

The Chairperson
Joint Standing Committee on the National Capital and External Territories
Parliament House
Canberra ACT 2600

Submission for the inquiry into governance in the Indian Ocean Territories

My name is Rahmat Madi Signa, a resident of Lathlain in Western Australia. I am writing to present my submission, at an individual capacity, to the Parliamentary Joint Standing Committee on the National Capital and External Territories.

I was born and bred on the Cocos (Keeling) Islands but currently reside in Perth due to limited employment opportunities on the Islands. I am the first born and bred Cocos Malay to graduate from university with a Bachelor of Commerce degree from Murdoch University. I am also an active Justice of the Peace for Western Australia.

My submission predominantly focuses on my fellow Cocos Malays. I feel compelled to provide a submission for the very reason that I am not based on the Islands to be more proactive in developing strategies to allow my fellow Cocos Malays to prosper.

The following are my responses to the Committee's Terms of Reference.

The role of the Administrator and the capacity (and appropriateness) of the Administrator taking on stronger decision making role:

The Administrator position should take on a stronger decision making role, if the current arrangement is considered to be more of an advisory role to the Minister. The devolution of decision making powers to the Administrator can be beneficial to the Cocos Islanders with the possibility of the position being more balanced due to the localised nature of the role, giving more insight on issues within the community.

In doing so, a right of review process must be in place either through an Ombudsman, AAT (Administrative Appeals Tribunal) or ADJR (Administrative Decision Judicial Review) depending on the issue.

To allow the Administrator to take on a stronger decision making role, clear line of responsibility must be set out. In my view, stronger decision making powers should predominantly focus on Service Delivery Agreements (SDAs) as they directly affect the Indian Ocean Territories (IOTs). On numerous occasions when complaints are raised concerning SDAs, there is a lack of clear authority and responsibility. The analogy of being treated like a tennis ball is an absolute frustration for IOT residents when dealing with issues relating to SDAs.

With stronger decision making powers, it is incumbent that the Administrator spends equal time on both IOTs. Since the decision was made to appoint a single Administrator to manage the IOTs, where the position is based on Christmas Island, it has become evident that the appointed Administrator spends as little time as possible on the Cocos (Keeling) Islands. The minimum time spent on a quarterly visit was two days, and this occurred on numerous occasions. In addition, it is unclear on how to go about securing an appointment with the Administrator for those illiterate residents on Home Island. How can an Administrator canvass community nuances and concerning issues in two days and without dialogue with the community, in particular, with those on Home Island?

I support a recommendation that stronger decision making powers be delegated to the Administrator, which includes prescribed minimum days be spent on the Cocos (Keeling) Islands so that the position has full awareness of the local issues and is able to provide reliable information on policy developments to the Minister.

Existing consultation mechanisms undertaken by government representatives, including the IOT Regional Development Organisation, and best practice for similar small remote communities' engagement with Australian and state governments:

It is an ingrained tradition amongst Cocos Malays that they only participate in meetings if they are specifically invited. The habit still holds particularly with the older generation. Given this trait and coupled with chronic literacy issues for the elderly, it is crucial that invites are distributed through the Atoll or preferably flyer drop offs, when public consultations are scheduled to be held. Distributing invites by posts proved to be unreliable as residents only check their post boxes after a scheduled flight. At present, the Cocos Malays consider public consultations to be the preferred mechanism. However, it needs to be explicit that the forum invites contributions from the public, not just an information session style forum.

Visiting officials must also be made aware of certain community expectations that must be observed. These include:

- ensuring residents are invited to attend public consultations;
- ensuring to appoint an interpreter as elder residents are illiterate;
- finding out events that are happening on Home Island such as weddings, religious gatherings and prayer times to determine appropriate forum timings;
- ensuring to provide an update after the public consultations so that residents are aware that their contributions are being considered.

