

# Chapter 1 Introduction

In August 2004 the Committee produced its Interim Report for this Inquiry. As directed by the terms of reference, the Final Report was due on 30 November 2004. On 18 November 2004 the Committee requested that the Legislative Council amend the terms of reference and set a new reporting date of Friday 17 December 2004. The reporting date extension was required to allow the Committee to consider the report of the Human Services Review and the announcements on the establishment of the Redfern Waterloo Authority. Both the Human Services Review and the Redfern Waterloo Authority are central to the terms of reference for this Inquiry and are dealt with throughout this Report.

This chapter briefly overviews the conduct of the Inquiry and provides an update on the other inquiries and investigations conducted into issues relating to Redfern and Waterloo, which were also dealt with in the Interim Report. The chapter concludes with an outline of the content and structure of this Report.

## Conduct of the Inquiry

- 1.1 The terms of reference were referred to the Committee by resolution of the House on 26 February 2004. In the Interim Report we outlined the events of 14-16 February 2004 that led to this Inquiry.<sup>1</sup> We will not go over these events here except to reiterate the Committee's deep regret for the death of the young Aboriginal man and our sympathy to his family and friends, and the community. The Committee notes that the Department of Housing has offered to have a memorial erected on the site where he was injured. We understand the Government is in consultation with the family and community on this matter.<sup>2</sup>
- 1.2 As noted in the Interim Report, in the initial stages of the Inquiry the Committee called for submissions. While the closing date was 16 April 2004, the Committee has continued to accept new and supplementary submissions up until the final stages of drafting this Final Report. In total, the Committee received 94 submissions from a wide range of government and non government agencies as well as community representatives, individuals and academics.
- 1.3 In order to better inform those who participated in the inquiry process the Committee resolved to place all public submissions on our website. In addition, the Committee placed on the website a number of relevant documents including the Strike Force Coburn report and the report of the Human Services Review. As is usual practice, the uncorrected version of the transcript of public hearings was also placed on the website, usually within 24 hours of the hearing.
- 1.4 For this second stage of the Inquiry, the Committee held six days of hearings between September and November at which 79 witnesses appeared. In total, the Committee has held

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<sup>1</sup> Standing Committee on Social Issues, *Inquiry into Issues Relating to Redfern/Waterloo: Interim Report*, August 2004, pp2-3 (hereafter *Interim Report*)

<sup>2</sup> Mr Mike Allen, Executive Director, Central Sydney Housing Services, NSW Department of Housing, Evidence, 2 November 2004, p10

13 days of hearings with 139 witnesses. These hearings were held at Parliament House and at various venues in Redfern and Waterloo. The Committee did conduct a number of hearings in private at the request of the participants. Some of the evidence provided at those private briefings has been used in this Report, after consideration by the Committee and in consultation with the individuals and organisations involved.

**1.5** The Committee notes that in our Interim Report the focus was primarily on issues related to Redfern. In this second stage of the inquiry process the Committee has made a particular effort to consult with the Waterloo community. As witnesses raised with us many times, while Redfern and Waterloo share some characteristics, the two communities have important differences and very distinct concerns. In this Final Report we have tried to address the issues facing both communities.

**1.6** Many of the issues, conclusions and recommendations in our Interim Report have progressed since the release of the Interim Report in August. In particular, Government announcements on the new primary health care facility and the further extension of the Redfern Waterloo Partnership Project (RWPP) have occurred at least in part due to the evidence from inquiry participants and subsequent recommendations in our Interim Report. In his recent evidence to the Committee, Mr Michael Ramsey, Project Director of the RWPP suggested that the primary health care service, for example, addresses many of the issues raised by the Committee:

You raised that issue specifically in your Interim Report and this new facility responds exactly to the issues you raised in your Interim Report.<sup>3</sup>

**1.7** A number of these issues are discussed in this Final Report, such as the establishment of the health facility and the extension and additional staffing and resources for the RWPP. In addition, the Committee briefly considers the issues raised in the Interim Report on the redevelopment of the Block and the Aboriginal Housing Company, and the implementation of the Government's announcements on 16 July 2004 aimed at addressing policing in the area. The Committee also deals with other significant Government announcements made since the Interim Report, such as the establishment of the Redfern Waterloo Authority.

**1.8** The Committee thanks the participants in this Inquiry for sharing with us their knowledge and expertise, particularly given the 'consultation fatigue' being experienced by many members of the Redfern and Waterloo communities. We hope that you feel the process has been a useful one. The Committee notes the comments made by a number of witnesses that the negative stereotyping of the Redfern and Waterloo area by some of the media is counter productive, and expresses the hope that the media will take a responsible attitude to reporting future issues in relation to the area.

## **Other inquiries**

**1.9** The events of 14-16 February led to a number of inquiries and investigations. In our Interim Report we provided an overview of the scope and projected reporting dates for these inquiries. In this section we provide further information on their progress or completion.

