



ACTCOSS 2020 ACT Election Issue Brief

Aboriginal and / or Torres Strait Islander Self-Determination

ACTCOSS calls on the next ACT Government to consult with the Ngunnawal people and all Aboriginal and / or Torres Strait Islander people in the ACT on policies to ensure a just and fair Canberra, including:

- **Mandatory Aboriginal and / or Torres Strait Islander and Ngunnawal cultural awareness training for all Members of the Legislative Assembly**
- **Investment in celebrating and protecting Ngunnawal land and culture**
- **A United Ngunnawal Elders Council (UNEC) partnership agreement, which outlines shared policy goals and commits to genuine, regular consultation between Ministers and the UNEC**
- **The development of a comprehensive Aboriginal and / or Torres Strait Islander policy statement**
- **Support and investment in Aboriginal community-controlled organisations to deliver fully funded community services**
- **Investment in supporting Aboriginal and / or Torres Strait Islander children, youth and families with measurable outcomes**
- **Expansion of the ACT Human Rights Commission to include an Aboriginal and / or Torres Strait Islander Children's Commissioner**
- **Support for the design and commencement of an Aboriginal and / or Torres Strait Islander Child Care Agency**
- **The implementation of all 28 recommendations from Our Booris, Our Way Steering Committee to improve the systemic failures for Aboriginal and / or Torres Strait Islander children involved with child protection in the ACT**

- **Developing an Aboriginal and / or Torres Strait Islander Housing Strategy for the ACT including a pathway to a community-controlled Aboriginal housing organisation**
- **Investing in the design and construction of a community-controlled Aboriginal residential alcohol and other drugs (AOD) rehabilitation facility**
- **Additional investment in autonomous, holistic health and wellbeing services at the Alexander Maconochie Centre (AMC)**
- **Investigation of an expansion of the Ngunnawal Bush Healing Farm to have cottages that can accommodate families**
- **Funding the Aboriginal and Torres Strait Islander Elected Body (ATSIEB) positions at a full-time rate.**

The evidence

- The Ngunnawal language revival project between AIATSIS and Ngunnawal community members has progressed work to reclaim and revitalise the Ngunnawal language. Early success has been delivering courses, including to children, with an aim to provide a fully functional language that could also be part of the ACT school curriculum.¹
- ACT planning legislation does not adequately recognise Ngunnawal cultural and historic sites as there are no specific provisions that protect the interests of custodians of the ACT in either of the planning statutes (ACT or Commonwealth) governing land use planning in the ACT.² The Act could be amended to follow Queensland, wherein the *Planning Act 2016* compels planning functions to value, protect and promote Aboriginal and / or Torres Strait Islander knowledge and tradition.
- The Dhawura Ngunnawal Committee was established under the Environment, Planning and Sustainable Development Directorate to further Ngunnawal self-determination over land and waters. While this Committee was established to identify and implement cultural understanding within the Directorate, it does not protect the interests of custodians in the ACT or Commonwealth planning statutes.
- Aboriginal and / or Torres Strait Islander people in the ACT are clients of specialist homelessness services at a much higher rate than non-Indigenous people in the ACT. Australian Institute of Health and Welfare (AIHW) data from 2017-18 notes 671 Aboriginal and / or Torres Strait Islander people as clients of specialist homelessness services at a rate of 817.7 per 10,000 people, compared to non-Aboriginal and/or

1 AIATSIS, *Ngunnawal language revival project*, AIATSIS website, n.d., <https://aiatsis.gov.au/research/current-projects/ngunnawal-language-revival-project>.

2 L Bladen, 'Call to halt development on Mount Ainslie foothills until Indigenous values of site assessed', *The Canberra Times*, 22 June 2020, <https://www.canberratimes.com.au/story/6801933/call-to-halt-development-on-mount-ainslie-foothills-until-indigenous-values-of-site-assessed>.

