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11<sup>th</sup> August 2004

The Secretary  
Senate Select Committee on the Administration  
of Indigenous Affairs  
Parliament House  
CANBERRA ACT 2600

**SUBMISSION ON THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION  
(ATSIC) AMENDMENT BILL 2004**

Aboriginal and Torres Strait Islanders have the status of First People in this country and their rights as such must be respected and protected. Therefore indigenous peoples of Australia must have the right to determine who represents them locally, regionally, nationally and internationally. The rights of these people to make free and informed choices for themselves and their families must also be protected.

In reducing indigenous involvement to an appointed advisory role as proposed in the current Bill and its proposed administrative arrangements there is a denial of these fundamental rights. The Bill removes the right of indigenous people to effective involvement in decision making in areas critically affecting their lives and communities.

The Government's own review of ATSIC endorsed the need for national elected indigenous representation and greater control at a regional level. This Bill is in complete contradiction of the said review.

There must be a National Indigenous Representative Body which reflects indigenous values and aspirations:

- This Body must be openly transparent and accountable to Aboriginal and Torres Strait Islander people and
- Primary roles in representation and advocacy must be incorporated in this Body which should be the principal source of indigenous policy advice to the Government and must have control over the provision of indigenous-specific services.


Rights of representation and determination of their own affairs are essential to the well being of indigenous Australians. Where there is full and effective indigenous involvement in decision making, strong indigenous organisations and governance together with appropriate cultural recognition within both indigenous and non-indigenous institutions the results are much, much better.

Our society must not return to the old failed methods of dealing with problems. Mainstream service delivery is important but must be on the basis of sensitivity to the

indigenous community and cultural requirements. Governments and their agencies must be publicly accountable for the provision of services to indigenous people and must be subject to rigorous monitoring frameworks and possess the ability for indigenous people to exercise such accountability

ATSIC must not be replaced unless there is consultation and negotiation with the people most affected by any change – the indigenous peoples themselves.

Thank you for the opportunity for our group to make this submission.



Jocelyn Hulme  
Honorary Secretary