To manage the community's expectations on public consultations, it must be the responsibility of the related agency on-island. Otherwise, all visiting officials must be managed by the Islands' Administration office.

One particular example that the above highlighted community expectations were not considered was the recent event to commemorate the HMAS Sydney and SMS Emden conflict. There was a lack of participation by the Cocos Malays due to the simple fact that they were not invited. In truth, not many Cocos Malays knew that the Governor-General was even on island for the event. The lack of participation by the Cocos Malays should be an embarrassment, not just to the Home Island community, but also to the organising agency especially in the presence of high profile dignitaries such as the Governor-General, past and present Ministers and high-ranking military officials. Moreover, a local interpreter was not appointed for the Governor-General in instances where His Excellency intended to hold conversations with illiterate residents on Home Island.

On the Cocos (Keeling) Islands there are a number of Cocos Malay interest groups such as Cocos Congress, Kaum Ibu (Women's Group), Muslim Small Business Association, Cocos Island Cultural Group, P&C Association and Persatuan Islam Pulu Cocos. A way to develop a workable community consultation mechanism is to have a representative from each group to represent the Cocos Malay constituent, which can then deal directly with an agency or visiting officials. This structure would be similar to the existing IOT Regional Development Organisation. Alternatively, allow the Cocos Malay community to elect a cohort of members to represent the Cocos Malay constituent, to provide a united voice in the consultation process.

Given the above community expectations, I strongly recommend that the way to create an effective consultation mechanism for the Cocos Malays is to develop a community-based organisation where its cohort represents the voice of the Cocos Malay constituents when dealing with visiting officials. It then becomes the responsibility of the community-based organisation to carry out its own public consultations with the Cocos Malays before and after an official visit. Most importantly, nearly all of the issues highlighted around community expectations will be eliminated through this approach.

Local government's role in supporting and representing its communities in the Indian Ocean Territories;

In the past, there has been a reluctance by the local Shire to skew away from their traditional municipal responsibilities i.e. rates, roads and rubbish. In the case of the Shire of Cocos (Keeling) Islands Council, land trust is added in the mix.

Under the Shire of Cocos (Keeling) Islands Council's organisational chart, it includes positions for a Community Service Officer and a Community Projects Support Officer. Whilst these positions exist, it is

unclear the extent of how these positions provide support and represent the community under their respective descriptions. The Commonwealth Government used to fund a Community Liaison Officer position within the Shire's hierarchy however, funding for the position has now ceased.

The Shire's ability to take on a more proactive role in fostering support and representation of the community (for wider issues) largely depends on the objectives of the Shire President and the Chief Executive Officer (CEO) on the day.

An example of implemented community support is its current grant program (of up to \$2,000) for some students studying on the mainland. Another example of its community support was its negotiation with Departmental representatives in Canberra to revert on-island teachers' appointments to two years as opposed to ongoing appointments.

In my view, the Shire has not been proactive in developing its own strategies nor does it consider developing synergies with other on-island organisations to address the unemployed population on Home Island, especially the youth cohort. Even within its own organisation, it is not known whether the Shire has devised a succession plan to address its ageing staff members. At present its mature staff members are disproportionately high. Therefore, the Shire is well placed to display leadership, and encourage other organisations on-island to follow, by way of engaging more local trainees and develop a succession plan for its local Malay employees. This should also extend to include the succession of Malay candidates into currently non-Malay positions.

Economic development is also a focal point for the Shire to be more proactively involved to stimulate the micro economy such as initiating lower commercial rents given the small populous or greater local participation requirements for commercial development on trust land. The higher level economic development strategies can be further developed by the Shire's representative on the Regional Development Organisation (RDO) membership.

The previous CEO was a member of the Mid West Gascoyne Regional Development Australia (MWG RDA) under its IOTs' division. The membership should continue as long as possible including memberships with other off-island organisations that have strong links to the IOTs. These memberships provide strong links to gain awareness of Australia's macroeconomics standing, hence these memberships must be strongly encouraged.

