

**EDUCATION AND HEALTH
STANDING COMMITTEE**

**INQUIRY INTO THE ADEQUACY AND APPROPRIATENESS OF
PREVENTION AND TREATMENT SERVICES FOR ALCOHOL AND
ILLCIT DRUG PROBLEMS IN WESTERN AUSTRALIA**

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 20 OCTOBER 2010**

SESSION ONE

Members

**Dr J.M. Woollard (Chairman)
Mr P. Abetz (Deputy Chairman)
Ms L.L. Baker
Mr P.B. Watson
Mr I.C. Blayney**

Hearing commenced at 9.04 am**STEPHENS, HON TOM, Member for Pilbara, examined:**

The CHAIRMAN: On behalf of the Education and Health Standing Committee I would like to thank you for your interest in the committee hearing and your appearance before us today. The purpose of this hearing is to assist the committee in gathering evidence for its inquiry into the adequacy and appropriateness of prevention and treatment services for alcohol and illicit drug problems. You have been provided with a copy of the committee's specific terms of reference. This committee is a committee of the Assembly. This hearing is a formal procedure. We will not ask you to provide evidence on oath, but it is a public hearing and Hansard is making a transcript.

Have you completed the "Details of Witness" form?

Mr T.G. STEPHENS: I have.

The CHAIRMAN: Do you understand the notes at the bottom of the form?

Mr T.G. STEPHENS: I do.

The CHAIRMAN: Did you read the information for witnesses briefing sheet?

Mr T.G. STEPHENS: I did.

The CHAIRMAN: Do have any questions in relation to being a witness?

Mr T.G. STEPHENS: No, I do not.

The CHAIRMAN: We appreciate your appearing before us today. As you know, this inquiry been going on for almost 18 months. We have had hearings in metropolitan and regional areas. A few months ago we visited the Kimberley. We had hearings in East and West Kimberley, which was an eye opener for some committee members. We are hoping that you can add to our perspective about alcohol and illicit drug problems. Last week Lieutenant General Sanderson appeared before the committee. During his presentation he stated that in order to address alcohol and illicit drug problems in remote Aboriginal communities, there needs to be some form of regional governance. That was a fairly new concept to me. I did not probe him further on that issue. Given that you have been working in this area for a long time, I am sure that that concept is not new to you. As well as providing a picture of alcohol and illicit drug problems in Aboriginal communities, can you describe the major problems, identify the gaps and explain how you think can we best address those gaps? Do you agree with General Sanderson that regional governance is one of several strategies that could be used to address those gaps? What are the other strategies? Would you mind if we interject and ask you questions during your presentation to the committee?

Mr T.G. STEPHENS: Sure. I am flattered and appreciative of the opportunity to appear before the committee with the brief that you just positioned to me. Swapping stories about these issues is a way of making sure that we have the full range of inputs from not only years of experience but also fresh insights from those who are looking at the situation for a first time and who ask very valid questions as a result of being newcomers to a situation. That amalgamation of long-term perspective with new and fresh insights is worthwhile in discussions such as this.

I am happy to start with the last point you raised about General Sanderson's contribution to the discussion. It is not only stuff that he has picked as a thought bubble; it is stuff he has been working on in a collaboration with a range of people who have looked at remote and regional Australia and who have recognised the range of catastrophes faced by remote and regional Australia, of which alcohol and drug abuse is simply one challenge. The concept of regional governance is a

prerequisite for sensible response to policy design and program construction and delivery. To the extent that I can add to that issue, my long-time presence in the Parliament has coincided with various changes to statutes, including statutes that govern the sale of alcohol. Some of the reform agenda associated with liquor laws in this state came about because of the America's Cup. Bizarrely, in a state like Western Australia, liquor laws were designed to respond to the needs of Fremantle and the Perth metropolitan area because WA was about to be modernised because of the America's Cup. At the other end of the state, the punishment of those changes to liquor licensing laws started to hit those communities with the freeing up of alcohol to many more hours in the week and to many more hours in the day as a direct consequence of the America's Cup, which has had absolutely no other connection with places such as Kununurra and Halls Creek other than significantly and adversely impacting on the lives of those communities because of liberalisation of liquor laws during a Labor term in office. For me, it highlighted that a state like Western Australia has such a diverse range of circumstances, which is evident to anyone who goes for a quick flight, yet we endeavour to construct our laws based on the notion of uniformity.

