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NORTHERN TERRITORY OF AUSTRALIA

CORONERS COURT

A 51 of 2019

AN INQUEST INTO THE DEATH

OF KUMANJAYI WALKER

ON 9 NOVEMBER 2019

AT YUENDUMU POLICE STATION

JUDGE ARMITAGE, Coroner

TRANSCRIPT OF PROCEEDINGS

AT ALICE SPRINGS ON 10 MARCH 2023

(Continued from 09/03/2023)

Transcribed by:
EPIQ

BRETT WARREN:

THE CORONER: Thanks for coming back, Mr Warren. I'm not sure which (inaudible).

Yes, Mr O'Brien.

MR O'BRIEN: Thank you, your Honour.

THE CORONER: (Inaudible) witness. Whose (inaudible) it's the end of a long week.

XXN BY MR O'BRIEN:

MR O'BRIEN: Good morning, Mr Warren. My name is Connor O'Brien, and I act the the Parumpara Committee. Can you see and hear me okay?---Yes I can.

Mr Warren, just for your benefit, the Parumpara Committee is a group of leaders from Yuendumu, who formed in the wake of this shooting, to advocate for various justice reforms. Do you understand that?---Yes I do.

And just for your benefit, my client is really predominantly focused on how things in Yuendumu can be improved, moving forward. And it's to that end, that most of my questions will be directed today, okay?---Okay.

In fairness to you, we will be making certain submissions about the current state of housing in Yuendumu. And I just want to give you the opportunity to respond to those things. The first one is that we will be submitting that housing in Yuendumu is presently deficit, both in terms of quality and quantity. Do you agree with that? ---I agree that we don't have enough housing at Yuendumu, and I've spoken a little bit already about the housing investment. There's a commitment to build new houses there, to try and relieve overcrowding.

So that goes to the quantity aspect of what I was asking. I just want to be absolutely clear, that we will be submitting there are currently houses in Yuendumu, that are occupied, that are of a standard that would be considered – so would not be considered acceptable for social housing in today's society. Do you agree with that?---I agree that we have houses that are deficient in Yuendumu. I've spoken a little bit yesterday about the Room to Breathe Program, part of the intent of that is to re-service and upgrade houses that are no longer to standard.

All right, and we will also be submitting to her Honour, that the present day deficiencies in housing in Yuendumu, has been borne of decades of underinvestment and policy failures, do you agree with that?---I agree it's a very complicated issue delivering housing into remote communities. I'm aware there's been a range of different policy settings, and spoken yesterday about the fact that we have got a long-term construction plan, which needs support from other Dept. – other governments, to keep it moving long term.

All right, I'd like to ask you a few general questions about the houses that are currently in Yuendumu. Mr Warren, do you know how many new houses have been built in Yuendumu in the past say, five, ten, 15 years?---I'm aware that before the current - - -?

Yes, that's right?---Yep, I'm aware that before the current program, there was a program called the Strategic Housing Investment Program. It ran on the back of what was said through the Intervention. And that program saw 30 new dwellings built. As well as a refurbishment program for existing houses.

And over what time period were those 30 new dwellings built?---I think the last houses were handed over in around 2012 – 2013.

So between 2012 and 2013, that is in the past ten years prior to the current program, have there been any new houses built in Yuendumu?---There's been new houses built last year, the first phase of the new construction program.

I think you said yesterday that the cost of the new housing program, to build a new house in Yuendumu now, is about \$550,000 for a three bedroom house, is that right?---That's – that's roughly correct. That's the price of the house only, it doesn't factor in the cost of sub-division and underground infrastructure works.

What is the life span, or expected life span of those houses?---So we're building to a life span of 30 years. And that – that's about the frame and the shell of the house, and do acknowledge they are built that way so can refurbish or – that is required.

Does the Department do routine maintenance of those houses?---Our Department does routine inspections of the houses, and we make maintenance referrals to the Department of Infrastructure, who use contact with – through the lawyers.

What I'm talking about by routine maintenance, as well as fixing deficiencies or things that are broken in the house, is preventative basis, on a routine basis, to make sure that things don't break in the first place. Does the Department do that kind of maintenance?---We do. The most recent round of contracts that were released for our maintenance providers included a provision for preventative maintenance inspections. Those inspections have partially occurred. I can't give you advice today about the number in Yuendumu, but I could take that on notice if – if you like.

I'd be grateful if you did do that. How often do those routine maintenance inspections occur in a community like Yuendumu?---So just to be clear, our – our staff who does sanity inspections, which includes looking for maintenance issues, and they do that at least annually. The – the new provision in the contracts around preventative inspections by a technician were commenced last year.

Has the Northern Territory Government done a review as to the investment required in Yuendumu to bring the housing up to an acceptable standard?---We've allocated

investment for construction of new, and replacement houses. And for repair or refurbishing those that are most in need.

I understand that Mr Warren, but that wasn't what I was asking. Has the Northern Territory Government done a review as to the investment required, to bring the housing standard in Yuendumu up to an acceptable level?---I think what you're referring to is what's known as deferred maintenance, which is when there are maintenance issues that aren't repaired immediately. That can also include end of life replacement to things like kitchens and bathrooms, which have a time – a time limit on them, and need to be replaced from time to time. I could – I don't have any information about the total value of doing that kind of work.

So you don't have a – setting aside what has been already pledged, the investment that's already been pledged in the programs that you've spoken about, you don't have a figure on the quantum that is actually required to bring all of the housing in Yuendumu, up to a sufficient quantity, and sufficient quality, is that right?---I can't – I can't give you a definitive figure. I can tell you that the investment that we've spoken about is framed around need. It's framed around the overcrowding figures that we understand, and that are jointly acknowledged by the Land Council. The program includes construction of new homes, refurbishment of existing. It has a contribution for maintenance. And as an indicative figure I can tell you that we've spent about \$1.3m on repairs and maintenance outside of the replacement program in the last 12 months.

Do you think that there would be merit in doing an audit of the housing stock in Yuendumu and coming to a definitive figure of what the scale of investment required actually is?---It would be helpful to have more information about repairs required.

Would you say that it's essential?---I think it's about understanding the difference between a scope of works and the costs of the works required. I think I would say that our inspections of houses detect issues that require repair. Our inspections by our technicians detect issues where replacement or end of life turnover is required. And those works need to be scoped out and the cost of the scope is only valid for a limited period. So it's a piece of work that's ongoing. It would be difficult to provide a figure that was the full figure for every house at a point in time, because it would only be valid for a 30-day period until quotes expired.

Couldn't you say though that the centre says there's 740 people in Yuendumu, this is the number of houses that are required, this is the quality of house that as a Department we deem is acceptable and this is the level of funding that's required to get it up to that level?---I think that we've already published information about overcrowding as we understand it and the government's set a policy direction about an investment to reduce overcrowding. I think given the size and the numbers that we're talking about, described a \$2.1bn program. There's always room for more investment. But that would be a government decision rather than a Department decision about investing more.

And you understand that the difference in what I'm asking you about is not the amount of investment that's being promised by a state or federal government, but about the investment that's actually required to fix the problem?---I understand the difference and I agree that it would be helpful to have more information about unknown or undetected maintenance and the cost of that.

I think you agreed with me earlier when I put the proposition to you that there are currently occupied houses in Yuendumu that are below the standard that you would consider acceptable, is that correct?---Yes.

Do you have any idea of the number of those houses that would be below that standard?---We have 23 houses that are scheduled to have refurbishment in the community.

That wasn't the question, Mr Warren. The total number of houses that are below an acceptable standard, currently occupied houses that are below an acceptable standard. Do you know the total number of them?---There are 23 houses that have been identified that need to have a refurbishment due to their state.

And is your evidence that those are all of the houses, those 23, constitutes every house in Yuendumu currently occupied that is below an acceptable standard? ---Those are all the houses that need significant works. There are always reports of maintenance that need to be responded to. So I would need to clarify that there are other houses that have potentially open repairs and maintenance orders against them that need to be resolved. So the house is a suitable house but it may require repairs to fix something that's been reported.

Do you know how long those houses have been below an acceptable standard? ---The 23 houses that were identified for refurbishment have been known since last year at least. I spoke a little bit about some of the challenges that we've had about mobilising the construction program in Yuendumu. We have had delays there due to the water scarcity issue and the need to resolve that first.

Mr Warren, I want to focus in particular on three areas where my clients hope improvements might be made with respect to housing. And just to let you know where we're going, the topics that I'd like to cover with you are local decision making and control over housing, the affordability of housing and the sustainability of housing. Okay. The first thing that I'd like to focus on with you is the choice that local Aboriginal people have with respect to the housing in Yuendumu. You would agree that it's fair to say many residents in Yuendumu are wholly reliant on the Northern Territory Government for the provision and maintenance to their houses? ---That's correct.

There's no competitive housing market in Yuendumu, is there?---That's correct.

We heard evidence in this inquest two days ago from Dr Hinkso and during the course of that evidence there was a report that was referred to that was prepared by Dr Coombs and Professor Stanner on Yuendumu and Hooker Creek. And that

report was from 1974 and made certain recommendations about improving living conditions in those communities. One of the things that Dr Coombs and Professor Stanner said in 1974 about housing in Yuendumu was that the policy in respect of housing of sedentary communities be based on support for housing associations with maximum local involvement in management, manufacture of materials, design and construction. Do you agree that it's important that the local community is involved in the design, construction and management of housing?---I do agree with that.

You've given some evidence about the role of the Housing Reference Group in Yuendumu and I think you said that that group met twice a year. I'd just like to understand with you precisely what the Housing Reference Group is involved in and how much say they have over the design and management of houses in Yuendumu. Does the Housing Reference Group decide which families are allocated to particular houses?---The Housing Reference Group provides advice about that. We certainly respect their advice about things like family relationships, cultural challenges and other disagreements that we need to factor into allocations.

Does the Housing Reference Group decide the location of new houses?---They're certainly involved in the planning process around that. If I can give you an example of the limited influence they can have. In Yuendumu we are constructing what we call in-field, so finding places where we can establish more (inaudible) footprint. So that's necessarily a limited number of options where we can construct because of the infrastructure limits. The HRG are consulted about where those potential sites are and provide input into how we prioritise across the sites we've identified.

Just with respect to how that consultation plays out in practice when you're meeting with them twice a year. Is it the case that you meet with the Housing Reference Group at one point in time and say we're going to build X number of houses, this is where we're thinking about building them, what's your input and then do you return subsequently for a further meeting to hear that input? Or how is that input collected and factored in just as a practical question?---Certainly. So across the Territory we've had nearly 800 consultation meetings with the communities that we're building in. In Yuendumu I think we've had 13 specific consultations with that community and this program about the plans for construction and refurbishment.

Over what period of time are those 13 meetings?---Those 13 meetings are in this current program. So they've started since 2017-18. Those meetings involved our infrastructure in bringing out site maps that are printed to a large scale, bringing out 3D models of proposed house designs and bringing out information about the availability of land from a technical infrastructure point of view so that the community can understand what's available and why. And then to hear feedback from them on which sites would be preferred, what type of housing would be preferred and what configuration of housing would be preferred. And by that, I mean whether we preference larger houses or smaller houses, or a combination of both.

Is the housing reference group involved in decisions about whether to allocate funding to building new houses or repairing or refurbishing existing houses?---The

housing reference group will receive advice about the technical assessment of houses, so whether a house is end of life and suitable for replacement, versus one that's suitable for an expansion, so that they can understand the mix and the responses that we can offer. Sometimes we have discussions with the HRG about whether a house should be replaced and we provide them with information about the technical part and whether or not that would be appropriate from a technical point of view. They provide advice to us about where to preference the refurbishments. They sign an overview of the kind of funding that we've got available.

And what about the involvement in the actual architectural design of the houses? Does the HRG play a role in that?---So we operate from the remote community housing design guidelines which I touched upon yesterday. That is a set of instructions that are issued out to contractors who are contracted to build new or replacement houses. The design guidelines have been developed partly through feedback from community and partly through experience of the department about challenges that we experience with different house designs.

When you say "feedback from community", are you talking about feedback specifically from residents of Yuendumu?---From all communities.

And did that involve residents from Yuendumu?---The 2019 guidelines were written before my involvement, but I understand that it included feedback and themes from each of the consultations that occurred.

And the reason I'm asking, Mr Warren, is this inquest has heard evidence for a Bruno Wilson who said that, "The houses are not designed according to Yapa way of life. The housing itself, the architecture, the designs, they don't suit Yapa."

And just for your Honour's benefit, that's at transcript page 3781.

Have consultations been done in Yuendumu as to whether the housing stock is culturally appropriate?---I can't speak to what was discussed in those consultations, but we have shown design drawings and 3D models of the house options to each community so that they can look at and feedback. To some extent with the public housing program, we've got limited options to completely change designs. We're trying to build efficiently across over 50 sites at the moment, so we've got some limitations on how we can make adjustments. But we do direct feedback into those design guidelines as they are updated periodically.

And what about sort of simple examples like, there might be certain kinship relationships where residents can't be in the same room as each other, so a house might need to have multiple living areas or multiple points of entry/exit, things of that nature. Is that something that can be accommodated in the design of the houses that have been shown to the local community?---So some of the things that have been factored in already is the use of – well to make sure that there's multiple entrance and exits, that's a standard part of the design. To make sure that for houses of the right size, that there's multiple bathrooms and toilets. There's a requirement as a normal standard of privacy locks on doors to make sure that there's

an appropriate amount of privacy for different genders and different family groups. And we can take advice about orientation of houses on blocks and design of houses on blocks. One example that I can give you is that sometimes when we see a larger parcel at one end, we might assume that a high yield house, so five bedrooms, is the right choice, but upon feedback from community, we might instead elect to put a duplex there, which allows the family to live together in a larger configuration but give privacy between groups. That's some of the types of feedback that we can respond to.

And what about landscaping around houses. First of all, is there landscaping included when a new house is built in Yuendumu?---So, exterior works include a driveway and concrete access to the front door, which is in line with our accessibility requirements. Contractors are also advised to provide an outside tap for garden maintenance and to plant six trees when the house is handed over.

And is specific landscaping done to manage problems with like dust, for instance, in the community around houses?---So the landscaping is limited to six trees or shrubs are planted in the garden at the time of handover.

And do the local residents get to select what those trees or shrubs are and where they're located?---I don't know the answer to the question about choice of plants, I'll have to take that on notice. The plants are put into the ground before the house is handed over by the contractor. It's part of their contractual obligations.

THE CORONER: Do any of those survive?---I beg your pardon?

Do any of those plants survive? If you go around Yuendumu now, I don't think you see six established plants in each garden. Do any of those plants survive?---So the introduction of having plants in the garden as part of the build has been running for about 18 months or two years that I'm aware of. I understand that the new buildings that were constructed in Yuendumu at the very end of last year have plants in the yard. In other communities where we've rented a few houses in the last 18 months, I've seen examples of the plants surviving and tenants enjoying taking care of their yard.

MR O'BRIEN: What about the involvement of local people more broadly in the delivery of houses, do you have any statistics around local employment in the construction of the new houses that are going on?---So across the program, Aboriginal control is a first preference for anyone who's doing construction or refurbishments for the government. We have about 50 percent of the providers who are building or refurbishing who meet that criteria. We're also required to have a local employment content in their program and overall, I think we're hitting over 40 percent in terms of local employment. In some, it's upmost – I apologise.

No, that – I mean all of that is obviously commendable, but when you're using the word "local" there, are you talking about local Warlpiri people or just Aboriginal people generally?

THE CORONER: Or not Aboriginal people? Is "local" Aboriginal, or is it something else?---So, local for our remote housing program refers to Aboriginal people and is – they've added that it's (inaudible) meant to refer to Aboriginal people from the community we're building in. One of the nuances I was going to share is that, for instance with our modular program, we are looking for modular builders who can employ Aboriginal people in a factory, as well as using Aboriginal resources when they go out to install at the site. So, a good example for us is the Rustic Brothers program. They are based in Darwin. They employ about 12 or 13 Aboriginal trainees as part of their warehouse program and they use some of those staff when they go out onsite, as well as employing (inaudible) for anything that they're working in.

MR O'BRIEN: Mr Warren, can I just bring you back to Yuendumu in particular. Do you have a number of the local Warlpiri employees engaged in the new housing programs currently being delivered in Yuendumu?---Again, I would have to take that on notice.

I would be grateful if you could. What about administrative roles, things that I'm talking about; assessing the rent payable on a property, the conditions of tenancy, determining the number of residents of a particular house, provision of tenancy support to residence, are local people involved in those roles?---Yes, yes they are. So generally speaking, we preference Aboriginal control organisations through the tenancy support service and we've got - about 50 percent of those organisations are Aboriginal controlled. In Yuendumu, the Central Desert Council is the provider for (inaudible) service, and the first response maintenance service. And we would – we would describe that as an Aboriginal controlled organisation, based on its elected membership. And their staff are involved in delivering those services that you just described.

Obviously, the elected memberships of that entity is – presumably predominantly Aboriginal people from the area, but what – do you know about the employees? Are the employees involved in the day to day administrative functions that you just mentioned?---My advice is that there is local Aboriginal employees working in the office of Central Desert Council, as well in their (inaudible) work force. But I have to take it on advice the exact number of employees at Central Desert.

I'd be grateful if you could, with a particular focus, just to be clear, on the provision of administrative support to the housing in Yuendumu?---Certainly.

You mention that the Central Desert Regional Council was first responder for repairs and maintenance. Yesterday you gave an example of a window taking six weeks to repair and being boarded up for that six-week period. Do you have data around the timing of other common repairs, that are presumably performed, things like a broken door, a broken stove, a toilet not working, how long these things take to get fixed? ---I can make some general observations. One is that the maintenance first response program is about providing a handy man service. So it would non-trade response. So where – where they can repair things like securing a broken door, or securing a broken window, or repairing a leaking tap, those kind of tasks can be

done on-site, as they're detected. The trades response work, which is work that has an electrical component, for example, that requires a referral out to a contractor that would be coming from Alice Springs, in the case of Yuendumu. And my general advice is that that can be taking an extended period. And we have seen some delays up to six weeks, just to do simple kind of work.

And does that hold true for plumbing, for instance, if there's a problem with the plumbing in a property that requires a trades person from Alice Springs, there can be a delay in fixing that problem?---That's – that's correct.

Mr Derrig asked you some questions yesterday about Northern Territory Aboriginal controlled housing entities. And he in particular was asking questions about the Anindilyhakwa Housing Aboriginal Corporation, and locally controlled entity that as I understand is transitioning into control of the housing stock on Groote Eylandt. Do you recall those questions?---I do.

Is it the aspiration that that entity will ultimately own the housing stock, and be responsible for leasing that housing stock to the community?---That's correct. So the proposal is that leasing arrangements will change. The NT Government will eventually step out of the relationship with one Land Trust and the community. And the housing entity that they've created, would hold those leases instead.

And they would also lease houses to Northern Territory Government employees living in the community, service providers in the community, non-government organisations in the community, is that correct?---So the Land Trusts across the Territory already lease houses – government employee housing to the Northern Territory Government. So we have head leases with the Land Trust to provide that accommodation. In Groote Eylandt, I understand their aspiration is to build a broader pool of housing, to support other types of industry, business, and also tourist operation. And they've spoken to us about being involved in leasing properties from them under that new program.

It's fair to say, what you're describing there is a locally controlled Aboriginal corporation building an economy around the housing stock, on the island, is that a fair description?---I think in part, they've got a range of other aspirations relating to industry and development out there. They need housing for their own plans, and they desire – they desire some certainty about housing being available for the delivery of government services as well.

Is it true as well that in Gunyangara or Ski Beach, there's a local Aboriginal corporation that holds the township lease and administers housing there?---I believe that's correct, yes.

Could you just explain to her Honour, what would be the process for Yuendumu to adopt a similar model?---So if there was a desire for the community to take greater control of the delivery of housing service, if they were aiming for the model that Groote Eylandt is operating, they would need to stand up and register community housing provider, who would be suitable to hold the leases, and to operate under the

national standard. So that would require them to have a range of policies in place around the management of the housing program. And it also requires them to meet financial obligations. One of the challenges that we're working through in control of remote housing is trying to find a commercially viable model, so that providers can operate and stay in the black, but recognise that there is a high cost burden on operating in remote locations. So the kind of – the headline for Yuendumu, if they wanted to deploy what's happening in Groote, would be to stand up a community housing provider, and – and go from there.

Obviously, such a process would take time. There'd need to be capacity built in, there'd need to be funding, it – obviously a complicated process, but I'm not going to go into detail with you about, but if the local community wanted to pursue that, to have a registered local community housing provider, providing social housing in the community, is that something that the Northern Territory Government would be open to assisting them to do?---We certainly are. And through our local decision-making engagement with communities across the Territory, we've been building in aspirations around – or building in a reflection of the community aspirations about greater control. I'm aware that there's local decision-making negotiations going on in the moment in Yuendumu. I'm not aware that they're well progressed yet though. I would certainly be happy to support that shift towards increased local control.

I'd like to ask you a few questions about the affordability of housing in Yuendumu. Do you know, on average, how much people in Yuendumu currently pay in rent? ---I couldn't tell you an average figure for the whole community, but I could give you an advice, based on the size of the house. So we charge rent at a flat rate for remote community housing. It's based on a number of bedrooms. So a – and it's \$70 per bedroom. So a three bedroom house would be \$210 is the flat rate of rent.

And how does that compare with rent paid on social housing in Darwin, for instance?---Social housing in the urban centres in the Northern Territory is based on percentage of household income. And for people that earn over the minimum, they are charged the full commercial rate for a house in that area.

That \$70 per bedroom, that's per week, presumably?---That's correct.

You were talking earlier about 23 houses currently occupied in Yuendumu that is – that you consider below an acceptable standard. Are the residents of those houses currently paying rent for them?---They are.

