 20 years now, go me, you know, it has been a tough slog, but you know continue to do that.

And, you know, I get to that point where I am like, "How much longer can I actually go with this and maybe I should think of doing something differently?" So there are our business who kind of want to pivot and look at other ways of doing things. And during lockdown some of our businesses didn't necessarily close, but we call it “go into hibernation” where they sort of sat there thinking about, "What am I going to do?" Some people went back into government and just kept their business on hold for a little while and then we helped some of those

businesses pivot. So we had one business, which was an art business, then they became a furniture supply business because everyone was working from home. So let us get that office desks and furniture to those homes. They were able to pick up, able to employ other people.

The other opportunity is the circular economy where Aboriginal business contract to Aboriginal businesses who contract to Aboriginal businesses, so it goes around and around and around and we are supporting each other. So when I work on a project myself I have got a team of about 12 people that I will subcontract to. So I deliberately set up in my business that I was not going to employ people anymore, had enough of managing staff, so I didn't want to do that, when I was working in government and so it is easier to manage via contract.

The biggest issue that I had myself and other consultants, we have got about 50 people who do consultancy, is that people coming up to you and saying things like, "Karen can you do the same as a non-Aboriginal consultant? And I am like, "Really, I just wrote this tender proposal didn't I? It means yes, I can write." But there is this assumption that you can't, because you are Aboriginal and, you know, are you educated enough. So not even really reading your proposal. So there is this assumption all the time that you can't do the same as a non-Aboriginal business and that is a hard thing to break through.

The other big thing is black cladding and it has been a big issue. We have been fighting for pro probably the last two years in particular, because it has really reared its head and particularly in the construction industry. So government actually enforces in its contracts for capital works in particular that you must employ - have 2.5 per cent Aboriginal employment or you have part ownership in your actual company. So to win that contract people sort of do, you know, shifty deals and one of them is the black cladding.

So I will approach - someone might approach me say, "Karen, we want to win this contract. We will pay you so much to be part owner with us and then we become a member of Kinaway, then we get certified and then we have that opportunity." So people do do that, people have said, "Yeah if I am going to get 100 grand for you to sit there and have my name signed on then I might do that."

So we have actually had to put some strict processes in place around that. So we have a good relationship with the regulator - sorry, with ASIC. What they do is they actually check the ownership every week for us. So if someone comes in we go, "Yep, this is all above board, it looks above board." They get certified, provided their proof of Aboriginality and everything else - sorry. So I - I talk too much, I start. And then a week later the ownership changes, but we don't know that without ASIC telling us, because we don't have the resources to keep checking all the time.

The other point we have had with the CFMEU if I can tell the truth on that one is where they prevent some of our businesses from working on site, because they

don't have an EBA. But then they can't get the EBA unless the union actually supports that. So we have had to work through that and that is very political in all senses of the word, both with government and with, you know, the people who own the businesses. So it's a tricky one that we have to navigate.

Kinaway was accused publicly last year of supporting black cladding businesses. That is certainly not something that we do, so I will put that on the record. And we just want to support Aboriginal people to, you know, achieve what they want to achieve, contribute to the Victorian national and the international economy. And something, you know, what we did last year was we were the first chamber to actually take 35 Aboriginal businesses to America and we did a trade leadership mission. And in October we will be taking 20 businesses to Italy to Rome and Milan, and we will be doing that with the Italian Chamber of Commerce and they will be sending 20 of their businesses as well so we will be doing this crossover exchange with people.

So what we want to do in the future is the opportunity is to support growth of our Aboriginal businesses and entrepreneurs, so they can be sustainable. That they can get five-to-10-year contracts that are out there and to break the racism and discrimination component of providing goods and services. And I think back and I have said this to a couple of people who are my clients where I say Aboriginal people have been doing business since time immemorial, you know. We were trading we have our trade routes, we set up marketplaces and we trade for things that we needed and that has continued on.

So I find that some people are amazing business owners and some individuals I know have five or six businesses, right, so they are very entrepreneurial and have some great ideas and doing you know amazing things. So I see that that closes the gap on a lot of the issues because when you are employed then you can actually feed yourself, then you are healthy you can afford housing and the list goes on and on and on. But when you are not and the hope is taken away that becomes really challenging.

So we have young people now who want to start up their businesses because their parents have been doing it. And if we remember back in the ATSIC days CEP was the hope, wasn't it? Working for the dole, "I saw mum and dad work for the dole. I work for the dole." Then it became working in the health sector. We have so many people who work in the health sector. Then it became the justice sector, so it was the social justice deficit thing and we want to get out that, you know. People want to do good and interesting things. I think it is amazing what some people are doing, yeah.

MR GOODWIN: Just continuing to focus on the development of Indigenous businesses as an element of the economy, Ian, based on your extensive experience in government what are some of the levers you think government can pull to assist in the development or growth of Indigenous businesses in the state?

MR HAMM: I think there are some levers that government can pull. But I have to say that government's role in the economy is somewhat limited. I think one of the problems we face is looking to government to fix Aboriginal economic participation. While that is true of social policy areas it is not true of the economy. It has much less capacity to fix problems as it were. If you think about child protection or if you think about the education system or the legal system government can legislate, government can regulate, government can really drive it. The economy it can influence but it can't fix as it were, unless it is a micro problem.

Having said that, I think government's capacity within that realm to do something and I think procurement targets are a classic example. They are kind of a blunt instrument we are going to demand of departments they spend X per cent of their overall budget on the Aboriginal business sector. When that first came in the targets were quite big, but there was no Aboriginal business sector to meet that. That was the point to build the Aboriginal business sector to create a market that - economics is so simple really, demand and supply. There was demand, government had procurement targets, the supply was not there but the supply has built up, so government has performed a role in that - in that area of being able to do that.

I think by also its influence on to the private sector, that is actually where 95 plus per cent of the economy exists is not in government. The entire justice system exists in government. The entire education system effectively exists in government notwithstanding private education, they still operate in the regulatory environment of government. The economy, 95 per cent of it exists outside of government. So government can influence rather than direct it.

So the example of it setting, for example, the procurement targets that set an example for larger players in the private sector to follow suit. So you do have the bigger end of town having their own procurement targets, having their own initiatives. That has come more like influence than by direction of government if you want for a better term. If you really want to get to where government can play a much bigger role, one thing government has appallingly done is economic about Aboriginal macroeconomics. It thinks microeconomics.

"Here's a problem, let us fix it, let us play in that space" or employment - if you think about employment in the great hole, most government employment policy is built around taking unemployed to employed. That is brutishly easy to do. Take an unemployed person give them a job and keep it there six months. That is easy to do, I know because I used to run it. The hard part - and this is where I think macro-economic policy has to come into it much more, is how do we help Aboriginal people not only get into employment but have a lifetime of increasing income over a lifetime of economic participation and employment?