The situation in Fitzroy Crossing is a classic illustration of why regional governance makes sense. I understand that some of you at least had the opportunity of going to Fitzroy Crossing to see what has emerged out of it. In that circumstance a community with which I am very familiar has spent the past 50 years wrestling with the issues of alcohol use and abuse. In that process, a range of things happened in Fitzroy Crossing, including stuff in the late 1970s, early 1980s, which was around the programs of leadership and adult education run by people from the old Native Welfare Department who then went into community development. I refer to people such as Jan Richardson, Stan Davey, Doug McCauley, Ennio Zucchini and Sue McGinty. They worked in adult education and focused on assisting the leadership of that community to clearly see the circumstances with which it was faced. It built on programs like the homemaker program, which was about empowering women to take control of their domestic circumstances. I watched that community descend into something that approximated to hell on earth. Within that hell there was residual leadership. Intergenerational and family leadership came out of that legacy of solid, hard-focused community development work. It is that group of people and the descendants of that group who finally said, "This is enough; we've had it." In the face of the large numbers of deaths, suicides and general mayhem with which that community was consumed, they placed calls to various people, including me as their local member of Parliament—I was the member for Central Kimberley—Pilbara: "We want liquor restrictions; are you with us or against us?" It was one of those flash conversations during which you have an opportunity to make a call either way. Liquor restrictions is not an easy issue to say yes to. The immediate realisation for me was that if I said no to Aboriginal leadership of that quality, the consequence of government and parliamentarians saying no is that that problem is now yours. The leadership came up with its solution. If Parliament rejects that pathway, what is your pathway? I did not have an alternative pathway other than the knowledge that I had to endorse the strategies that were being espoused by the leadership.

[9.15 am]

That has been a very impressive contribution to the life and future of Fitzroy Crossing. It is against the backdrop of knowing it is controversial. There are minority discordant viewpoints within that community. It is against the backdrop of knowing that by itself it is not the panacea, but it has gone from a situation in which you would find visitors would come and get on a bus in, say, Kununurra and be prepped up by the bus drivers to come into Fitzroy Crossing and stay contained within the bus and just drive around and see human disaster. Human disaster was on display all around that landscape and it became a gawking place for people to see the worst features of humanity descending into alcoholic chaos that has emerged out of that.

There has been some demographic change where some people have moved to other locations for temporary or longer stays. That demographic movement is always on in that region; it has been perhaps slightly accentuated, but it is not—there is constant movement of people in these regional

remote areas of Western Australia and it is a reality. However, behind are communities that have respite and some peacefulness and tranquillity out of which they are now building. However, the problem for us is governments—state, federal, local—can simply take the respite and not put in place the full range of armoury that is necessary to respond to this breathing space that that community has delivered for themselves. Now the armoury —

The CHAIRMAN: Apart from the armoury, Tom, do you think that maybe they should be rolled out across the regions?

Mr T.G. STEPHENS: I think that is why Sanderson's viewpoint is important here; that is, you do not design things from committees and Perth and Parliament for a statewide blanket perspective. You would instead be recommending, in my humble opinion, that we empower regions and localities to be able to create responses that meet their own sets of circumstances with robust local dialogue, input and shared experience—a chance to look at Fitzroy Crossing and to look at other sets of circumstances and create solutions that would meet their needs. I think there is a major danger in just simply saying the Fitzroy response is appropriate for other locations.

Clearly Halls Creek's leadership, with less support but nonetheless considerable determination, have come up with responses in Halls Creek that are making a significant impact on Halls Creek. But you would not simply grab that model and roll that out, certainly in any of the larger towns, like Wyndham or Kununurra, or even in some of the smaller places.

