

## Land council sacks chief who tried to find out how \$60 million mining payments were spent



*Brian Wilkinson was stood down as CEO of the Kimberley Land Council.*

By Richard Baker  
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A high-profile Australian Indigenous land council has sacked its chief executive after he pushed for greater transparency surrounding the operations of its multimillion-dollar charitable trust.

The Kimberley Land Council board on late Thursday terminated the contract of former Western Australian policeman Brian Wilkinson despite receiving external legal advice in support of his efforts to obtain documents and financial records from the land council-owned Kimberley Sustainable Development Trust.

Decisions over who receives benefits from charitable trusts and how much are a source of tension among Indigenous communities nationwide. In the Kimberley, there has long been suspicion from sections of the community that some groups have benefited more than others from the trust, which has received almost \$60 million in mining-related payments in the past two financial years.

Mr Wilkinson, who was appointed as CEO in January, sought to review the operations of the trust after some key staff and member groups expressed concerns about its management, according to an April 8 board memo.

The Broome-based land council is the native title representative body for various Indigenous groups in Western Australia's vast remote Kimberley region. It is one of the oldest and most well-known Indigenous representative bodies in Australia.

It makes disbursements to individuals and groups after carefully assessing requests. But the details are kept confidential.

Documents provided to the KLC board in recent weeks detailed how the trust had only been releasing about 20 per cent of its funds in recent years, fuelling concerns among some Kimberley communities that they have been missing out on benefits.

Legal advice to the KLC board from Sydney law firm Austral Legal also noted a 343 per cent increase in operating expenses associated with the trust and a series of "troubling" qualified audits.

Mr Wilkinson's efforts to get an insight into the trust's operations have brought him into conflict with his predecessor as KLC chief, Nolan Hunter.



*Former Kimberley Land Council CEO Nolan Hunter.*

Mr Hunter is a director of the land council-owned company, Kimberley Sustainable Development Pty Ltd, which oversees the trust.

Mr Hunter served as KLC chief for almost 10 years before stepping down in November last year. He has also chaired the National Native Title Council and was recently appointed Amnesty International's indigenous rights lead.

Documents tendered to a recent KLC board meeting reveal Mr Hunter had refused Mr Wilkinson's request to provide documents and financial records regarding the operation of the trust, which he oversees with two fellow directors.

The documents also reveal Mr Hunter and his fellow directors refused a KLC board request to resign from their roles at the trust.

On March 23, Mr Wilkinson emailed KLC chairman, Anthony Watson, to report what he claimed was a threat from Mr Hunter about him losing his job if he continued to push for information about the operations of the trust.

“Nolan was very upset and agitated at my review and request for information from KSDT,” he wrote to Mr Watson. “At one point, Hunter said: ‘You need to remember that your (sic) still on six months probation and I suggest you have other bigger things to do’.”

Austral Legal principal Nigel Hill advised the KLC board: “Frankly, it seems outlandish that a wholly owned subsidiary, managing a multimillion-dollar fund with significant inflows and outflows, has sought to block oversight and scrutiny by its parent corporation.”

*The Age* and *Sydney Morning Herald* are not accusing Mr Hunter or his fellow directors of any wrong-doing and are simply reporting legal advice received by the KLC board. The trio of directors said they would not be able to respond to questions until early next week.

Mr Wilkinson had yet to finish his probationary period at the time of his sacking. He has declined to comment.

Founder of the trust and another former land council chief, Wayne Bergmann, has been appointed acting chief executive.

Mr Watson said in a statement the KLC board had appointed a sub-committee to consider the legal advice and report back.