And I say, "employment" because notwithstanding the exponential growth of the Aboriginal business sector, the bulk of people, Aboriginal and non-Aboriginal are

on somebody else's payroll, right. We are on somebody else's payroll we are employed. If we think about how do we get the Aboriginal business sector to grow knowing it will have that multiple effect on employment? So I think if I am government - I am government. I used to be government. If I think about that and why when I left Aboriginal Affairs, I went to the economic Department was because I know the economy is really over the long-term, how we reposition Aboriginal people in Australian society.

If you think about government falls into two great pillars. Everything falls into one, most likely both of these two great pillars, social policy or economic policy. Now, the bulk of Aboriginal interaction with government and government response has been in the social policy space. If it was a credit card and I will use the finance one because that is what we are talking about, if it was a credit card we have just about maxed out the social policy on that credit card. We probably have all the gains we are going to get. There is probably a little bit here and there but fundamentally we have probably gone as far as we can go.

Economic policy, if that is a credit card we have hardly used it, we haven't used it enough to get interest charged on what we have heard as it were. Economic policy, we haven't thought about that at a macro scale. That should be the one that government needs to put far more consideration to and rather than a programmatic approach let us have a procurement policy, let us have an employment policy of unemployed to employed kind of stuff.

If you were to apply a macro-economic lens to Aboriginal Australia or Aboriginal Victoria what would that look like? What would we be trying to achieve? How can government bring its massive resources around a higher macro-economic policy and also engagement of the private sector? And also, if you think about, for example, in Michelle's world the intellectual power of macro-economists who reside in universities to this vacant space at the moment. What would that look like? Now, Paul has spoken about it at a regional level trying to do macro-economic policy at a regional level, but that will only have a certain effect because once you are outside of the Goulburn Murray area you are into the Bendigo area or Shepparton - not Shepparton the Albury-Wodonga area, or you're in Melbourne.

The way the economy works, you need at the very least a Victorian or south-eastern Australian macro-economic policy approach, if not a national one. Could the Victorian Government use its influence to engage with the Federal Government around having a much greater focus on a macro-economic policy as the way of uplifting Aboriginal people, given as Paul said the referendum failed?

I think we tested the boundaries of the largess of ordinary Australians about how far they are willing to go in support of uplifting Aboriginal people. We know where the boundary is. It is one of the reasons I say we have probably maxed out the social rights-based justice approach around Aboriginal affairs, so let us switch it to the one we have not tested substantially which is the economic policy. That is

where government can actually make a huge difference. That is where government can really bring its weight beyond just funding of things.

I think we put too much focus on funded things, on budget. It has a role to play but I think - I think the for want of a better term the moral and ethical weight of government about focusing on how we - or focussing on using that other great pillar of the economy to uplift Aboriginal people. That is where government can play a role and particularly ministers who don't traditionally look in the space of Aboriginal affairs. The big ones for me are obviously Treasury. That is where - to be honest that is where the economic brains are. The Department of Jobs, DJ - I can't remember what the SIR stands for that one.

MR GOODWIN: (Crosstalk) is in there, but I am not sure where.

MR HAMM: It's a very - there's a lot of stuff in there, but very much a programmatic Department. And that is what they do. They do it well. They do it to the best of their ability. Karen and I sit on the Victorian Economic Department Council, which is part of DJSIR. But it is very much activity and program focused about where do we go from here in the next budget cycle, not what is the long-term outlook and uplifting of Aboriginal people over a decade or a generation.

What are the big things beyond hitting targets or short-term targets and expenditure of budget allocations we have, what is the big picture? That to me is probably more Treasury than it is the activity-based departments. So government rethinking which parts of government need to be involved, which ministers need to be engaged with this rather than just going to the ones we have traditionally - or have traditionally been seen as the ones leading on Aboriginal affairs.

MR GOODWIN: And, Michelle, picking up on something that Ian said that I know you have some views about, Ian mentioned the Close the Gap targets and a narrow focus on employment. My understanding is that the Close the Gap economic indicators are focused on Indigenous employment and that you have written to the Productivity Commission urging it to broaden its thinking about some of those indicators. I just wanted to give you an opportunity to explain why you think that is important and what impact that might have on that macro-economic view that Ian talked about.

ASSOCIATE PROFESSOR EVANS: Thanks for that. And, look, I think all the panellists have made some really important points of view. I think on the Close the Gap target measures we have a measure for economic empowerment that is looking at Indigenous employment. And employment is really a critical element to economic health in our communities and across the Australian community but there are other ways of thinking about economic empowerment, about home ownership.

Certainly, we could look at some of the statistics around that and around the building of savings and superannuation, which I know Ian mentioned before is a part of understanding the wealth of different people and, of course, of business ownership. That is such an interesting indicator. But if we put all of those indicators together from employment through to business and home ownership, we are starting to build up indicators to understand the social mobility of Aboriginal and Torres Strait Islander people, which I think is really an interesting way to think about it.

And to be thinking about social mobility, we need to think intergenerationally, which goes back again to Uncle Paul's comments and I have been thinking a bit about this and researching into this area, because it is quite an empirical phenomenon. There are statistics that support this. We have published on this that Indigenous people across Australia and the US and Canada are growing over the past 20 to 30 years. They are becoming, even though it is a small amounts, more socially mobile and that is important because this is in, you know, one to two generations. Now, the OECD in their 2022 report said:

> "That it can take up to five generations for individuals from disadvantaged backgrounds to achieve the mean income of a given society."

So I want to put to the Commission that if we agree that a generation is around 25 years it has been nine generations since the invasion and importation of white values and white systems and logics and it is only really been a mere two generations since the 1967 referendum, which has instigated this ripple effect of change and repeals of legislations that have had the a distinct controlling mechanisms around our families' ability to build livelihoods that are independently driven. And so when we start to think in this historical and more generational piece we can start to understand the barriers are not just historical, but these are very, very present.

And I think Karen also mentioned that, you know, her generation, her parents' generation and trying to understand how we build this and wealth - one of the things that we have really noticed is the biggest barrier for business growth is intergenerational wealth and access to those through different assets. So there has to be some sort of financial mechanisms and different levers, Ian, that can be used to or created in a broader economic framework for Indigenous Australia to start to address this. And I think it does really come back to what Uncle Paul was saying as well, which is about a rights-base.

MR GOODWIN: And, Michelle, you have written as well, I think and correct me if I am wrong, that the idea of tension between wealth generation and Aboriginal culture is essentially an illusory one, that, in fact, research suggests that both can go hand in hand. You have written:

> "Being socially mobile is not eroding Indigenous peoples' connection to family, friends and culture."

I just wondered if you could explain to the Commissioners that - what your research has shown in terms of Indigenous wealth creation being invested with Indigenous culture and knowledge, particularly through Indigenous businesses.