We have had throughout the Pilbara in places like Nullagine, Marble Bar, to a lesser extent—if I had to pinpoint where I think the biggest alcohol problem is in a community across Western Australia at the moment, I think the township of Newman and the interface there with the Mardu people is probably the most significant alcohol issue in the state. But can you roll the Fitzroy Crossing solution out in that community? No, you cannot. Is there a need for a local response? Absolutely. The police and community have constructed programs for that community that have not been embraced by government for Newman because it was considered to be a bit out of the norm. I am of the view that these issues are so significant, so costly, so destructive, that it is worth empowering local communities to try the full range of responses, including curtailing individual rights and liberties in reference to alcohol.

The CHAIRMAN: Could you describe what the community wanted in Newman?

Mr T.G. STEPHENS: It will not come rolling off the tongue, but it was in reference to the installation of technology for that community, which was a card-based system modification of the Alice Springs experiments in this area in which people accessing the alcohol outlets would need to present identification. Then the people who fell into the risk categories or who had ended up being referred to panels that would say, "Sorry, no, you have got a problem and you are not going to get unrestricted access to alcohol" —

The CHAIRMAN: I have met with the GP from the area there and I think I have agreed to meet with the council from that area to discuss that issue.

Mr T.G. STEPHENS: Are you thinking of Dr Randy Spargo from the —

The CHAIRMAN: No, it must be another GP from the area.

Mr T.G. STEPHENS: The GP for the Mardu mob is based at Jigalong, but he is a man of extraordinary experience whose work is with all of the Mardu mob, including those who come into Newman. The Mardu mob have the significant interface issues. We should not be surprised by that. This is relatively recent contact: firstly, with us and, secondly, with unrestricted access to alcohol. But it is pretty significant destructive stuff for so many.

The CHAIRMAN: When I discuss that with him, I might follow that up with him personally then.

Mr T.G. STEPHENS: My message would be to reinforce what Sanderson is saying and that is that we should be empowering local communities and trusting local communities with their responses to these circumstances.

The CHAIRMAN: What does he mean by regional governance?

Mr T.G. STEPHENS: I think that the task of fleshing that out—effectively it is the recognition that in a region like the Pilbara or the Kimberley, there is so little local decision-making capacity or resourcing. I will give you an example: in the Pilbara the ports are the only locus of almost direct decision making with budgets where a senior decision maker is attached to the port and their line of command is directly to the minister. Every other agency of government, all of the decision makers, in reference to what photocopy paper you use and what pens you get, to less important things like alcohol laws—all that decision making is done here by a whole range of decision makers sitting on top of local people. The ports work absolutely magnificently and productively with localised decision making. How do you then put together a construct? My view is not necessarily to put together a new additional structure, but the opportunity to grab some of the existing armoury of governments and governance, like the federal area consultative thing or whatever it is called these days. It has got a new name —

Mr I.C. BLAYNEY: RDA.

Mr T.G. STEPHENS: The local development commissions, the local council, Pilbara regional councils—put that together in a new replacement structure that has the guaranteed income support and guaranteed decision making authority that leaves them free to respond to policy design and response and program design and delivery, instead of simply waiting for Perth-based decision makers to come up with solutions.

In my view, this is going to grow worse because of a whole range of things. I will be quite frank. I had the experience of being the Minister for Regional Development and we put in place the regional infrastructure fund. Once you put a fund like that in place, the Perth-based bureaucracies pull away from program delivery and say that everything has to come out of the regional infrastructure fund. That is currently happening in our regions, for instance, in reference to normal delivery of government services where the Perth-based decision makers now increasingly, even for alcohol programs and drug programs, send everyone off to royalties for regions to get anything done.

It is like the Perth departments see themselves almost as being departments for the metropolitan area and everything else has to come out of this. If you happen to be Indigenous and a remote regional person, “Well, no, we do not do that unless we have got special funding for Indigenous.” They will not do a thing sometimes. I am exaggerating the circumstance, but my view is that is an accurate description of what is happening. For Indigenous people living in regional areas the delivery of governance is critical.

