

Hon Jim Lloyd J.P.

Minister for Local Govt, Territories and Roads (2004-2007)

Member for Robertson (1996-2007)

**The Senate Foreign Affairs,
Defence and Trade Committee.**

Dear Members of the Committee

I welcome this opportunity to make some comments on aspects of your inquiry into the administration and management of matters relating to Australia's northern air, sea and land approaches in the region of the Torres Strait.

My comments are based on my experiences gained as a member of the Aboriginal and Torres Strait Islander Standing Committee from 1996 until 2004 and as Minister for Local Government, Territories and Roads 2004 to 2007.

During those 12 years I visited almost all inhabited Torres Strait Islands on a number of occasions and strongly supported the finding of the House of Representatives Standing Committee August 1997 inquiry "A New Deal"

The terms of reference for this inquiry were,

1. Whether the people of the Torres Strait would benefit from a greater degree of autonomy;
2. if so, what forms should a greater degree of autonomy take; and
3. what implications would greater autonomy have for Torres Strait Islanders resident outside the Torres Strait region, including whether the Aboriginal and Torres Strait Islander Commission or the Torres Strait Regional Authority should represent the interests of such residents.

Two recommendations of this inquiry were,

Recommendation 1

The Committee recommends that the Commonwealth Government negotiate the establishment of a joint statutory agency (the 'Torres Strait Regional Assembly') with the Queensland Government to represent all residents of the Torres Strait area and to replace the Island Coordinating Council, the Torres Strait Regional Authority and the Torres Shire Council.

Recommendation 3

The Committee recommends that the statutory functions of the proposed Torres Strait Regional Assembly be to

- formulate policy and implement programs for the benefit of all people living in the Torres Strait area;
- accept grants, gifts and bequests made to it;
- act as trustee of money and other property vested in it on trust and accept loans of money from both the Commonwealth and Queensland Governments, or other approved sources;
- expend monies in accordance with the terms and conditions on which the money is received;
- develop policy proposals to meet national, state and regional needs of people living in the Torres Strait area;
- advise the responsible Commonwealth and Queensland Ministers on matters relating to the Torres Strait area, including the administration of legislation and the coordination of the activities of all government bodies that affect people living in the Torres Strait area;
- undertake activities on behalf of one or more island councils for such purposes as are requested of it by the council or councils concerned;

- have power to delegate to and contract with Island Councils;
- establish and operate such businesses as the Regional Assembly thinks fit for the benefit of the people of the region; and
- have and discharge the functions of local government within the region, except in areas covered by the Community Services (Torres Strait) Act 1984 (Qld) and the Community Services (Aborigines) Act 1984 (Qld).

Currently despite the Queensland Government's council amalgamations the governance of the Torres Strait region is still complicated. You have a number of levels of Government all trying to provide services and information.

These include

The Australian Government, The Queensland State Government, The Torres Strait Regional Authority. The Torres Strait Island Regional Council representing 15 island councils, and The Torres Shire Council just to name some of them. This is very confusing and could lead to poor communications with our near neighbouring countries. **I believe that the establishment of a Torres Strait Regional Assembly as recommended in the House of Representatives inquiry described previously would play an important role in enhancing direct contact at a high government level with both PNG and Indonesia.**

The Torres Strait Treaty should continue to operate but there is an urgent need to quantify how many people actually utilise the cross border arrangements and for what purpose.

A special provision of the Treaty allows free movement (without passports or visas) between Australia and Papua New Guinea for traditional activities in the Protected Zone and nearby areas.

This is only for Torres Strait Islanders and for coastal people from Papua New Guinea who live in and keep the traditions of the region.

Torres Strait Islanders are allowed to travel north into Papua New Guinea as far as the 9 degrees South latitude line just north of Daru. They are also allowed to visit Parama Island and the villages of Sui and Sewerimabu.

Traditional inhabitants from the nominated thirteen Papua New Guinea coastal villages are allowed to travel south into Australia as far as the 10 degrees 30 minutes South latitude line near Number One Reef.

On my last visit to Boigu Island (where I opened a new petrol distribution bowser) I was concerned at the increasing pressure this cross border arrangement was placing on the local medical centre and its staff. It appeared to me that this centre was resourced to cater for only the Boigu residents and yet increasingly the patients were from PNG seeking assistance. I was also informed that, increasingly, many of these people were travelling from outside the Treaty zone to access Australia's superior medical facilities on Boigu.

If this arrangement is to continue, and I believe it should, the **Australian Government needs to look at ways in which the border medical facilities can be resourced. One way may be to look at Australia's aid funding to PNG and possibly divert a portion of this funding for the treatment of PNG residents**

within the Treaty zone. This ensures accountability of funding and ensures good service delivery to PNG residents and with the added benefit of increased medical services for the Torres Strait Islanders as well.

Australia is very fortunate that the local Torres Strait Islanders are so passionately proud to be Australians and carry out many essential roles, particularly in the areas of border control, quarantine and environment. The training of local indigenous people needs to continue and be expanded where possible. **An increased number of sponsored cadetships should be offered to suitable candidates assessed not only on their academic levels but their local knowledge and position within their communities. The more well trained indigenous residents we have, the more likely Australia will be able to enhance its relationship with its near northern neighbours.**

It is important that ways are examined to link the local experience more closely with the departmental personnel in Canberra. It may have been that the “Merauke 5” incident in December 2008, whereby 5 Torres Strait residents were detained in Merauke for an extended time over visa breaches may have been avoided or minimised if there had been greater input from local officers in both Torres Strait and Indonesia. It may be that the establishment of the **Torres Strait Regional Assembly** may have also assisted in this particular case.

Both the Senate and House of Representatives regularly fund education seminars for politicians from PNG and Pacific Island Nations. These seminars should be expanded to include Torres Strait community leaders, providing them with a greater knowledge and closer understanding of the workings of the Australian Parliament.

In closing I would encourage the members of the committee to undertake part of their inquiry within the Torres Strait. It is only when you travel to island such as Boigu and Saibai, where you can see the mainland of PNG in the distance that you truly realise the importance of supporting our wonderful Torres Strait Islanders in the work of keeping our northern gateway protected from disease and illegal entrants.

Should Senators be interested in discussing this submission further I would be prepared to appear before the committee

Yours Sincerely,

Hon. Jim Lloyd