ASSOCIATE PROFESSOR EVANS: Yeah. No, it is an excellent question and I think this is the thing I am quite interested in when we start to think about, you know, received wisdom, whether it is just from mainstream discourse. We see it in films and television, and we read it in books and in news articles in the newspaper, this idea that being Aboriginal and being wealthy are incommensurate, they don't go together. That, in fact, identity has been aligned with poverty for such a period of time and it creates a lot of cultural tensions for individuals and for groups and for families and in the community to really be able to manage this sort of challenge that is happening at the moment. I think it is a really interesting and difficult one.

So we wanted to look at specifically the evidence around this idea that if you were more successful as a business owner and you were doing quite well are you less aligned or connected culturally. Do you do less cultural activities or associate less with Aboriginal community? I mean the answer to this in our research work, our empirical work is most certainly not, in fact, the opposite is true.

And as people become - have more resources to their - to themselves and to their families they are able to do much more, be able to return to Country, be able to support people in their family, be able to go to different cultural events and, in fact, their Aboriginal networks are larger or as - are larger or at the same kind of scope as their non-indigenous business networks. So these - this idea that we need to feel that threat to culture from wealth is something that we need to really consider and work on.

And I think, you know, it does pay to consider the meta trend, Ian, around, like, racism really in society, the discrimination, whether it is at the market level where you are having people talk about this idea of only working with Aboriginal businesses that are safe or Indigenous people who are safe, and having to be that kind of consistently professional and perform particular approaches.

All of these different things are really important to understand when you see that there is a lack of trust in our markets, and it requires a certain response from our Indigenous entrepreneurs, our Aboriginal entrepreneurs who have to do a lot more work to become successful because of this kind of bigger bias in the economy. And so I think there is a piece around that. Yes, there are fiscal measures, I agree, but I think there are a lot of cultural measures that we need to think about.

MR GOODWIN: Yes, Paul, do you - you mentioned earlier, I think in one of your answers to a question around the need for safe partnerships, safe relationships in terms of building Indigenous prosperity, particularly in your region. Did you have any views on some of the challenges that are faced that Michelle has spoken

about in terms of bias and racism, and those types of things for economic prosperity?

UNCLE PAUL BRIGGS: Yes, I think about, you know, they've been able to operate in a rights-based environment and what that actually means and acknowledging the sovereign rights of First Nations, in this case, in my case Yorta Yorta peoples and that rights to have an economy and to participate in the regional economy. That has never been afforded. We have been in entry level jobs for as long as I can remember and we were used to grow the region's economy, the fruit economy, the clearing of the land, et cetera.

Our value in that - in this space is not afforded because we are not - we are not embraced as a people. We are not included in the symbolism of nationhood. We don't seem to be participative in the notion of an anthem. We are not participative in our respect for the Australian flag. We are not seen to be part of the green and gold in the Matildas. We are not part of the celebration of the Australian Olympic team or the swimming team, et cetera, unless we have got an Indigenous person in that team.

So this is the nuance of who we are when we are coming into town and bear in mind we walked off Cummeragunja in 1939, the mission station to engage in the town where we were not welcome. 1939 is not a long time ago and we never had a plan as to how we were going to manage that, that interface. We still don't have a plan. We put on the table what we call the “regional prosperity productivity”, so we have even tried to change the language, talk about aspirations might be present.

So this resembles the coming into town, but we have to be conscious of, we are not assimilating. We are protecting our cultural integrity and we are looking for the region to respond to that and we are looking for the State of Victoria to respond to that. We have gone through the Native Title process where we have had to, you know, justify who we are and who we are. And we have gone through the referendum in asking the people similarly to what my great grandfather asked back in 1877. It was about him and 25 years asked them this question, "Well, you have taken our land can you give us a little bit back for us to live on?"

We are still in that same position of asking permission and that's - that can only happen because we haven't established our rights and I think that is really a critical part of what underpins an economic recovery. And the recovery of the sustainability of First Nations peoples is that acknowledgment of rights and they are things not to be feared and afraid of.
And it is the way we bring it into curriculum in schools, it is the way we educate our - the society we are living in, it is how we get welcomed from 1939 and embraced by the community that we are walking into. That hasn't happened and we are still waiting for that to happen.

So we have tried to cultivate relationships, we have tried to cultivate friendships and most of our partnerships are based on personal investment. And if most

people know me, they will say, "Well, Paul, you have had that many coffees with these people, with people and you continue to have these coffees and you continue to shake hands and you continue to try and convince people that there is - that we are a priority. As four per cent of the regional peoples we have a priority that should be 100 per cent a priority for everybody." That platform is very fragile. It doesn't encourage the confidence of parents to invest in education.

It is very challenging out in the job sites to hold your sense of value in the exchange, because people see you getting - you are a taxpayer dependent body of people that has been living off - since the 1870s off government and you haven't changed in your profile. These are the sorts of things that are impacting on the confidence for Aboriginal people to engage in business and to engage in the shared, you know, contracting that goes on in our regions. If you haven't got social status it is very difficult to try to break in. If you are not part of the social norms of the region it is very hard to break into the business norms.

That is where we need, you know, some really challenging thinking about, "Well, how do we shift this?" We have worked pretty hard over the last maybe 30, 40 years and we have seen incremental moves in educational attainment and average incomes in our region, home ownership in our region. So we are working as a community really really hard in a space where people don't value who you are. We are slowly grinding outcomes. But it needs the weight of Commonwealth, State and private sector to get behind regions, not just our regions but get behind regions and take it seriously about what the next 15 to 25 years might look like for First Nations peoples.

And we have to think about those wellbeing indicators that we want to - that we want to practice around cultural expression, cultural affirmation. If we are diverse in our employment and in our careers and in our business opportunities across industries we do need a space where we can practice who we are and be confident there is a reciprocity in the exchange of value of culture that is afforded to a lot of people as immigrants coming into the country that get better - more value placed on their cultural identity than First Nations peoples and I think that is a challenge for us.

So I put the Regional Prosperity Plan on the table. It is there for discussion. It is a stimulant to think well maybe we can do this or we can tweak it, but we have got to have a vision of where we are going as a people and we have got to have a vision of where we are going as a community and that is sometimes - like I say, my region the Goulburn Murray potentially something like $8 billion GRP. We should be investing in that and that should be investing in us, like, the harder we work the better we become, the safer we become, the more sustainable we become as a people, but that is a circular economy operating in our region and it is not a black thing, it's not a white thing, it is an economic thing.

MR HAMM: I think picking up on that Tim of the thing that Paul has alluded to, in the discussion today we are focused on almost again a negative approach of

what - what we don't talk about, and this is more generally it is for the economy, but just more generally we don't talk enough about what is good being Aboriginal, what is good about being black. If we went around this room and we are not allowed to leave the room until each of us says one good thing about Aboriginal and we are not allowed to repeat the person before. So if I started with Karen, Tim you might - you would be struggling by the time we get around.

