

Modern-day blacktrackers - Australian, The /Weekend Australian, The /Australian Magazine, The (Australia) - February 20, 2016 - page 21

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Ray Peckham and Bernadette Riley say they only wanted to get at the truth to claims of Aboriginality

Rupert Williams couldn't believe it when he was told he was grandfather of a woman just 11 years younger than him.

The bus driver, who grew up in the Murrin Bridge **Aboriginal** mission in regional NSW, prides himself on being a family man. He readily shows off a library of pictures of his children and five grandchildren on a smartphone, and keeps in contact with many of the 300 or so people from the "mission days".

But Williams, 60, had never heard of Laurinne Campbell — then in a senior "**Aboriginal identified**" management position in the NSW **Aboriginal** Housing Office — when shown a family tree bearing his name that she had submitted to gain membership of the Pilliga Local **Aboriginal** Land Council in 2006.

"I thought, 'What's going on here, who is this woman? I don't know her and I'm not her grandfather,'" he told Inquirer this week after first seeing the document in 2011. "It really hit me when I saw that she had my sister, who turned 50 last year, dying at birth." Campbell, like tens of thousands of others across Australia, was relying on membership of a land council as proof of her Aboriginality.

It has become the iron-clad standard to claim specific benefits, **Aboriginal** government jobs and, in her case, to set up an indigenous corporation with her immediate family, securing more than \$100,000 in taxpayer grants and donations — in just one year.

But almost as soon as Campbell and her sister, Lisa Montgomery, won membership of the Pilliga land council — in a vote of its members — rumblings began about whether, in fact, she was **Aboriginal**.

It took until this month, after years of complaints and an initial investigation by local Aborigines, for the regulator of the NSW land councils, Stephen Wright, to take action and disqualify Campbell's claim to Aboriginality.

For Wright, the 14-year veteran registrar of the **Aboriginal** Land Rights Act 1983, it was the first time he had issued a notice for a person to be removed from the membership roll of an **Aboriginal** land council in NSW.

It followed a 2012 referral from the NSW Independent Commission Against Corruption and a rare genealogical investigation into Campbell's claims of **Aboriginal** ancestry on both sides of her family, at the missions in Murrin Bridge and Caroonna, also in regional NSW.

“My finding was that Laurinne Campbell could not demonstrate her right to membership of a LALC (local **Aboriginal** land council) pursuant to the ALRA (**Aboriginal** Land Rights Act),” he said in a statement to Inquirer.

“This finding was primarily based on analysis of a range of family history information provided to me by Laurinne Campbell and the analysis provided by my genealogical reports.” Unless Campbell takes legal action, she will be removed from the roll of the Baradine LALC — which covers land north of Dubbo — to which she moved her membership after initially being vetted by the Pilliga LALC.

In the face of the findings, Campbell refused this week to answer questions about her Aboriginality when approached by Inquirer outside her regional NSW home, claiming she was a victim of a “witch-hunt”.

But the two **Aboriginal** people — Ray Peckham and Bernadette Riley — who pushed for action, after conducting their own investigation into Campbell’s family tree, say they only wanted to get at the truth. The pair were only too aware they were “crossing a bridge” when they began questioning Campbell’s Aboriginality.

It is regarded as the worst insult among the **Aboriginal** community, with lighter-skinned Aborigines an easy target of malicious and false accusations.

The issue exploded in 2011 with a Federal Court judgment that columnist Andrew Bolt breached section 18c of the Racial Discrimination Act in several articles he penned in 2009. The nine “fair-skinned **Aboriginal**” complainants alleged the articles conveyed offensive messages by saying they were not genuinely **Aboriginal** and were pretending to be **Aboriginal** “so they could access benefits that are available to **Aboriginal** people”.

But for Peckham and Riley this wasn’t about skin colour.

It was in 2010, when Campbell, a trained nurse, successfully applied for an “**Aboriginal** identified position” — which requires the job go to an **Aboriginal** person — as the regional manager for the NSW **Aboriginal** Housing Office in Dubbo, that Riley became suspicious.

The great-granddaughter of William Ferguson, one of Australia’s first civil rights activists who founded the Aborigines Progressive Association in the 1930s, she recalled a conversation two years earlier when Campbell told her she was not **Aboriginal**.

“I met her in 2008, and at that time she was in another job which I thought was an identified position, and I asked if she was **Aboriginal** and she said she wasn’t,” Riley told Inquirer. “She explained that the position was only targeted and she got it as there were no other worthwhile **Aboriginal** applicants.” Riley, who in 1996 narrated the documentary *Blacktracker*, about her grandfather, police tracker Alexander Riley, decided to test whether any of her famous forebear’s skills had flowed down the generations. She soon learned that Campbell — who it is believed was on a salary of \$126,000 with the **Aboriginal** Housing Office — had secured her confirmation from the Pilliga LALC in 2006.

It was then that Riley turned to Peckham for help. The **Aboriginal** elder, now 86, had ties across several generations with the Riley family and had been heavily involved in the civil rights movement in the 50s and 60s through the unions and later the **Aboriginal**-Australian Fellowship, which had grown out of the Aborigines Progressive Association. Peckham had lived at the Pilliga missions and “didn’t know of Laurinne or her family”.

“It was the first time I had been involved in something like this, and for years the government people ignored us, told us to drop it — and we were even threatened with defamation and 18c — but we couldn’t,” he told Inquirer. “People are afraid to challenge, but this is about our identity as **Aboriginals**.” In the 80s, the federal Department of **Aboriginal** Affairs came up with a three-part working definition for recognition of Aboriginality. It states: “An **Aboriginal** or Torres Strait Islander is a person of **Aboriginal** or Torres Strait Islander descent who identifies as an **Aboriginal** or Torres Strait Islander and is accepted as such by the community in which he (or she) lives.” Only a few court cases have considered the definition, with arguably one of the more important decisions being that of Federal Court judge Ron Merkel in 1998 relating to a dispute about the Aboriginality of candidates in Tasmania’s election for the now defunct **Aboriginal** and Torres Strait Islander Commission.

