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28.7.04.

The Secretary,  
Senate Select C'tee on Admin'n of Indigenous Affairs,  
Parliament House,  
CANBERRA, A.C.T. 2600.



Dear Secretary,

It is good to have this opportunity to contribute to the Senate's inquiry into the Aboriginal and Torres Strait Islander Commission Amendment Bill 2004 and proposed related changes to the administration of Commonwealth Indigenous Affairs policy.

It was a proud moment in my life as a citizen when the Australian public in 1967 returned the huge YES vote for the recognition of Indigenous Australians as citizens. Since then we have been a different country. We have as part of the nation a unique section not only enjoying guaranteed human rights, but also with First Peoples' status and inherent rights which flow from that status.

In my opinion it is central to the enjoyment of those rights that Indigenous people can determine who may represent them locally, regionally, nationally and on the international scene. Indigenous peoples of Australia alone must have the right to make free and informed choices for themselves, their families and their communities.

The currently proposed Bill and proposed administrative arrangements will deny these fundamental rights. In reducing Indigenous involvement to an appointed advisory role, the Government will effectively remove meaningful Indigenous involvement in decision-making affecting their personal and community life.

These changes are contrary to the Government's own review of ATSIC (to which process I was one of many contributors...submission dated 13.8.03) which endorsed the need for national elected Indigenous representation and greater control at a regional level.

The right of representation and right to determine their own affairs have 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.

*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 wholesale return to mainstream-focussed service delivery will be a very backward step towards a failed paternalistic approach in Indigenous affairs. Indigenous people are poorly served by mainstream services and there will continue the need for Indigenous-specific services controlled by Indigenous people themselves.

Mainstream service delivery will continue to have a role. However, this must be on a basis of being responsive to Indigenous community and cultural needs. Governments and mainstream departments and agencies must be publicly accountable for the provision of services to Indigenous people, and such accountability should include rigorous monitoring frameworks and the ability for Indigenous people to exercise this accountability.

*Finally, any replacement for ATSIC must be determined in consultation with Indigenous stakeholders and on the basis of their informed consent. The Select Committee's report should provide strong endorsement of this principle.*

(signed) W. Johnson

Walter Johnson