We never talk about that. Tell me one thing that is bad. Life expectancy, health, blah blah, blah, economic barriers. What we don't talk about is what is good about being Aboriginal? We don't talk about what do we bring to the economy, what do we add to the overall health of the Australian economy, the Victorian economy the regional economy? We don't talk about that. What we talk about is what place we don't have into it. Now, the work Paul is doing is try to address that by calling it prosperity. Not, "Here's a problem that Aboriginal lack, but here's what we can bring prosperity."

We need to do that, because it is a truism. We have to talk about what we bring, because as Paul Keating said, "In a two-horse race always back self-interest because you always know it is trying its hardest." So in engaging with non-Aboriginal people in the economy it has to, be, "Here's what we bring, because here's what is in your interest." So, the non-Aboriginal people can say, "It is in my interest, selfishly or otherwise there is something in it for me." And that is true.

You arch that up to - I am a non-executive director for a living these days, I sit on the Board of the Australian Institute of Company Directors. One of the great challenges for the director community now is off the back of the Banking Royal Commission and the Aged Care Royal Commission. So a little bit of economic theorizing here, Michelle will understand this.

So Milton Freedman was a renowned economist out of Chicago in the 60s that basically had this philosophy of the role of company directors is focused on your company, profit maximisation and return to shareholders, and as little government as regulation as possible. So Ronald Reagan and Margaret Thatcher picked that up broadly in the 1980s and that has run across the Western economy up until now, but say in round terms 2020. The problem is that those people who started work in 1980 is at junior office person now 40 years later they are the Chair of the board of company X, or non-executive director Y or CEO for at the top end.

They've been - their whole economic life has been just focus on this and the rest of the world can take care of itself. Now, the Hayne Royal Commission called that out and said the role of company directors particularly the big institutional ones is yes you have to make a profit, but there is a bigger question, "What are you doing as an individual director and as a board and as an organisation what are you doing to contribute to the society in which you live?" Beyond ESG, that nice, cute little box of ESG or social licence or a bigger question, "What are you doing to drive, what are you doing to make this society in which you operate a better society?"

I think it is fair to say a lot of boards are struggling with that. It is not a universal thing, but I don't think I am out of school by saying a lot of people are struggling with that, "What do you mean?" Because it is a new concept to deliver this big thing. One of the things I think if I was to say in the director community Aboriginal people bring to the director community and this goes back to a question you asked about a philosophical approach to the economy. So generally non-Aboriginal people tend to think narrowly about the individual.

As a people we tend to think collectively, right. That is how we think. We think of our mob, our community, rather than us as an individual and then everything is subservient to that. It tends to be the other way around. Now, you take that into a boardroom and suddenly the idea of having Aboriginal people on the board and I have heard this a lot too of organisations saying, "We want to have an Aboriginal person on the board, but they don't have the right skills."

Well, it depends what you regard as the necessary skills at the non-executive level going forward, you know, into the third decade and beyond of the 21st century where there is this bigger ask. People who can think that much bigger picture, that much bigger scope of what your organisation is expected to do, not only make a profit, not only return to shareholders but a substantive contribution to the society in which you operate.

That is something we, as Aboriginal people bring to the thinking strategically of boards. I know that for a fact, I am one of them, I know Karen is one of them too. That is the sort of thing we need to talk about, what do we bring to the economy. What do non-Aboriginal people get from us being in a positive sense, not in a loss sense but in a positive sense? That is how the economy works. Sadly it is true, Australians are a giving people, but we are not a generous people. I say that because we will help somebody we think is down on their luck, but only to an extent. The minute we think they are getting a bit beyond where they should be tall poppy syndrome, we just tend to cut them off.

I think we have to address that challenge around our economic participation and turn it into real things. By having Aboriginal people in the economy, you would actually see this - killing of this - killing of this fallacy - this thing about tax, right. That the Aboriginal drawdown on Commonwealth and State budgets is bigger than what Aboriginal people pay into it. Now, if we had Aboriginal economic equity we would be taxpayers the same as everybody else. We would be saying, “Our relationship with government is the same as everybody else. A, we don't trust they - B they tax us too much and C, they only talk to us when they want our votes” you know.

If we could ever get to that as Aboriginal people that is where we could be or should be, but we have to rethink about how we engage in the economy about what we bring to it, because ultimately that is what - that is what any business does, or how any market operates. It is what you bring to it, rather than what you

take from it and that is still in people's minds. So let us talk about in an economic sense what is good about being Aboriginal and what we bring to the economy, not solely on what we have lost and what people perceive we take from it which is, in fact, not true anyway.

MR GOODWIN: And, Karen, thinking about that strength-based approach that Ian has just described around what Indigenous people can bring to the economy and Indigenous business can bring to the economy, what reflections do you have on your long experience in that sector, around that type of - that question of what Indigenous people can bring to the economy?

MS MILWARD: Look, we can bring lots of things to the economy I think, and have been. I'd say that like 20 years ago when I started in business myself there was probably about eight consultancies, there is now over 40 consultancies. So we are growing, so people see what you can aspire to and achieve. I remember Elders like Paul telling me that Aboriginal people spend their money locally before they spend it anywhere else, more so than, you know, other people that live locally. And this is particularly in the regions as well, so in country towns you are spending locally rather than, you know, elsewhere. So, therefore, we have always been contributing since we were allowed to work and earn an income.

I think the strengths of being in an Aboriginal business is being able to prove to yourself that you can actually, you know, achieve what you set out to achieve, make money, make a profit. I would be very, very wealthy if I didn't have to pay tax. So hopefully that will happen at some point before I leave this planet. That would be awesome. And I think the other thing too is account expectation.

So I believe that we have to work twice as hard, you know, prove ourselves, you know, twice as more than a non-Aboriginal person. So for - to succeed I have, you know, to work really, really hard just to prove that I can do this to other people, not just to myself. And we talk about this with Aboriginal businesses all the time about what it actually means to be a success. For some people it is about earning, you know, a shit load of money and for others it is about survival, you know, getting day by day, being able to pay your bills and so on.

But for others it is about the legacy that they leave behind and we have talked a bit about that, and it is not only for their children or their families, or community but it is also for non-Aboriginal people. So wanting non-Aboriginal people to be able to talk positively about how we have contributed to the economy, rather than seeing us as a problem, which tends to be talked about.

I also know that you know, one of the good things that we do is the circular economy thing that I was talking about before, where we actually employ other Aboriginal businesses or we contract from them, or we purchase their goods and services. So when we were on this trip overseas earlier this year someone raised an issue that they couldn't produce as much product, because the factory they were using was not big enough and then another person who was sitting on the bus

turned around and said, "I have got two properties, so let us have a chat about that."

So they had a chat about that now they are tripling what they were actually producing that is one conversation on a business between two Aboriginal businesses. So we like to help each other. We are also very, very aware of competition, you know, and the market and, you know, needing to compete for contracts and other things. So, you know, we are very much in that space with everybody else doing that.