Is it appropriate that residents of Yuendumu are paying rent for houses that are considered below an acceptable standard?---We – we (inaudible) on all houses where we have a tenancy agreement in place. I've identified that those houses are scheduled for refurbishment. We don't – we're not aware of anything that would prevent someone from living safely in those houses, as they wait for the refurbishment. When – when the refurbishment commence, they'll move into transitional accommodation. We don't levy any rent in transitional accommodation. We don't make any charge to power or water. When the house is completed, the family then moves back in and recommence paying rent.

When a family are waiting for six weeks for a window to be repaired, or plumbing issue to be fixed, or an electrical issue to be fixed, do they receive a rent reduction for that period?---No they don't.

I understand that your Department has been conducting a review on renting paid in remote communities and planning to introduce a new remote rent framework, is that right?

THE CORONER: Can I just ask a question. So for example, if a window is broken in a bedroom, where there may only be one window, that window can be boarded up and they're still required to pay \$70 a week for that bedroom with a boarded up window which may well be almost uninhabitable?---If a window has been secured with boarding up, yes, they would still be asked to pay rent.

MR O'BRIEN: Do you think that's fair?---Our position is that the house has been made secure and we've initiated the reasonable process of getting the glazier in to come and replace the glass.

Your Department has been conducting a review on rent paid in remote communities and introducing a new remote rent framework, do you know what the impact of that is going to have on houses in Yuendumu? Is the rent going to increase, decrease, stay the same?---The new framework started on 6 February and on average we think about 60 percent of people's rent will go up and the remainder will go down or stay the same.

And for those houses where the rent is going up, does that increase in rent come with any improvement to the housing?---No.

Is there a reason why at this point in time when, as we all know, cost of living is skyrocketing, the Northern Territory Government is increasing the rent on houses in a community like Yuendumu, with no improvement to those houses?---So the change to a new rent model was meant to achieve a couple of things. One was to simplify the system for our tenants. And we've seen many years of evidence of tenants struggling (inaudible) an income based rent model where they're required to regularly provide paperwork and payment documents to evidence their current income. We've seen as a result of that that people are over or underpaying rents in their houses under the income based model. The new flat rate model is designed to avoid over and underpayments and ensure that a household knows exactly what's asked of them. The flat model has avoided the disincentive to work that existed under the income-based model. There is no change in rent when people start working and increasing their income. And the final aspect is with this cleaner, simpler model for levying rent, we do expect to see an increase in payments which then feeds back into the system for repairs and maintenance and tenancy support.

But the impact of that cleaner, simpler system is rent is increased with no improvement to the houses?---There's been no immediate change to the houses with the rent change.

THE CORONER: And the income based system didn't apply in Yuendumu anyway?---I'm sorry, I didn't hear that.

The income based system didn't apply in Yuendumu anyway, it was a flat rate system based on number of rooms?---That's not correct. Every remote community in the Northern Territory was running an income based rent model which was based on the income earned by the family. And there every family was charged a rent based on their individual circumstances.

I thought it was \$70 per bedroom?---No, that's the new model which commenced on 6 February 2023.

MR O'BRIEN: So that's the model that in effect was 60 percent of residents in Yuendumu have resulted in them paying more rent?---That's correct.

I'd like to ask you a few questions about the sustainability of houses in Yuendumu. The Coroner has heard evidence of the thermal quality of houses from Dr Simon Quilty and he said this:

“Even the brand new houses are thermally moronic. I don't know who is designing them or why they are doing it, but brand new houses that don't have appropriate eaves, that are built of Besser brick structures that heat up when the sun hits the wall, they're painted the wrong colour so that they absorb the heat. I cannot fathom how these mistakes are being made by the Northern Territory Department of Housing in their design. There is no design”.

For your Honour's benefit, that's at transcript page 3850.

Now I just wanted to give you the opportunity to comment on the – particularly the thermal quality of the new houses that are being built. We heard you say yesterday that they've been designed to a minimum 5-star energy efficiency rating under the nationwide house energy rating scheme. Just so we're clear, that 5-star rating, that's out of a total available of ten stars, isn't?---The spectrum runs to ten stars, that is correct. Our program is delivering an actual average of 6.4 in terms of energy rating across its construction program.

And the – did I understand you correctly to say that – yesterday – to say that the 2022 national construction code will require a minimum energy efficiency of a 7-star rating under the nationwide house energy rating scheme?---That's right. That scheme starts in 2023, over 2023 lifts the national standard to seven stars.

Are there plans to upgrade the houses that are going to be built in Yuendumu to ensure they meet that 7-star threshold?---So the current NT Government position is that all houses in the Northern Territory, regardless of who builds them, need a minimum 5-star standard. I'm not aware of any move to change that at the moment.

Am I right in understanding that every other state and territory has a minimum 6-star standard?---I'm not aware that that's the case. I know each jurisdiction has taken an independent position on the new code. Some jurisdictions have agreed to a staged implementation. Some are still reviewing the application. And I'm also aware that in each jurisdiction the code applies to new builds, not to existing dwellings.

This court has heard evidence from Bruno Wilson, a resident of Yuendumu that in winter the houses are freezing, in summer they're stinking hot.

For your Honour's benefit, that's at transcript page 3782.

You would agree that Yuendumu is an extreme environment. It's extremely cold in winter, it's extremely hot in summer. Is that a fair?---I agree with that.

And you would agree, wouldn't you, that Yuendumu is home to particularly vulnerable residents often with chronic health conditions. You accept that?---In some cases, yes.

And you would accept one of the consequences of having houses that are thermally poor is astronomical bills for heating and cooling those houses?---There is a higher energy cost with a lower energy rating to the house, yes.

So is it appropriate to build houses in Yuendumu below what the national construction code mandates is the minimum nationally?---So our remote community housing program builds to the NT standard which is (inaudible) off the national code. The NT has taken a position that the minimum for the whole of the Northern Territory is 5-stars. Our programs is achieving above that and we're getting an average of 6.4 stars in the houses that are being turned out at the moment. Energy efficiency rating is one aspect of it. Another aspect is our air-conditioning program. So in Yuendumu, as with all arid zone remote community housing, the minimum standard was to instal evaporative air-conditioning, what's called a swampy. In 2022 we did update that policy to start the reverse cycle refrigerated air-conditioning. A challenge in Yuendumu is putting a cooling option in that's water efficient and reverse cycle achieves that better than evaporatives. And we're using further technology, so that means that we can also provide a heating service now. So as those air-conditioners are replaced there will be a heating function as well as a cooling function.

Does a heating function and a cooling extension to the extent that the family can afford to pay their power bills, is that correct?---That's correct.

I'd like to show you a document, it's an article that was authorised by Dr Simon Quilty, amongst others and it's on the Coronial brief. If we might be able to bring up Dr Quilty's statement at 10-12C. If we bring up the article separate. The article is one of the exhibits of Dr Quilty's statement. But if we have the article separately, we can just bring that up. And [Edited], are we able to blow up just that first bolded abstract paragraph at the top and make that readable. This is the abstract to the study done by Dr Quilty amongst others, Mr Warren. It says at the top there, you'll see:

“Indigenous communities in remote Australia face dangerous temperature extremes. These extremes are associated with increased risk of mortality and ill-health. For many households, temperatures increase both their reliance on those services that energy provides and the risk of those services being misdirected, poor quality housing, low incomes, poor health and energy in security associated with the prepayment all exacerbate the risk of temperature-related harm. Here we used daily smart meter data for 3300 households and regression analysis to assess the relationship between temperature, electricity use and disconnection in 28 remote communities. We find that nearly all households, 91 percent, experienced a disconnection from electricity during the 2018/2019 financial year. Almost three quarters of households, 74 percent, were disconnected more than ten times.”

Mr Warren, does that highlight for you the importance of having firmly appropriate houses for Yuendumu, given the level of disconnection that occurs with the electricity to power the heating and cooling systems?---Yes, it does. It also highlights one of the practical effects of a pay as you go metering system, which is often the – well, use the credit that’s available and then go and replenish it after that, which flags as a disconnection.

When the power is cut to the house, it obviously means there’s no fridge, no heating and cooling, and this court has heard about the implications that has on food safety, nutrition, medical that is temperature sensitive, the ability for residents to sleep, willingness of students to go to school if they don’t have a hot shower in the morning. All of these things obviously have a very detrimental impact on the quality of life of residents in Yuendumu. But long-term, they also have a significant financial burden on the Northern Territory government when it results in poor health and chronic health conditions, doesn’t it?---Yes, so quality of life does impact on a range of areas and that can have an effect on the government services, yeah I agree with - - -

Wouldn’t a prudent, long-term view to be to spend more upfront on building firmly appropriate houses for Yuendumu, wouldn’t that have long-term benefits for the Northern Territory?---I absolutely agree that we need to have a focus on energy efficiency in our housing. I think I’ve mentioned already that we’re achieving a 6.4 star standard, which is above the minimum for the Northern Territory. There are a range of other factors that we have to include though when we talk about the design of our houses. One of the biggest factors at the moment is accessibility. All of our new designs are built to a slightly larger footprint, have accessible doors, have wheelchair and limited accessibility showers and toilets, bathrooms are configured that way as well, and it’s another design feature that we’ve been focussing on to make sure that people are able to age in place in their home. So, we do factor in a range of things when we design these homes and ultimately, we’re trying to make them go as far as possible across all of the 73 communities in the building program.

What about solar panels? Are all the new houses fitted with solar panels?---Our homes are built with a solar hot water service.

But what about for generally powering household electrical appliances. Do they have solar panels on their roofs?---We don't install solar panels for electricity supply on our housing at the moment.

Why not?---Because we build to a minimum standard that we can deliver everywhere. There's a range of policy challenges that needed to be worked through around solar on public housing. We're engaged in a trial at the moment in Alice Springs where we've identified a small pool of public housing houses to try out some solar panels and battery storage. And one of the reasons why it's being done as a trial is because the power generator wants to understand the impact on the broader network. In remote communities, we're working on something called the Remote Power System strategy which is designed to start introducing solar energy into electricity production in our remote communities. We expect that, over time, that we see and use to generate power in remote communities. The first full size trial of that is occurring in Wurrumiyanga at the moment, where the intent is to try and achieve (inaudible) of energy delivered to us and supported by (inaudible).

I was just reading you some stats a second ago about the impact that energy and security is presenting having in remote communities, it seems like solar panels on every house is an extremely obvious initiative that would assist with that problem, isn't it?---We agree that solar is part of the solution. One of the things that we're trying to understand in a remote setting is whether that's best delivered from a shared power plan versus being delivered off the roof of individual houses. As I've mentioned before, there are maintenance challenges and getting technicians capable of working on that equipment out there regularly needs to be factored in. And that's one reason why, potentially, a central site for solar generation might be more effective and sustainable than individual panels on every single house. That's some of the policy work that's being developed at the moment for remote.

How long do you expect that policy work to take?---Well, as mentioned, the trial at Wurrumiyanga has been announced. We've announced a contractor who will be delivering that project. The Office of Sustainable Energy is working through – and the assessment of about 50 communities at the moment where they're trying to stoke up the opportunity for this to occur. And I think you'll hear more about that this year as those assessments - - -

Have you done a cost assessment of what the increase in build cost would be for these \$550,000 houses in Yuendumu if they were to be built with a solar panel on the roof?---No, I have not.

Have you gone to market or put out a tender to find out how much it would cost to fit every house in Yuendumu with a solar panel?---No, we have not. But some of the trial work that's underway gives us pricing for panels and for batteries in an urban setting. So we have information about that. I would have to take on notice about the delivery of solar panels to Yuendumu on a house by house basis.

I would be grateful if you - - -?---The cost of it.

- - - could take that on notice as well. We've heard some concerns about water supply in Yuendumu. Why don't the houses in Yuendumu have large water tanks next to them?---That's not part of our house construction guidelines. All those houses in Yuendumu are connected into the main water system, which is drawn up our of bores in that location.

And you've spoken, I think, on several occasions in your evidence about the strain that's put on that bore system. Why isn't it that tap water features in part of the new houses that are being built in Yuendumu?---I can't give you any information about policy challenges there. I think basically we're trying to build houses that have got common features and they can be delivered across community. Water storage isn't something that we've considered yet for remote housing. The focus has been on managing the water source and bore.

One of the things when I was asking you about solar that you said you needed to consider, the impact that it would have on the broader network. Could you just explain what you meant by that?---So, I'll just preface this by saying I'm not a technician in this area, but it's my understanding that solar that's applied to a house may have an impact on the draw on the main generation system. If there's too much or too little draw on a system, it can affect the diesel generators operation.

Your Honour, those are my questions.

Thank you, Mr Warren.

THE CORONER: Any other questions?

DR DWYER: (Inaudible) thank you, your Honour.

XXN BY DR DWYER:

DR DWYER: Mr Warren, can you see me and hear me okay?---I can.

You have given evidence that there are routine inspections of public housing in remote communities. And I think your evidence is that there are least annual inspections, is that right?---That is correct.

Is that the case in Yuendumu?---I – I'd have to check records to be certain, but they'd be – our tenancy officers go out conduct inspections regularly in that community.

So I understand that you are prepared to provide information to the court, as to whether or not there had been annual inspections for Yuendumu, and in fact what the schedule of inspections has been of public housing there. Is that right?---I – I can bring that back, on notice, yep.

Thank you. And with respect to your – you just said I think, your housing officers conduct those inspections. What do you mean by that? What is involved in those

inspections?---So when a tenancy officer conducts an inspection, they use an inspection template. Currently that's a paper-based form. We're moving to an online system at the moment. The form takes them from room to room in the house, and asks them to assess what they can see. And where they can see things that are damaged or broken, or where the tenant reports something during the inspection as being malfunctioning, that's noted and recorded. And then passed to the Infrastructure Department to arrange repair.

And are those forms then kept so that it is possible to go back year on year and review the forms, and identify the needs?---That's correct, they are stored.

And do you say that the tenancy officers come out for a period of time, to a community like Yuendumu, stay for a while, and go from house to house, to check each public house?---That's – that's the practice, yes. They need to make an appointment with the tenant first. We usually book a bulk number of bookings. It's reasonably common for some tenants to not be available when they arrive to the appointment. If – if they come back at a later time, during that community visit, they'll try and reconstitute the inspection. But sometimes inspections are delayed because the tenant's not there. But it's usually a group of inspection scheduled over a (inaudible) period.

Are interpreters used for those inspections?---Not as a matter of course, but an interpreter can be used if there's a discussion to be had with the tenant, or asks us to bring one.

You would assume, wouldn't you, that if you're going to enter into somebody's house and conduct an inspection, that involves at least a conversation with the tenant, correct?---Yes.

Why are interpreters not routinely used, in an Aboriginal community, where English is not generally the first language?---I think there's a couple of components to that. One is that on the whole, when we're having a conversation or discussion, I think our staff are experienced that they can communicate with tenants, at a basic level. We – we are working with people with different educations and experience. When I was last at Yuendumu, I was talking to an experienced teacher, who was communicating very effectively to me in English, about complicated matters. But to be honest, we do struggle sometimes to get access to interpreters. And so the process of bringing an interpreter along, or having them available, it is logistically challenging. And it can be one reason why we don't use (inaudible).

What attempts are made to engage an interpreter, before going into a community like Yuendumu?---So it can include taking Aboriginal staff who work for us, to be involved. We have Aboriginal advisors in our team so – sometimes from those communities, or can speak the languages. We can make contact with the Aboriginal Interpreter Service, to identify their availability. Sometimes those interpreters that work for the service are actually based in community, and can be accessed whilst we're out there. And sometimes we can use a phone base service, where we might

be calling into the Alice Springs Interpreters Office, where they have an interpreter available on the phone, who can actually support the conversation.

That's what can happen Mr Warren, but are you going to be in a position to tell her Honour, the last time that routine housing inspections were carried out at Yuendumu, what efforts were made by the Department, to engage an interpreter, to come with housing inspectors, house to house?---I'd have to take that on notice, but I'd suggest that they did, as a matter of practise, take an interpreter with them.

Well we look forward to that evidence. I'm going to ask Ms Wallz (?) if she will play a video for you, and for any Yapa listening, I obviously mean no disrespect by this. I'm playing the video from House – yes, House 577. It's the house – it doesn't involve the house where Kumanjayi passed away. It's the house that police went to before that house. So I'd just ask you to watch this footage, Mr Warren. There are two separate videos. This is the outside of the house first.

DVD PLAYED

DR DWYER: So I'll just stop there for a moment.

Mr Warren, do you notice with respect to that house, with no disrespect to the residence of Yuendumu, there's a significant amount of rubbish around the house? ---There is, yes.

Do you agree that rubbish can create health hazards?---I do.

Is – does a routine inspection involve identifying any rubbish that amounts to a health hazard?---It would involve identifying rubbish and poor upkeep by the tenant, yeah.

And then what's done about that, if anything?---The responsibility for maintaining the cleanliness of the house is with the tenant, so we would be giving them a direction that they needed to clean – clean up.

Without an interpreter? At what point in time do the residence of the house get – a direction, as to what they should do to maintain the house? And how is that delivered?---So if we're conducting an inspection, we'd be having a conversation with the tenant as we go through, about the things we're identifying. Where we can - issues that relate to the tenant's responsibility, we'd be talking that through in plain English. Our Tenancy Support Service is designed to come in alongside, or after visits like that, to engage with tenants about the general healthy living principles, and to help them understand - - -

Can I just – can you stop there? When was the last time in Yuendumu, that the Tenancy Service was engaged to go into houses, and speak to tenants, about the expectations around the maintenance of the house? When was that done?---So in – so in January 2023, the Central Desert Council's Tenancy Support Team, came to the meeting with the Housing Reference Group, to talk about the program. And to

explain how they interact with tenants. I would have to take on notice which houses they've been in to since that meeting. But they are known to the local community, and their role has been communicated.

All right, thank you for taking that on notice. Can I ask you this, are you aware of problems with the Council picking up rubbish, that is the large shire council, not providing adequate rubbish collection services in Yuendumu?---No I'm not particularly aware of that.

Do you agree that's a factor that creates a significant difficulty for the residents of Yuendumu? That is, if there are no regular rubbish collection services?---If there was no regular collection, that would be a problem, I agree. I do note that in some of our remote communities, the size of the available bins, and the regularity of the collection, means that there's a disproportionate collection of rubbish before collection day, which can then spill out on the street as well.

Have the Department of Housing had any communications with the council, the shire council, to try and address that issue?---We have communicated with all councils, from time to time, about the size of bins and the regularity of collection. It does depend in each community on how they do the pickup, whether they've got a mechanical truck or not. I'm not particularly aware that there's been a complaint in Yuendumu, but I'm happy to take that away and check with the council about whether their collection service is operating.

Thank you, Mr Warren. We became aware of a breakdown in the council truck at some point in time which led to a significant delay in collection of rubbish. If you're able to check that, that would be appreciated. I'll just show you the second video.

DVD PLAYED

DR DWYER: You'll see this is 9 November 2019. And I'm showing you the video for the purposes of just making you to make an observation of the interior of the house.

Just stop it there while we're in the kitchen area.

Mr Warren, you see the kitchen area there and you'll see it again towards the end of the video. What are the expectations of the kitchen area when the inspection is carried out?---So we're looking for any damage to the fixtures and fittings. And for the purpose of this video that would include the pantry in the far right hand corner, it would include the benchtops and cupboards on the left hand side and the right hand side. It would include the stove, which is there to the right. The fridge is provided by the resident. We'd be looking at issues related to cleanliness and I can see evidence there that – of poor cleanliness or poor hygiene practice in the kitchen.

And is there an - - -

Sorry, your Honour.

THE CORONER: Can you also see evidence in that, that there's unlikely to be electricity running to this house, at least from time to time?---Well I can see that the freezer door is open which (inaudible) that the device is switched off or not running, correct. Some of the lights don't seem to be working. I'm not sure whether that's because the power is off or because some of the bulbs have malfunctioned, I can't quite see.

DR DWYER: If there was evidence of – that suggested energy insecurity, for example, the fridge not being on and some of the bulbs not working, would that be an issue that the Department of Housing would be concerned about?---Yes, it would. Essentially it merged into the new department and merged Housing with the broader Territory Families team, one of the things we're trying to get better at is looking at families that need not direct housing support per say, but might need other support, types of family support. So I agree that there's opportunities for us to do more to bring help in for a family who looks like they're struggling. We don't - - -

Sorry, Mr Warren, please continue?---The first response that I would expect in a situation where we can see evidence of poor living practice and energy and security would be to engage with tenancy support service.

Do you agree that if you are going to really properly communicate with a family who might want to tell you about areas of need for their household, there has to be a concerted effort to use interpreters to have adequate communication?---Yes, I agree, we need to do more around language support for people who don't speak English.

You've read the statement of Dr Quilty which appears in the brief of evidence at 10-12C?---I have.

Dr Quilty said this about Lajamanu,

“When I attended Lajamanu in December 2021 on the Northern Territory pandemic response team, I went door to door to most of the houses in the community collecting nasal swabs. I met many residents and was regularly invited inside. A few houses had missing doors. Most houses (inaudible) to board up windows with plywood to instal wall mounted air-conditioners, because none of the houses are supplied by NT Housing with air-conditioners in Lajamanu as per Northern Territory Department of Housing regulations. Without these self-funded, self-installed inefficient wall mounted units the houses would have been too hot to safely reside in during an extreme health (inaudible), thus almost all houses not only had no natural light, but also no natural ventilation. I estimate that between five to ten percent of the houses had toilets that were blocked and not functioning. Houses had up to 25 residents per dwelling, an average of approximately 13, excluding houses that non-indigenous people were living in. This was during a week of an extreme heatwave in Lajamanu where temperatures reached 47 degrees and not a day was below 40 degrees with high humidity. The impact of COVID on remote communities in the summer of 2021-22 was predictable with extremely

fast paced spread. Fortunately, it was the Omicron variant. None of these maintenance issues had been corrected prior to the pandemic's arrival".

Do you accept that evidence?---I accept the evidence that there that there was maintenance issues at Lajamanu, yes. It's my understanding - - -

Sorry, Mr Warren?---I apologise. It's my understanding that houses at Lajamanu have evaporative air-conditioning.