Torres Strait Islander people, who are clients of the same services at a rate of 78.7 per 10,000 people.³

- The population of ACT Aboriginal and / or Torres Strait Islander people has a high proportion of children, young people and young adults and a lower proportion of people in middle age and older age groups. The median age of people in the ACT in 2016 was 23 for Aboriginal and / or Torres Strait Islander people, and 35 years for non-Indigenous people.⁴
- The *Our Booris, Our Way Final Report*, delivered in December 2019, included 28 recommendations. In July 2020 the ACT Government said it will continue to act on implementing the recommendations, but they remain incomplete, including recommendations made over two years ago in August 2018.⁵
- The *Our Booris, Our Way* Steering Committee found that for Aboriginal and / or Torres Strait Islander children on short term care and protection orders, Child and Youth Protection Services (CYPS) only made restoration plans for 20% of cases. A restoration plan is a plan developed collaboratively with a family, identifying clear goals aligned with what needs to change for children to be safely returned. The committee recommend that restoration planning should be dramatically improved and that family restoration should be the central aim of CYPS.⁶

Testimonials

“It would show far more respect for the Ngunnawal people, for all Canberrans and for the nation as a whole to have [Canberra place] names nominated by Ngunnawal people through the Council... It would be great for Reconciliation and it would help us to know that mainstream Australia does care.” – Aunty Roslyn Brown, Chair of the United Ngunnawal Elders Council.⁷

3 Australian Institute of Health and Welfare (AIHW), *Aboriginal and Torres Strait Islander people: a focus report on housing and homelessness*, AIHW, 2019, <https://www.aihw.gov.au/reports/housing-assistance/indigenous-people-focus-housing-homelessness/data>.

4 Australian Bureau of Statistics (ABS), ‘ACT’ (Indigenous Region), *2016 Census QuickStats*, accessed 7 October 2020, https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/IREG801?open=document; (ABS), ‘Australian Capital Territory’, *2016 Census QuickStats*, accessed 7 October 2020, https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/801?opendocument.

5 ACT Government Community Services, *Government Response: Recommendations from the Our Booris, Our Way Review*, 2020, https://www.strongfamilies.act.gov.au/_data/assets/pdf_file/0008/1613753/Government-Response-Recommendations-from-the-Our-Booris-Our-Way-Review-July-2020.pdf.

6 Our Booris, Our Way Steering Committee, *Our Booris, Our Way Final Report*, 2019, https://www.strongfamilies.act.gov.au/_data/assets/pdf_file/0011/1457813/Our-Booris-Report-FINAL-REPORT.pdf.

7 G Jacobs, ‘Ngunnawal elders call to rename Mt Ainslie, Black Mountain, other Canberra landmarks’, *The RiotACT*, 11 July 2019, <https://the-riotact.com/ngunnawal-elders-call-to-rename-mt-ainslie-black-mountain-other-canberra-landmarks>.

“It is a matter of great regret to me that the ACT Government has shown no interest in, or commitment to, developing an Indigenous policy to guide it in the development of appropriate services and programs for the Indigenous community of Canberra. The absence of such policies, or anything approaching an action plan, for responding to the range of problematic outcomes experienced by so many members of the local Aboriginal and Torres Strait Islander community, as a result of the disadvantage and discrimination they have endured throughout their lives, is without a doubt one of the major reasons the ACT performs so poorly when it comes to meeting the needs of Aboriginal peoples.” – Ms Julie Tongs, CEO, Winnunga Nimmityjah Aboriginal Health and Community Services, Winnunga Newsletter 2019.⁸

“The Elected Body recognise that they and other Aboriginal and Torres Strait Islander community bodies are being regularly consulted and engaged in specific proposals and changes. However, what is lacking is the ability to translate consultation, co-design and hearing community voices to tangible outcomes in the community.” – ACT Aboriginal and Torres Strait Islander Elected Body, 2020.⁹

8 J Tongs, ‘Aboriginal self-determination, management & delivery of services in the ACT’, *Update*, Issue 86, Summer 2018-19, <https://www.actcoss.org.au/publications/quarterly-journal-update/update-issue-86-summer-2018-19-community-facilities-now-and>.

9 ACT Aboriginal and Torres Strait Islander Elected Body (ACT ATSIEB), *ACT Aboriginal and Torres Strait Islander Elected Body Report From Hearings 11-13 March 2020, Tenth report to the ACT Government*, n.d., <https://atsieb.com.au/wp-content/uploads/2020/10/20-10-01-Report-on-the-outcomes-of-the-Aboriginal-and-Torres-Strait-Islander-Hearings-11-12-13-March-2020-Tenth-Report-to-the-ACT-Government-Web-accessible-version.pdf>.