But then we always - I always tend to stand back and think well if I go to an information session about a project and there are 10 consultancies there and I sort of look around the screen or in the room going, "Why don't we all work together on components?" And then we are bringing more people to be involved, but you are actually learning from each other as well. And I find that we are constantly teaching each other about the good, the bad and the ugly on being in business, but being in business is hard.

I know when I started, I thought, "Oh yeah, this will be a piece of cake" Yeah, right. I kept saying to myself, "I can chose the days that I work, when I don't want to work, I will have maybe three months off a year." Yeah, right. That doesn't happen at all, and the other thing is that we are involved in other things as well. We are not just involved in the business sector. So we will sit on boards, we will help our community out. And one of the best things that we do as businesses, this is something we have been slowly documenting at Kinaway is actually putting money back into the community, the Aboriginal community, so sponsoring things.

So I sponsor some awards. I sponsor young people. I pay for an apprenticeship. I have other businesses that are sponsoring scholarships in education, contributing to kids throughout community-controlled organisations. So I have just approached two businesses to say, "Look, you are never going to get money from government to run this particular activity. Is this something you'd like to invest in?" Yes, of course, it is a good tax write-off too. So it is just thinking about what the opportunities are, it is just breaking down some of those barriers so that we can actually do it in the fullest potential and at the moment there is a small number of us that can do that.

So we want to actually open that up and when we do that then more young people will want to do this too and not just think about the standard roles of employment. I think young people in general, I call them the - if I am allowed to say this, the “privileged generation”, where I feel like they are very, very spoilt. We have overcompensated for things that we didn't have and, therefore, chose not to work or it is better to be on Centrelink than going to work. I am like, "Why would you do that? Why would not you contribute back to your community? If you are not going to work maybe volunteer, maybe volunteer in an Aboriginal business."

I have some people doing that at the moment and they are like, "This is really cool. I want to work for money for that now, because I can actually so see the potential of what I can actually earn." So I always start that thing of, "What do you want to do? What are the fun things that you actually want to do?" "I want to go on this trip overseas?" "How much is that going to be? How long will it take you to save for that and pay your bills?" So really working out those budgets. And I think that is what First Nations Foundation has done with the money program you have has been absolutely amazing and knowing when you save and being able to save is an incredible thing.

Like, my mum says to me, "I can't believe you are doing what you have been doing." You know, that is a big thing for her to say that. She has had three different businesses. My father had his own building construction business, I kind of followed in the footsteps that way, I guess. But being able to actually have savings and to actually be able to invest, I think is really important, is really important. I had the opportunity to speak to the First Peoples' Assembly Working Group and Belinda is here who is on that group. And, you know, one of the big things is why not invest in our people, to be able to access money to grow their business, invest in their business, so they can do long-term contracts and then keep contributing to the economy and then employing local Aboriginal and Torres Strait Islander people and even employing non-Aboriginal people, because we have non-Aboriginal people working in our businesses as well.

MR GOODWIN: Michelle, to bring you in on that, in terms of Indigenous entrepreneurship and ingenuity and in terms of the development of new and innovative ideas around Indigenous business and economic participation through your work and particularly thinking of some of that cross pollination work through hubs and things of that nature that Karen's talked about in Kinaway as well, what are some of the key ingredients for success for Indigenous entrepreneurs?

ASSOCIATE PROFESSOR EVANS: I think some of the key ingredients are about having that sort of mentorship or guidance through conversations and through spaces where we can come together and share different ideas and share how people are going. I think that has been a really incredible thing. Like Karen was saying, the bus becomes this place where new economic opportunities can come about, whether it is the classroom, whether it is out on Country, whether it is at a coffee shop or wherever.

And these new ideas, you see also some of our creative people in the community who are able to bring about different kind of things by bringing them together. Like, there is a really incredible entrepreneur who is starting to engage in the space industry, or whether it is someone who is trying to think about AI in terms of their services and goods, or the ethical part to AI and how they could be bringing that forward for the community to be thinking about, these sort of things. The new technology is a real ingenuity, people are then able to describe as we have these yarns and build together how not only the new ideas might work or how they are being played out in different spaces, but what it means locally or in a

particular place or for a particular group of people and I think that is where the ingenuity starts to emerge.

But I - look, I really do take everyone's points especially the one about by Ian about having a real strength-based approach. I guess I just really wanted to say that having evidence of how much contribution our Indigenous businesses and corporations are making to the economy is a key part to really making this very visible and that is the piece now is how do we make visible the achievement. We have got in our latest snapshot study over 13,693 active and arrive businesses in the last financial year in Australia that we are able to capture, and they generate over 16 billion in revenue.

That is a figure that is quite similar to the Australian timber industry and these businesses employ 16 - 116,795 people which is almost as many as the Coles group, which is one of our biggest employers in Australia. So I think these sort of just demonstrate very clearly it is not about making an argument for them. As soon as you have got those numbers you are able to show that Indigenous businesses and corporations are a hub for a strength-based approach and contribution to the economy, a wage bill of 4.2 billion.

And I think, you know, picking up one of the pieces around Aboriginal and Torres Strait Islander businesses being incredible employers of our people is really an important piece. So that means that the workplaces are culturally safe, that there is a lot of on-the-job training and skills development that is happening in these businesses. And where people go on and where they go on from employment in Aboriginal businesses is also another piece to concentrate on, I think.

And I think now we are building up these sort of data integrations with our administrative data in partnership with the Australian Bureau of Statistics and our Indigenous business data custodians we will be able to ask some more important questions. Because at the moment, we are really just looking in terms of government levers to support and accelerate Indigenous businesses. It really has solely rested into the procurement space for quite a while and I think there are so many different areas now that we can really look into.

And understanding the wellbeing and strengthening role of Aboriginal employment and how that is really grown throughout businesses, that is a key contribution to the economy of Australia, no doubt in every single day of the year. So I think I'd really want to focus on that as a key contribution, Tim.

MR GOODWIN: And an aspect that you mentioned earlier on in your evidence, Ian, was First Nations Foundation working with the superannuation sector. And just, you know, hearing those powerful numbers from Michelle about the contribution of Indigenous people to the economy in terms of employment, wage, revenue, all of those types of things, I am interested from your perspective about what opportunities exist in terms of the superannuation sector, given the extreme amounts of capital held by superannuation companies in Australia.

MR HAMM: Okay, so there is a couple of ways we can cut the superannuation sector. (1) the unknown amount of Aboriginal superannuation in the superannuation sector. So the First Nations Foundation has been doing the thing called the Big Super Day Out during Financial Wellness Week. Effectively we take - the First Nations Foundation, we take superannuation funds, the Tax Office and Department of Social Security and literally help people find super they didn't know they had.