The failure in this area is not so much the failure of Aboriginal people; it is the failure of policy design and government. This is not a party political thing. This is a failure of governments of all political persuasions and from every jurisdiction. It is based on the fact that government is doing this blanket policy making from a distance where it is not responsive to local input. Our regional communities are stripped of a lot of quality leadership that they should have, but if all the decision makers in every department are all based here in Perth, then of course we are going to have problems.

For me it is simply looking at things that do work, like the ports very successfully working, and you think: if they can work wonderfully—okay, they have got guaranteed income streams from their port users and the like, but we have got a massive flow of funds coming through the resource sector of regional Western Australia, but we do not have responsive governance strategies and policy design, program delivery, that is informed by a local viewpoint and led by local people into a

variety of different responses to circumstances, like alcohol and drug issues, which are a symptom, I think, of powerlessness.

I think regional governance is one of the ways of responding to powerlessness. Powerlessness can be responded to by getting on the grog and I think that is what happens. Alcohol is a response to people who simply give up. Alternatively, if you are empowered by a real opportunity to move into effective decision making, then that is a very effective diversion program as well as being part of the challenge of the human condition to be in control of your own destiny.

The CHAIRMAN: Do you see that there are any additional alcohol and drug problems caused by the people working in the mines within the Kimberley and the Pilbara?

Mr T.G. STEPHENS: The presence of larger populations does bring consequent social impacts and I think that any development does bring social impact. I do not think that is an easy question to answer other than in that sort of general way. Can I just take you back, again because of the long years—I was working for the Warmun community at Turkey Creek at the time when the Argyle deposit was discovered and in that role as a community employee I started to realise that this deposit—the community had no experience of diamond mines or mines. Little tin mines we knew but the community had no concept of what a big mine would be like or what a population would be like.

[9.30 am]

As it gradually dawned on us what we were facing there, the community formed the view that they did not want that workforce to be a residentially-based workforce living in their area, because of their fear that it would impact on their lives, including the increased flow of alcohol and so on. They were motivated by their observations of places like Roebourne, where they saw alcohol land, as they saw it, as a consequence of a residential-based workforce. Their instructions to us were, “Go fight residential-based workforces”, so we campaigned for the cause of fly in, fly out before it was even known by that name. Retrospectively, looking back on that, that was a shocking short-term strategy because it meant that there was no engagement of local people in the equally significant thing of opportunities to be educated, trained and employed in that operation. It took a couple of decades before the community found pathways into significant engagement—the Aboriginal community—into that mine. I think that case study is an interesting case study of people starting off and saying, “Yeah, there is going to be a negative impact that is going to come from increased population, let’s not have a residentially-based workforce.” Over time they have thought, “Hang on, the only way that we are going to be connected to the modern economy will be by finding pathways that are diversions away from destruction, and that will be through connection with the economy.” I hope that you find that an interesting little story.

Mr I.C. BLAYNEY: Just as an aside, when your electorate was —

Mr T.G. STEPHENS: Central Kimberley–Pilbara.

Mr I.C. BLAYNEY: What was in it?

Mr T.G. STEPHENS: I had Halls Creek, Fitzroy Crossing and the Warmun community. So it was all the —

Mr I.C. BLAYNEY: Fitzroy Valley?

Mr T.G. STEPHENS: I had most of Fitzroy Valley; I think I had just about all of it. All of Fitzroy Valley; I had Looma. The only thing that Kimberley had left in it were the shires of Broome, Wyndham–East Kimberley and Derby—an interesting configuration. Derby–Mowanjumb is a sort of configuration, but I had the rest. I have represented the Kimberley region for almost 25 years, because I had the seat of, firstly, North Province and then the seat of Mining and Pastoral. I started off my political life in Kununurra and then my parliamentary life in the Pilbara, working back.