I'm sorry, I missed the part that you were speaking to me - - -

THE CORONER: They had evaporative air-conditioning, he understood. You might just want to finish showing this video.

DR DWYER: Yes, I will. Thank you, your Honour.

THE CORONER: Sorry, I stopped the progress.

DVD PLAYED

THE CORONER: Are they examples of boarded up windows?

DR DWYER: Sorry, could you pause it there.

THE CORONER: We could go back. Sorry.

DVD PLAYED

DR DWYER: Do you see evidence, Mr Warren, of windows that appear to be boarded up, or some of them?---Yes, I do.

So what Dr Quilty talked about in terms of Lajamanu where what he said was that there were – most of the houses had opted to board up windows with plywood to instal wall mounted air-conditioners, because none of the houses were supplied at that time with air-conditioners. Are you aware of that being an issue in Yuendumu as well?---Yes, I'm aware that tenants do sometimes instal a window mounted air-conditioner, what's called a box air-conditioner and they'll often do that by removing a window panel and putting a wood frame around it.

And are you aware of the reason behind that?---To provide more cooling in their house. I think particularly in bedrooms there's a preference to putting a refrigerated air-conditioner rather than evaporative air-conditioning, which is less effective.

And doesn't that suggest that there is an urgent need to address the design and – the design of houses and the types of cooling systems available in these houses? ---I agree and the houses that we're turning out at the moment have been designed with that in mind. The heating is 6.4-star energy rating on average. We've changed our air-conditioning policy to ensure that there's an efficient reverse cycle air-

conditioner installed in the living space for every property. And cross flow air is part of the design in bedrooms.

THE CORONER: Is the 6.4 energy efficiency reached in Yuendumu?---So the 6.4, your Honour, is an average across all the houses that we're delivering in the program. Some of the houses that are delivered to Yuendumu at the moment achieve over 7. Modular houses in particular are highly efficient and deliver over 7.

Sure. Do they achieve that actually in Yuendumu or is that an average depending on the location that they're placed in or are they actually achieving that in Yuendumu?---My advice is that the modular houses that are in Yuendumu will achieve over 7.

DR DWYER: You're referring, Mr Warren, to the new builds of modular houses? ---That's correct.

You're not suggesting that the house I'm showing you is coming up to anywhere near 6 energy rating?---No, I'm not but I'm responding to the assertion that there is a problem with the housing, and we are (inaudible) to try and address that.

THE CORONER: And in this particular house, you can see – it doesn't seem that there's a box air-conditioner in either of the boarded up windows, there doesn't appear to be any natural light, and any attempt at cross-ventilation, is no longer in existence?---Yes I agree with that. And it looks to me like that's one of our very oldest designed homes. And that doesn't match the specifications for the new houses that we're building.

I'm sure we'll have an opportunity for someone to perhaps walk through this house again, and see what improvements have been made, when we come back next time.

DR DWYER: Yes, thank you, your Honour.

And [Edited], if you could just play the rest of that for Mr Warren.

DVD PLAYED

DR DWYER: If you could please stop there Bec.

What are your observations of the rest of the house, Mr Warren, compared to your – your aspirations for Northern Territory public housing?---The – the house is dirty. It needs a repaint. We've obviously got lot of windows to repair in that house. I can see that the bathroom is of an old design, and it looks to me like a number of light fittings in the house are broken, and need repair.

In these sorts of houses - - -

THE CORONER: And air-conditioning needs to be installed.

DR DWYER: Sorry, did you hear her Honour's question? That it appears that air-conditioning needs to be installed?---Yes.

These are houses that are included in the rent increases recently, aren't they?
---That's correct.

And is it correct that the rent increases for some of these houses are up to 40 percent?---For – for some houses, that can be correct, yes.

In terms of the program for housing maintenance, I think you've taken on notice, a question from Mr O'Brien, with respect to how many local trainees, meaning Yapa trainees, are involved the housing program. Are any Yapa people involved in housing maintenance, or housing inspections?---As touched on earlier, the housing maintenance (inaudible) response team comes out of the Central Desert Council. I understand they have an Aboriginal employee in that office. And working in their outreach teams. But I'd have to check the exact numbers.

Thank you, Mr Warren. You would agree, wouldn't you, with the principle, that in order to provide the most effective inspection and maintenance team, it's crucial to invest in Yapa working in those areas?---Yes I do.

In terms of the new designs that you have told the court about, are the designs different across Aboriginal communities, in the Northern Territory? For example, are the designs different in Wadeye, compared to Yuendumu, compared to Maningrida? ---So the construction is – is different between the tropics and the arid zone. So key changes that you would see in Wadeye versus Yuendumu, would be a different construction of roof, to ensure it meets cyclone coding. You would see louvered windows, instead of sliding windows, to allow for air flow. And in some places, we've had feedback from community about their preference around the type of light fitting that we use. Some prefer the down lights, and some prefer the – what's called an oyster (inaudible) the fuse light instead. But those are – those are the basic kind of changes that you would see.

Is there room for a change in design of new houses in Yuendumu, compared to Lajamanu?---We have – the short answer is yes. We have been working with some Aboriginal organisations in relation to doing design alterations. And we've reached a partnership, for example, with the Anindilyakwa, where they suggested an alternative style for construction of homes. Their design costs more to build, and they've agreed to contribute an amount, to make up the difference between the government budget and their design. So we do take feedback, and it can build different, just within our budget. And we can build (inaudible) houses if there's a partnership with the local provider.

So I take it then, that if Dr Quilty or – are you aware of work that he's doing in a particular community in relation to sustainable design?---Not personally, no.

Are you aware of any work that Troppo Architects is doing with sustainable design in remote communities?---I'm not familiar with Troppo, but I know that Tangentyere to

such – Tangentyere Corporation are working on alternative designs through their construction arm. And we're certainly engaged with them about new designs in their footprint in Alice Springs.

So do we take it that if a community like Yuendumu, came to the Department of Housing, having worked with another group on sustainable designs, the Department would be open to working with them, on different models?---Yes. And the – I guess the nuance is that we need to make sure that we can meet our requirements around robustness and durability. And – and the pricing envelope but we can definitely build different designs.

Is – are the new houses that you're – or the new designs – new houses currently being – being built with holes in the walls, are you aware - - - ?---I'm not sure if I understand.

Are they currently being built to allow for an alternative swampy type air-conditioner, if the current plans for reverse cycle don't work?---So the new houses that are built since the change, they don't have provision for an evaporative air-conditioner. That requires fabrication of a ducting system through the house.

Can I - - -

THE CORONER: Do they have a hole for a box air-conditioner?---There's – all – all of our new designs include what's called a penetration in each of the bedrooms. So that's a lockable door, that can be opened, and allow a box air-con to be slid in, if it's the tenant wishes to bring an extra air-conditioner into their tenancy. And that's been done on purpose to avoid the jury-rigging that you've seen in – in some of the videos that you've shown me just now.

DR DWYER: [Edited], could you please put up the Australian standard, is a one page.

I think it's Australian Government Seven Tips, do you see that?---No.

This is – this – this is a brochure or a document that's published on the internet from the Australian Government web-site. It says "Top tips for building seven stars. The 2022 National Construction Code will require all new Australian housing and apartments, to meet a minimum energy efficiency rating of seven stars, under the nationwide Housing Energy Rating Scheme (inaudible). The equivalent (inaudible)", etcetera. And then there are tips for getting your dwelling to seven stars. Mr Warren, your evidence is –

You can leave that there for a second [Edited], thanks.

Your evidence is, that even though the Australian Government will require all new houses and apartments to meet a minimum energy efficiency rating of seven stars, the Northern Territory Government's aim is five stars. Is that right?---The

Northern Territory Government's minimum standard for all housing is five stars in the Northern Territory.

Why is it different to the 2022 National Construction Code, which requires a minimum energy efficiency rating of seven stars?---So I'd have to defer to the Department of Infrastructure to give a detailed answer on that. My understanding is there is concern from the construction industry about the cost of reaching seven stars. The governments' made a commitment to increase the efficiency of buildings that the government uses. And as discussed, we're certainly aiming to get five stars in our remote community housing building programs.

But how could you possibly – how could the Northern Territory Government have a construction code that was inconsistent with the Commonwealth construction code? ---So that code is adopted in different ways by each jurisdiction. It's my advice that a number of jurisdictions have chosen to delay parts of the implementation of the code. And so the Northern Territory Government has adopted it in the same way that others have, acknowledging some local difference.

Can I – I'm going to suggest to you that even if that's correct and that you can read that document to allow for a lower energy efficiency, aiming for a model below the national standard in the central desert with one of the hottest climates in Australia is completely unacceptable. What's your comment on that?---One of the challenges with the remote community housing building program is trying to deliver as many bedrooms as possible in the most cost efficient way. And so for us one of our deliverables is to reduce overcrowding in communities and we need to try and achieve that as much as we can whilst also raising the quality of housing. I've mentioned before that we are factoring in design principles for accessibility, which is another cost pressure on the designer. And we're trying to deliver as much as possible on a range of fronts in a way that we deliver as much as possible to all communities that need a hand.

If you could just scroll down.

One of the top tips for building seven stars - - -

Is there another page?

- - - is plans for fans, specially ceiling fans in all rooms. Is there any suggestion of you looking at ceilings fans?---So mechanical – what we call mechanical cooling ceiling fans is part of the design guidelines for our new homes.

Do you know how many of these eight tips are taken into account in trying to get to the appropriate energy rating?---My understanding is that the design guidelines pick up all of the tips. And so for example, insulation is a minimum standard in the design guidelines. (inaudible) is specifically addressed. Zoning in the house, so common living area but then blocked off bedrooms and other areas. So each of those headings that you've shown me are part of the design guidelines.

Do you see there a number 7 checking of colours, "Rating improvements can usually be achieved by a lightening of external roof and wall colours". Is that something that is currently being done for all houses, public houses? Not just new ones, all public housing?---So we do have a variety of paint that's used on remote housing. One of the things that tenants do provide input into is the colours that they like. So we a range from white colour, yellow, through to darker colours, which is in part based on tenant choice.

The darker colours create significant challenges in terms of heating, don't they?---I'm aware that darker colours can be less solar effective, yep.

And are there discussions with tenants about the relevance of darker colours when you're trying to achieve energy efficiency?---I don't know whether that discussion has been had each time, no.

Can I suggest to you that if any meaningful discussions along those lines are going to be had with tenants, it's another example of when you need adequate interpreters for genuine communication. Do you agree?---Certainly.

I just want to pick up the issues of solar panels. Dr Quilty gave evidence that he's aware of only one house which had solar panels in the remote communities he's visiting in Central Australia. Are you aware of any public housing in Central Australia with solar panels?---So as discussed, we have solar hot water service on all of our homes. I'm aware that we're doing a trial at the moment on 20 homes in Alice Springs, public homes that are having solar panels and battery storage installed as a trial.

So in answer to my question that there are currently no public houses in remote central desert communities which have solar power?---In the public housing network, that's correct.

In the article that was shown to you by - - -

Sorry, do you have an objection?

MR O'BRIEN: I think the witness said that there are hot water systems that have solar - - -

THE CORONER: Well they're different from solar panels.

MR O'BRIEN: But they have solar panels attached to them but (inaudible) - - -

THE CORONER: They're a solar hot water system. I think we all understand the difference between solar panels and a solar hot water system.

MR O'BRIEN: My mistake, your Honour.

DR DWYER: In the article that was shown to you earlier about energy security – this is authorised by a number of persons but attached to Dr Quilty’s article. So I’ll just read it to you. It’s the article energy insecurity during temperature extremes in remote Australia.

Sorry, I wonder if you could put that on the screen. It might be easier for Mr McCarthy and others to follow.

THE CORONER: What was that article that you had up earlier?

DR DWYER: Energy insecurity during temperature extremes in remote Australia by Longden and others. And if you could scroll down please to page – keep going and I’ll stop you there. It’s the one with the maps of Australia. That’s it. So just down towards the (inaudible).

I’ll just read to you this paragraph, “For author VND”, do you see that paragraph, Mr Warren?---Yes.

“For author VND, who works on issues relating to energy in housing and social justice in Central Australia, maintaining access to electricity during temperature extremes represents a complex suite of interrelated challenges. Older houses have solar hot water and pot belly stoves for the winter. We could collect wood and sun heated the water. The new houses built by the government since the Intervention in 2007 have electric hot water heaters and no pot belly stoves. When the old houses were upgraded pot belly stoves were removed. Our houses don’t have heating anymore. Most residents don’t have much money, so residents buy cheap fan heaters and air-cons. The problem with these is that they’re expensive to run. Our houses have become expensive to heat and expensive to cool and we run out of money for electricity. When the power goes off it’s bad for our health, the food gets spoiled and we can’t wash our clothes and we can’t wash our kids”. You’ve already acknowledged the relevance of proper housing maintenance and electricity to good health and good social outcomes, haven’t you?---I have.

And so what this article suggests is that even in relation to solar hot water, the NT’s gone backwards since the intervention because older houses (inaudible) solar hot water and pot belly stoves and the newer houses don’t. can you comment on that? ---I think the reference there is to houses built at the time of the Intervention. I can’t comment on the specific designs then, I’m sorry, I don’t have that information. Our new housing programs includes solar hot water service as part of the minimum. In terms of heating and cooling, as I discussed, that’s addressed through the inverter refrigerated air, heating systems that (inaudible).

Mr Warren, I appreciate that you’ve told us about a lot of significant effort that’s being made at the moment. There’s a problem, isn’t there, because it’s not just the new houses, you’re left with a lot of old stock that is completely inappropriate for adequate housing needs, isn’t it?---We do have a lot of old stock that needs to be upgraded. A portion of the housing that was handed over after the intervention has been upgraded. And some of the design types that you were just talking about were

from that program immediately after the intervention commenced. It's a constant piece of work to keep the new designs up to date and to go back through and touch on the old houses again. It's a bit like painting the Sydney Harbour Bridge, we have to keep going back around and around.

I just want to ask you to comment on one final topic and that is how the design and moving forward in terms of effective cooperation and collaboration with the community. I'll just read to you something Dr Quilty said in his evidence. This is transcript page 2863. His evidence – and bearing in mind that he's visited different communities in his work as a doctor and been inside housing in different communities in Central Australia, is this:

“What is fundamentally lacking is any kind of engagement or agency in the way that future residents of the house shape that house, or an acknowledgement that a lot of these people are only one or two generations or themselves, first contact people from colonisation, and what it is to even live in a house. As western people, we take it for granted because we are many, many generations of living in houses. And for many of the people that I work with, it's not even one generation old.”

Can I just ask you to reflect on the housing design of the one that we just saw, House 577? When you think that for some people living in Yuendumu, living in houses is not even – is a generation, maybe two generations. That house, I'm going to suggest to you, has no – I'll withdraw that, that the design of that house is completely inappropriate for someone who wants to connect with their broader environment. Do you accept that?---I think there's a range of different ways that you can design houses to the environment. We've certainly heard feedback from some quarters about a preference for outdoor living. Some of the designs that we've been trialling have included a bigger veranda to allow people to be outside and other sheltered outdoor living areas. For every time we get feedback that they don't walls (inaudible), we get other feedback from communities saying we more closed off bedroom space or more indoor living area. So it's not homogeneous feedback. Ultimately, we're trying to deliver - - -

Can I stop you there? Mr Warren, you wouldn't expect it to be homogeneous feedback, would you? You wouldn't expect local Aboriginal people are going to want the same design for their house, would you?---No, I wouldn't. But the challenge with the public housing system is we have to build in a level of homogeneity, so that we can deliver it efficiently and effectively across a range of locations. So it's a balance between personal desire and then the requirements of - - -

And you are open to suggestions from Dr Crystal (?) or Troppo Architects or others about how to imagine creative, more environmentally sustainable, more liveable houses that Yapa want in Yuendumu?---Yes, we are. We've taken design feedback before and we're happy to take more of it.

You're given evidence about the work that you think needs to be done in relation to House 577 that I showed you. You might need to take this on notice, but do you

know what the department's most recent housing inspection report is for this house?
---No, I don't have that information today.

You're prepared to take that on notice, I imagine?---I am, yes.

And are you prepared to ensure that the department conducts another inspection of this house to identify what needs to be done?---Yes.

And in those circumstances, are you also prepared to ensure that the department works with Yapa with an interpreter to try and get this house to a standard that is liveable?---Yes, certainly happy to commit to using an interpreter.

Thank you, Mr Warren.

THE CORONER: Yes.

MS NAZ: Thank you, your Honour.

XXN BY MS NAZ:

MS NAZ: Mr Warren, my name is Sheeza Naz. I act for the Robertson, Walker, Lane and Brown family. I just have some very short quick questions for you. In your report, you note that Lot 511 is a three-bedroom house. Is that correct?---Yes.

And it serves currently as a memory house for Kumanjaya Walker?---That's my understanding, yes.

And in respecting the wishes of the families, it's been now removed from the replacement and refurbishment program?---That's correct. We've agreed to take it out of the program altogether.

And as a result, are you aware that the current tenant, Margaret Brown, has been told that she cannot continue to live at House 511 in its current state?---I'm aware that we've been engaged with that person about where she would like to move to on the basis that if the house isn't going to be part of the replacement program, we'd like to offer alternative accommodation.

So in the circumstances that the house is not part of the replacement and refurbishment program and efforts are being made to move her to another residence, will the family continue to be charged rent for the three bedroom house?---No. It's our understanding that – it's my understanding that the request received was to stop treating that property as public housing so that it could be used as a memorial for the sad death.

And are you able to make a commitment that the Department will continue to make repairs on the house, given its cultural significance?---I think so. I think we need to clarify whether it's going to be used in the sense of a home or whether it's going to be used as a place to visit and memorialise, because that will determine what kind of

maintenance we do there.

Thank you, those are my questions.

THE CORONER: Any other questions?

MR MCCARTHY: I might just ask one, your Honour.

THE CORONER: Sure.

Thank you, your Honour.

XXN BY MR MCCARTHY:

MR MCCARTHY: Mr Warren, you were asked about housing affordability and cost of living issues. Do you recall those questions?---Yes.

In your evidence, you touched on the 25 percent remote rent safety net. Could you please provide me information as to how that safety net operates?---Certainly. The safety net is designed for people on very low income. If a household is unable to – if a household is at risk of going into rent stress, and rent stress is understood to mean that they spend more than 30 percent of their income on rent, then we offer the safety net as a protective measure. And the safety net is set at 25 percent to avoid rent stress applying.

I have no further questions, your Honour.

THE CORONER: How is that identified?---How is – how is the risk of rent stress identified, your Honour? Is that the question?

Yes?---So with the initial rollout of the new framework, the department worked with tenants to identify 1089 people that were on very low income, usually due to family configuration. So a small – often say a mum with nice (inaudible) bedroom house, those people are placed onto the safety net automatically and we'll be engaging with them to see whether they still require it as we approach the expiry of the current safety net period. If someone knew is identified, we can put them on to the safety net based on our assessment of their circumstance, their own report or advice from an advocate.

And you said, "own report", so how does someone report?---So if someone – if a tenant lets us know directly, either through face to face or through contact with their housing office or through a referral from a Central Desert tenancy support service, we can assess them and approve them for the safety net.

Thanks.

Any other questions?

Thanks a lot. You were peppered with some difficult questions and you're going to be sent away with a little bit of homework. But it's obviously a significant issue for the community and it's obviously an issue that I think is of concern for most Territory, whether they live in community or in towns. And we appreciate the information you're provided and we'll look forward to receiving some additional information following on from the questions that have been asked?---Thank you very much.

We'll break the link.

And the next witness is, just - - -?---No, no, I'm breaking.

THE CORONER: Sorry, we're breaking the link.

WITNESS WITHDREW

THE CORONER: I just want to – I'll just find out where we're going from here, what the rest of the day looks like, and then we might have the morning tea break.

DR DWYER: Your Honour, the next witness is Mr Brendan Blandford, who is here in person. I don't – counsel assisting will take his evidence. Mr Coleridge is going to take his evidence and estimates about ten minutes. Other parties have I think a combined total of perhaps another 20 minutes. So I don't expect that Mr Blandford will be long.

After Mr Blandford we have the community policing panel. And then that's it for today. So it may well be - - -

THE CORONER: And are the community policing panel available at any time or at a particular time?

DR DWYER: I'm told that they're here and they're available.

THE CORONER: All right. Well we'll take the morning adjournment, then we'll call Mr Blandford and hopefully we might even be able to start the community policing panel before lunch. We might in fact sit, for example, until 1 o'clock this morning just to make sure we move forward and finish within a reasonable time. But we'll adjourn now.

ADJOURNED

RESUMED

MR MCCARTHY: Your Honour, the next witness is Brendan Blandford, who I call. He's now making his way to the witness box.

BRENDAN BLANDFORD, affirmed:

XN BY MR COLERIDGE:

MR MCCARTHY: Mr Blandford, can you just restate your full name for the record please?---Brendan Andrew Blandford.

And you've given a statement to the inquest or gave a statement to the inquest on 6 March 2023?---I did.

And your Honour, that's at 8-0B.

Mr Blandford, before we go any further I just wanted to reassure you that I will be mercilessly short in my questions for you. The inquest is very grateful that you as a senior representative of the Department of Chief Minister has made yourself available and we appreciate that although you have an oversight role, a lot of the detail is best known by people in other government departments or non-government entities like WYDAC, funding bodies?---Yes.

I also wanted to acknowledge and have been asked to acknowledge by Valda, the inquest's longstanding (inaudible) that you have been critical to supporting her in her involvement with the inquest. She asked me to let you know in no uncertain terms that if it hadn't been for you, she would have left?---Thank you.

So thank you. You are the Regional Executive Director for Central Australia of the Territory Regional Growth Division?---That's correct.

Of the Department of Chief Minister?---That's correct.

Can you tell her Honour something about what the Territory Regional Growth Division does?---Yes. So Territory Regional Growth across the Northern Territory, there's six different regions. Regional executive directors across each of those regions with a broad remit, certainly around coordination and collaboration of government services. Lead agency in regard to the local decision-making framework. Broader chair of the Regional Coordination Committees, which is a high-level coordination committee that across NTG, Northern Territory Government, Federal Government and councils. So bringing that together. And a – has an economic vent to it as well, so a broader economic vent in regard to seeking opportunities there. And again, that broad, I suppose collaboration role.