So at the individual level have you people who come there with a couple of ID things and find out they actually have superannuation in different places around. The best one of I know of is a man who came with nothing other than a shoe box with some stuff in it and it was his wife that made him go, he was not going to go. He walked away with 75,000 of superannuation he didn't know he had. It was amazing. It was the old pension index scheme, Commonwealth one, but he had that. That is the best example. A lot more in the averages of the lower tens of thousands, 20,000, 30,000 and so forth.

That is at the individual level. Actually at the higher level, at the industry level this goes to where - superannuation funds invest their member's fund for a return to build up their member's wealth. I think there is an argument - no, I don't think there is an argument. I think there is a very strong argument to say that part of the investment portfolio that the superannuation sector should start to consider is what investment can they make into the Aboriginal economy, which has two outcomes. (1) a return on their investment for their members' funds, but secondly by investing in the Aboriginal economy you actually lift up Aboriginal people as well.

Now, when you think about the Australian superannuation sector is worth $3.2 trillion on a bad day. Not on a good day, on a bad day it is worth that. Surely it has the capacity to think of that as not putting funds into things that may come at the cost of return to their members, but may increase and enhance the overall outcome to their members and expanding this idea of the eventual outcome their members beyond the financial return that you get when you retire, because if Aboriginal people are participating in the economy more broadly and this is a truism - if you have money a lot of your social problems disappear, not all of them but a lot of them.

Now, that generally improves society, which means that where superannuation fund members live in society it is better, therefore, they have a better life outcome anyway in which to spend their superannuation as they move into retirement. So there is quite a - there's quite a, if you like, a circular economy approach to that as well. And Aboriginal people in employment and in their own businesses, but particularly those in employment, they are all required to have superannuation as well. That is the law in this country.

So if you think about Aboriginal people participating in the economy it feeds back into the superannuation funds, for example. So I think there is a big argument, it needs to be much more fleshed out. But that is fundamentally the argument for the superannuation sector to think beyond individual Aboriginal people as in how do we get them more engaged in the superannuation sector at an individual level, but more broadly how can the superannuation sector invest in the Aboriginal economy knowing that it will come back as - come back as an investment return on investment to the superannuation sector? That is the macro-economic discussions that really are in their infancy that we need to have and the same is true of the banking sector.

MR GOODWIN: Just a final question now to each of you and I might start with you, Paul, at least a final question from me. What are the opportunities that you see from the Treaty process, regarding economic prosperity for First Peoples?

UNCLE PAUL BRIGGS: I think that a critical component of a sensible Treaty outcome is to establish the rights to an economy in your region. That it is recognising that, you know, we are the First Nations peoples, we have lived on our Country for many thousands of years, we are still there. We don't experience the productivity of our Country in the same way that non-Aboriginal people do, and we have lost access to 99.9 per cent of it, so history will show that.

That we have been demonised and devalued in the journey, so we have to reframe the value proposition and that can only be done through a rights-based approach along with a human rights attitude to the future of First Nations or Yorta Yorta peoples. I think there is a sense that we have to find our way into the new economy, that we have to see ourselves investing in regional priorities as I have said before, and that our efforts to invest in regional priorities sees the growth and the opportunity for First Nations, Yorta Yorta peoples to have a future. And that ability to be able to be optimistic and aspirational about the future is what will change the behaviours in our community.

That is currently not there. This is a time, I think for that to occur and I think that is where the Regional Prosperity Plan and Treaty come together on determining what the future could look like from an economic perspective, from a human rights perspective, from a shared value of an integrated Yorta Yorta people, but protecting cultural integrity. It gives us the platform and the opportunity to do that, and it encourages people if they chose to enter into business in that way that that is possible.

So it is not necessarily Aboriginal businesses, but Aboriginal people in business. And it talks about the diversity of career opportunities that will exist in our region and for us to be involved in the regional growth and to see that as a part of the future for First Nations and Yorta Yorta peoples in our region. So I think that is a - you know, the hope that I have for future generations, for my grandkids and great grandkids and other kids that are orbiting around us, that we are not seen in

the deficit and that has plagued us since the mid-1800s or earlier, and, yeah, I will leave it at that.

MR GOODWIN: Yeah, Karen, the same question in terms of the opportunity that the Treaty process might provide?

MS MILWARD: Yeah, I think I was asked this the other day that too and for me if we can have like an economic prosperity fund or investment fund where we are actually, you know, investing in Aboriginal people to be business owners and entrepreneurs, to support young people to realise that potential as well, so whether it is true start-ups and then you know, helping with getting long-term contracts. A long-term contract is a big thing in the business world, because you can plan. If I get a five-year contract I know it is going to pay my bills for five years, I can plan for other things that I need to do, but we haven't been able to do that and I think that is important.

I think the other thing that can actually occur is that this whole thing about contributing to the Victorian economy, but you know nationally and globally would be amazing for our people, because then you do start to shift the dial about people's way of thinking that, "Oh wow Aboriginal people are doing really well here." I think our Traditional Owner corporations, you know, getting a boost that way, to realise the economic opportunities that they are doing as well on Country is really important, but needing the broader community to understand what that actually means and how they can actually participate in that rather than being reactive.

So I think about the agriculture type of businesses that people are doing and the neighbours you know might be a bit on the “rednecky” side not wanting to kind of support and contribute so, therefore, they put up barriers. I will never forget somebody telling me about having a wetland on their property and half of the wetland was on somebody else's property, and so the Traditional Owners were looking after it on this side but it was, getting, you know, all terrible on that side. I was going, “Who does that?” How would you not want to look after this on your property, just because you are next to blackfellas, we don't want to do that.

So just those sorts of things, and shifting the trajectory a lot, but also want to see our people have a bigger piece of the pie. Instead of, you know, the little contractee things. I want the big contractee stuff. And when you do that and when you can actually invest in that we get more people from our community even the broader community to work with us, we are leading it, we are driving it, we are making the money on that. And I think there is a lot to be said about paying the rent and that the rent needs to be paid back from everywhere, you know, not just land tax and water tax.

It has, you know, got to come from everyone and I know you do that. You can do that through local councils and rate payers. I am talking about everybody, not just people who are rate payers. So I think businesses need to contribute, government

needs to contribute more definitely because they can't shirk off their responsibility about playing a part in all the barriers that we are faced with and continue to be faced with. So I think if we can address some of those things that would be fantastic.

MR GOODWIN: Ian, same question.

MR HAMM: Look, I suppose for me if I was thinking what is the opportunity with Treaty, it is really about extending Treaty to its full - to the extent of the role particularly Victorian Government can play beyond what I think a lot of people might be thinking of more immediately, which is almost a programmatic approach towards stuff. One of the issues with the economy is we have a national economy.