Given the Shire's poor track record in succession planning and economic development foresight, I strongly recommend that it considers the creation of a Community Development Officer or Community Economic Development Officer position to address such deficiencies highlighted above, and require the position to represent the Shire, and the community, in the various memberships that the Shire is involved with.

Opportunities to strengthen and diversify the economy, whilst maintaining and celebrating the unique cultural identity of the Indian Ocean Territories:

Tourism has always been identified as the ideal industry for the Cocos (Keeling) Islands ever since I was in high school (Year 8) on West Island. I consider the progress of the tourism industry thus far, to be somewhat nominal in its ability to sustain on-island small businesses. The underlying reason that prohibits the tourism industry to progress, hinges heavily on efficient air and merchant maritime services. As a result, I strongly believe more attention must be given to the establishment of service-based industries, to complement the niche tourism market. It is the only direction that I could foresee to have the potential to address systemic unemployment problems in the short to medium term.

My first service-based industry suggestion is the creation of a Call Centre. This is an option that must be investigated further. The Islands are 1.5 hours behind Perth's time zone so it is well placed to handle telephonic queries on behalf of public and private organisations. To offer customer service coverage until 8:00pm means that an on-island worker only needs to work until 6:30pm. The service can be marketed as domestic operations as oppose to international outsourcing, which is more appealing to Australian consumers. I suggested the idea to the Islands' representative attending the Northern Economic Summit in 1999 but I was unsure if the suggestion had been raised at the forum. Additionally, the concept was also suggested by the Australian Economic Development Chair, and by a Business Adviser from Enterprise Connect.

The next service-based industry suggestion is to register the Cocos Malay dialect to be part of the Australian government's TIS (Translating and Interpreting Services), as well as its WA counterpart. This means that island-based and mainland-based Cocos Malays can access the service at airports, Centrelink offices, Immigration offices, Medicare offices, hospitals and so forth. An on-island interpreter/translator can provide the service any time of the day without being in an office. The service is highly beneficial for Cocos Malays, particularly those attending medical appointments. Above all, it is meaningful employment.

One economic development suggestion is for the Cocos Islands Co-operative Society to consider expansion of its business activities to create its own cargo consolidation operations in Perth, where mainland-based Cocos Malays can be employed. Such expansion can also encompass the engagement of alternative shipping companies to service the IOTs as opposed to relying on the current unreliable and exorbitantly priced provider.

In a strategic context, further consideration should be given for the Islands to offer aviation training given its uncluttered air-space. The IOTs are well placed for pilots training, particularly for those that are at a stage where they rely only on instrument navigation or in-cloud/night flying. The concept has the potential to be offered to Australia's close neighbours where airspace reserved for training is at a premium.

To successfully implement the above suggestions and addressing the systemic unemployment issue, there must be a skills bank available on-island. Therefore, it is prudent that strategies are developed to repatriate skilled Cocos Malays from the mainland. To date, there is no on-island organisation that has taken on the initiative to record skilled Cocos Malays residing in Perth by creating a database that captures their positions (if working) and the types of qualifications they have obtained. Such a record would be useful if a Cocos Malay is the preferred candidate to fill a particular vacancy (a simple form of job matching). In my view, the maintenance of such a record must be the responsibility of one of the three organisations on-island: Cocos Island District High School, The Shire of Cocos (Keeling) Islands Council or the Indian Ocean Group Training Association.

One example of how the record may be utilised is the identification of suitable Cocos Malay nurses who can be trained to operate dialysis machines for Home Island. There are two Registered Nurses available in Western Australia and both reside in Bunbury. The Cocos Malay community is suffering dreadfully from diabetes and these machines are desperately needed so as to provide an option to those affected residents that still want to live on Home Island despite their medical condition. On Home Island, three residents have passed as a result of kidney failures because there is no access to a dialysis machine. At present, one Home Island resident has just commenced dialysis machine treatment in Perth, and it is unclear how the person can return home and still have access to treatment from a machine. The Cocos Malays do have the capacity to purchase these machines as they have recently proven that they can fund and construct a mosque on their own. Furthermore, those registered nurses could be invited to return to the Islands to operate these machines, given their nursing background.

