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24 July 2004

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



Dear Sir/Madam,

I write to make a submission to the Committee's Inquiry into the *Aboriginal and Torres Strait Islander Commission Amendment Bill 2004* and proposed changes to the administration of the Commonwealth's Indigenous affairs policy.

Suffice to say that, as a white, middle-class Australian, the proposed Aboriginal policies do not directly impact upon me; however, I believe that they are a giant leap backward in the reconciliation process and further impede the path to social justice and equality for Indigenous Australians and return our country to the paternalism and "we know best" mind-set of the 50s and earlier, when, in fact, we did not know best at all.

From 1997 – 2004 I had the privilege of working with, and for, Aboriginal people, in a community-based legal organisation. During this time I formed positive relationships and friendships with Aboriginal people from all walks of life, and developed first-hand a sound understanding of how Indigenous people feel with regard to their appalling position within the wider Australian society and their need, and indeed right, to self-determination and their own independent voice within the political and social system.

Since 1997 I have seen a tragic decline in this country's commitment to Reconciliation with its first peoples; this has filtered down to the average Australian who no longer seems to care about Indigenous issues, following the lead of a Government that has no political will to advance the cause of Aboriginal people. Indeed this government appears determined to undermine self-determination for Indigenous Australians.

Even more tragically, I have witnessed the despair and helplessness that Aboriginal people now feel as a result of the Government's policies, culminating in its push to abolish ATSIC and to take away the Indigenous voice from the political arena.

As already stated, the current political climate has removed Aboriginal issues from the political agenda and this is a major concern. Australia has an obligation to respect and protect the right of Aboriginal and Torres Strait Islander peoples to self-determination, and to advance their human rights.

The current Bill and proposed administrative arrangements that will accompany its passage will deny the fundamental rights of Indigenous people. Surely it achieves more positive outcomes for Government to meet head to head with Aboriginal men women

who tell it like it is for their people rather than to set up a Government hand-picked group of Aboriginal advisers who will clearly not rock the political boat?

The Government's own costly review of ATSIC endorsed the need for national elected Indigenous representation, and greater control at the regional level. It is widely recognised, even by the current Government, that at the regional level ATSIC has proven effective in service delivery and in representing Indigenous people. To further marginalise, in the year 2004, the people who have already lost everything, by the removal of their elected representatives is a travesty of justice of the greatest magnitude; to compare ATSIC to apartheid, as did Minister Vanstone, is a disgrace.

Outcomes are clearly shown to be better where there is full and effective Indigenous involvement in decision-making, strong and independent Indigenous organisations and governance, and cultural competency within both Indigenous and non-Indigenous organisations.

Indigenous Australians overwhelmingly support the need for a national Indigenous representative body which reflects their values and aspirations, and which is open, transparent and accountable to all.

This body should be fundamentally involved in representation and advocacy, be the major source of Indigenous policy advice to Government, and control the provision of Indigenous-specific services.

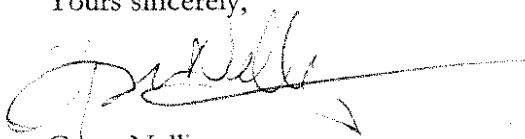
While mainstream service delivery has played an important part in the lives of Indigenous Australians, it must be recognised that the outcomes for Aboriginal people are not superior to those achieved by Aboriginal-controlled organisations. For example, the services provided in the areas of health and education are both mainstream; Aboriginal health is of a Third World standard and educational standards are appallingly low. These facts speak for themselves and provide solid evidence against further mainstreaming of services to Indigenous Australians.

Indigenous Australians must be allowed to have their own voice and should be supported in dealing with the huge issues that they face, as highlighted through the recommendations of the Royal Commission into Aboriginal Deaths in Custody and the Bringing Them Home Report.

Finally, if the current Government is hell-bent on abolishing and replacing ATSIC at all costs, I urge the Committee to ensure through its report and recommendations, that Indigenous people remain represented *by* elected Indigenous people, from the highest levels down.

This is vital in ensuring that Indigenous Australians are able to achieve positive outcomes as they struggle for social justice, equality and self-determination in this country.

Yours sincerely,



Grace Nelligan