And you correct me if I'm wrong, but my understanding of why that type of role is really important is that at a social and economic level there are all of these individual government departments, NGOs, people, community organisations, shires who are

trying to address similar and overlapping problems so that there needs to be some government oversight to ensure that there's a consistency of the mission or objectives for all of those different entities?---Yep, certainly that's part of it. And sorry, I'll go back a piece in regard to the social aspect of the Territory Regional Growth as well, where a lot of what you've just indicated there comes into it. So bringing a range of entities together where there might be issues or there might be opportunities to be explored from a collaboration of coordination sense.

Now you obviously are the Central Australian regional manager?---Yes.

And what's the remit of the Central Australian regional manager's role?---From a geography point of view?

Yes?---It goes on the western side using the Stuart Highway as the marker to just below Lajamanu on the eastern side to Engawala and then everything in between to the Northern Territory border and Queensland border and WA border, so 26 communities. Alice Springs, Yulara and 180 outstations and homelands.

And that includes Yuendumu?---Yeah, and it includes Yuendumu.

Now as a part of your work as the regional manager of the – it's a mouthful, the Central Australian part of the Territory Regional Growth Division?---Yes.

You've been involved with the Central Australian Aboriginal Coordination Committee?---That's correct, I'm the chair.

And I might just call that CAACC?---Yes.

What does CAACC do?---CAACC is a committee of all of the executive directors of the Northern Territory Government that are based in Alice Springs, the regional manager of the National Indigenous Australians Agency, the CEOs of the two regional councils and the Alice Springs Town Council with an ongoing invite to the Central Land Council as well as part of that. So the key, I suppose, originations and entities from across the three tiers of government and we work – can I check my notes so I can articulate a little bit better than what I am. Basically, it's a strategic forum in regard to all things that are Central Australia. And that's – we met on a three weekly basis and have discussions specifically around what's going on in the broader Central Australian region where some of the opportunities are, where the projects and programs are going and are they on track and where we have, you know, significant issues looking to have subcommittees that will take that specific issue forward and report back through the regional cohort.

I just want to ask you some questions about the organisations and then some questions about the issues. I'm right, aren't I, that a lot of those organisations are organisations that are involved either directly or indirectly through funding in community development projects in Yuendumu?---Yes.

For example, the NIAA?---Yes.

(inaudible)?---Yes.

Is a significant funding body for WYDAC, for example?---That's correct. That's my understanding.

And one of the issues that CAACC has been focusing on, or one of the purposes of CAACC is to achieve some consistency in the all of government approach?---Yes.

To issues of youth development and antisocial behaviours by youth in the Central Australian region?---That would be fair to say, yes.

And CAACC recognises that there's a need for investment in that sense in Yuendumu?---Yes.

Now CAACC was established relatively recently, is that right?---It was established before I arrived in Alice Springs, which was April 2021. I've got minutes back to 2019.

Insofar as it's work concerns Yuendumu, can you tell her Honour something about CAACC's work in that location?---Yes. So as – as part of the Regional Coord Committee, there is – we have on community, Regional Coord's and stage those. We try to do that on three – three monthly basis.

THE CORONER: The Community Regional - - - ?---Regional Coordination Committee meeting, so the committee that I've just described, out on – out on community. So the health community meetings, we were out Yuendumu on 13 October this year, held three community meetings. A broad community meeting. And individual meeting with the women. Have an individual meeting with the men as well. And we look at a range of things in regard to you know, community issues, potential blockages to programs, community aspirations, and – and we hear from – hear from the community. Part of that as well, is understanding where potentially, and advising the community where some of the opportunities might be, particularly from a – a – sometimes a job's point of view. And then post that, is getting that group together in community sometimes, but certainly within – within a very short timeframe of being in the community. And actually, working through and understanding and distilling the issues that are that are being brought up, and allocating leads in regard to follow up particular issues, or answering particular questions that have been asked from the community.

MR COLERIDGE: In terms of the attendance at the meeting, do you have a sense of how many people are coming to meetings, from the community, and who they are within the community?---Yes. So at the community meeting in Yuendumu, there was a significant number of people who was there. It was held at the basketball court. And that was worked from a facilitation point here of ensuring we had good community representation was through the Remote Regional Director, Al Hampton, who works for Chief Minister and Cabinet in Yuendumu, as well. And then - - -

And he's a Warlpiri man who lives in Yuendumu?---That – that's correct, yes. And ensuring the – the opportunity for all voices to be heard. Also you know, the broad community meeting, and then the individual men's meeting, and individual women's meeting as well, so.

I'll ask you some specific question about youth consultation in a second - - - ?---Yes.

- - - so let's park that?---Yep.

But what were the other major issues identified by community members at the meeting in October last year?---Jobs, community control and - - -

THE CORONER: What control?---Community control.

Of what?---Of, in some cases, services.

MR COLERIDGE: Is it also correct that – this is just picking on something that you said outside, community control over designing solutions?---That's correct, yeah. So community led – community led solutions, which promote community control.

You are – I think you - - - ?---Sorry.

- - - half way down the list, no, no, please go on?---The strong desire around local cultural authority as well. That was key, and that came through at all of the meetings. And as I said, some of that community led solutions, and the opportunity for them to do that. So from a – a local decision making policy point of view, with the work immediately undertaken or at foot, in relation to some – where some of those opportunities are, and the listening to the community about what their aspirations were. But where there – where some of their key issues were. And some of that was also request in regard to information around housing.

During those meetings, was there also – or was it also identified as an issue by community, that youth needed to be consulted?---Yes.

Can you tell her Honour something about that?---As part of the developing the itinerary for the visit, it was expressly – and expressed desire in regard to be able to consult with the – with young people, whilst we're in the community. And that had been worked into the itinerary. Unfortunately, for a range of reasons, that didn't – didn't take place on that particular day. So the follow up from that was again, from a – from a follow up, to ensure that we've got youth voices in – in any planning that were doing, is Carl. I've ask Carl to lead that piece of work, to engage with young people, and feed that back through, so we can incorporate that into any plans as we move forward. Unfortunately, that hasn't – hasn't transpired in any significant way at this particular point in time, but it's certainly a – a priority for Carl to lead that piece of work in community, with young people.

The reason input is so important, is, isn't it, that amongst all of these social issues, arise or are most acute in the way that they affect kids and young adults. (Inaudible)

youth crime, overcrowding in houses, all of these things, education, job opportunities, all these are things that affect either kids, or young adults, in many ways, more than they do, older members of the community. Would you agree?
---Yes.

And certainly, the very subject matter of this inquest is an example of the – potentially very tragic consequences, if there isn't real investment in solving these problems that affect kids in Yuendumu? Just got to say yes or no?---Yep.

Yes. Has there been any attempt prior to October of last year, to engage with and hear from kids in Yuendumu, about what they think the community needs?---Again, so we have the Remote Regional Director out there, so we will, from the perspective of young people, there's a certainly service providers meeting that happens on a fortnightly basis, where providers are there. But in regard to the specificity in dealing specifically with young people, I'm not aware that that's happened prior to that. Certainly, been conversations from, you know, on the individual level, but at a system level, I'm not aware. And – and that may – may have happened, outside of my visibility, yep.

For example, by one of the other government agencies - - - ?---Yes.

- - - or a non-government entity?---Yes, potentially through Territory Families or – yes.

It's – or October last year was some three years after the death of Kumanjaji Walker. And so, it stands to reason that many of the young people, let's say, young men of approximately Kumanjaji Walker's age, are leaving young adulthood and now maybe adults?---Mm mm.

Do you think that – or do you recognise the urgency of consulting with some of these young people, to ensure that their voices are heard now?---Yes.

Because we really have a very short window to intervene in their lives, don't we?
---Agreed.

In terms of the timeframes for Carl Hampton's work, that meeting was on 13 October last year. It's now mid-March, so some six months later, do you have a sense of why there have been delays?---So in my conversations with Carl, specifically in relation to this topic, there's been a range of factors that have played into that. The – the issues prior to Christmas within – within the community. The – the Christmas break, and a range of men's business that have taken place. So again, in my conversations with Carl, I've indicated this is a priority in moving forward, to ensure that we've got the voice of young people in any planning that we're doing, from a regional coord point of view.

What form will the consultation take? Will it be formal conversations, recorded interviews, or (inaudible)? Do you have a sense of how that data is going to be gathered?---Yep. So potentially in a – in a couple of ways. There's been some

work, as – as was indicated in the statement that was done prior to Christmas, in regard to understanding what young people were looking for. Some initial conversations with Southern Tanami Kurdiji, and the local police, at the same time. But as I said, with Southern Tanami Kurdiji, and Carl as a lead, actually organising and sitting down with young people, to hear their voice.

Given the - - -

THE CORONER: Is the Education Department part of - - - ?---Yes, that's – so – so can I – yes, I'll go back. There's a broader opportunity across cohorts, so when I talk about that, I talk about the lead and bringing, you know, the appropriate agency into that, agencies into that, would be the Department of Education and Territory Families. And there's been significant work post that in October last year in the education space as well.

This inquest is due to resume sittings very late July of this year. Anticipate that some of that information from kids in Yuendumu would be incredibly useful to her Honour. Do you think that it's realistic to think that we might be provided with the outcome of those surveys before then?---Yes.

One of the purposes, as I understand it, of both CAACC and having these Territory Regional Growth Divisions is to ensure a degree of consistency between organisations. A real issue that was identified yesterday by the CEO of WYDAC was the difficulty of providing a wholistic set of services when your funding is so piecemeal and you have to acquit that funding in very technical ways to each of the funding bodies who are providing you with the funding. Do you think that there's any role for the NTG in assisting an organisation like WYDAC to consolidate its funding, to identify, you know, one or two funding sources rather than five, six or seven, or do you think that there's even a willingness on the part of the NTG to directly invest in an organisation like WYDAC?---So I think that there's an opportunity to bring the funders together to understand all the different expectations and reporting regimes and see whether there's an opportunity in that particular space in regard to – can you repeat the last half of your question please? I just lost my train of thought.

Yes, you've addressed the first half?---Yes.

The second half was do you think that the Northern Territory Government would be willing to invest as a more substantial funding partner of an organisation like WYDAC given its significance to the community?---I think that's a question best tabled to the Northern Territory Government, noting that I'm a Departmental official.

But certainly you can understand the problems that potentially arise when an organisation is kind of delivering KPIs to six or seven different funders?---Yes.

And is unable to define a singular mission or objective and that deliver that mission or objective with a degree of discretion around the use of funds?---Yes. So I'll go back to the answer. My first answer is the opportunity to bring people around the table to talk through what some of the current issues are. I don't have specific

visibility. I'm aware that that was discussed yesterday. But certainly happy to facilitate the bringing together of the key funders and key players in that space to work through.

I think some of the other (inaudible).

THE CORONER: Any other questions?

Yes.

XXN BY MR MCMAHON:

MR MCMAHON: Mr Blandford, my name is McMahon and I act for the Parumpara of Yuendumu, which I'm sure you know by now is a justice committee made up of people from Yuendumu?---Yes.

And I see from your statement that you've only been in the job two years. On the other hand, you've lived in Alice for a decade a long time ago?---Yes.

Before moving to other places. And what caught my eye about your statement is that you are the Director of Regional Growth, which is a matter of real importance to our clients?---Yes.

You may be aware that our focus for my client in this inquest, apart from understanding what happened with regard to the shooting, is also looking at what we've been calling a mosaic of different matters which we'll be submitting to her Honour, all of which need to be understood to understand how a community came to be in the situation it was on 9 November 2019 and what recommendations we can make to the future, which obviously includes social wellbeing, which comes under – broadly comes under your remit. You understand?---Yes.

And looking at your statement and at your job description actually, you're obviously very interested in developing capacity for the region?---Yes.

And developing economic opportunities for the region and just generally developing regional growth?---Yes.

So none of my questions are aimed to be critical of you personally and they may not sound critical to anyone but at any time, but just to be clear about that. I'm just looking for what assistance we can extract from you since you've been able to come and give evidence. You follow?---(No audible reply).

So for instance, I want to talk to you about the local economy and the regional economy, local as in the economy of Yuendumu, which you might call a micro economy for these purposes. And I heard your evidence a few moments ago about speaking to the local community and getting their views on that. I wonder if I could just direct you to a couple of concepts. One of them that has – seems to be significant is the question of trade skills in the community. Obviously having skilled

tradespeople in the community of 800 to 1000 people is an important matter. You'd agree with that obviously?---Yes.

And yet there seems to be – and I'm piecing together a lot of different pieces of evidence, most of which you won't have been made aware of, if you weren't following the committal. But there seems to be a reality in how Yuendumu functions, that there's a fly-in or fly-out kind of methodology for addressing all kinds of problems, including problems relating to trades people. So if you need plumbing done or electricity done, you'll get someone in from Alice who's a plumber or an electrician. You follow?---Yes.

THE CORONER: Car repairs.

MR MCMAHON: Car repairs. So what I call Toyota in, Toyota out, people driving in and driving out with a bit of a variation on FIFOs. So just thinking about trades for a minute. Can you give us any assistance on what sort of work is being done or if it's not being done, what sort of work could be done on developing a much stronger and healthier presence in the community of skilled tradespeople such as plumbers, electricians and so on?---So there's a multitude of answers to that and in regard to the broader remit that I have not specifically in my portfolio responsibility, but I am, as indicated, aware of a range of conversations that are certainly taking place more broadly with – obviously there's the local decision making framework and the opportunities that sit within that. There's a range of repairs and maintenance that I believe Central Desert Regional Council, again they would be able to provide the detail in regard to that. So some of the work done on some of the housing. The National Indigenous Australians Agency and some of the changes in the policy settings with CDEP and the opportunities that that brings forth. I see some significant opportunities there. And again in regard to the detail of policy that would be NIA would be best placed to give you the detail and where the opportunities certainly are at this point in time to look to build that capacity, that skill and those trade capacities within the community more broadly.

And this is what I meant by saying I'm not being critical of you personally?---Yep.

But there's a lot of different agencies you've just named there and the reality is the facts on the ground seem to suggest that there's really an absence of that infrastructure within Yuendumu for having a community of skilled tradespeople. And I appreciate all those other bodies might have something to say about it, but would you agree that – and this is only one aspect of what we're talking about, but at least with regard to a microeconomy, a peer to peer economy within a small community such as Yuendumu, that it would be of great assistance if somebody grabbed the problem by the neck and said, let's make sure that we provide the appropriate support and infrastructure so that plumbers and electricians and other tradespeople can live in Yuendumu?---Yes.

You agree that would be a good idea?---Yes.

And that would involve perhaps speaking to its traditional owners to get some land

for building appropriate sheds, maybe shopfront or whatever it might be, and getting an appropriate leasing arrangement and so on. Do you agree with that?---Yes.

And then somebody in a position like yours or one of the agencies that you've mentioned taking the effort to coordinate the provision of local support in Yuendumu so that there's appropriate facilities to run a business, and then making sure that tradespeople were encouraged and supported to go and live there and train other young people to come up through the system of being trained as tradespeople? ---Yes.

And you would agree that would be a fantastic development. It doesn't seem all that hard when I put it like that, does it? It's just a question of will, isn't it?---As I've said, there's - more broadly, there's - and as you've articulated, there's a range of different agencies and organisations that are involved in that. And as you piece that together, as I've said, conceptually absolutely. In regard to the role that's played by this particular office bringing those types of things together or the opportunity to bring those types of things together would be something that would sit in this particular agreement, noting that there's a whole range of moving parts that go with that as well - - -

Sure?--- - - - and the complexity that sits within that.

I mean, one thing we've learnt in the inquest is that a lot of this stuff can be hard, but it also, if I may say so with respect, it also requires somebody to assume and take a leadership position where, on the one hand, people with access to resources and support such as your office takes a leadership position and fundamentally at all times in consultation and relying upon the advice from the local community?---Yes.

So I'm hopefully casting that burden upon you. But you can see that it does need somebody like you to say, well look, there's too many voices coming from too many agencies. What we need to do is make it happen. And then say, I'm going to make it happen?---That's certainly the role, the coordination and collaboration role sits within, within my office.

Yes?---Across government.

And fundamental to that, and I know you've already agreed with this proposition when you were being asked some questions by counsel assisting, it has to be done in a way that the local community want?---Absolutely.

So you have to find out what sort of trade skills the local community wants. You have to find out, again dealing with young people, what sort of trade skills the young people who live there want to learn. And you have to create through those kinds of consultations a strategy and deliver it so that it happens. You would agree with that?---Yes.

And that could of course grow to other kinds of businesses. I'm not trying to confine this to tradespeople, although they obviously are essential. And I won't take you to

the whole housing issue because we've had a lot of other evidence about that, that housing is an issue there. But that could extend to other kinds of small enterprises which are suitable for towns in many other parts of Australia, such as bakery, food kind of enterprises or even a laundry, which might be of great convenience to a community of that size; those kinds of businesses. Do you agree with that?

---There's certainly, from a decision-making point of view and through that local decision-making policy, opportunities there. There's also opportunities through other departments in regard to microbusinesses and support for microbusinesses as well. So again, that would be the Department of Industry, Tourism and Trade would be best placed to give you the detail on that. But there's certainly opportunity there for microbusinesses, Aboriginal business. And there is Small Business Champions within that particular Department that will work directly with individuals in community around the potential to create microbusinesses.

I don't doubt that those opportunities can be found, sourced, created and worked upon, but the facts on the ground don't suggest that that's ever happening. And so, what we're looking at today in these questions is just putting some pressure on you, not you personally but on you institutionally, to encourage whoever it might be, and it might be your office or some other office, to take leadership on some of this, rather than just say, well this department could help you if you go there and this other department could help you if you go there. Do you see where I'm coming from?

---Yep, I certainly see where you're coming from and that's more broadly within those community visits that I spoke about before, is when we hear from the community and the community aspirations, there is again the attribution of responsibility to ensure that those things are followed up individually with the – either the entities or the individuals that have indicated that that's part of their aspiration.

And one of the matters that we'll be submitting to her Honour, recommendations that we'll be seeking, goes back to a community led by the local people, by the Warlpiri people. Do you understand that?---Yes.

And you won't have heard us talk about it, but we've been pushing that in a number of ways as central to solving some of these solutions?---Yes.

For instance, you would – are you familiar with what used to be the Yuendumu Housing Association?---I'm not.

Which was abolished with the Super Shires?---I'm not.

You know what I mean by "Super Shires", don't you?---I do understand the term, yes.

Yes. It came in straight after the intervention. So, the Yuendumu Housing Association used to have real control over housing in Yuendumu - - -?---Mm mm.

- - - building it, the people doing the work were local Yapa people working on the houses and building them and so on over some decades. And with the intervention and the creation of the Super Shires, the entire leadership structure of the local

community was essentially banished and was subsumed into other structures, such as the Super Shires' structure. You understand that, don't you?---Yeah, I understand what you've put to me, yes.

Yes. And so, insofar as you say, well let's go back to the community and hear what they have to say and what they can develop, that also includes giving them the actual power to do things and the funding arrangements which allow a community to take control over their lives in that way?---That's certainly the principles of the local decision-making policy - - -

Yes?--- - - - and framework.

Yes. Just shifting, perhaps if we can, to a more regional perspective rather than just the township of Yuendumu, what sort of work are you doing on - in terms of capacity and developing regional growth which includes the old Warlpiri people and the community of Yuendumu, what sort of work are you doing on major regional development?---Can you ask that question again, please?

Well, there are regional enterprises, for instance, there's gold mining, extraction of gold. You know, the Granites Mine is a huge goldmine, right? I think it employs over a thousand people. Does that sound right? Do you know how many people it employs?---I don't know how many people.

Do you know how many Warlpiri people it employs?---I don't have any visibility of that sort of - - -

I'm told that it's a very small number, but it's not something you know about?---Not specifically, no.

Well, are there regional enterprises or large scale enterprises that your office is working on to develop economic growth for Warlpiri people, whether it's in the cattle industry or mineral extraction or whatever it might be?---So from – I suppose from an economic viewpoint, that is still being developed and within that space, certainly there's a range of things on foot. Probably again better placed from a mining point of view would be my colleagues in the Department of Industry, Tourism and Trade to answer that question. I don't have specifics in regard to Yuendumu in regard to major economic elements that are on foot at this time.

Well it's certainly fortuitous that you're able to speak to us today about these issues. What sort of ideas are being tossed around to create job opportunities and regional growth for the area, the Tanami, the Warlpiri people? What are the major projects that are being considered and lined up?---I think there's a range of things in regard to – potentially in regard to job opportunities. And I'll go – I'll take you back to your previous points in regard to whether that be industry, trades, and some of the work that's done, as you categorised it on a – as a fly in, fly out scenario. But there's certainly capacity within that, and there's certainly opportunity from – from a range of different programs that are available within – in Yuendumu, to build – build some of that capability and capacity. There's certainly a range, from an economy point of

view, a range of positions that are certainly currently unfilled. And we spoke before in relation to some of the community-controlled organisations within – within Yuendumu, and some of the capacity issues that they've been experiencing for a period of time, yeah.

Because the sad reality is, that unemployment in Yuendumu is – is very high. And – you understand that don't you?---Yes.

And it's higher now that it was 30 and 40 years ago?---I can't comment on whether it's higher now than what it was 30 or 40 years ago, I don't have that information in front of me.

Are you familiar with the – I think it's called the Warlukulangu Art business in Yuendumu?---Not – not with any great detail. I'm aware that – that these things certainly - - -

It's the Aboriginal artist association there?---Yes.

Are you aware of anything to do with the number of people – the number of artists who work there? The amount of money it makes? The amount of money it distributes back to the artists in the community? Is that something you've had a look over?---I don't have immediate visibility of that, no.