To enhance the skills bank of Cocos Malays in the long term, it is critical that the standard of education must also be lifted to sustain the skills pool. Of late, it has become evident that students completing their Year 12 studies are disinterested in continuing their education on the mainland. It is uncertain if these students even graduated from senior high school. Concurrently, NAPLAN results (from 2008 to 2015) on the "My School" website for Cocos Islands show recurring below State average performance year after year. These results appear to have a correlation with the number of dropouts after completing Year 12. With a ballooning number of youth unemployment on-island, as a result of the dropouts, growing the skills bank would be counter-productive.

It is very difficult to pinpoint where the education system fails. Is it because Cocos Malay parents are not placing a high value on their children's education by not encouraging their children to read and practice written English to improve their literacy and numeracy? Or has there been a disconnect between the educational needs of the students and what is being offered at the school? Whatever the case may be, it is quite disheartening to see students, whose parents have gone through an entire educational system, achieving below the levels to that of their parents. The failure of the educational system on the Islands is made very apparent with signs of regression shown in the next generation.

On the contrary, perhaps our failure is due to the teachers not extending Cocos Malay students to the standards, not necessarily beyond but aligned with the WA curriculum. A Departmental employee told me, at a meeting I

had organised for past and present students to meet with the Administrator, that the teachers were specifically selected for the Cocos (Keeling) Islands and are the finest in WA. Some of these teachers are in fact serving their second or third placement on-island and some have been on-island for more than a decade. If this is the case, why are the students still achieving low results given that these teachers are not only the finest in WA but have previously taught on the Islands and are thus able to employ targeted strategies to remediate students' deficiencies? Furthermore, most of these teachers hold substantive positions on-island, which make it difficult to refresh the enthusiasm and the variety of teaching styles. In my view, the long-serving and repeatedly appointed teachers are only there for the lifestyle or they are there purely as an exit strategy (transition to retirement). Essentially, the Island is considered to be the departure lounge for teachers to part from their profession.

The school staff on the Cocos (Keeling) Islands consists of Cocos Malay teachers' aides that have been in the system for more than twenty years (since I was at school) and yet there are no plans to foster and nurture them to become fully-fledged teachers. Unlike the school on Christmas Island that has implemented such a pathway. My wife, a Malay qualified teacher, have applied to teach on the Islands four times, and on every occasion she was unsuccessful. The first time she applied was six years ago when she was a general teacher (with 8 years experience), and was interviewed by the school's Deputy Principal (a Level 3 – Head of Department equivalent). She was told that she did not have the required teaching experience to teach on the Islands in the first instance, that she lacked primary and EAL/D (English as an Additional Language/ Dialect) in the next two instances, and not have any regional experiences in the last instance. She has taken on further training following each disappointment and is thus qualified and experienced in both secondary and primary levels, was the EAL/D coordinator at one of her high schools and has gained regional experience through teaching in the Pilbara. Currently, my wife holds a substantive Head of Department position at a senior high school in Perth, equivalent to that of the Islands' Deputy Principal position that had originally made that remark about her lack of experience. Despite these disappointments, our lobbying has led to a positive outcome with the appointment of a recently qualified Cocos Malay teacher (just out of university) at the Home Island school. Most importantly, I do hope this does not represent a token appointment.

In my view, the engagement of skilled Cocos Malays should have occurred more than a decade ago and by now there should be numerous exemplary Cocos Malays visible for the next generation to aspire to.

I part with my mantra that I strongly believe in “You cannot be what you cannot see”.

Yours faithfully,

Rahmat Madi Signa

22 April 2015