



# Anangu Pitjantjatjara Yankunytjatjara

## Executive Board Meeting Minutes

Held via Conference Call

3 February 2014

Meeting No 6

Meeting commences at 3.50pm

**Present:** Bernard Singer (chairman), Trevor Adamson (deputy chair), Mrs Paddy, Murray George, Owen Burton, Willy Pompey, Anton Baker.  
APY administration: Rex Tjama (director), Lesley Johns (minute taker)

**Guest:** Mr Andrew Collett (lawyer representing APY Exec), L. Liddle (DPC-AARD)

**Meeting opens at 3.50 with all in attendance via phone except Mr Adamson.**

**Chairman:** Mr Singer thanks members for attending the teleconference at short notice and explains that the reason for the meeting is to receive legal advice from Mr Collett regarding two serious issues regarding interim General Manager, Sean McCarthy.

Mr Singer explains that McCarthy has employed people without following the proper process and without having appropriate approved budgets. He also says the Executive has received a complaint about Sean McCarthy from a senior member of staff.

Discussion around some other issues of concern including the potential of losing Roads to Recovery money and that McCarthy cancelled next weeks Executive Meeting and the Special General meeting without consultation.

*4.19pm Deputy chair Trevor Adamson joins the conference*

**Chairman:** Chairman explains the purpose of the meeting.  
Mr Singer says we gave Sean a 6 month trial, but he has employed people with letting us know.

**Mr Burton:** There was another issue with Rob Laundry. Rob left after an argument with Sean.

**Chairman:** We have sought the advice of an independent lawyer, Mr Collett. He is here to advise us what to do about the bullying.

**Deputy Chair:** This is a bit of a problem we are getting into now. The Executive agreed when Richard was leaving that Government would help us put a good GM in. Im worried. I don't know where to start. DPC-AARD is controlling our affairs and they shouldn't be. They advertised for the new position. They are doing the Review (Layton Review) and they are a little bit wrong. They shouldn't be doing this from Adelaide – it's Anangu business and Anangu should do it.

**Chairperson:** There are 63 interested applicants. Executive is able to be involved. This 6 months – nothing has been done. It's too much for us to do that's why DPC-AARD is helping. It's got nothing to do with Government – we will do the interviewing and employing.

**Deputy Chair:** Im against that Leanne Liddle. DPC-AARD is controlling our affairs.

**Chairperson:** DPC-AARD will not be on the panel.

**Owen Burton:** Leanne Liddle is that true.

**Leanne Liddle:** DPC-AARD will not be on the panel and they are just ensuring a proper process is followed.

**Chairperson:** DPC-AARD is stepping in to make sure the funding is being used properly. That's what's happening now. If we don't do something, it will ruin us.  
Invites Andrew Collett to explain the issues at hand.

**Andrew Collett:** You've raised two questions. 1. What to do about Sean McCarthy. 2. What about the process for recruitment of the new GM– you have time for that and you have to be happy.  
The urgent one for today is to talk about Sean McCarthy. It's more urgent than you know about. The chairman, Bernard Singer, rang me last week and got documents to me and this is something you need to address. He has asked that this matter is dealt with under SA Law. This is a serious complaint and you have to deal with it seriously and quickly.

*Further discussion in language.*

**Chairman:** We want to take it to the Executive. We will vote later but let Andrew tell us the story.

**Andrew Collett** provided confidential legal advice

**Deputy Chair:** I'm not going to vote against the wishes of the Executive. If this was serious is should have been ...in language. I'm not in it. Everything we've got a problem with we need to fix. Please we want a proper meeting on the lands at Umuwa.

**Chairman:** We cant have a meeting at Umuwa. Sean is there. This is an issue for APY.

**Deputy Chair:** We don't want an administrator. We are not frightened. We the people are going to make it better. We don't want an administrator.

*Discussion in language*

**Deputy Chair:** Let's get this investigation and follow up. Let's do it properly for the sake of APY. We want to see good things for our people.

**Andrew Collett:** provided confidential advice

**Deputy chair:** We didn't get that information you got. They are the people working for the government. It is good you know the stories of APY and ....tjuta. Don't take power away.

**Andrew Collett:** No-one can take the power away. Happy to talk about the position about the Layton Review later.

**Chairman:** So we've got options. We need to act straight away otherwise a big gap will be created.

**Deputy chair:** We don't want a government person telling us what to do

*Discussion in language*

**Chairman:** Explains the options again.

**Mrs Paddy:** in language

**Chairman:** Which one you want?

**Andrew Collett:** provided confidential legal advice.

#### **Resolution 1:**

**The APY Board resolves to immediately offer to pay out Sean McCarthy the remainder of his contract (9 weeks) on the basis that he leave the Lands within two days. If he does not we will suspend him on full pay while an investigation is carried out. We will require he leaves the Lands in 48 hours.**

Moved: Owen Burton

Second: Will Pompey

Vote: all in favour. None against.

**Andrew Collett:** Who do you want to tell Sean this? I suggest we retain Graham Harbord from Johnston Withers because I need a solicitor to do this work. Palya?

**All:** Palya.

**Andrew Collett:** Thankyou I will do that.

**Deputy chair:** I want to talk about Executive Board and the Review. Are you able to talk with us, sit down and explain with us. Later. If we not happy we still want to talk about the Act. We want to make sure Anangu are still strong and independent and that we have good advice. We want someone to do that.

**Andrew Collett:** I'll be happy to help, if I can.

**Chairman:** We'll get Lesley to help us with Executive work, short-listing, working out next meeting.

**Andrew Collett:** Lesley are you happy to help and step in as acting General Manager while the investigation happens?

**Chairman:** We can trust Lesley, she can come on board next week. Palya?

**All:** Palya

**Chairman:** We will have a meeting next week in Alice Springs and a Special General Meeting on 20 and 21<sup>st</sup> Feb. Palya?

**All:** Palya

**Meeting closes**