Okay, well it's – figures from – the last census figures I think, if you – well the second last census perhaps, show that close to 500 artists are working in that Aboriginal artists association, you follow? And that well over \$2m of sales were made at the time that the census was taken, you follow?---Mm mm.

And that money, apart from costs, and wages and so on, is distributed back to all of the artists who do the work. It's a hugely successful enterprise. And my understanding, it's one of the most successful Aboriginal art centres in the Northern Territory. So just assuming that's correct. You'd agree, that that's an enterprise that would be of great assistance to your office, to go and speak to, to study, to learn from, and see how that works so well and so successfully engages so many people. Makes real profits and distributes wealth back into the community?---I – I would expect that – yes, so the Remote Regional Director out there having conversations in relation to that, but not with that level of – level of detail that you've just indicated.

But in the work you've done so far, and I know you can't do everything in the time you've been there, but that hasn't come up as a – as an enterprise to have a very close look at to see what's working, and why it works so well?---Not – not specifically, no.

And it receives very little government funding. I think it receives a small amount of Commonwealth Government funding?---Yeah, I'm unaware of any funding (inaudible).

All right. I don't think you'll be able to help me with this, but just in case, it's probably outside your remit, but the – one of the issues that has come earlier is the question of the swimming pool. And it doesn't quite come under regional growth in some ways. But in terms of economic opportunity, there is a real economic opportunity there, because it could easily be a centre of the community, with a – an economic model that would be of assistance to the community. Have you done any – have you had a look at the swimming pool, and how it operates, and what hours it operates under, and so on?---Not – not in any specificity, no.

Who would be responsible, if it's not your office, who would be – so what – so who would be responsible for improving the operation of that facility? And I'm going to put to you how that might happen in a moment?---I would need to – I would need to take that question on (inaudible).

Is that something you can come back to us on, because we want to make a submission about that. Because again, going back to how the amenity of that community is, and how the community functions, we want to make a submission that the swimming pool should be open until late in the evening, that it should have lighting, that it should be a community centre. That is should be able to provide food, especially food to hungry children, at the pool, and that it should have a – some kind of café, or similar functioning food and beverage facility, with the capacity to bring the community in together, into one place, where people from all ranks of life – walks of life, in the community, are able to mingle. Do you follow? Now, philosophically it's not a long stretch from that to regional development. I know that in terms of giving out dollars it might be, but in terms of building up community capacity strength and coherence, it's a good idea, and fundamental really to how a community operates. So is something that you can come back to us on, and who might be the best person to make that happen?---I can come back to you in relation to whose responsible for the - for the pool, yes.

All right. And the same - - -

THE CORONER: What regional growth has there been for Yuendumu in the last two years?---Can you – can I take that on notice? I just haven't - - -

Sure?---Yeah, thank you.

MR MCMAHON: I'm sure the Counsel Assisting, or their staff, will give you a list of things that someone might need as – made to you, in case you can't write them all down. But since you're going to look at the pool, I'm going to throw three more things at you. And you can find out and then come back to us. I appreciate you can't answer off the top of your head. Everyone in this room is very concerned about the problems that young people have at Yuendumu. And I'm not going to go through them all now, or why they're happening. But part of the solution, is going to be a better enjoyment of life. So I'm going to throw at you, movies, the opportunity to watch movies, as a community. Dirk bike track. And grass on the oval. Now I appreciate you might not be able to answer all those questions, but given your network of contacts, and your role as someone who can coordinate, hopefully you'll

be able to come back to us as to who can make those things happen. Do you follow?---Yes.

Getting back to something that you'll be much more comfortable with, I see you looking glum with that question, which is fair enough. Getting back to something that you're much more comfortable with. Fifty years ago, two very eminent Australians, Nugget Coombes, Dr Coombes, who you probably know of as a public servant, and Professor W.E.H. Stanner, a great anthropologist of the Northern Territory, did a report on Yuendumu. A detailed report which is in this evidence in this inquest. And one of the things they spoke about was the urgency of acquiring what were then various pastoral properties, and delivering them back to the people of – of – the Warlpiri people?---Mm mm.

And zeroing in now on economic opportunities for the Warlpiri people, you may know that the Mount Doreen Pastoral Station – you familiar with Mount Doreen Pastoral Station?---Yes.

Which was in the same family from 1926 to 2022, sold last year. You familiar with that sale?---Not specific, but I was aware that it was for sale, so.

And in that sale, it sold for \$70m, 34 million of which was the land, and 36 million was for the 18,000 cattle, which values them at about 2000 each?---Mm mm.

Which mean they're very good cattle. You can take that from me, if they're selling at that price. So was your office, in terms of looking at developing capacity for Warlpiri people, and looking at economic opportunities for Warlpiri people, was your office able to have a look at that opportunity? It was – it went out for tender the property. Did you guys have a look at it and see well can we buy this and restore it to the Warlpiri people?---Not – not specifically no, and that certainly wouldn't be something that would normally – so from a – from a fund – fund or funding point of view, that wouldn't be something that would sit within my office.

That would – I missed the last half of that sentence. Something that would sit where?---That – that wouldn't sit within my office.

It's – well, you know, to be frank, it sounds like it's something that should sit within your office. Maybe not providing the 70 million to buy it, but in terms of developing capacity in the region - - - ?---So I - - -

- - - developing regional growth for Walpiri people, developing economic opportunities for Walpiri people, not to mention the extraordinary cultural significance of that land being returned to Walpiri people – which I don't expect you to give evidence on?---So – so my response was in relation to the \$70m, the proposition that my office would be able to, you know, as part of Central Australian Territory Regional Growth, would have the capacity to do that in regard to the broader aspects in regard to the potential for community capacity building, opportunities for employment and economy, certainly that would be something that would sit in the first instance, in the office of - - -

So can I ask – it looks – standing here it looks like an opportunity that's come and gone at the moment. How does your office work so that such an opportunity would slip by? I'm not asking your office to produce \$70m but as a coordinator and focusing on the region and growth in the region, doesn't it seem like an opportunity of real significance that slipped by?---Again, so from a remote regional director point of view, we do have a remote regional director based in Yuendumu and I will work directly with him in regard to, you know, where – potentially where the opportunities are in relation to that and in regard if there are obviously opportunities to be undertaken within that thing, part of the expectation of that role would be to explore those and then work back in through the agencies.

I appreciate there are processes that you can go through and I appreciate your goodwill in doing it, but I guess what I'm putting to you is there's a need for someone in the government, wherever it sits, to pay much more attention and to show much more leadership on these kinds of problems, isn't there? It might not be you, but it might be you. Maybe they'll give you a promotion and a pay rise and say it is you. But the Walpiri people grieve the loss of the country on the Mount Doreen Station. It has the best water in the Tanami. It never stops flowing. It's sacred sites with tremendous cultural and religious importance and it was for sale and nobody said well let's get it for the Walpiri people. Can you identify where the weakness is in government structures, systems and thinking so that such an opportunity would just slip by when it's on the market? If the answer is no, that you can't identify it, so be it?---No, I can't.

And what I'm putting to you – and I don't expect you to be the solution to every problem, but it does require leadership and vision and empathy and a willingness to focus on the real needs, doesn't it?---Yes.

In terms again of developing capacity and regional growth, are you able to tell us about solar energy? It's come up before in this inquest, including today, but it seems to me, that in terms of a local community industry where you could have an industry of solar energy for the region which was owned, developed, controlled, run by Walpiri people, the solar energy industry is something that's crying out to be considered carefully. Would you agree with that?---I think the discussions in regard to solar energy in this part of the world have been ongoing for a period of time, yes.

What's the roadblock? I mean in other parts of the country, you go to regional Victoria, regional New South Wales – and I don't know about Western Australia but I do know about some states – there's solar everywhere. The town that I'm most familiar with has a giant solar. A small town, it's the same size as Yuendumu, maybe 200 people more, has a giant solar panel presence. What's the roadblock to stopping places like Yuendumu having a huge investment in solar where the community can own and run and develop that business and provide energy to the community? To me it looks like the sort of thing you'd be really interested in?---So in regard to answering your question what's the roadblock, I'm unawares of that. I'm unaware of any specific conversations that have been taking place in Yuendumu around that. I do – I am aware that there's certainly conversations for this part of the

world in regard to solar and the opportunity to use solar and see the benefits of solar around that. I don't have any specific answer or specific knowledge of roadblocks or things at foot at this particular point in time around the solar for Yuendumu.

But you'd agree that it does look like something where if it was up and running it would have a great potential to increase capacity and growth in a region and particularly in a community such as Yuendumu?---I think again it's a proposition that has significant merit but it has significant complexity and it sits within that as well. So yeah.

So once again it looks like it's just waiting for someone to grab it by the neck and say well to heck with the complexity, I'm going to make it happen. Does that sound right?---There's certainly opportunities.

Well I haven't meant to make it too hard for you, but thank you very much for your answers and we look forward to getting your feedback. And if I may say, given the issues that I've raised and that you'll no doubt consider, feel free to add to the material that you've provided to the court that we can use to assist the court in considering the kind of capacity development and economic development that falls within your remit.

If your Honour pleases.

THE CORONER: Any other questions?

MR COLERIDGE: (inaudible) to the parties. I don't have questions. I just wanted to put to Mr Blandford that he doesn't need to keep a metal list of all the questions for follow up.

THE CORONER: We'll send you a letter.

MR COLERIDGE: We'll make a list.

THE CORONER: Great.

Well thanks for coming in. We'll look forward to perhaps a little more information following up on the specific issues that have arisen in this inquest concerning Yuendumu and the development of the amenities in Yuendumu?---Thank you, your Honour.

Thanks. Amenities and opportunities I should say.

WITNESS WITHDREW

DR DWYER: Your Honour, I'm asked by NAAJA if your Honour would take the lunch adjournment because the panel is anticipated to take an hour, is what - - -

THE CORONER: Sure. So we'll take the lunchbreak and we'll – will we come back at – I don't know how everyone feels about it. But if we come back at 1.30, would that be suitable?

DR DWYER: Yes, your Honour, I'm instructed so.

ADJOURNED

RESUMED

THE CORONER: We have a community police panel I understand. Who's leading the panel, Mr Espie?

MR ESPIE: Yes, your Honour, I'm bringing this evidence.

THE CORONER: I'll just deal with each of you in turn, if fact – actually, I'll use all your names, but I'll just ask the question once.

BARU PASCOE, affirmed:

LINDSAY GREATOREX, affirmed:

MICHAEL SCHUMACHER, affirmed:

THE CORONER: Thank you.

Yes, Mr Espie.

XN BY MR ESPIE:

MR ESPIE: Good afternoon, just to confirm as you all know, my name is Espie, and I appear on behalf of NAAJA in relation to these proceedings. Perhaps, just firstly if I could, perhaps starting with yourself, Mr Pascoe, and if you're able to just confirm what we obviously need to talk about, mainly about your time working with NT Police, and you're from the community of Maningrida, that's where you live now?

WITNESS PASCOE: Yes.

MR ESPIE: And if you could briefly describe your upbringing where you grew up, in Maningrida, is that correct?

WITNESS PASCOE: Yes.

MR ESPIE: A number of places. And you've held a number of different jobs, over the years but – worked there for a number of years as a community police officer?

WITNESS PASCOE: Mm mm.

MR ESPIE: And since then you've held a number of other positions. Are you able to tell her Honour some of the other roles you've had in the community, including in fact explaining the badge on your shirt?

WITNESS PASCOE: Yes. In the year 2003, this was – that was a long time ago, I was the – first of all, I would like to pay my respects to the leaders, past and present of this country where we're having this meeting from. And to those leaders,

who have passed on, and leaders emerging. Especially the Arrernte people and the connections they have to this land.

MR ESPIE: Sorry, Mr Pascoe, I might just get you to hold on.

Your Honour, I think we're having an issue with the volume. We're live streaming his evidence and just checking that.

WITNESS PASCOE: Okay.

(inaudible).

MR ESPIE: We may as well get the – get that back up if we could just go back to it.

WITNESS PASCOE: Okay.

THE CORONER: I'm – stay where you are. It usually doesn't take too long. If you've been following the inquest at all, you might have noticed that we do occasionally have technical difficulties. I'm sorry that it's affected us when you're about to commence your evidence, but we usually manage to sort them out quickly.

And we'll just adjourn briefly.

ADJOURNED

RESUMED

BARU PASCOE:

LINDSAY GREATOREX:

MICHAEL SCHUMACHER:

XN BY MR ESPIE:

WITNESS PASCOE: Yes. I was an ACPO since 2003 in a remote community in Western Arnhem Land called Maningrida. And Maningrida has the size of a population that that's nearly 3500 people, because community Arnhem Land. And I was an Aboriginal Community Police Officer in that community as a rank of a constable. And - - -

MR ESPIE: Sorry, Mr Pascoe, just to interrupt you. When I interrupted you a moment ago I think you were just in the middle of acknowledging – making acknowledgement to - - -

WITNESS PASCOE: Yes. First of all I would like to acknowledge the custodians and the elders and leaders of these – the country where we have gathered and having this meeting now and I pay my respect to leaders past and present and emerging leaders and elders in this community and I pay my respects to those families who are present here also as leaders in communities. My name is Ben Pascoe, but I am also known as Baru Pascoe which I am also known in the community. In 2003 I was an Aboriginal Community Police Officer in the community of Maningrida in West Arnhem Land. Western Arnhem Land and Maningrida has the size of a population near 3500 to 3800, 3900 people living in Maningrida, just about nearly 4000 people. The biggest community in Arnhem Land, Central Arnhem Land. And I've worked as an Aboriginal Community Police Officer as the rank of a constable with the Freeman (?) Station, just an officer in charge, a constable and ACPO, that's all. And my role was to engage with the police wherever there was cultural difficulties in the community, where members didn't know where to go or what to do or the dos and don'ts in the community. And I had to use that elders' hat on to direct them to, you know, certain places, so certain people, certain clan groups. Maningrida has 12 clan groups and the languages there are spoken, 12 languages that are spoken. It's very multicultural community and it's a big community. And as an ACPO I was the frontline in the community. Also teaching the ballander officers about my culture. And on duty, when we were out on patrols, I had to teach them about cultural awareness. And this is what we do, this is how we address people and how we approach people, the places that we don't go to or the places that we can go to. And make sure that, you know – I said often, you know, identify sign languages and body languages in the community. Because the community at Maningrida, we practice cultural 24/7, day and night, including children. And my role as an ACPO there was very much a bridge builder between the ballander officers and myself.

MR ESPIE: And perhaps – you mentioned 12 language groups in the community. If there were cultural matters relating to anyone in the community (inaudible) or an issue, if it was not something that you could give them proper information, what would be the process then? Would you engage with other elders in the community, other clan groups?

WITNESS PASCOE: Yes. If there was an issue in the community where the ballander police officers attend to residential dwelling or a dwelling in the community where there are ceremonial items, for example, I would say okay, we will direct you to the appropriate Jungayi. Jungayi is a cultural advisor, manager or a Jungayi, police officer, cultural police officer or a manager, in that clan groups or a ceremonial group. We will direct you to the appropriate Duwa or Yirritja Jungayi (?). Yirritja and Duwa is just like Ying and Yang. These are the people who they could, you know, assist the police in searches in the community, if there is an arrest warrant or a person of interest, you know, the police would then be aware that, you know, there is, you know, a cultural thing that is happening and then that they would respect that.

MR ESPIE: And I was going to ask you about that later but since you've brought it up, we were discussing earlier an example of what you're talking about now. One of the things NAAJA and others have been discussing in this inquest is the idea of developing a model of community policing to guide police in how they can work with the Aboriginal communities that they're policing. And you've mentioned police attending a house and there was cultural objects, for example. That's an issue that did occur once in Maningrida and we were discussing a solution to that. So I think you were referring to police conducting a search on a house and searching in and unfortunately finding some cultural objects that they shouldn't have found, is that correct?

WITNESS PASCOE: Yes.

MR ESPIE: And obviously the police had an obligation to conduct the search on this occasion. Your suggestion in that situation police are at that house, there's – no one's obviously going anywhere, they have to conduct this search as according to their warrant. What would the – as a guideline to police coming into this situation, what would be (inaudible) engage either an ACPO or community elders to address that without causing offence or (inaudible)?

WITNESS PASCOE: I think maybe the best word I think I can use is that cultural awareness training is appropriate cultural communication, you know, between the ballander police officers and also the normal residents in the community. You know, that culture is practiced every day and night in the community and therefore maybe, you know, cultural awareness training would be an appropriate, you know, area where we could have a look at where ballander police officers can, you know, go through training so that they can get a picture of the cultural framework in the community and get an understanding of what cultural is like.

MR ESPIE: And that example of police searching, searching bags and being told there's objects that they shouldn't handle, if that was to occur and you were aware

that it wasn't something that you could handle, I think you mentioned as an ACPO you would go and find the appropriate cultural leader that would come in and assist in that situation, is that correct?

WITNESS PASCOE: Yes. When the ballander police officers would search the dwelling or house or whatever and there are cultural, you know, objects or symbols or items of sacred significance in the house, then we would treat that as very, you know, carefully and call in the right Jungayi to be able to assist the ballander police officer to open the baggage full of sacred items, make you that, you know, the items are not being tampered and been knocked around or whatever. That Jungayi, Dowa Jungayi or Yirritja Jungayi is there to assist the police officer.

MR ESPIE: Thank you, and if I just pause for a moment there. Mr Greatorex, (inaudible) from here from Western Australia today to give evidence and discuss your time also working in the police force in Western Australia?

WITNESS GREATOREX: Yes, your Honour, my name's Lindsay Greatorex, I'm a Nyuwelngana (?) man from the West Kimberley. My father is a salt water man, and my mother is a fresh water woman, from the river. I too, would like to show respect to the local custodians of the lands that we're on today, the Aranda people. The past, present and emerging young people. It's a privilege to be on their country. I've been here on two occasions, and I really enjoy coming over. Yes, so I'm presently Aboriginal Practise Leader for the West Kimberley District in Child Protection. Back in 2004, I was appointed the officer in charge of the first multifunctional police facility in Western Australia, in the Balgo Community. This was as a result of Gordon inquiry (inaudible). Sue Gordon was the first Aboriginal magistrate in Western Australia. And we had huge child abuse issues across communities in Western Australia. I was fortunate that Sue Gordon was on the panel, and selected me for the job. I got a sense of the interview, that she was happy to see an Aboriginal man apply for the job. I was ready for the time, at the time I sensed, I was a senior constable. That week I went to two job interviews, and I was fortunate to jump from senior constable in probation and senior sergeant in the one week. And I landed at Balgo, 285 kilometres, south east of Halls Creek in the Tanami Desert. Two officers, one probate sergeant, young Scottie that was with me, came out with his young wife and an infant. Because it was a huge task. It was two guys looking after the Balgo Community of 500. Bililina (?) Community of 200, and (inaudible) had these three – three communities to look after.

MR ESPIE: And just to confirm, for those that aren't aware. Balgo's a community, and (inaudible) - - -

WITNESS GREATOREX: Yeah.

MR ESPIE: - - - community off the Tanami Highway, not too far from the NT border.

WITNESS GREATOREX: Yeah and they're linked through ceremonial time, law, time, we have huge sporting events. Balgo people across the Tanami Desert into – into the Northern Territory. Lajamanu, Yuendumu, they've always come to our

sporting events, we come to theirs. White man created the border. We didn't have those borders in our times, in our traditional ways. But we've got connection once more through that country, you know, yeah.

MR ESPIE: And perhaps just going back a step, you'd already been a police officer for some time, leading up to your station - - -

WITNESS GREATOREX: Yeah, so - - -

MR ESPIE: At Balgo, you were – you grew up in Derby, is that correct?

WITNESS GREATOREX: Yeah, so I grew up in Derby, opposite the Derby Police Station. We was always on the wrong side of the fence at that time, and as time went on, two brothers joined the police service. I did 21 and a half years, and my younger brother did nine.

MR ESPIE: And you were fortunate to grow up seeing the first Aboriginal police officer that you were aware of in - - -

WITNESS GREATOREX: I was – I was very fortunate to have role models in the town of Derby. Had Big Johnny Virtue (?) is a six four giant of a man, and pitch black, and you know, he was our hero. He was the big policeman, and Damon Manardo (?), and older guy, they were the foundation for APLINs (?) across the state back then.

MR ESPIE: What did that mean as a young kid? Seeing an Aboriginal man wearing a police uniform, what did that mean?

WITNESS GREATOREX: Well it gave us a sense of security too. That they were there to look after us too, you know.

MR ESPIE: And you've mentioned your brother, your younger brother also - - -

WITNESS GREATOREX: Yeah, my younger brother - - -

MR ESPIE: - - - idea - - -

WITNESS GREATOREX: - - - yeah he – he followed me. And can I just add, I had a white guy across the road at that police station. A big bloke called Lofty Hughes, a giant of a man too, six foot five. And Lofty had a huge impact on me as juvenile, because I was in – getting into juvenile strife, and Lofty pulled me aside one day, and took me down to the local football training the men, and that was the turning point for me. He left me off to sport, and I always think of Lofty as that guy who had that huge impact – he happened to be a police officer.

MR ESPIE: Right, important – it's important for the relationship for people in the community if positive relationships and role models?

WITNESS GREATOREX: Yep.

MR ESPIE: And I suppose further to that ripple effect of yourself, and others, being a role model and having the courage to join – join the police, (inaudible) in Derby, it's another female officer that grew up next door to you, is that correct?

WITNESS GREATOREX: Yeah, so there's currently Shirley Martin, who's a community officer now and had Angela – Angela Portalino (?) up the road, she became a constable. And Ms Wright (?) she became a constable, then there was my brother, so a little (inaudible) in my era, we all – we all became police officers.

MR ESPIE: And just one thing I've got, we'll move on, you were – you mentioned you – when you did some of your training, soon after (inaudible) Geraldton, we've heard about cultural awareness and other training in the Northern Territory. What that bought to you, has anyone delivered any – any cultural training when you were training to be a police officer?