Ms L.L. BAKER: Tom, you talked about the need for regional control and ownership, and the capacity for flexibility at a regional level in both the structure of service delivery and perhaps the allocation of funding into those services as well. If you were going to say, “And by the way, if you do that regionally, this is the model that you should choose to channel funding to,” have you got a view about how the framework should look? We have heard from Sanderson, but were just wondering —

Mr T.G. STEPHENS: No, not a clear one. I do think it is the gap in the discussion at this point, that there has not been anyone, with a specific model for it. Personally, I think what a courageous government would do would be to try to pilot one in one of the regions of the state, and to actually either pick the Kimberley or the Pilbara and have a crack at this and say, “This will be a pilot of regional governance”, and really have a go at it. You could do it for either of those discrete regions; there may be other regions for which it would work. Sometimes I look at the Western Desert—the area that is completely neglected by government, everything sort of east of Kalgoorlie and south of Halls Creek. All that stuff simply begs an alternative way of responding to that. But, you could pick any or one of those three locations and say, “Let’s try something as a pilot.”

There is another one that government could pick up; you could actually pick up the Fitzroy Valley itself and try this more thoroughly than what has been tried to this point. I think again that this is another good example of something. That valley created the Fitzroy Futures Forum itself. It was its response to its observations of these problems. I think it is the only example anywhere in the state where significant Aboriginal and non-Aboriginal players within a community come together and are constructing their strategies for that valley. If governments were not confident enough to try a pilot on a vast region, you could actually go and pick up the Fitzroy Futures Forum and say, “All decision making now, for that valley, is with that Fitzroy Futures Forum”, which is a large table where all the voices are being heard and decision making is being effective. Yes, there is a divergent and dissident viewpoint, but the fascinating thing about that community is that those dissident voices are being heard at that table; they are being seen for what they are locally, and then what is happening to external decision makers is that you will see those same dissident voices lobbying us in the parliament, independently of that forum, for strategies for which there is no majority support within the community, because there are vested interests. That forum, in my view, could be the basis where you would experiment with a subregional governance structure and leave the decision making with that group—or as much decision making as you could devolve down into it. To have the Parliament equip it with the responsibility for liquor licensing would be just a wonderful opportunity. You can imagine what the neighbouring communities will say, “They have solved their problem, but you have created one for us.” For me then, those communities have got to rise to the challenge as well. The Broome community has to rise to the challenge of what they then do in the circumstances that they describe. At the moment, I do not know whether you have observed this, now government is saying, “Oh well, we will have a restrictive environment for Broome as well”, and the vested interests of Broome are very voluminous. These are very cashed up interests; these are people for whom decades of benefit have flowed into their coffers, and they are well-resourced people. Some of them are my friends, but they are people who have benefited from sustained periods of time from a hugely destructive industry. Most industries have to pay some of their way.

Mr I.C. BLAYNEY: What do you call hugely destructive industry?

Mr T. G. STEPHENS: The flow of unfettered alcohol into the circumstances of social despair, where it is just flowing in in vast quantities and destroying large numbers of people through the unfettered access to alcohol amongst people who have lost their capacity to control the flow.

Mr I.C. BLAYNEY: So are you talking about liquor restrictions in Broome?

Mr T.G. STEPHENS: I would be saying to that community, “Don’t try and get Fitzroy Crossing to drop their restrictions, create something that works in your community and that has the support of

your community. Don't be expecting us to just simply roll back Fitzroy Crossing because it causes some discomfort for your community. Get your own act together as a town and find a way of responding to the fact that there are people that are coming into your community", in my view not in the vast numbers that they like to spruik. There are clearly increased numbers of people coming in, but manageable numbers not inconsistent with past patterns.

Mr I.C. BLAYNEY: So what would you have them do? What would you suggest?

Mr T.G. STEPHENS: I am not going to go down that path, other than saying for them to use every piece of their intelligence to respond to their circumstances themselves. "Find a way to make something work in this community for you. Spend less time on the airwaves, in the Parliament and with ministers lobbying and instead focus on the fact that there are communities around the world that have to deal with these issues. Look at each one and find the elements that you can pull out and use in our community." I might be squibbing this, but I think that for someone who is talking about regional decision making, I am not going to go and point out the blueprint. I was not the person who came up with the Fitzroy Crossing solution. Sorry, delete "solution"; Fitzroy Crossing response. That was a locally designed response to a set of circumstances and that is where its power comes from. I think that the moment an external agent for the Broome community says, "This is what you should do", is a recipe for disaster. Instead, you have got to say to that community, "Design your own response for this set of circumstances and implement it. Increase your level of comfort as community."