Merkel said proof was often difficult because of lack of records and years of denial of **Aboriginal** descent in the face of racism.

“Accordingly oral histories and evidence as to the process leading to self-identification may, in a particular case, be sufficient evidence not only of descent but also of **Aboriginal** identity,” he said.

Merkel said the onus was on the **Aboriginal** community to establish who was **Aboriginal**.

In 2010, Riley and Peckham found that despite being approved for membership of the Pilliga LALC, there had always been concerns among the community about the claim to Aboriginality by Campbell and her sister.

A 2006 letter from Wright — as the regulator of NSW land councils — to the Pilliga LALC showed local Aborigines had sought to rescind the sister’s membership just months after it had been - approved. It seems to have gone nowhere. The driving force for the push back, Mark Allen, later told Riley and Peckham he had known the sisters all his life as they had lived in the small town of Baradine, which is near Pilliga.

“Mark, who died in a car crash soon after we spoke, told us he had gone to school with Laurinne and that the whole time they had grown up she had never said she was **Aboriginal**,” Riley said.

Pilliga LALC handed over the sister’s application for membership, which included the family tree, a 1995 approval certificate for Abstudy — the commonwealth support payment for indigenous students — and extracts from Dawn magazine.

Produced by the NSW Aborigines Welfare Board between 1952 and 1975, the magazine covered life — including school and sports events, birth and death notices — on the **Aboriginal** communities. The magazines are now digitally archived and freely available for anyone to search

by “the name of a person and specific dates”.

In the application to Pilliga, Campbell submitted copies of the articles that included pictures of her purported grandfather, Williams — shown in a tug of war with other children and teachers — and handwritten notes, citing references to people on her family tree.

Riley and Peckham trawled electoral rolls and birth, death and marriage public records — checking the family tree on both sides “back nine generations” — before tracking down people from the missions and questioning them.

They came to the conclusion that Campbell had used her legitimate family tree of European--descended ancestors and found the same or similar names among the **Aboriginal** communities.

“We interviewed people in the Dawn magazine, which was used to substantiate her claims to Aboriginality and took statutory declarations,” Riley says. “It was then that we put it all together and sent off our evidence to the **Aboriginal** Housing Office, the registrar and every funding body or statutory body that had anything to do with them. We just wanted the authorities to investigate, but I think people didn’t take it seriously. They thought it was just a squabble between blackfellas.” Among the recipients was the Office of the Registrar of Indigenous **Corporations**, which regulates **corporations** set up with a majority indigenous membership and has access to certain benefits and exemptions.

In June 2008 — about two years after winning membership to the Pilliga LALC — Campbell, her two sisters and parents established the Nigyanni Indigenous Corporation, which at various times listed its business as running shops, art and education services.

According to documents, in 2011 the corporation reported receiving almost \$120,000 in government grants and donations.

It was voluntarily deregistered in December 2012 — soon after authorities began to properly - investigate.

Campbell’s involvement with the corporation, while overseeing **Aboriginal** housing across much of regional NSW, was among the issues initially raised by Riley and Peckham to her bosses.

In June 2011 — according to correspondence seen by Inquirer — the then acting chief executive of the NSW **Aboriginal** Housing Office, Mike Allen, wrote to Peckham to say the pair’s “extensive documentation” had led to a review of Campbell’s recruitment for the job in 2010, which she held until last year.

“I can confirm that the AHO has information about Ms Campbell’s Aboriginality that adequately meets government requirements for staff who occupy **Aboriginal** identified positions,” Allen wrote.

Later that year, the pair each received legal letters from solicitor Russell Booby — who wrote that he was acting for Campbell and the NSW Department of Family and Community Services — accusing them of defamation and racism.

Booby — who said this week it “was my understanding” that his bills were covered by the taxpayer — even cited the Bolt case and section 18c of the Racial Discrimination Act in calling for the pair to stop their complaints and calls for an investigation.

“The allegations have left my client feeling humiliated and publicly derided, and because the allegations spoke to the issue of my client’s Aboriginality and raised some question around that, they have the effect of undermining my client’s professional credibility,” the letter said.

“The court’s decision in *Eatock v Bolt* is a timely warning to you that my client will not tolerate her Aboriginality and/or her reputation and good character being impugned.” It didn’t work.

The pair continued to push for an official investigation and in early 2012 ICAC referred the complaint to Wright — the registrar of NSW land councils — who then ordered an independent genealogical assessment of Campbell’s claims to Aboriginality.

During the next two years, several genealogical reports were authored — which cast doubt on the bona fides of Campbell’s evidence — and she was given the right to respond.

On March 17 last year, Wright wrote to Peckham informing him that “there is no current basis, on the evidence provided to me, which supports Ms Campbell’s claim that she is **Aboriginal**”.

In April, Peckham wrote to the AHO informing them of Wright’s findings. But it was not until October that AHO boss Shane Hamilton responded, saying he had asked Campbell on March 27 for evidence of her Aboriginality and that the subsequent material she supplied met the threshold of the NSW Public Service Commission’s Confirming Aboriginality Guidelines for NSW Public Sector Agencies.

Hamilton said Campbell had been made redundant in June.

Regardless, Riley and Peckham feel vindicated in their investigation and await what action ICAC will take when it receives a report from Wright.

For them, the saga has been as much about the reluctance of government agencies and regulators to act on concerns about people’s claim to Aboriginality than about Campbell herself. “We were fighting about a principle, about the right to call yourself **Aboriginal**,” Riley says.

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