WITNESS GREATOREX: So I went through the WA Academy in Maitlands in Perth, and at that time, so we're going way back to 1987, 88, cultural awareness was very minimal training. I believe it's changed a heck of a lot now. I think there's a lot more cultural awareness training in WA Police services (inaudible).

MR ESPIE: I just want to (inaudible) in your statement, (inaudible) man that delivered some of that training, and (inaudible) situation that occurred (inaudible)?

WITNESS GREATOREX: So I – I first was exposed to racism within the West Australia Police Service, at the police academy when a crowd of young – or a crowd of you know, men came in and ex-servicemen, and talking about cultural awareness to the class. And a few guys made fun of me. For me, that was the first exposure. And then of course when I went on to Geraldton, I seen it on a daily level, racism within the job, which was quite rife I thought. But I was fortunate enough to go back to Geraldton and work there for the next four years, and I saw a lot of changes, you know, we had that crazy riot in Geraldton, where they smashed over \$250,000 worth of windows in Marine Terrace. I was fortunate enough to get involved in a lot of proactive stuff outside my hours, in Geraldton. And that paved the way for me to be accepted by the local community. Because back – that wasn't my – they weren't my people, and I weren't from there.

MR ESPIE: What (inaudible) differences between people in the Kimberley, where you grew up and people in Geraldton?

WITNESS GREATOREX: Absolutely. This – it's just different. I mean the people down south, they suffered a lot more worse than we did here up in the Kimberley. Particularly in regard to displacement, you know, and a sense of belonging. I'm a proud Kimberley man. I can say where I'm from. I know where my grandparent's come from. And as an Indigenous man, if I've got a sense of belonging, my sons are going to have that. And my grandchildren are going to have that. You've got to have a sense of belonging before you can forward, you know.

MR ESPIE: And what did you do to get an understanding of the people in Geraldton?

WITNESS GREATOREX: Well Geraldton, I went beyond myself. Because most of the time, I made progress was outside my hours. It was mainly down at the local police and citizens youth club, where I actually served two years, so coaching young women in netball, and young men in basketball, and the boxing ring, and all that. And I got involved in that – that's where things change, you know. I had a young lady one day call me a coconut. And I thought what's that, what's that. I thought it was quite funny. But then someone said it's – you know, you're brown on the outside, and white inside. I was quite furious after that, but I continued coaching with the kids. And same woman came back six months later. She apologised. She pulled me aside and said I was very sorry about that. And that was a learning point for me, because I'd realised that I'd achieved something, I'd won her over by doing things, that weren't in my JDF.

MR ESPIE: And Detective Sergeant Schumacher, is that the correct title at the moment?

WITNESS SCHUMACHER: Yes it is.

MR ESPIE: Acting Superintendent. You've worked community police for a long time, including the station in Yuendumu. The comments of engaging with the community, for our (inaudible) - - -

WITNESS SCHUMACHER: Absolutely.

MR ESPIE: - - - very important aspect of your policing.

WITNESS SCHUMACHER: Absolutely critical, yes. Yeah so I've got 35 years in the police force, or just about. And early on in my career, I was stationed at Yuendumu. And had engagement with Aboriginal community police officers, police trackers, police aids, I think they were called, in those days. And you know, it was cross-cultural training, every day.. It wasn't a two week course, because it was a daily education. So, yeah, I think their roles are absolutely critical in policing our community, certainly an Indigenous community and certainly (inaudible).

MR ESPIE: And some of their -you were last stationed at a community in Jabiru. Did you notice any differences in policing there or the community you had to work at (inaudible)?

WITNESS SCHUMACHER: It was quite a bit of a culture shock, I suppose, going from Yuendumu to Jabiru. It's a vastly different community and the differences in culture are quite marked. And the Territory is very diverse, so it's not one size fits all with others culture.

MR ESPIE: And did the concept of developing from one (inaudible) community

policing might spell out some of the things we've learnt in the many years of being a police officer.

Is that something in such varying relationships learning the Warlpiri language and further commitment against the engagement of (inaudible) about aspects, or that they were the best practice, these are the tips that we can think of that would be worth being developed. So, you know, offices (inaudible) other than going out and engaging in the community to get advice and a sense of how a good working building their knowledge and relationships in communities?

WITNESS SCHUMACHER: Well, I think realistically the Northern Territory Police has come a long way in a short period of time with the motion of BREC (?), which is their acronym. In some ways, it's redeveloping the skills that appear to have been lost or at least displaced. But I think BREC's doing an amazing job and there's certainly many positive people in there and engaging and incorporating them into a personal (inaudible).

MR ESPIE: Particularly the idea of – dealing on the word “BREC (?)” and designing some of those lost practices and skills, what do you see is the importance of involving the Aboriginal communities that gets work in as part of the co-design and process.

WITNESS SCHUMACHER: Firstly, I'm not sure what sort of formal structure would be required and I think it's in engagement and development, realistically. What policies are involved with that, I'm not sure.

MR ESPIE: Well, for an example of an engagement, learning from a bigger language group, greater access with Pascoe or other people in Yuendumu community that can talk of what's worked in their relationships with police.

WITNESS SCHUMACHER: I think it's just engagement. It's a matter of working together. And not on odd occasions, actually often, regularly.

MR ESPIE: And – sorry just going back to, you mentioned they're starting work in Balgo and you've said that you'd like for frequent (inaudible) an outstation in Balgo, yourself and another officer. It started out as quite a busy tough job. Are you able to talk about what improvements occurred or what changed?

WITNESS GREATORIX: I'll just step back to Halls Creek in '91. Juvenile crime was extremely high and domestic violence out of control. No non-liquor licence in the Halls whatsoever, otherwise it's a crazy cowboy town. It peaked out of control when I got there.

There was a guy called Sergeant Colin Murray who pulled me aside one day and said, Lindsay, it's not about locking the people up, it's about helping them. For me it was a lightbulb moment in my life. He sent me across the road to get involved in the local youth group.

I ended up chairperson of that group and I've been honorary chairperson (inaudible) which is a community region network, swapping culture and using those networks, we're able to do heaps of crime prevention. Colin went across and created the Halls Creek action group that (inaudible). They're all the statistics from the hospital and the education and change all the liquor licencing rules in Halls Creek for the better.

He was able to do that at his level. I was at (inaudible). Very successful, when on to win three premierships in a row. I understand how easy that would make my job. A former community basketball competition has just been made successively for 26 years. There was a lot of proactive stuff. Again, outside my hours.

I was able to take that concept of community policing back to Balgo. It didn't happen straight away. It was a nightmare in the first six weeks where we were working 70-plus hours a week and 100 kids petrol sniffing and the domestic violence was rife, they were always lined up (inaudible).

But the sixth or seventh week in, I said to Scotty, I said, "We're done. We can't do this anymore. It's not sustainable. Two guys can't do this job." And three men knocked at my door one night at 8:30 and said, "We're here to help." And I said, "How?" And they said, "We want to be wardens."

So at that stage, I said tomorrow morning, I'll have you appointed warden one, two and three and the inspector agreed. The CEO, Mela Mason (?) was awesome. He said, "I will get the funding for you." I ended up with a Troop Carrier van. They had uniforms and radios and (inaudible), coffee, tables, chairs, everything. I end up with a team of 12 people allocated across as three groups.

We had Top Camp, Middle Camp and Lower Camp. I had lawmen in there who were very significant and I had young men there and I had women in the group. I had the - - -

MR ESPIE: Just – sorry, I'll just ask you, you mentioned Top Camp/Bottom Camp.

WITNESS GREATORIX: Yep.

MR ESPIE: Different family groups residing in those parts of the community?

WITNESS GREATORIX: Yeah, different. You know like you'd have the Bottom Camp, they'd come from, you know, (inaudible) area and you have Top Camp that come from Yaga Yaga (?). So, they were correctly placed in these camps, you know; camp one, two and three, sort of thing.

And it was important that we had them inclusive, but when those three men knocked on my door that day, that was a community saying, we're here to help and we've had enough. You know, the mums had had enough of family domestic violence. The kids weren't going to school. It's chasing 100 kids a night on petrol.

And they decided to help and it was a turning point for both of us, because I was able to spend time training them and we were able to do heaps of proactive stuff. But it was them coming up with the solutions and they were telling me what the issues were. And the intelligence I got from them was incredible.

But they weren't policing officers, as such. They weren't making arrests. They were eyes and ears and they were with me. If I was going to a job where I thought I'd be at risk going with me and Scotty, I would have two lead wardens come with me and they would do the interpreting, the talking and make my job so much easier.

So having them on board was incredible. But at the same time, we were working together so I had a magnificent CEO. I had a health manager, principal. We were all working together. The Catholic Church joined in with the youth workers and were able to do everything.

So you've got to understand, same old story, please stop doing things for them and show them how to do it. When they've had a blue light disco, I sat back and watched them do it. They run the DJ. They run the dance events. They run the barbecues. I sat back and watched and just oversee it all.

So, they gained ownership of the issues and the solutions and that's why the community, after that initial six months, we were hammered, you know. We went on to win a football championship, the Balgo Football Championships with the desert team. People use to laugh at me when I first turned up there, but we won the championship, so – and then it was a sense of pride in that community because we're doing it.

And even with football training, with all the skills and knowledge I had, I would let them in, come in and do it and I'd whisper to them, you need to tell him this and that. So yeah, it's about empowering local people. So if I didn't have that (inaudible) scheme, the next best thing for me would be having an advisory group when the local people needs talking to. That's what I would do in the absence of a warden.

MR ESPIE: And you were perhaps known to some extent by the people of Balgo who was the nearest township being Halls Creek where you spent some time, are you aware of why (inaudible) undertook for yourself to be stationed there for those (inaudible) police, do you think? Do you think someone that they may be meeting with would be a (inaudible) man being an Aboriginal man. Do you think that made a difference for their trust?

WITNESS GREATORIX: Look of course it is, you know. I had an elderly woman there come up and give me a hug and call me grandson, and I had no clue who she was, you know. She related back to my grandmother, who was a Nyikina woman several hundred kilometres across towards the Fitzroy River, and she related my grandmother to her. So, we had sort of acceptance from the one family group, that you're one of us. But although you know, I didn't know the tribe at all. The only knowledge I had was the association that I was working at Halls Creek. But I can tell you, being Aboriginal it was so much easier because we talk different, you know.

When I sit down and I talk to the old man under a tree, I can talk that Kriol. I may not talk Kujbida (?) but I can talk Kriol and – when I choose it, I use a lot of humour in my talk and we can communicate. I know the signs, I know the cues. It was a big learning point for me, I can tell you. I can understand how big a learning curve it is for the white constables to turn up to these communities to learn. But you know, it's – so it's very, very important that if you've got ACLOs, you've got police aids, whatever, their role in all of this is essential to pass that learning onto these young constables going onto remotes.

THE CORONER: Can I just ask. You've said if you didn't have the wardens, you'd have an advisory group.

WITNESS GREATOREX: Absolutely. Because that's - - -

THE CORONER: Tell me a little bit about what that might look like and how they might advise or what you – how that communication would occur and how you'd develop such a group.

WITNESS GREATOREX: Yes. So I'd be looking at whether it be fortnightly or monthly, you know, form an advisory group, a group that's going to be able to share what they think the solutions are, rather than you assuming what the issues are and giving them an opportunity to come up with finding solutions. So again, it's about building that respect in the community and saying well let's go find a representative from Health, let's find one from the Youth Centre, let's find a representative from Education, let's go find one in the Men and Women's Groups. And that's what I'd be doing. Because it's very difficult to be working in a silo on your own, but it's far more effective when you're working together, you know. And my suggestion to any OIC, whether it be in the police station or remote community, don't hesitate and don't be afraid to go in out there and form these advisory groups, to be there for your eyes and ears of actually what's going on in the community and what is their sense, what is their perception of what's going on, instead of, you know, police officer just assuming what the solutions are.

MR ESPIE: You've mentioned, I think, the eyes and ears of your warden's group in the Northern Territory, NAAJA has the legal (inaudible) team that works with (inaudible) trains – does some legal training for the night patrols and community stakeholders similar to (inaudible). One issue that is often raised with those groups is them as first responders, their ability to make contact with the local police station in their community and then the delays and the challenges they've got dealing with the call centre in Darwin or perhaps Alice Springs, rather than being able to reach out to their local police. What was your relationship after hours with your wardens? Were they able to contact you? Did they have to go through (inaudible)?

WITNESS GREATOREX: No, no. Look, you'll soon realise that I would have to split my shifts. I realised I going to have to be flexible. I wasn't a police (inaudible) that said I don't work after 4. I realised I had to split my shifts, particularly in the first six months because we had tasks at night to stop the alcohol and drugs coming in. We knew which parts they were coming in. So it would make sense that often put

Scotty on dayshift, I'd work in the afternoon if required with my wardens and we'd be sitting there waiting. (inaudible) for them to come up the road with the alcohol and we'd get them. But it's the flexibility. You have to be flexible when you go out to remote community. And the fact is they can come and knock on my door. So I was a police officer that had no issue with them knocking on my door 24/7. But of course it was only if it's urgent. Don't come and see me if it's trivial stuff. Come and see if it's urgent and that's fine. And I responded and they had the confidence that they could knock on my door and I was going to answer.

MR ESPIE: Similarly, could they call you if they needed to?

WITNESS GREATOREX: Absolutely. They had my mobile phone.

MR ESPIE: Mr Schumacher, I see you smiling and nodding to that comments about being flexible and working. Is that your experience (inaudible)?

WITNESS SCHUMACHER: Well look, my knowledge is quite dated but yes, my experience is dated in remote communities, but that was pretty much the way in which we operated. I can remember when they first started patching the phones through to the call centre in Alice and there was certainly a disconnect that they'd make decisions elsewhere that we might not have made locally, having a better awareness of the environment and the community that we lived in.

MR ESPIE: And similarly that call centre is (inaudible)?

WITNESS SCHUMACHER: Now there's not one in Alice, there's only one in Darwin, yep.

MR ESPIE: And to your knowledge does that include for medical emergencies and (inaudible)?

WITNESS SCHUMACHER: Yes. I know it does in the urban centres. I confess I'm not sure with regards to remote communities. I think the triple 0 line goes through to Darwin.

MR ESPIE: Mr Pascoe, just on that point of confidence that the community (inaudible) Mr Greatorex seeing (inaudible) Aboriginal man in uniform, you've mentioned in your statement some situations that (inaudible) disaster or police having to use force or take firearms. You mentioned an incident that you, at Ramingining when you attended with police and – which included, I think you said, some situation of shooting or violence that you had to contend with?

WITNESS PASCOE: Yes. You know when I was an ACPO and we have to go through certain training like in the police force. I know that when I was in training with the NT Police Force that whenever when I confronted situations like this – because ACPOs, we didn't have guns, we only had batons and handcuffs, that's it. The ballander constables, the ballander police officers had weapons. They were weapons as Glocks and pepper spray and you know, whatever. But ACPOs we

were only allowed to carry batons and handcuffs. And in a situation where in one of the training where I did in Darwin was when if we – if I was confronted, you know, a big fella, twice the size of me, what would you do, you know, if you had no weapon. What would you do. Hand to hand combat was okay. We were trained in hand to hand combat. We were trained in the use of firearms but we didn't use firearms in the community because we were not allowed to use firearms in the community. The only powerful weapon that we had to use in the community was our tongue, our language. Our language was the powerful weapon that we used. And on that day when we went to the lawless community in East Arnhem Land, a community called Ramingining and there was conflict between the two clan groups and – actually me and the constable was – we were in the middle of war, you know, between the two clan groups there. And we were, you know, overalls, coveralls on that day. A police vehicle, a ute. We crossed over the (inaudible) river to Ramingining community. When we got to the community there was fighting everywhere. There was, you know, families, countrymen, people, you know, armed with offensive weapons like machetes, you know, star pickets, even shovel-nosed spears, you know. And anything.

MR ESPIE: You mentioned at some point some of those people recognised you and that made a difference (inaudible)?

WITNESS PASCOE: Yes. When we got to the community we pulled over on the side of the road, just next door to the old council office at Ramingining. And when we stepped out of the car, me and the constable in the coverall uniforms, we noticed that there was shouting and screaming everywhere. We looked on the right and then when we looked on the left we saw this young fella, a young teenager, you know, bending the spears when he hooked the woomera into the spear ready to throw at us. And I said – I said to the officer, "Do you know how to dodge a spear, a shovel nosed spear" and he said, "No", you know. If I jump to the right you're going to jump with me to the right. And if I jump to the left, you're going to have to jump with me to the left. If I jump to the right and, you know – if you jump to the left, you're dead, you know. This is – this is (inaudible) because he's going to throw that spear at us. But we were very lucky that my other family members, Pascoe family were in the community, you know, shouting at him, "Don't you do that, that's one of our family. That's our brothers", you know. "That's our cousin there". So that was one thing good when I learned when I was in that community, that because my father is Cooper (?) in-law. He was a Duwala man, and his you know, great grandfathers come from further up, Miwatj region. And my mother's she from East Arnhem and she spoke (inaudible) language. And I have that (inaudible) between two, you know language and culture, of the north – North East Arnhem culture and the West Arnhem culture. And I had – I had that feeling that when I – when my – when my presence was in the community, that the Ramingining leaders and Elders have stop, you know, we have somebody here with us. He is one of our family. And that was a good sign. And I have really spent the whole afternoon there, talking to each of the leaders, and each of the (inaudible) and their Duwa language group. And also the Yirritja language group. And that was one thing good that because they saw us, we – we were just – just in our you know, cover alls. We didn't have anything on us. Stop the car. How are you mob, you know. Just sit down there talk.

MR ESPIE: Did you say nothing on? No weapons?

WITNESS PASCOE: No weapons, you know, no weapons. We was there – the – the you know, the communication we had was just cultural communication which – our – our – just words. The word that you know, that I say is probably one of the powerful weapons in, you know, in the community in the world. Is just words. Without – without weapons.

MR ESPIE: Can I just ask you briefly about another incident, I'm just conscious of the time. We've heard evidence in this court about ACPO Derek Williams, having – using his skills to arrest people in the (inaudible) community, and particular, Kumanjaya Walker. He described a method of arresting him as slowly and respectfully I think were the words he used, in interacting with the young man, or anyone to try and arrest them. And that being a successful way, rather than having to be quite up front and force. You've described a situation where you attended an incident at a nearby outstation to Maningrida, which could have ended quite badly. It involved a male suspect, and his wife, who he killed. And police being at the ready and possibly needed to use – use firearms to arrest this person. But you – you described how you successfully resolved that situation and – with this man coming with you in the police vehicle. Are you able to describe why that – why you managed to succeed in the – peacefully arresting this person, in a quite serious situation?

WITNESS PASCOE: Yes it's like what I said, cultural communication is very important. That – that we use in the community to communicate between, you know, different language groups, or immediate family, or family members. On that day we had a call out to a nearby homeland outstation. There was an incident there between a family members and we attended the disturbance there. And there was myself, and a constable. And we attended the disturbance. When we came to the outstations homeland, we heard that one of my cousins had passed away. And my other cousin brother was inside the house. He was armed with an offensive weapon. And once when we got to the homelands, I said it would be – it would be a good idea if I would talk to him. Tell him about - - -

MR ESPIE: Those other officers spoke with you when they were formulating that plan?

WITNESS PASCOE: Yes, the other officers who was with me were along the trip with me to the outstation. And the – we had plans that – that they were going to arrest this person, and you know, put him in the back of the paddy wagon. But the – the information that we received from you know, reliable sources, especially our family members, that there was weapon inside the house. And when I got out of the – out of the car, I calmly spoke, you know. Come out, you know, we talk together, you know. Don't try you know, to use that weapon, because there's a – there's a – there's a weapon pointing at you. We try solve this the better way – the – the culturally appropriate way, for him to surrender. And I think that's – that's one of the important stuff, and an issue, you know, that I used to – to communicate with, you know, my cousin, culturally, appropriately way, for him to you know, come out. Let

me talk to him. You know, what had happened. What did you do, you know. You're going to have to – the – the consequences, you know, of this, is you know, this is a serious offence you know. We're going to have to take you back to Maningrida with us. And he – he complied. And he said okay, you know. Willingly, he complied and – to be arrested, and I said you know, that was one thing good that I saw, that cultural communication was you know, the best thing – the best source that you know, I could use, without you know, the officer using weapon against him. And we – I told him that, you know, if we arrest you, I can put you in my truck, and we can, you know, go back to Maningrida. And place you in custody until you know, the hearing comes. And we just have to take you down for courts, and – so you know, culturally appropriately, where is probably the best powerful weapon, is your tongue. Not bats or guns.

MR ESPIE: Mr Greatorex, you've had incidents where you're confronted with angry hostile people in the community. Two things, are you able to describe how the existence of senior law men, and the (inaudible) helped you, but also you're experience of – I mean you didn't carry firearms. You (inaudible).

WITNESS GREATOREX: Yeah, so generally, whilst a police officer in Balgo, I didn't wear a firearm unless they got intel that – that I needed to, or I had a sense that I'd feel a lot more secure wearing it. So – but who'd ever come and relieve at the police station, I never made it mandatory for them not to wear it. It was still their choice. But you know, I'd get comments from – from the local people. Hey why you wearing a gun. What you got that on for. So I picked that up pretty early – early on when I first started, but - - -

MR ESPIE: Had access to guns in your vehicle?

WITNESS GREATOREX: Yeah but – in – and you know, our vehicles at the time, they – they had a gun armoury there so you could safely secure and lock them in there if you need to put your Glock in there, or whatever. But I recall an incident up at Top Camp. I knew who I was going for, yes, six foot four, strappy young fellow. Very, very agro, on the booze, just belted his wife. I knew I couldn't do it on my own. Or – or Scotty, my partner, so we went and got two Elders. One of them, he was a – he was an outstanding warden for me, he was my shadow. He was everywhere. I couldn't – wouldn't have been able to do my job without him. He came with me. And the young guy came up with a big steel bar. He wanted to have a piece of me. He was in a rage. And I walked, just walked over there. Spoke to him in language. Grabbed his hand. Grabbed the bar off him. And casually walked him over to my car and put him in the back of the police van. That was a perfect chance where I didn't have to overreact. I didn't have to reach for any weapons. I didn't have to reach for any other – other option, than my – my warden will do this. And they did it peacefully. And it was a good result. Because he – he was still the same bloke that was going to come up to footy training the following day. So the relationship continued, you know. But I had many instances where I knew I was going to a, what I call – what I thought was a danger. Because you've got to always remember, when you're on a remote, there's your back up's several hundred kilometres away, or many hours away. So I was forced to have these wardens, and I always bring them

with me. You know, jump in the car, and I get my old mate down (inaudible) do the job, and you come there, you know this mob. They talk language. I didn't talk the language. I didn't know what they were saying. But having them there was just so much easy.