Mr I.C. BLAYNEY: I spent an afternoon wandering around Broome. Among other things I spent a while in one of the local liquor stores. It struck me that both the liquor store and 95 per cent of the clientele were virtually identical to the equivalent liquor store in a suburb probably like, one of these comfortable middle-class suburbs.

Mr T.G. STEPHENS: Ninety-five per cent; it is a 5 per cent problem issue?

Mr I.C. BLAYNEY: I am just saying that 5 per cent of the clientele are probably the people who have got the problem with the alcohol—probably some of them would be white, not Aboriginal people. I think for the community, bringing in some kind of restrictions would actually have little or no effect, but they see it differently. At the same time, you are not dealing with a normal Kimberley community; you are dealing with one that has 8 000 or 10 000 people, permanence, and it is heading for 15 000 or 20 000. It is pretty hard to impose those restrictions on everybody.

Mr T.G. STEPHENS: That is why I would say, "Design something locally." I am not saying that restrictions are the only way of responding. For instance, the benefits that come from having a liquor licence in these communities—there is no poor owner of a liquor licence.

Mr I.C. BLAYNEY: I think that one was actually owned by Coles or Woolworths.

Mr T.G. STEPHENS: Good, an even better example. We as a Parliament empower our governments to give out amazingly profitable licences to sell alcohol in places where there is huge social cost. That licence delivers into our hospitals, our jails and our court system massive costs. In those locations where that cost is quite clearly huge, regional and local communities might say, "We want to have extracted from that industry user-pay principles. You have got this licence to print money, you are causing this cost; we want your contribution towards the diversionary programs, the counselling programs, the AA meetings and the Milliya Rumurra centre." In Fitzroy Crossing for instance —

Mr I.C. BLAYNEY: See Fitzroy is different. You can do things in Fitzroy that you could not do in Broome. That is what I am saying. That was my observation, that mechanisms that would work in Fitzroy Crossing by the nature —

Mr T.G. STEPHENS: We are saying the same thing. We are both saying that you could not do the same thing, but you could say to the Broome community, "This is your issue as a community." My

observation of regional development, the challenges of regional development in Western Australia—why are some of our towns not able to grow naturally?

[9.45 am]

My view is that it is not just simply the weather. It is because dysfunction, rooted in the challenges of the original community, in large measure connected to the dysfunction that flows from alcohol abuse, is the biggest contributor to making our regional towns unattractive places for many, many people to be, including Aboriginal families who hate this dysfunction. If that is the worst issue that they have got that is limiting their own capacity for a pleasant life, then an empowered community would start finding solutions that can engage people on pathways away from alcohol abuse.

Mr I.C. BLAYNEY: I understand that in the Territory they use a card system. Is that right?

Mr T.G. STEPHENS: I understand that there are a variety of responses in the Territory including a card system. If you are asking me if I think you should recommend it, all I am saying to you is recommend local communities be empowered to create their own responses and experiment with responses. If Broome wants to adopt some sort of card system and it is able to build up a consensus around that, then find a way through this, but do not expect the local MP or the committee to be able to create the solution for every town. I think we have got to say to every town, “Find your creative response to this.” Make the people who are connected to the liquor outlets sit with the people who are caught up in the dysfunction—Milliya Rumurra alcohol centre, alcohol and drug people, the Aboriginal leadership—and make those people come up with solutions for this that will work in those communities. There will be winners and losers out of this, but ultimately the majority will be winners when there is something that works and that meets that town’s needs. That is the best I can do, really, as a response to those queries.