We can't resolve the - we can only do so much economic stuff within Victoria, but the Victorian Government no matter which party is in power - this is a true statement. Victoria has traditionally been the most progressive of all the states. I know there are sometimes we look at and go - Commissioners you would have heard there are plenty of examples where we are not that progressive. Compared to other states we are miles ahead. The simple fact we have a Commission, we are talking Treaty and have a First Peoples Assembly.

We had a reformed Traditional Owner Settlement Act that I can tell you was not done out of the moral driving to do the right thing. I still have the back of the envelope - I have still got the envelope I actually did the sums on to convince the Premier and the Treasurer it was in the financial interests of Victoria to do something different to the Native Title Act. So I think one of the things I would want to see out of a Treaty is that Victoria is drives itself into part of the national conversation around the Australian Aboriginal economy and that we exert, if you like, that traditional role Victoria has always had of being in front of everybody else.

We are the ones who have taken this, and every other state is looking at us now. We are the ones who had the reformed Native Title Act and the Traditional Owner Settlement Act. We are the ones who have started to talk about Aboriginal economics being far more than simply land based, or job programs, unemployed to employed. We are the ones who have driven that.

I want to see in a Treaty, a binding of the Victorian Government for the length of the Treaty no matter who is in power that would require the Victorian Government to deeply engage with the Commonwealth and the other states around Aboriginal macro-economic policy nation-wide, because that is how our economy works. That for me would be a significant legacy beyond, "Here are some immediate things." A secondary thing, I think the Victorian Government could pay, but it is really the Federal Government and maybe as a derivative of a Treaty. But picking up something Karen said one of the barriers to Aboriginal economic business growth is access to capital to grow.

The 10 years of massive startup we have had that's - in one sense that is the fun bit where you grow exponentially, those who get through that, you grow. When you get to year 10 you are in that we need to stabilise, sustain and all that, you need capital to do that. Now, in my view it is not really the role of the government to do that, because government stuff comes with too many strings, nor it is it the role of philanthropy. I have often seen Aboriginal economics tied up with philanthropy for some reason, which is really weird to me.

Rather one of the things that the Victorian could lead the conversation about is where does this capital come from. The Australian banking sector has huge amounts of money and one of the key problems as Karen pointed out, is how do Aboriginal businesses get access to that. Now, each of them as a business will give you 100 reasons why they can't, but what could they do? They follow the example of the superannuation sector and act as a single sector rather than a bunch of individual businesses. Do you risk a lot of it for them?

My own personal view is that could lead to the establishment of a development bank such as we see in Third World countries, where the United Nations invests in development banks. The Australian banking sector, together with the Australian Government and the states and territories, could look at the establishment of a development bank. Victoria can lead that conversation, can start that conversation, can drive it, but it can do that with the moral and, indeed, legally binding authority of that being part of its role under what a Treaty process might deliver and do it ongoing.

That would enormously help Aboriginal people into the economy, get money and wealth generated and so forth and as I said before, if you got cash a lot of your social problems disappear.

MR GOODWIN: And then finally, Michelle, did you have any reflections on the possibility of the Treaty process for economic prosperity?

ASSOCIATE PROFESSOR EVANS: Just to reflect everyone else's contributions there, Tim, and also say that if there was an economic prosperity fund established or as some sort of more infrastructure as Ian is kind of talking to, the ability to finance long-term infrastructure and maintenance for communities and businesses to run and to be - and to use as a source of economic independence, which may lead to addressing issues around energy or food sovereignty issues that are very important and critical to us all, would be of great benefit in the long run.

MR GOODWIN: Commissioners, those are my questions unless you have any.

COMMISSIONER LOVETT: Yeah, if it please. This is probably more in the macroeconomics conversation we have just had and also building in - it's been mentioned a lot of - a few times today and triggered my mind when we had a senior bureaucrat come here and refer to our people as stakeholders. When you were talking about - we're cultural rights holders. So thinking in the - I guess the

macroeconomics space how do we realise or how do our people's cultural rights be realised through that process or even just cultural rights in general?

UNCLE PAUL BRIGGS: In relation to the Regional Prosperity Plan that is – I think to get the change it needs to be acknowledged that the rights of First Nations, of Yorta Yorta people, the history of Yorta Yorta people, the future for Yorta Yorta people needs to be acknowledged by the State in the Treaty process. And for that to occur it is acknowledging the journey that we have been on, that we need to reestablish both the social, economic and the spiritual economy of Yorta Yorta people post dispossession.

I think that underpins our sense of well, how do we build - how do we build future aspirations for our integration into economies that are orbiting around us in the region? The infrastructure of regions, the infrastructure of towns, the infrastructure of industry is all elements of the acts of dispossession of Yorta Yorta peoples, First Nations peoples. I think this is the time to - to acknowledge that, but also to have a strategy about how we reintroduce and protect the rights of peoples in the integration process.

There has been a - I think the sort of data that is been describing us for many years is the data that is describing our rejection of assimilation and we have to reframe it and we have to reframe the respect and value of First Nations peoples for us to achieve it. That is sort of my point.

COMMISSIONER LOVETT: I think just - with respects as well, I know you mentioned Yorta Yorta people a lot, but also the principle applies across our people across Victoria, right?

UNCLE PAUL BRIGGS: It applies to First Nations people across Victoria, but it also in my observation it applies to Yorta Yorta or First Nations people right across the country no matter where they are.

MR HAMM: I think one of the things, Travis, when you said "cultural rights" and something Paul said then, I think one of the things the economy affords us and this goes to what do we bring to the economy, is not only - not only exercise of our cultural rights, but one of the things that happens is a two-way exchange. That is the nature of economics, goods and services for me, but a whole bunch of other stuff. Knowledge, information and so forth.

One of the things I think that the economy affords us is the opportunity for our culture to spread into non-Aboriginal communities and people, and everywhere. To be quite frank, I think Australia could do with for want of a better term a bit of blackening up to be more like us in a social sense, in a fundamental and core sense. Because Australia is - our inequality in Australia is getting - the gaps are getting wider. It is not just us, it is everybody. We are having more capital and wealth concentrated in a smaller group of people, while a greater group of people are getting left behind and missing out. Housing is the classic example.

Our children, their chances of owning housing is infinitely smaller than our generation. That is a real worry. I think one of the things that comes out of the economic interchange for Aboriginal participation in the economy is perhaps a spreading of how we view that the economy needs to be far more balanced in its distribution of economic wealth, not in a Soviet sense, everyone is equal. I mean, that - clearly that didn't work, but a much greater return to a more balanced approach of how economic wealth is distributed across all Australians.

You need, though, a social philosophy that underpins you to do that and those who we are as a people. First and foremost we are a people, a community rather than a collection of individuals if that makes sense. I think rather than thinking about how do we exercise our cultural rights, that is part of it. I think another part of it is how do we bring our culture to the wider community that has a positive economic benefit, not just in finance terms but in that greater thing of how we should think of the economy being to the benefit of everyone in all things in giving them a roof over their heads, food on the table, the future for their kids and a comparatively comfortable life.