MR ESPIE: At some stage, you left your position in Balgo.

WITNESS GREATOREX: Yep.

MR ESPIE: You still stay in touch with people from that community, and keep in contact with them?

WITNESS GREATOREX: Yep.

MR ESPIE: You still do today?

WITNESS GREATOREX: Yep.

MR ESPIE: Is there any changes in the policing and youth support from when you left?

WITNESS GREATOREX: Well, the next OIC came in and said he he didn't require wardens anymore, so there were no more wardens. My old mate, (inaudible) his duty as warden every morning was 7 o'clock at the store to ensure the school kids weren't coming in. And he's stick them in the van and take them across to school and that was the start of his day. And for him that was his pride and joy, that was his place in the community. And then later on at 2 o'clock in the morning he'd be alongside me stopping a car, you know, so. It gave him that sense of (inaudible). So just going back to your question.

MR ESPIE: Sorry, and just how the community – whether there were changes in the community?

WITNESS GREATOREX: Yes, yes. So (inaudible) come and asked me basically, he said, well (inaudible) over from the local people, we don't work after 4 o'clock so there wasn't that flexibility. If you like to bring grog and drugs in, you'd just bring it in the night-time and the police officers choose not to work. It's too easy, isn't it. Would you do that at the Balgo store? I can tell you, at 7 o'clock because they're all there and it's chaos.

MR ESPIE: And you had (inaudible) described as a senior wardens and young (inaudible) men from various – Top Camp, Bottom Camp, the various family groups.

WITNESS GREATOREX: Yes.

MR ESPIE: Working together. And unfortunately (inaudible) the case that when that when that warden scheme after you left, there was often conflict?

WITNESS GREATOREX: Well yes, because you don't have that relationship anymore. You don't have that direct contact to those family groups if you haven't got those wardens working for you, it's very difficult. If you don't know those people and know the OIC, this fella behind me, he didn't have that relationship with these people.

MR ESPIE: And so you went from having these leaders in those various family groups in the community, working together, supporting police to those same family groups (inaudible).

WITNESS GREATOREX: Most importantly and all the proactive stuff and all the community policing, they were there to the front and that was so integral. I would have liked to have had what they had at – as part of what he was saying, you know, the ACPOs. We didn't have them. We had Aboriginal police aids stationed in towns across Western Australia and we had many of us. But we didn't have them at community level. And my vision at that time is I'd love to have two other communities, the bigger communities across the Kimberley, you know. (inaudible) got 700 people. And they've got a (inaudible) it would have been great to have ACPOs back then in my time on communities. Because (inaudible) the Aboriginal sergeant left, there was no more Aboriginal worker at that remote community.

MR ESPIE: And describe your first experience coming (inaudible) and knowing about ACPOs.

WITNESS GREATOREX: Yes. So I came over here and we went to a few stations and spoke to a couple of ACPOs and (inaudible) we came over with an idea, you know, well let's have a look, what can we do, can we introduce it back in Western Australia. And unfortunately that project didn't get up and running.

MR ESPIE: At one point in time across WA and certainly in the Kimberley's there were a lot of APLOs at multiple police stations and then there weren't. Are you able to describe the policy changes that had occurred?

WITNESS GREATOREX: Well in 2000 one Sunday I was the senior officer on shift. At this stage I was an acting sergeant. A white tourist came in, came up to the front counter and was looking around for a white police officer and they were all black, because I had another Aboriginal constable with me and three APLOs and (inaudible). But you know, that was fantastic back then. We had APLOs everywhere. And then the police commissioner, not mentioning any names, chose to send all the APLOs to the police academy to become constables when they had a transition program and they were consulting senior Aboriginal staff. I was never consulted. And he sent them all off to the academy. It was dismal. They left on (inaudible) and they left the police services and one of them ended up working for the mining companies. We lost years of experience (inaudible) sad watching that happen.

MR ESPIE: And that was I think 2005 (inaudible) do you remember what year that change - - -

WITNESS GREATORIX: That started around, yes, around 2000 – just after 2000 I think. And they made that decision (inaudible) become constables. What they should have done is identified who wanted to go, let's encourage them and push them through. I had guys come back to Halls Creek, they had one stripe, two stripes, even three stripes and they weren't after that responsibility. They weren't happy with that.

MR ESPIE: And are you able to describe some of the reasons why you think some of those APLOs left rather than trying to go through the mainstream process of becoming constables?

WITNESS GREATORIX: They were happy being that link. They wanted to be that link. They wanted – they didn't want to be the guy that had to do the custodial report and you know, do major investigations and all that sort of stuff. They didn't join the job for that. They wanted to be that liaison officer, that link and teaching young officers coming into the job this is how we do (inaudible) north west. So the duties changed when they came back as a constable and they weren't happy with it.

MR ESPIE: I think you've also mentioned for some of them was they might have had a lot of community connections and cultural knowledge, maybe not the same (inaudible) APLO role?

WITNESS GREATORIX: Yes, look, a lot of them have issues with literacy, so you know, writing up an extensive report on an incident of burglary or putting a brief together was very difficult for a lot of them. So they weren't at that right level to actually go on to become a constable because (inaudible) still pushed to the academy to become a constable, so. It was a very awful time for a lot of them.

MR ESPIE: Had you been consulted by – if you had been consulted by the commissioner at the time, what would your advice have been?

WITNESS GREATORIX: I would have said well look, you've got a period where men and women can want to go to the academy. Come up with a plan and transition them across, not just go chop, you all have to go and place pressure on them. So yes, where's the plan, where's the consultation with the senior staff, you know, is it a good idea.

MR ESPIE: Was there any consultation (inaudible) Aboriginal officers like yourself or with APLOs on an organised, coordinated or regular basis?

WITNESS GREATORIX: None that I know, no. You know, like the APLOs (inaudible) we'd never get together, we'd never have a conference once a year and whatever and that should have been the case.

MR ESPIE: In contrast to your role now in child protection.

WITNESS GREATORIX: Yes.

MR ESPIE: And Aboriginal practice leaders meeting regularly.

WITNESS GREATOREX: Well child protection has only just caught up. So last year we had our first face to face Aboriginal employee network. We had several hundred of us turn up in Perth. That's now going to be twice yearly. And that's the first time a huge government organisation got all Aboriginal staff to meet together in a forum, which I thought was just fabulous. It's a big expense, but you know what, it's money well spent.

MR ESPIE: Do you think something similar within the police force would assist in (inaudible)?

WITNESS GREATOREX: Absolutely. I recommend APLOs or Aboriginal police meeting once or twice a year in a forum to discuss the matters. Why not, you know. This is their country, this is their local custom. Why not get together and grind through all the issues on how they can improve their policing and their relationships. There's certainly nothing wrong with that. Don't come up and say it's a financial cost that can't be done. It's money well spent.

MR ESPIE: Do you think that will improve recruitment and retention?

WITNESS GREATOREX: I think so. I think so.

MR ESPIE: You had a proposition to someone senior to you that within the police, an idea of a training project which (inaudible).

WITNESS GREATOREX: I was in South Hedland. I went – spoke to an inspector and I suggested that I would like to have a portfolio of looking after your APLOs within the region. I would like them to have projects and programs and get them to be actively involved. Because I have a sense that some of the police aids were just sitting, driving around and walking around the park and would often raise questions and ask who's responsible for these young men and women, what duties have (inaudible) are they accountable to the people. And I wanted to run that project because I felt that I could come up with programs that could be applicable and appropriate for where they worked and get productivity from them rather than just a sense of the OIC's ticking a box, he's recruited his APLOs. So my thought was I would love to be involved in that and the response from the inspector was it's a black thing. A few weeks later I put my resignation in. I'd basically had enough, I moved on. I went back home to Derby in the West Kimberley and I changed my career pathway. But you know, the journey as a police officer was awesome. I (inaudible) I've got heaps of enjoyment out of the job and it was incredible. It was an incredible journey.

MR ESPIE: And just to touch on your skills (inaudible) what you've done as an officer, your skills in being able to train and develop ACPOs and other police you at that time had already spent the secondment and – over in East Timor which involved training local people to become police officers?

WITNESS GREATOREX: Yes, 1,200 people applied for a job in East Timor, Timor-Leste. Three of use were appointed. Station commander was my position to train up local East Timorese (inaudible) how to run a police station. A most enjoyable job that was, it was incredible. Poorest people on the planet (inaudible) work but they had a sense of community that was incredible. They were proud to be young men and women who were police officers in such a short period of time in my life, but it was six months. It was awesome.

MR ESPIE: Sadly you weren't able to use that information and experience in this (inaudible) to train ACPOs?

WITNESS GREATOREX: I (inaudible) Western Australian police missed out on a big opportunity when I, you know (inaudible).

MR ESPIE: When you left following that was there any exit interview and attempt to try and get some of your knowledge, or try and keep you there, or finding ways of learning the lessons (inaudible)?

WITNESS GREATOREX: I didn't even get a phone call. I didn't even get an exit interview.

MR ESPIE: Perhaps just touching on perhaps (inaudible) would appreciate you were lucky to do a police exchange program and went over to Canada and be able to describe what you see in that police station in that community (inaudible) Indigenous people there?

WITNESS GREATOREX: Your friend here, I've just met him yesterday. I introduced myself to him yesterday and he's, "Oh my God, you're the bloke, you're man". (Inaudible).

WITNESS PASCOE: I said, "Oh, so you're the bloke I (inaudible) five years, so you're the who went to Canada. Because I didn't want to go". I said, "No, otherwise I'll freeze to death because I come from a hot (inaudible), you know".

WITNESS GREATOREX: So basically what I think happened was Dave Brady who (inaudible) from Canada must have obviously rang Northern Territory police, "We'd like an Aboriginal to do an exchange Canadian thing". So he said no so they rang Johnny Birch who was a police (inaudible) up in Halls Creek. And Johnny, "Oh, no way, I'm no good with that, I'm too (inaudible)". So they rang me and I said, "Yeah, I'd love to. Thanks". (Inaudible). And that Canadian trip that was, that was an eye opener but they were years in front of us, you know, with their treaty. So I went to (inaudible) village Lake Ontario Province. They run their own affairs. The first incident for me was meeting (inaudible). She was a Canadian Indian Native. She was a sergeant. She was awesome. She was really professional to me, right. And um, I got to a service station and it's all Indian staff. (Inaudible) wow, there's no white people running this petrol station. And then it went up to the board, the council, the schools, the education, they're all Indian. And it's 95 percent of teachers

at the school. And it was a big school, it was around 1000 students. And the reception I got at that school was just awesome and I walked away and said, "Wish it was like that back home". Then I walked into the police station and they're all Indian. It was just incredible. "Wow, you're running your own affairs", you know. And that – they had the same issues as us but they didn't have community policing. I was very surprised because back home community policing was just starting to evolve to get rolled up, we were doing proactive road safety stuff and giving s 66 licensing in the Tanami desert (inaudible). It was – community policing was just starting to rev up (inaudible) and she was so surprised that we went to the schools and (inaudible). She said, "Oh, we want to do this". She (inaudible) big time on our community policing, you know. And I walked away going oh gee, maybe we're 40 years behind these guys. But you know, they've got the same stolen generation as us and they spoke about that, so that was really, really intriguing to see that (inaudible). It was a pleasure to go there. It was a life changer, it really was. And the snow was deep and it was minus 15 degrees and I had to wear long johns. It was a good experience.

MR ESPIE: To get perspective, Mr Pascoe, you had to put on an extra shirt this morning?

MR PASCOE: Yes, and I guess my body temperature (inaudible) pretty warm up there – it's raining – compared to the weather down here, you know. So this is the extra shirt on that I wore. I've got two shirts at the moment.

MR ESPIE: Mr Pascoe, you left policing about 2010, is that correct?

MR PASCOE: Yes.

MR ESPIE: Something else that (inaudible) in the justice system has been the work that you and some other community leaders do involves the (inaudible) Justice Group, which is (inaudible)?

MR PASCOE: Yeah, 2010 I left the police force to, you know, journey onto another career, and the career that we had in the community was that, you know, what if we had formed up, you know, some kind of cultural, you know, justice group where, you know, that, you know, families and people can, you know, access to the services so that they can assist is, you know, in writing letters to the presiding judge or if the – the police needed assistance. You know, sometimes in the community of Maningrida we have big (inaudible) there like, you know, (inaudible) and they coming knocking on our doors and say, you know, "Are you guys available to come and assist with police?" Wherever police need us, sometimes, you know, we are there to assist them. Even in, especially in cultural matters like that. Some of the new police officers, the new ones who just come straight off from the woodworks don't know what community's like then we, you know, we direct them the dos and the don'ts and do a little bit of cultural, you know, awareness with them.

MR ESPIE: We've also heard from, last week, some Elders from the (inaudible) Justice Group in Lajamanu. (Inaudible) video link. Your familiar with Kurdiji. In fact,

(inaudible) provide a written statement in the (inaudible) that some of your fellow Elders, (inaudible) Elders gave evidence similar to this on a joint panel (inaudible) - -
-

MR PASCOE: Yes.

MR ESPIE: - - - (Inaudible).

MR PASCOE: Yeah, I think I do have a photo of Kurdiji and two members of the Burnawarra Justice Group, which was Elders at the Royal Commission. And one was a young female named Marcia and one – one bloke name was Lion King because had the hair – the mane of a lion, you know. So we call him Lion King. So he was the one was at the Royal Commission – the statement that we put in to the Royal Commission about a little fella who – the case was successful and we brought the little boy back home.

MR ESPIE: And that involved her Honour's (inaudible) similarly writes letters to people (inaudible) that it was written for a child protection matter?

MR PASCOE: Yes. Child protection matters including writing letters to the presiding judge. Because at the communities when, you know – they just come to your communities, they don't know who the person is so we have to, you know, illustrate the – a picture of this person to tell that story to the judge about what he did so – what (inaudible), the things that he'd done from the past, and that he's (inaudible), and just that the, you know, the person who he is. And that's how we, you know, remember my old friend who's retired now, you know. The judge. We've been working together for a long time, sharing that information. We've been learning about, you know, ballander culture. And the judge has been learning about Yolngu culture. I don't want to use the terminology Aboriginal because I don't like the word Aboriginal. Because you know what the word Aboriginal means? If we put normal – normal – it's normal. And if we put the AB, the abnormal, it's not normal. And so you know, the terminology that I sometimes say is when ballander tell me that I am Aboriginal, I said no you are Aboriginal. I'm the – I'm the original. So we – we begin to sort of share that information in our previous judge, he – he – he – he shared a lot of information, what we've been learning today. How to, you know, write the character reference support letters. And even working with the courts, the Supreme Courts, and including the past Royal Commissions. And that was a very successful, you know. Burnawarra Justice Group from Maningrida. You know, we've been working you know, with the hamburger with the lot, including the NT Police Force. To sit there, talk to them, sometimes in you know, invite them to come to our ceremonial meeting, or dancing centre. That's where they – the NT Police officers get a – you know, a bit of a test of our culture, so that, you know, that they understand, you know, the ropes and the do's and the don'ts. Like, you know, these young fellows who comes spread from the wood work, you know, they just in the community full of you know, sharks and Hammerhead Sharks, you know. Where do they go. How do they fit in. So that's where we, in the community, you know, we try, you know, build that bridge together, so that, you know, we can do, you know, community engage better, to perform better, in the community, you know. Without

any, you know, you know, wrongs or whatever. And that one, the Burnawarra Justice Group, has been working a lot, you know, with the NT Courts and you know, NAAJA, including now that you know, Bunawarra has a MOU with Community Justice Centre. And it's still in force. And that's one thing good. That you know, that we are able to extend our systems to you know, other areas, where we can, you know, fit in, to be able to assist and help others who need assistance.

THE CORONER: Can I ask quickly, two questions. The Burnawarra Justice Group, is – how does – is that part of the Aboriginal Justice Agreement, Law and Justice Groups, or is separate? That's question number one, I'll give you the second question as well. Is there any opportunity for the various law and justice groups in the Northern Territory to meet, and discuss issues?

WITNESS PASCOE: Your Honour, I think I would ask my friend, Mr Espie, would be the perfect expert to – to maybe simplify that question to me.

MR ESPIE: (Inaudible) giving evidence from (inaudible) your Honour, that kindly reminds that might help us answer that, but - - -

THE CORONER: Sure.

WITNESS PASCOE: Yeah.

MR ESPIE: - - - we, prior to COVID, NAAJA had done some work before with the Burnawarra, (inaudible) MOU, between our services. We had planned a network of law and justice groups (inaudible) to try and meet, on occasions, to share the knowledge, but – and the lessons that each other in particular communities do. All those conversations.

WITNESS PASCOE: Yes.

MR ESPIE: And part of that, as your Honour, part of that, was the value of experience of your, and fellow (inaudible) members, attending to Darwin giving evidence at the Royal Commission, and meeting the Warlpiri Elders.

WITNESS PASCOE: Yes, they - - -

MR ESPIE: The meetings that they had during that time, to share their ideas with each other.

WITNESS PASCOE: Yeah, I – I wasn't available at the – the Royal Commission. But two of my members were present. And I think NAAJA gave me a link to watch the live-stream on computer, so – and our Kurdiji was there, and there's three justice groups I think, your Honour. One's the – the Ponke (?), the Ponke from Melville Island. And there's Kurdiji, and there's Burnawarra. Unfortunately, your Honour, sometimes we don't have the funding or the budgets so that we could gather to meet and share this information how we can, you know, move forward as a community, and how we could you know, engage with different organisations.

THE CORONER: Do you think it would be beneficial, if the groups were able to meet?

WITNESS PASCOE: Yes sir, may be sometimes, you know, when we have the budgets, because Bunawarra, we in West Arnhemland, and Ponke is in the Melville Islands. And the Kurdiji I think they're in Lajamanu, so maybe, you know, if we have the funding, we could sort of get the three groups together to meet somewhere, you know, maybe in Alice Springs, so may be up in West Arnhemland where good fishing hey. So I think that's, your Honour, is a good idea, but maybe you know, funding wise, is you know, where could we get the funding, and how many people would attend the conference.

MR ESPIE: And then just to clarify, you (inaudible) doesn't get funding? You don't get paid?

WITNESS PASCOE: No. We don't get paid. We're just a community group, you know. Community group, which we extend our – our group or members from different, you know, ceremonial groups, like the Gunawinwin (?) Mob, the other ceremony groups. These are the members that make up, you know, the Bunawarra, the ceremony law men. Male, and female.

MR ESPIE: And with the 12 land groups in Maningrida, whilst you've probably assisted in the reference letter to people from many of those clans, you don't necessarily speak for everybody in the community?

WITNESS PASCOE: Yes.

MR ESPIE: And when (inaudible) - - -

WITNESS PASCOE: Yes, some of the reference letter that we – we write, is we have members in the community who speak, you know, like maybe Gunawinwin (?) language, and she speaks (inaudible). She can also understand (inaudible), and she can speak Barada, and on – and she speaks English, as a fourth language. Some of the – some of the people, you know, in the Burnawarra Justice Group, their English is their fifth or sixth language, you know. And these are the people sometimes that you know, in customary law meetings, so wherever there is meetings in the community that you know, we have – we have mediators to mediate the meeting, and to see that, you know, all goes well, or even sometimes when there is bush court sittings in the community, you know, NAAJA is always there if Burnawarra is you know, available at – to do letters to the presiding judge. And we are always there to help NAAJA.

MR ESPIE: And that includes often, working until 11 o'clock at night?

WITNESS PASCOE: Yeah, enjoying that Johnny cakes. (Inaudible).

MR ESPIE: And perhaps just to clarify your Honour, the – the reference given by Ms Liddle (inaudible) no relation to (inaudible).

Just on that, there has been some discussion in the community about a different, or separate, law and justice group, but that's not Burnawarra - - -

THE CORONER: Does it have to be - - -

WITNESS PASCOE: Yeah.

THE CORONER: - - - separate though? Is there an opportunity for them – for the Aboriginal Justice Agreement, I think, to work with the existing groups?

MR ESPIE: From our perspective, yes, your Honour, there has been some discussions around that and it's not happening at this stage.

THE CORONER: All right.

MR ESPIE: And just one final question in relation to (inaudible), not only do you write the reference, but it's quite often people from Territory Families who will come and consult with you, and engage around issues with families. Finding (inaudible) carers, and (inaudible)?

WITNESS PASCOE: Yes. Burnawarra had – after the Royal Commission, the recommendations out of the outcome from the Royal Commission was that Burnawarra Justice Group be the frontline in the community with Territory and Families. We thought that, you know, bringing back the kids into the community, they can, you know, speak their language, speak their mother's language and their father's language and they can learn their grandfather's language. So building that relationship so that the child can, you know, learn the father's side and the mother's side and that we could keep the kids in the community rather. Because there was one time a young fella in the community, he was 18 years old and he speaks a little bit of language but most of the time speaks English. And one time he was in tears when he spoke to (inaudible), it's not your fault (inaudible). Sometimes these things happen.

MR ESPIE: And without naming that person, he was someone that had returned after being in care outside of community?