Certainly there is a range of things happening—cards, restrictions—but missing from the weaponry is direct contribution. When I could see what was happening in Halls Creek and Fitzroy Crossing, I kept saying to the owners of the liquor licences, “Your days have to be numbered. You are not going to be able to just keep creaming it off.” I watched some of these people arrive in our region with bare-arsed jeans; people came in with absolutely no money at all until they got a liquor licence. Now they are extremely wealthy and powerful people. All I say in those circumstances is, “Fair go. The rest of us bear the cost of this. How many funerals does the community have to go to before your earning capacity is distributed to respond a bit to the circumstances that you are part of?” In my frank conversations with people I say, “A fair suck of the sauce bottle. Give us a break.” They did not want to do a damn thing. So for me, when the restrictions emerged out of those communities, I thought, “Fair enough; they had their warnings. I gave them to them and they resisted those warnings.” In Broome, they are powerful people who own the liquor licences—Woolworths, Coles and independents there. They are powerful, well-connected people, and they are charming and persuasive.

Mr I.C. BLAYNEY: The irony is, of course, in Fitzroy the thing is owned by an Aboriginal Corporation.

Mr T.G. STEPHENS: It is a huge irony but, nonetheless, the same point still stands, and that is why I say that it makes me more comfortable pressing the point, because even with Aboriginal ownership they do not necessarily get —

Mr I.C. BLAYNEY: They know they could buy the thing and shut it down.

Mr T.G. STEPHENS: Correct.

Mr I.C. BLAYNEY: Then their problem is going to move or there will be a vacuum there that someone is going to fill, I suppose.

Mr T.G. STEPHENS: And just another little quick thing. The local roadhouse was called Harry’s Place at Turkey Creek—before we managed to get the name of Turkey Creek changed; it is now

called Warmun—and was about to be sold. The community was scared to death that it was about to be sold into the hands of somebody who would try to get a liquor licence right next to their community. The owners at the time made it quite clear that they did not want to sell their roadhouse to Aboriginal people—it was the way of the 70s—and so I had to construct a blind company that had all the looks of a non-Aboriginal entity and put in an offer. We bought the thing for the Aboriginal community, specifically to make sure that it would never get licensed. The community's desire was to just keep alcohol away from their community. That community has persisted with its profound opposition to it, but that has not been an easy pathway because it just means that alcohol is carted. But that is their preferred response; they do not want to have any local alcohol sales. People would experiment with a variety of different responses. I am not opposed to the concepts in some places where Aboriginal people say, "We need also to have in some of our remote communities the opportunity to be experimenting with the sale of alcohol within our local places." I have never seen it work, but I think that, again, it is empowering people to have a crack at this. Actually, there was one place where it was working, and that was at Lombadina Djarindjin, where they were selling alcohol in a restricted environment into their community. That was in breach of the liquor laws and they have been prevented from doing it now. That is the only place that I have seen anywhere in the country work, because it has been tried at Yarrabar, Arakoon and Wadi. Typically it has been —

Mr I.C. BLAYNEY: It has been a disaster.

Mr T.G. STEPHENS: Typically, it has been a disaster. But here again, one location had a crack at it and it functioned by virtue of geography and personality, yet because it did not fit within our liquor licensing laws, the police, who had been invited into the area by the Aboriginal leadership, then enforced laws to shut down the leadership's creative response to this situation and, in my view, caused problems. So regional governance: Sanderson's message I think is the most profound message we have got for all of us, but you look at what that means; it means for us that as parliamentarians, the ministers we create and the governments we create surrendering to regions, and the opportunity for doing that you cannot imagine being easily taken up.

Mr I.C. BLAYNEY: The other person who said that very recently was Fred Chaney, although he came out and was strongly supportive of royalties for regions; he said it was the first program that almost reversed the trend for decades.

Mr T.G. STEPHENS: I am a supporter of the concept of royalties for regions. I think that it could be the underpinning for a substantive change. I think that by itself, without regional decision making, if it is just simply the cashing up of Santa Claus from Perth running around chucking out bucket loads of money, then that is destructive.

Mr I.C. BLAYNEY: I can only speak about my area, where the commission uses a very strong formula that seems to be almost totally impervious to political interference. It seems to be being done very well in the Mid West.

Mr T.G. STEPHENS: My view of it is that if royalties for regions was underpinning structural change and about good solid regional governance structures, then I think it would be a wonderful recipe.

Mr I.C. BLAYNEY: That will be the next phase I think.

The CHAIRMAN: Can I ask you: how are the section 175 bans working in the Pilbara?

