

Senate Select Committee on the Administration of Indigenous Affairs Inquiry into the *Aboriginal and Torres Strait Islander Commission Amendment Bill 2004*

The National Aboriginal and Torres Strait Catholic Council (herein referred to as NATSICC) was formed in Cairns in January 1989 at the first National Conference of the Aboriginal and Islander Catholic Councils. In 1992 the Australian Catholic Bishops Conference officially recognised and welcomed it as the national representative and consultative body to the Church on issues concerning Indigenous Catholics. The Council consists of a representative from all Australian States and Territories and meets on a monthly basis.

NATSICC would like to take this opportunity to lodge a brief submission to the Senate Select Committee on the Administration of Indigenous Affairs regarding the Aboriginal and Torres Strait Islander Amendment Bill 2004 under the Terms of Reference of this Inquiry:

b) the proposed administration of Indigenous programs and services by mainstream departments and agencies; and

c) related matters

The erosion of Indigenous Self Determination

NATSICC's prime concern with the abolition of ATSIC lies in the removal of the only elected National body that enabled Indigenous people to make decisions regarding their own lives and futures. Further, the apparent lack of consultation with Aboriginal and Torres Strait Islander people prior to the decision is also concerning.

The creation of an appointed board of Indigenous advisors will ensure that consultation will only take place when the Government requires it, giving no guarantee that Indigenous opinion will be sought on any given issue.

The Howard Government in the past has actively opposed the right of self-determination for Indigenous people, claiming it would result in a separate Indigenous state. It even argued for the removal of the term from the UN Draft Declaration on the Rights of Indigenous peoples.

The Howard Government has stated that it is "committed to common rights for all Australians" and "neither the Government nor the general community...is prepared to support any action which would entrench additional, special or different rights for one part of the community"¹. This stance is in direct contrast to the international trend

¹ Commonwealth Response to The Council for Aboriginal Reconciliation Final Report, September 2002

towards 'substantive equality' which believes that differential treatment may be necessary to respond adequately to the particular circumstances of a person or a group or to reflect the special character of their interests. It also recognises that different treatment is not only permitted, but may be required to achieve real fairness in outcome.²

Indigenous people must be in charge of finding and implementing the solutions to the issues within their communities. The degree of control they have will be directly proportional to the likely success.³ NATSICC echoes these sentiments and laments the disempowerment of Indigenous people.

This organisation believes that a strong, unified and credible Indigenous voice is required to address the socio economic disparity between Indigenous and non-Indigenous people in Australia.

Concerns relating to 'Mainstream Administration' and its ability to effectively serve Indigenous people.

The ideology behind the Government's decision to abolish ATSIC and ATSISS and 'devolve' their Indigenous programs into mainstream departments is of major concern to NATSICC. Responding to concerns that the departments in question are ill equipped to deal with the additional load, the Government has conceded that mainstream departments need to become better equipped to deal with Indigenous people.⁴ The problem lies in the fact that little has been done in the preceding months to ready the relevant departments for the new workload.

A common thread to the discussions relating to the provision of services to Indigenous people is the diversity of the population, not only in geographical terms but also economic and cultural structures. Further, this diversity requires services that are provided in ways that are relevant to the target community. NATSICC is concerned that the inherent structure of mainstream services may not be able to effectively serve the varied needs of Indigenous people.

In its submission to the parliamentary inquiry into capacity building, ATSIC noted that international trends in development practice have progressed from a needs based or reactive approach, to a more proactive approach centred on participation, capacity building and capacity development. ATSIC's approach is characterised by the following three focus areas:

- A *people-centred* developmental approach focused on building the human and social capital necessary for Indigenous participation in planning, organising and administering programs

² HREOC Native Title Report, 97/98 HREOC Native Title Report, 97/98

³ Michael Raper, ACOSS President, Media Release, New Direction Needed to Address Indigenous Rights & Disadvantage, 4 February 2001

⁴ Sen. The Hon Amanda Vanstone, Media Release, 15 April 2004, "New Service Delivery Arrangements for Indigenous Affairs"

- Emphasis on process elements such as access to choice, participation in planning, and access to decision making.
- A focus on sustainability, continually re-assessing whether a program or project can become self-sustaining or how to maintain the impact of a program intervention in a community over time.

Mainstream service delivery should be able to implement the positive aspects of ATSIC's framework for capacity building and sustainable development.

Socio – economic disparity experienced by Indigenous people

In terms of the delivery of vitally important and necessary services to Indigenous Australians, NATSICC hopes that the following discrepancies in Indigenous lives in comparison to non-Indigenous people are taken into account:

Non-Indigenous students are twice as likely to continue their schooling to year 12 as Indigenous students

12.5% of Indigenous people attained a level 3 certificate or above compared to 33.5% of non-Indigenous Australians.

In 2001, Indigenous unemployment was 2.8 times higher than non-Indigenous people.

Figures relating to Indigenous employment have a propensity to paint the unemployment situation in Indigenous lives in a more favorable light than exists. This is because Indigenous people that participate in CDEP are considered to be part of the labour force. Particularly effective in rural areas where a high percentage of the population is involved in CDEP, the actual level of unemployment in Indigenous communities is considered to be somewhat higher.

Studies have shown that there are correlations between low employment levels and crime and lower levels of health.

Individual and household income of Indigenous Australians is far behind that of non-Indigenous Australians resulting in significantly lower levels of home ownership amongst Indigenous people.

Suicide rates amongst Indigenous Australians are nearly three times higher than non-Indigenous people.

Indigenous people are 15 times more likely to be imprisoned than non-Indigenous people.

Indigenous juveniles are 19 times more likely to be detained than non-Indigenous people.

9% of Aboriginal Children aged 0-4 suffer long term diseases of the ear and mastoid, compared the 4% for non-Indigenous Australians.

For further statistics reflecting Indigenous disadvantage please refer to *Overcoming Indigenous disadvantage: key indicators 2003: Report. Melbourne. Victoria. Productivity Commission for the Steering Committee for the Review of Government Service Provision.*

Closing Statement / Recommendations

NATSICC recommends that mainstream Government departments undergo rigorous Cultural Awareness programs designed in consultation with Indigenous people. 'Service Delivery' to Indigenous people should be culturally appropriate, location specific and efficient in execution.

NATSICC believes that an holistic approach to improving the administration of services to Indigenous people is required. Emphasis should be placed on setting higher Indigenous employment targets with particular focus on employing Indigenous people in higher decision making positions.

The future administration of Indigenous Affairs by government should ensure that all processes affecting Indigenous people have an effective means for consultation, negotiation and involvement in place, with 'identified' and 'elected' (**not selected**) Indigenous leaders regarding the affairs that effect the lives and future of Indigenous Australians.

Decisions made in the area of Administration of Indigenous Affairs should nurture and encourage a relationship between Indigenous Australians and the Government that is based on mutual respect and reciprocity. This organisation maintains that a unified and representative Indigenous voice within the administration of Indigenous Affairs is paramount to address the social, legal and economic disadvantage experienced by Indigenous Australians; and for the promotion of Reconciliation for all in Australia.

NATSICC is thankful for the opportunity to lodge a brief submission to the Select Committee on the Administration of Indigenous Affairs.