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<sup>3</sup> Mr Michael Ramsey, Project Director, Redfern Waterloo Partnership Project, Evidence, 12 November 2004, p20

## NSW Police

- 1.10** In the weeks after the riot the New South Wales Police Commissioner requested an investigation into matters relating to the riot, called Strike Force Coburn. In early July the Committee wrote to the NSW Police Minister, the Hon John Watkins, requesting a copy of the Strike Force Coburn final report. In addition, the Committee recommended in the Interim Report that the Minister for Police release the Coburn report.<sup>4</sup> On 17 August 2004 the Police Minister wrote to the Committee enclosing a copy of the *Strike Force Coburn: Final Report – Part A Analysis – Redfern Local Area Command Civil Unrest 15-16 February 2004* and an excerpt from the *Final Report – Part B NSW Police capacity to respond anywhere in NSW to incidents of violent disorder*. The documents were made available to the public and the media at the same time. As noted above, the Committee placed a copy of the Report on our website. Issues raised in the Coburn report relevant to the Inquiry are discussed in Chapter 2, Policing Issues.

## NSW State Coroner

- 1.11** The NSW Coroner conducted an inquest for the purpose of clarifying the circumstances of the death of the young Aboriginal man to determine if any police misconduct occurred. After hearing from approximately 20 witnesses the Coroner handed down his findings on 17 August. In conclusion, the Coroner made the following finding:

Thomas James Hickey died at 1.20am on 15<sup>th</sup> February 2004, at Sydney Childrens' Hospital, Randwick, of penetrated injury of neck and chest sustained on the morning of 14<sup>th</sup> February 2004 when he fell from his bicycle and was impaled upon a steel fence at the rear of 1 Phillip Street, Waterloo, during police operations.<sup>5</sup>

- 1.12** The Coroner's report found that police were not responsible for the death of the young Aboriginal man. While raising some concerns about the reliability of some of the police evidence, he found that there was no evidence that police pursued or chased the young man. The Coroner noted that "I can say that the police vehicle was never tailgating the bike."<sup>6</sup> A full version of the Coroner's report can be found at [www.lawlink.nsw.gov.au](http://www.lawlink.nsw.gov.au).

## NSW Ombudsman

- 1.13** As noted in the Interim Report, the NSW Ombudsman has a monitoring role in relation to the police investigation regarding the events of February 14 – 16. At the time of writing, the Ombudsman's oversight role relating to these investigations is ongoing. While the Ombudsman may produce a report and recommendations to the Police Commissioner about the conduct of the investigations, no report has been made to date.

<sup>4</sup> See Recommendation 19, in *Interim Report*, August 2004, p106

<sup>5</sup> John Abernethy, NSW State Coroner, *Inquest into the Death of Thomas James Hickey*, Glebe, NSW, 17 August 2004, p27

<sup>6</sup> *Inquest into the Death of Thomas James Hickey*, p18

### **WorkCover NSW**

- 1.14** WorkCover NSW is conducting an investigation in response to the riot, into the adequacy of the systems of work and other safety related controls applied by NSW Police. In response to a question without notice in November, the Minister for Industrial Relations, the Hon John Della Bosca MLC commented that:

The investigation is focusing on the systems of work in place at the time of the riot and includes the provision of training and personal protective equipment to police officers. WorkCover has met with representatives from the Redfern local area command and has conducted interviews with individual police officers, including ranking police officers, involved at the time of the riot.<sup>7</sup>

- 1.15** The Minister explained that discussions and interviews were continuing and WorkCover expected to complete the investigation 'later this month'.<sup>8</sup>

### **The structure of the Final Report**

- 1.16** Chapter 2 considers the issues relating to policing strategies and resources not addressed in the Interim Report. Those issues include the relationship between the police and the local Aboriginal community, policing strategies and resources to deal with drug related crime in the area, the relationship between police and young people and the relationship between police and the Department of Community Services.
- 1.17** The Human Services Review, which will form the basis for a Government plan to reshape the human services system of Redfern and Waterloo, is the focus of Chapter 3. The chapter describes the landscape of need and service provision in the area before outlining the major findings and recommendations of the Review. It then critically evaluates those recommendations in light of the evidence before the Committee, identifying a number of important issues that the Government will need to address when developing and implementing its Human Services Plan.
- 1.18** While Chapter 3 deals with the human services system as a whole, Chapter 4 examines the adequacy of specific government and non government service systems. These include health services, child protection and family services, youth services, education, housing, employment, ageing and disability services, services for people of culturally and linguistically diverse communities, and the Aboriginal service system. The purpose of the chapter is to document the range of issues raised by inquiry participants and to identify priorities for the Government as it sets about the reform process.
- 1.19** Chapter 5 deals with the recent announcements made on the Redfern Waterloo Authority (RWA) and the extension of the Redfern Waterloo Partnership Project. The chapter briefly examines the Parliamentary debate and public comment on the RWA and the legislation establishing the Authority. We consider the Authority as it relates to infrastructure planning,

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<sup>7</sup> Hon John Della Bosca MLC, Legislative Council, New South Wales, *Hansard*, 16 November 2004, p23

<sup>8</sup> Hon John Della Bosca MLC, Legislative Council, New South Wales, *Hansard*, 16 November 2004, p23

affordable housing and employment. We outline briefly the information provided in our Interim Report on the redevelopment of the Block, and the impact of the recent announcements on its future redevelopment. The chapter also considers the new role for the Redfern Waterloo Partnership Project within the structure of the RWA and the major issues for Redfern and Waterloo including consultation and communication, partnership planning and the need for performance accountability.

- 1.20** The final chapter of this Report, Chapter 6, considers some of the major issues to be addressed to ensure a sustainable future for Redfern and Waterloo. We look at the need for effective long term integrated planning, transparency in Government and the importance of working closely with the non government sector and the local community. The chapter concludes with a call for a future parliamentary review and for the continuation of broad political support in addressing issues facing Aboriginal people.