



The Secretary
Senate Select Committee on the
Administration of Indigenous Affairs
Parliament House
Canberra 2600.

Dear Sir/Madam,

I appreciate the opportunity to provide input to the Committee's Inquiry on the Aboriginal and Torres Strait Islander Commission Amendment Bill 2004 and proposed related changes to the administration of Commonwealth Indigenous affairs policy.

Protection of Rights. Australia has an obligation to respect and protect the right of Aboriginal and Torres Strait Islander peoples to self-determination, human rights, and First Peoples' status and the inherent rights that flow from that status.

Representation and self-determination. Central to the enjoyment of these rights is the ^{desir}ability of Indigenous people to determine who represents them locally, regionally, nationally and internationally. Indigenous Peoples of Australia alone must have this right, as well as the consequent right to make free and informed choices for themselves, their families and communities.

The current Bill and proposed administrative arrangements will deny these fundamental rights. In reducing Indigenous involvement to an appointed advisory role, the government will effectively remove the right of Indigenous people to meaningful involvement in decision-making affecting their lives and communities.

These changes are also contrary to the Government's own review of ATSIIC which endorsed the need for elected Indigenous representation and greater control at a regional level.

New Indigenous representative structure. Indigenous Australians have endorsed the need for a National Indigenous Representative Body which reflects their values and aspirations, and which is open, transparent and accountable to Aboriginal and Torres Strait Islander people. This body should have primary roles in representation and advocacy, be the principal source of Indigenous policy advice to government, and have control over the provision of Indigenous-specific services.

The right of representation and to determine their own affairs have also been shown to be critical factors in improving the well-being of Indigenous Australians. Outcomes are significantly better where there is full and effective Indigenous involvement in decision-making, strong Indigenous organizations and governance, and appropriate cultural recognition within both Indigenous and non-Indigenous institutions.

Mainstreaming and accountability. The wholesale return to mainstream-focused service delivery will be a backward step to an already failed paternalistic approach. Mainstream service delivery does have an important role; however, this must be on the basis of being responsive to Indigenous community and cultural needs.

Yours sincerely,