

Give a hardworking bloke the title to his life

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The Weekend Australian

12–13 December, 2009

The fruits of a lifetime's work deserve the security promised in law

MY cousin Eddie Woibo is from our mission at Hope Vale. A champion amateur boxer in his youth, he has lived a varied life: shopkeeper, small businessman, cattle raiser and, recently, passionfruit farmer. As a young man he worked in southeast Queensland, where I would spend my weekends from boarding school with him.

In the early 1980s, wanting to be near his parents and family, he decided to make his life back in the home of his childhood and, with his wife and two young girls, he returned to Hope Vale to live. He managed the local shop, then started a business.

At this time Aboriginal affairs in Queensland were being dragged out of the 19th century by Bob Katter Jr, the state's Aboriginal affairs minister.

It was Katter who started deconstructing the notorious history of Queensland's Aboriginal reserves. As well as transferring management responsibilities from government officials to elected local leaders, Katter's plan was to normalise Aboriginal and Torres Strait Islander communities in the state. He probably didn't say this, but he wanted to deinstitutionalise the missions and settlements from the bantustans they were to proper villages and townships.

He was probably the most important minister for Aboriginal affairs at state or commonwealth level in the post-citizenship era. Whatever one thought of his demented energy and Cloncurry larrikinism, he knew the problems. He understood the critical need for a private domain to be created where individual and family initiative and responsibility could flourish. He understood that as long as Aborigines lived under exclusively collectivist regimes, we would remain socially and economically crippled. He understood the importance of private ownership, initiative and enterprise. He was a minister before his time.

I have long held a great regard for Katter. While I disagreed with parts of his policy agenda, much of what we are trying to achieve with welfare reform in Cape York Peninsula represents us coming back to policies that Katter was pushing in the 80s.

It was Katter who encouraged my cousin, along with many other families at Hope Vale and in other Queensland communities, to apply to the local council for permission to take up blocks of land within the reserve for the purposes of housing and undertaking enterprises. In anticipation of enabling legislation, the council approved for Woibo and others to take up blocks of land on the understanding that they would be issued formal leases in due course. These blocks were described in hand-drawn mud maps and the lease conditions were set out in handwritten documents.

This was in 1984. Legislation to formalise the leases was enacted in Queensland in 1985, but the Department of Lands did not undertake the necessary surveys and the leases never materialised.

The 1985 legislation was repealed and replaced with new legislation in 1991, developed for the Goss government by a cabinet working group on which I worked and that was headed by the then head of the Office of Cabinet, Kevin Rudd.

This legislation also enabled leases to be issued to community members such as Woibo.

The important aspect of Rudd's scheme was its recognition that community members should be able to take up land for economic and social purposes, not just because of traditional and historical affiliations. However, again, the necessary surveys and lease formalisation never happened.

In 1996 the Hope Vale land claim was the first native title claim settled on mainland Australia. This settlement confirmed the agreement of the native titleholders that the so-called Katter leases should be formalised and issued. My cousin had been waiting for his lease for 12 years. In the meantime, like

other families, Woibo and his family developed his land. He put in fencing, planted pasture, established irrigation infrastructure and ran a couple hundred head of cattle on his property. He built his beautiful home on the property.

Since the mid-80s he and his family have invested hundreds of thousands of dollars into the property. And he still did not have his lease title.

Three years ago Woibo decided to establish a passionfruit plantation on his property. He had great assistance from local growers in the Cooktown district. He couldn't get the start-up capital from the bank against his house or property because he had no title. After fruitlessly trying indigenous funding programs, he decided to take the plunge and put in his meagre capital to get started.

He commandeered my heavy-duty trailer for months, transporting the logs to construct the trellises for his vines.

I was getting sick of it, but I couldn't help but admire his relentless determination and prodigious capacity for physical work.

His first crop last year, supplying Panama reds to the Sydney market, gave him a good return. He decided to expand the size of the plantation this year and, once again, my trailer went missing for weeks and weeks. On the one hand, Woibo has all the hallmarks of a Lutheran farmer, yet on the other he's a blackfella when it comes to hunting and just taking his cousin's trailer.

His second crop was well on the way to a good harvest this year when Woibo was struck down with illness. He had to spend a couple of months in hospital in Cairns. His nephew dropped tools and went to look after things in his absence. Thank goodness, Woibo came good.

But then tragedy struck again. The day before returning from hospital in Cairns a bushfire escaped from the adjoining property and cut a swath through Woibo's place. All his pasture was burned, kilometres of fencing and irrigation infrastructure destroyed. He lost half of his Panama reds.

The scene on the Sunday of his return to his property, a man facing mortality, the work of his hands in ashes, was the kind of poignant scene beloved by the news media. Except this doleful scene in the bush had no witnesses and the nature of the loss suffered by this family was not known to the world.

What is this loss?

It is now 25 years, a quarter of a century, since Woibo first gained approval for his lease. He is still waiting for title to his property.

More than 80 families are in the same position.

The Queensland government must complete the surveys and issue the leases.

Woibo paid for and built his own home. It is actually worth a lot of money. But it is a dead asset. He has not been able to use it to leverage any further capital investment into his property. No bank has ever lent him anything against his very considerable capital investments in his property.

And now a bushfire has incinerated his property. In the normal course Woibo could have had insurance for his passionfruit business. But he cannot insure his property because he does not have title. The next thing is that his house could burn down and he would be unable to recover a cent.

Woibo was 33 when he applied for and was given approval for his lease. He is now 58. The bloke has been waiting 25 years for the Queensland government to give him ownership of the life he has built for his family.

Noel Pearson is director of the Cape York Institute for Policy and Leadership. He is leading an appeal on behalf of Eddie Woibo's family. You can make contact through the Cape York Institute if you have an interest in supporting Eddie and his family at www.cyi.org.au