Mr T.G. STEPHENS: I think unevenly. Again, just because things are uneven does not mean that you do not keep trying and persevering with things.

The CHAIRMAN: One last question I have for you. You kind of frightened me a little bit with your earlier comments when you talked about the problems that were introduced with the America's Cup, because last night I supported in the house the minister's extension with the Liquor Control Act for the limousines and the chartered vehicles to the country areas. When the committee visited

the East and West Kimberly it was frightening to hear about taxi drivers who would pick people up around the corner from the liquor outlets and charge them on their cards, because people could not buy alcohol with cash but could get it on their cards. They would charge them on their cards for a taxi or something and they would get their petrol or, in other places, where they had to have so many Aboriginal people in the car to be able to buy so much alcohol, they would drive to particular places and load up the truck with Aboriginal people, so that they would have a dozen Aboriginal people. They would drive to the liquor outlet and purchase however much alcohol they could for that number of Aboriginal people. When you were saying about the problems that were introduced into the Aboriginal areas because of the America's Cup, I have been wondering, with these chartered vehicles, are we going to be causing a problem in Aboriginal areas? Have you yourself, coming from those areas, thought about the implications of those chartered vehicles in relation to Aboriginal communities?

Mr T.G. STEPHENS: That just throws me straight back, Janet, to the wisdom of what you have had put to you before by Sanderson. Again, you might say I am squibbing it, but I am just simply saying to you that I think it is impossible for us in Parliament, with a state like ours, to think that we can cover this terrain. The most useful legislation that can arise in the Parliament is stuff that empowers local regional communities to construct the policy framework that responds to the circumstances that you have expressed fear about. So rather than allowing whatever works in Perth with chartered vehicles to just simply apply, I think there is enormous value in letting regional communities be able to opt in or opt out of the provisions. Now, has that happened? I think the only example of it is in reference to retail trading hours, isn't it? It is almost the only example where we have got a different set of circumstances for the metropolitan area to what we have in regional Western Australia. I cannot think of another statute where the rules that apply in the regions do not apply in the metropolitan area. But what is wrong with that model?

The CHAIRMAN: It may be that even within the regions, Tom, it needs to be broken down even further, so that even applying for such a licence within the regions, you have to maybe go through a set of criteria, so again that licence is not going to be abused.

Mr T.G. STEPHENS: I am happy with those concepts, but trying to do that from Perth-based decision making, or blanket regulations that apply across the state, I do not think is the way to go. I think that the profound wisdom of Sanderson's observation is that regional governance will make a huge difference in these areas. If our committees were just simply propelling governments to do it—this is not just the state government—to propel the federal partnership, so that we pick a region. Maybe you want to pick a powerhouse—perhaps the Pilbara powerhouse—and say, "Let us have a crack at this. Let us try something different." It is simply wrong that with the massive wealth that we are generating out in that region and the neighbouring regions, cheek by jowl with that the human destruction that goes along with alcohol excess, abuse and overuse and with drug use is self-evident. So trying something different, whether it is the chartered vehicle issue, regional governance would respond to each of these sets of circumstances and find solutions that attack. Concentration spans of Perth-based decision makers will just not carry the distance necessary to meet issues that are profoundly entrenched challenges. These are issues that require huge focus, every amount of one's intellect and every amount of one's compassion and heart, and bureaucracies based in Perth do not seem to have that combination.

The CHAIRMAN: Is there anything that you would like to add, Tom, before I close the hearing?

Mr T.G. STEPHENS: Only to say how appreciative I am that committee members would spend time letting me shoot the breeze with them.

The CHAIRMAN: Thank you very much for your evidence before the committee today. A transcript of this hearing will be forwarded to you for correction of minor errors. Any such corrections must be made, and the transcript returned, within 10 days from the date of the letter attached to the transcript. If the transcript is not returned within this period it will be deemed to be

correct. New material cannot be added by these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, please include a supplementary submission for the committee's consideration when you return your corrected transcript of evidence. And again, thank you very much for appearing before the committee today.

Hearing concluded at 10.00 am