WITNESS PASCOE: Yes, outside of the community for so long until he was 18. And I said to him, it's not your fault, it's, you know, the way things – how it works for the system. But as long as you are back in the community, you know, you will slowly have to learn – it will take years and years. Sometimes it takes years and years for kids to learn that language, the mother's tongue or the father's language or the grandmother's or the grandfather's language. And it takes years and years and years. And they slowly start to learn. They start to pick up that language, the pronunciation or the retroflex or the name of the animals or the plants or the marines, you know, fish and you know, whatever, slowly learn. But you know, these things

happen and we've been writing, you know, that letters to Territory Families and starting to build that, you know, what I call kinship connections, you know, in the community. Where Territory Families and the Justice Group in Maningrida, you know, and engage how we can move forward as a community, how we can, you know, share knowledge and you know, build that bridge together in the community so that our kids can learn, you know, our culture and also ballander culture.

MR ESPIE: Thank you.

Your Honour, (inaudible).

THE CORONER: Yes. Other questions?

MR MCMAHON: Well I'll ask some questions if I may, your Honour.

THE CORONER: Yes.

XXN BY MR MCMAHON:

MR MCMAHON: My name is McMahon and I'm from the – I act for the Parumpara Committee of Yuendumu, which is a justice committee. And firstly, may I say thank you for your statements, all three of them. But Mr Schumacher, you'll appreciate particularly to Mr Pascoe and Mr Greatorex which these statements were simply so educational and very valuable for us to read. So thank you very much. I only have a couple of questions. Mr Pascoe, if I could start with you. There's been quite a bit of evidence about the intervention in the inquest and looking at your statement, you were a policeman from 2005. And one of the issues that's come up is about the relationship between the police and the community and respect. And I wonder if you could just give us an idea of what it was like to be a policeman at the time of the intervention and how that affected respect between the community and the police? If you're able to talk about that.

WITNESS PASCOE: Yes. In my time as an Aboriginal Community Police Officer, I was wearing two hats. One was a community police officer hat and one was an elder hat. And in the NT Police Force when we were Freeman Station, there was the OIC, the constable and myself, which was the ACPO, Aboriginal Community Police Officer. I was the person who was in the frontline. And I, you know, spoke very clearly to the OIC and I said this is my community, I know how things work here. This is – I know the culture, you know, back to front. This is my yard. So whatever we do in the community, it's a good idea to learn from each other, things that maybe you don't understand I can answer or sometimes that I don't understand, you can answer. And during that - the Northern Territory Intervention, I think one thing – the good thing that I've learned in the Intervention that it helped me, you know, gain more confidence and skills so that I can, you know, be a good manager as an ACPO in my own community, to be able to, you know, bridge – build that network as an ACPO to the NT Police Force. And we didn't have much trouble. I didn't have much trouble. And I went along very well with the intervention and I did state clear to my OIC that, you know, we are a team. We have the same goals. And cultural

communication in my community is very, very important. Because culture is practised day and night that we understand, if you're not sure, ask me, I am the cultural expert. So I can, you know, show you the dos and don'ts. And – so it's one thing that you know, cultural awareness, I was doing cultural awareness onsite with my OIC and the constables, you know. And I'm teaching them my culture. And a real-life situation, cultural awareness when we were on patrols on the field.

MR MCMAHON: Thank you very much. Mr Greatorex, may I ask you a question. One of the issues that the Parumpara Committee has raised in the inquest is addressing the question of police using dogs. And we have been putting forward the idea that police should never use dogs to grab human beings to grab them and that will often lead to biting them and so on. And one of the reasons that that's especially important in the Northern Territory is that most of the people who are arrested are in fact Aboriginal people. And so we've been arguing that the dog policy is particularly bad policy because it – where it allows dogs to be used in arrests and so on, because it's so regularly used against Aboriginal people. And they're the ones getting grabbed by the dogs. Is that something that you have an opinion on, that you could talk about?

WITNESS GREATORX: Absolutely I got an opinion. I think it's abhorrent. The fact is these dogs when you see them being trained up by police, they're often biting that they'll have their – they'll be fully (inaudible) dogs biting, right. So it's probably more than likely instinct that the dogs go – so if you're hunting someone, i.e., they've stolen a car and they're using the dog to trail, it's probably a good chance that the dog's going to find the man before the actual officer does and the person is going to get bitten, you see. I just – I think it's inhumane. That's my personal opinion. There's got to be better means and ways than a dog being used. I mean if you're looking for a lost person in the bush it's very applicable, you know, because you're not hunting anybody down, you're actually doing the search and you're trying to find somebody. Dogs are magnificent for that role. But to actually hunt somebody down, I'm not for it. That's my opinion.

MR MCMAHON: Thank you very much.

If your Honour pleases.

THE CORONER: Are there any other questions?

MR COLERIDGE: Yes, your Honour.

XXN BY MR COLERIDGE:

MR COLERIDGE: My name is Paddy Coleridge and I work for the Coroner. I don't have too many questions for you, but I suspect that the questions that I do have are questions that don't have easy answers. It's been really refreshing to listen to all of you and I think that communities that you've served and in different ways continue to serve are really lucky to have you and to have had you. Thank you.

Listening to all of you, it sounds a lot like a good community-based policing involves partnership between Yapa and Kartiya, between Yolngu and - - -

WITNESS GREATOREX: Ballander.

MR COLERIDGE: Mr Greatorex, I don't know the names, but - - -

WITNESS GREATOREX: (inaudible).

MR COLERIDGE: Yes. I wanted to start with you, Acting Superintendent Schumacher and to get, I suppose, your perspective on the importance of the cultural awareness or the insights that you've gotten over the many years that you've worked in remote communities with either Aboriginal members of the Northern Territory Police Force or just community members that have been – that have worked alongside you.

WITNESS SCHUMACHER: I suppose, from my point of view, I was fairly blessed in that Kumanjaji Jaborora Curtis (?) was at Yuendumu for more than 20 years. And from tracker role to a police (inaudible) role, to the ACPO role. So, to be honest, he was my cultural leader.

And even when I left working in community and begun working in violence (inaudible) in the late 90s, I would still contact Jaborora, hopefully the family don't get upset with me, but – and you know, talk to him and seek his guidance. And he was a quiet unassuming man in a lot of ways, but very strong in his culture. And certainly a significant leader amongst his community. So I used him, so.

MR COLERIDGE: I think Mr Greatorex used the word "intel" when you were talking about your wardens. Does that sound familiar to you in your answer?

WITNESS SCHUMACHER: Well, absolutely, he was all of those roles and to be honest, Mr Greatorex actually used his wardens in Jabiru (inaudible) and I have wandered around the vicinity of the community at night looking for alcohol that had come in, and he was an amazing tracker.

And so we'd find the alcohol before – generally, what would happen is, they'd purchase in Alice – probably in outside of the community and go into communities because a lot of them go out bush and we'd intervene. So - and that – and just stopping alcohol coming into the community made such a huge difference.

MR COLERIDGE: So that intel, I mean you're talking about investigating offences, but was the intel sometimes helpful when, for example, you're trying to think about where someone should go on bail, you know, which outstation, which houses, where the problem might be. Did you find that intel or information-sharing with local Aboriginal people – sorry, Mr Pascoe, original people.

WITNESS PASCOE: Thank you.

MR COLERIDGE: Is intel and information-sharing important there?

WITNESS SCHUMACHER: To be honest, I think CAALAS or NAAJA had more of a role in that realistically. They would be the people that would come up with options for that, generally bail is within the community. I mean the outstation movement is certainly, when I was in, you know, the nineties was languishing a little.

I think from the little understanding that I have with regards to Yuendumu and that environment, I think it's languished even more since. So I'm not sure with that specific community how it would work, but I'm sure there's other communities throughout the Northern Territory that's much stronger and would be much more aware.

MR COLERIDGE: Mr Pascoe, you mentioned (inaudible) and ceremony for Yolngu women. Do you think that, you know, telling the police, telling courts, giving them information about things like the ceremonies that are going on could be an important part of the role of Aboriginal police officers, so that there are options that don't involve sending people to gaol or sending people into town to rehab?

WITNESS PASCOE: In our – the character reference that is when we are writing letters to the presiding judge. We talk about their other alternatives, like in the community, maybe sometimes like, you know, up in the Northern Territory, up in the Top End, you know we have wet season and dry season. This morning, my friend sitting next to me said, "Do you know what summer is?" I don't know what summer is. We only got wet season and dry season up in the Top End.

So, in the wet seasons times, you know, when, you know, people are still at their own outstation, so their homelands. When we write the character support letters to the presiding judge saying that maybe it's a good idea for, you know, Peter, Paul and Mary to, you know, reside at this outstation for the rest of the remaining four months until the early dry.

And very often that, you know, the presiding judge will say, yes, I think that's a good idea or even, you know, every calendar seasons, every dry season, there's a ceremonial calendar season where ceremonies are on, you know, especially in the Top End and maybe, you know, here in the central desert.

And we, you know, say to the judge that maybe it's a good idea that the young, you know, silly kids can maybe attend to the ceremony for, you know, six months or sometimes, you know, some ceremonies goes for a year. And let the trees, let the rocks be their prison walls instead of the steel metals in prison. And you know, out of that, sometimes we have good outcomes.

And I think that's probably, you know, a culturally-appropriate option for how we can get, you know, keeps the people out from prisons, you know, bring them back to the community where we can, you know, talk with them, guide them, put them back in the community. Put them on track.

And that's one thing that we've learned to and we worked when my old retired old friend, Mr Greg Cavanagh, was the judge and I want to thank him for the information that he shared with us and the information that we shared with him. And that's something that we can all learn, you know, as Burnawarra Justice Group writing support letters for us for the presiding judge.

Sometimes, you know, we put in a lot of good stories, just like, you know, just like John Rambo and you know, the general. He's John Rambo chipping the statue and the arm general says, we're just only chipping the statue. That's what we just chipped away the statue. The statue is always there, like we're just chipping away the rough edges.

And things like that we understand and especially in the law system, how – how can we do or engages with, you know, the law system culturally appropriately for this individual female or male. How do we, you know, build that bridge together. And that's one thing that is that writing the character support letters to the presiding judge.

MR COLERIDGE: The second topic I wanted to ask you about was, and it really follows on from something that you were saying to Mr Greatorex about Aboriginal people want ownership of the issues and that ownership of the solutions. And that's a message we've heard time and time again over the last six months. The sense we get from all three of you is that Aboriginal people want to work with the police, either as constables or in other roles.

I wanted to ask each of you whether you have any thoughts, ideas about how we support more Aboriginal people to become members of the Northern Territory Police Force, either as constables or ALOs or ACPOs.

Perhaps if I just start with you, Mr Greatorex. Do you have any thoughts on that?

WITNESS GREATORREX: Well my first thought is it has to start at the schools. You know, why don't you have a proactive community legal education of our community police officers through your schooling system. So you possibly might start at year 8 or you might start at year 10. And then – I mean you run through the process (inaudible). If you get to year 12, do you go and enter into a traineeship. So – well in essence what we're talking about is pathways, you know. Sometimes with placing young Aboriginal man and woman in a job where they learn to be job ready. They learn to appreciate that they have to get up at 8 o'clock and they have set hours to work. That's part of that pathway. So police departments have to think about what pathways do we need to develop and set in to try and get more Aboriginal men (inaudible) services. Now the actual serving men and women that we already have in the Northern Territory or WA for that matter, they play a key role in this. So the consultation has got to start from within, within the black staff. Don't impose upon the outside. Let the ownership come from the actual Aboriginal staff. Let it be their idea and their concept and get them to round it, with supports surrounding them. And then say so you know, this idea about these APLINs meeting and forums and

whatever, there's your starting point. As a group of Aboriginals who already serving, what do you guys think, how can we get more. Rather than a white inspector in charge of Aboriginal affairs with his little group around him, you go direct to the staff that are already working and have years of experience. So that's my suggestion is start from within. We're doing that now as an Aboriginal practice leader of child protection, we now have this Aboriginal network, employment network in place and we're getting to the crux of what are the issues that are affecting Aboriginal children and we want less Aboriginal kids in care. The solution finally has to start with our Aboriginal staff. We live our cultural daily and we live in the communities. We have the solutions, start scratching and digging at the staff that you've already got. They've got the solutions for you. And of course it has to be collectively done. They have to be given the resources to make it happen.

MR COLERIDGE: I think, superintendent, I'd accept the last answer really emphasises the importance of starting with existing Aboriginal staff.

WITNESS SCHUMACHER: Well I confess actually that as my friends here were talking, I recall the Mount Theo project which actually kicked off in the 90s out there, so. Which the Brown family was certainly integral in kicking off. And that was somewhere where I believe the young offenders were bailed to at times. I'm pretty certain that that's not up and running at the moment and hasn't been for quite some period of time. But that was very effective.

MR COLERIDGE: In terms of things – I guess I'm directing this to your experience as a non-Aboriginal police officer who's worked in remote Indigenous communities. Do you have ideas (inaudible) that non-Aboriginal members of the police force might do to encourage Aboriginal people to join them as police officers?

WITNESS SCHUMACHER: 25 years ago we had a school based constable that was based in Yirara College that went around all of the remote communities actually engaging with the kids at probably 8 or 10 and I believe it was called the DARE program which was a drug and alcohol awareness program. I never had much to do with it. But that was early interactions with kids, which I think is critical.

MR COLERIDGE: It sounds like – and just harking back to some of the stories you've told us about being a young fella, the best advertisements for the Northern Territory Police Force are Aboriginal police officers who engage with kids.

WITNESS GREATORIX: Yes. Well in Western Australia we had constable care. Constable Cares Project. A bit similar to yours. Constable Care was prominent in schools. Now I haven't had Constable Care mentioned at all, I think it's another community development project that got pushed aside by the last commissioner and he wanted all his men at the forefront, on the frontline at the loss of community policing. And we've been chasing our tails in Western Australia for the last ten years as a result of that and now we've come back and we've appointed community liaison officers to fill all the gaps of the APLOs we've lost.

MR COLERIDGE: I might do some following up and find out what happened there, after we break. But the second half of the question – so the first half of the question is okay, getting people into the police force. The second half of the question has to be how do we support Aboriginal people to stay?

WITNESS GREATOREX: They have to get that support from within themselves as a group for starters. And that's what we're doing now in child protection is we're looking at our staff and at us surrounding one another. If you get a sense of mateship within your job, you'll stick around when it's hard because resilience is so important. Resilience is the ability to, you know what, I'm going to tough this out. It's really, really hard for me, right, I've got to toughen up. And if you've got fellow Aboriginal workers alongside you, encouraging you, mentoring you – and you've got to have this mentoring. Sometimes mentoring is just not in certain police stations. I was very fortunate to be mentored by Colin, old Murray (?), sergeant at the time. The guy was awesome as a mentor. Now you've got to have a mentor program so we can maintain. You have a supervisor who has that ability to check in once a week, how is my indigenous worker going. What are your plans for the next three years. What are your plans for the next five. Do they identify that this young Aboriginal guy coming through is switched on, let's channel him, let's look at what development plan we can come up with. I was very, very fortunate in the Western Australian Police Service to bump into two guys that guided me that way. They were awesome and they came up with a development plan.

MR COLERIDGE: Is there a police union in Western Australia?

WITNESS GREATOREX: There is.

MR COLERIDGE: Do you feel like that was much of a source of support for Aboriginal police officers during your time?

WITNESS GREATOREX: I think so. I felt supported by my police union. And of course, you know, as a police officer you're always getting complaints against you and our union were there to support us (inaudible). I have no issue with mine (inaudible) police union. They were – I sense that they too always wanted more Aboriginal workers.

MR COLERIDGE: Acting superintendent, any thoughts on (inaudible) Aboriginal people to stay long-term within the Northern Territory Police Force, in whatever role?

WITNESS SCHUMACHER: Yes, look, I hark back to – I agree with Mr Greatorex's words. But I also think that the CREC program which started – or that has been started, in the Northern Territory I think it's – it's going, great goings. And I think that there's a lot of support internally with that program. And a lot externally. So those of us that have worked in remote communities understand that importance, understand that, the need to support your Indigenous staff. Am I allowed to use that word? Indig, is that all right?

WITNESS GREATOREX: That is okay.

WITNESS SCHUMACHER: Thank you.

MR COLERIDGE: I just have one more (inaudible) and I'll direct it to you, Mr Pascoe, because I know that you've really worked in communities where you have strong cultural and family ties. We've heard some evidence during the inquest that although those cultural and family ties most of the time are a real asset, they help indigenous police officers. Sometimes it can make the word a bit hard if it's close family or you know, there's poison cousins, you know, someone's wrong skin for you. How do you manage that when you were a police officer in Maningrida?

WITNESS PASCOE: Yes. When – before I was a police officer, an Aboriginal Community Police Officer, I was a night patrol coordinator. And the stuff that I was doing in the community running that night patrol program, there was no ACPOs, but there was police aids and the police trackers in the community. And the officer in charge was, you know, looking at how I was, you know, managing the night patrol crew, I had morning shifts, I had evening shifts. And some of the stuff that I was doing was the work of an Aboriginal Community Police Officer or a police tracker or a police aid. And then he said, you know, you're a coordinator but the stuff that you are doing in the community, looks like a police officer doing, you know, community. Why don't you come and join in, you know, join the police force. And I said that's – that's a big step to join the – the NT Police Force. I got to have to you know, think about it, talk to my Elders. Talk to my family. Because – because once I'm a police officer, I got to use the policeman hat. And when I'm sleeping, I'm going to use a father hat.

And I'm going to use a grandfather or an Elders hat, a community hat on. And this is the – the kind of conflict of interest that before, you know, kids are work readiness in the community, before they enter into employment, especially the – the NT Police Force, they have to understand the roles and the responsibilities. And how – how – how you, as an individual, what's you know, what do you expect out of that. You know, because, you're going to live in a ballander world, and a Yolngu world. You don't even – you live in two – both worlds. And you going to have to balance the – the world in you. And the power that you're going to use, police power, to arrest people. And the authority – authority in your customary law, as an Elder. And these are the things that – when I went through, was, you know, a challenge in the community.

And not only that, but it also taught me working in the police force, taught me how to be a good manager, how could I manage, you know, this is learning a ballander culture now, is – was a big step learning how to manage, you know, my own family of being you know, how could I be a role model in the community, so that I can get the – the next generation, if I did this, you can do it, you know. It only needs this trust, and then make sure that you know, you speak to the leaders, the (inaudible) the Elders, and your parents, let them know. Because it's going to be a big challenge and a big step in, you know, as an individual.

MR COLERIDGE: So you've talked quite a bit about, you know, Yolngu police officer learning about ballander authority, trying to work out that conflict of interest, if there's conflict.

Acting Superintendent, do you think that there's also some work to be done educating non-Indigenous police officers, about Yolngu, or Yapa culture, so that they can understand (inaudible) conflicts for Aboriginal police officers?

WITNESS SCHUMACHER: Well hopefully they've picked that up during the time that they've actually worked with me, but – and certainly the colleagues that I've worked with over the years have understood that, and accepted that, and acknowledged that there is concern. It's a stressful role. It's a difficult role. And it's – it's a role, working, you know, across culture. It's a tough job. It's a tough gig. I understand that absolutely, and without the family support, without the community support, it's a very difficult job to do. But certainly, the colleagues that I've worked over the years, I think everyone understood exactly what it takes to become – (inaudible).

THE CORONER: Is it the kind of thing, in the training college, where you need to get you know, people in the constable training role, which at the moment, are predominantly you know, you probably don't have that many Aboriginal people going through the constable course. But I know there are some. But to get the constables, and the ALOs and ACPOs together, in that kind of training module, to kind of talk about those issues, conflict and how to resolve, and how to communicate well with each other.

WITNESS SCHUMACHER: Your Honour, I – I believe that that's occurring. I believe there is, certainly, some cross-cultural education that's occurring.

THE CORONER: Sure, I'm just not sure if it's done together with – amongst those groups. Someone will be able to tell me, maybe it's already happening, I don't know.

MR FRECKLETON: Well I'll let you know about that, your Honour.

WITNESS SCHUMACHER: I think your Honour, it's happening, but it's in a limited capacity. So – and realistically, it's not something that's picked up on – in a week, or a day.

THE CORONER: No.

WITNESS SCHUMACHER: It's time - - -

THE CORONER: But being aware, there's that – that glimmer of awareness, and also being aware about the needs to communicate openly around those issues. Not to tiptoe around them, or make assumptions.

WITNESS SCHUMACHER: Your Honour, I'm aware that Senior Constable Craig Wallace went up for the latest recruit (inaudible) and produced a lecture, and was up

there for several days, so, I'm not sure who else was amongst that (inaudible) at that time, but I can attest to that for within the last six weeks, he was up there.

THE CORONER: I just also – I definitely see that there could be a prospect for that peer to peer learning.

WITNESS SCHUMACHER: Yes.

MR COLERIDGE: Mr Greatorex, as someone who was the OIC of the station, you're working with wardens who, you know, lived in, and were connected to the station. Was that an issue you saw from time to time?

WITNESS GREATOREX: Absolutely.

MR COLERIDGE: And how did you manage it?

WITNESS GREATOREX: Well I'd – I would have to be aware of – of the conflicts. You give the staff the confidence that they can actually sit down and tell me that. Because sometimes that's the hardest bit to do. It's their pride - - -

MR COLERIDGE: You think people were ashamed - - -

WITNESS GREATOREX: Yeah, they ashamed to talk about (inaudible) through law, I can't go there, but – but within that relationship maintaining and you being truthful and honest to them, that they'll have that capacity to sit down and tell you, I can't go there. I can't deal with that one. Again, it's all about that relationship.

Your Honour, those are my questions.

THE CORONER: Are there any other questions?

Can I say how much we appreciate your all coming? And not in the least, because you also bought humour to some very, you know, long sitting days, where we've been listening to very difficult issues. And the humour that you've bought in relation to some of your experiences and stories, shows – or demonstrates, I think, that there is a real warmth and a willingness to engage as human beings and move forward together. And I really appreciate you all coming today.

WITNESS GREATOREX: May it please, your Honour, thank you.

WITNESSES WITHDREW

THE CORONER: Do we need to discuss anything further before we adjourn and otherwise we'll be communicating about our next start date, and 9.30 sharp.

DR DWYER: 9.30 sharp on 31 July.

THE CORONER: All right, we'll adjourn.

ADJOURNED