COMMISSIONER LOVETT: Last question from me, and part of our terms of reference is to make recommendations around redress and you have shared kind of development bank and a couple of other ideas. I am not saying you primarily linked it to them, but are there any other thoughts or suggestions around things that we could - should consider in redress?

MS MILWARD: Change the procurement target it is only 1 per cent for Aboriginal businesses and in America it is 26 per cent. So when we went over there we met First Nations businesses they were running, you know, petrol stations, casinos, hotels, you know, and they were doing very, very well. And all that filters back to future generations and reinvesting that. I was talking about what we were doing and I was like, "We are nothing compared to what you are doing over there. We can only aspire to do that." So that is part of it. It is not only government reporting on the number, it is about the spend and the term of contracts as well.

We had this, you know, issue where government kept reporting on the number of welcome to countries, dances and catering and I was like, "No, sorry, that is all one-off stuff. Put that over there. We want to see the big picture spent." At the moment we are contributing 600 mill through Aboriginal businesses in Victoria that includes going you know elsewhere. So we want to see that triple, quadruple in the future. So that is a big thing. I want the barriers removed to Aboriginal businesses. It's not just about having an Investment Bank, but when you are talking about cultural rights one of the cultural rights might be where we actually enforce things to actually change.

It becomes this mandated thing and particularly around protecting our sites and protecting Country around, well, we are able to insert our cultural rights

because - and that will stop you from digging up you know this area of Country in the future. And then we look at what you can dig up and how you do that in a more environmentally friendly way. That opportunity goes to Aboriginal business. I think the other important thing is around investing in training and scholarships.

There is some amazing people that I have been in our community through a four-year scholarship around innovation, so, you know, supporting that innovation, creativity that is there. But people can't afford to do the four years at uni to do that, and then everything else that goes on top of that. So I think if we invested more in that we'd encourage more people in our community to study and gain new skillsets and be able to be part of the next generation and so on. Because if we don't invest then we are just going to be doing the status quo.

UNCLE PAUL BRIGGS: I was just going to say that the - what underpins the Regional Prosperity Plan is the Closing the Gap for want of a better word. I think that might be a slogan more than a strategy. But if our mob can live as long and share in the same quality of life as everybody else, regional prosperity grows by $150 million in that region, just in that region. That is a – that is an average. We have been able to punch above our average most of the time.

So in that, though, is the thing around respect and value and cultural affirmation and cultural expression, and the integration of Indigenous culture and the support of the region or the integration of the region into Indigenous – into First Nations space. But that target of life expectancy, quality of life, increased productivity is what underpins it. So it is bringing that notion of productivity forward in an investment model in the regions or in the state. To have a fund that we can operate to, to invest in business, invest in education, invest in the sorts of things that we think are important to the restitution of our culture and identity. Language centres, et cetera, so –

MS MILWARD: I mean, Paul has been talking about this for years, right. I mean, even when I was on the ARSIC council years ago and he started the whole, you know, economic discussion. We even talked about, you know, it was small back then, but we talked about owning a car park in the city and generating - you remember that?

UNCLE PAUL BRIGGS: Yes.

MS MILWARD: Think about all the millions we would have got from that at the time, but no one wanted to consider those things. And I think if places like America and Canada can do it why can't we do that here? And as Paul said then, you know, we are actually having a healthier community in the future.

COMMISSIONER LOVETT: Michelle and then Ian.

ASSOCIATE PROFESSOR EVANS: I would like to echo a lot of what has been said, but I think a - especially around education and an investment in the development of business acumen across Victoria. And just one step further from Karen's suggestion around procurement to having a specific Aboriginal procurement policy in Victoria I think would make a great difference. It is a different thing to social procurement, and it needs to be out there as an important piece of itself. I think increasing support to Indigenous-led initiatives that drive First Nations entrepreneurship in regional areas of Victoria will be a really important piece of work to be focusing on, so that this becomes a little bit more democratised across Victoria.

And I think also a long-term commitment and potentially this is a national piece of work, but to building longitudinal Indigenous business and economic data sets, so that we can continue to really shape up the contribution story that actually go even further to really understanding different measures of success about Indigenous economy in Australia. Thanks.

COMMISSIONER LOVETT: Ian?

MR HAMM: I was just going say one of the things to bear in mind with this is this still relatively new in its infancy, the economy. Much of discussion has always been about the deficit approach and what is wrong and tends to focus on the extremities of what is wrong, or you get those ones who are really gun players and they will get by fine without anybody else. It is the 90 per cent in the middle, yet these are the ones we are talking about here.

I think one of the things to unload here this is about all the Aboriginal people in their circumstance not those who are most disadvantaged or those who are excelling anyway and can excel higher. I think the other part of it is it needs to be in for the long-haul and how we think about success, picking up what Michelle said, how we measure how we are going and the successes we have needs to - we need to be prepared we have to prosecute this argument differently to how we prosecuted other arguments and we need to do it for a very long time.

Because we fundamentally almost have to rewire the cognitive understanding of Aboriginal everything to take us from social policy land, to economic policy land and they are completely different plays forward. So that is - that I think is something that it is not just another program. It is a fundamentally different beast in how we approach it. And to pick up Paul's stuff I know how old I am and I know - Paul and I have kicked around for a long time, he a little bit longer than me, but not that much.

This is fundamentally about our children but more particularly our grandchildren, those who are yet to be even born and this is a way forward so they just don't have a life that we had. And I would almost want them to be in a bit of a space of taking for granted, because that means they haven't dealt with the crappy bits that

have to be picked up. They just do that from the day they are born. If we get to that point I think that would be a legacy worth leaving.

COMMISSIONER WALTER: Can I just say, thank you for a really stimulating conversation and a different way of thinking about economics and economic prosperity. I never thought we would be discussing Milton Freedman at Yoorrook.

MR HAMM: I am a Keynesian, just to be clear.

COMMISSIONER WALTER: I did think you might be. It's a good place to finish on that, rewiring of the brain, the non-Indigenous brain on how they understand First Peoples. We understand it.

COMMISSIONER LOVETT: Completely.

MR GOODWIN: Thank you, Deputy Chair.

I will just tender some documents relevant to the business panel. We have a number of articles either provided or written by a number of the members. There is a submission to the Yoorrook Justice Commission from the Self-Determination Fund, a number of First Nations Foundation documents, as well as the Goulburn Murray Regional Prosperity Plan that Paul referred to, so I will tender all those documents.

COMMISSIONER HUNTER: Thank you, Counsel.

COMMISSIONER LOVETT: We are Australian (indistinct).

COMMISSIONER HUNTER: Thank you to the witnesses. You just went straight through there. Thank you.

We will adjourn until Wednesday 26th at 12 pm.

MR GOODWIN: Thank you very much.

<THE HEARING ADJOURNED AT 4.41 PM