

Australian Nursing and Midwifery Federation

SUBMISSION TO NATIONAL VOICE CONSULTATION

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Nursing &
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Federation

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INTRODUCTION

The Australian Nursing and Midwifery Federation (ANMF) is Australia's largest national union and professional nursing and midwifery organisation. In collaboration with the ANMF's eight state and territory branches, we represent the professional, industrial and political interests of more than 300,000 nurses, midwives and carers across the country.

Our members work in the public and private health, aged care and disability sectors across a wide variety of urban, rural and remote locations. We work with them to improve their ability to deliver safe and best practice care in each and every one of these settings, fulfil their professional goals and achieve a healthy work/life balance.

Our strong and growing membership and integrated role as both a professional and industrial organisation provide us with a complete understanding of all aspects of the nursing and midwifery professions and see us uniquely placed to defend and advance our professions.

Through our work with members, we aim to strengthen the contribution of nursing and midwifery to improving Australia's health and aged care systems, and the health of our national and global communities.

NATIONAL VOICE CONSULTATION

Aboriginal and Torres Strait Islander/First Nations people have never ceded sovereignty to this land. They have lived and continue to live under the conditions of colonisation, enduring the theft and destruction of lands, forced separation of children from families, generational trauma, inadequate compensation for labour, excessive incarceration and deaths in custody, denial of rights to language and culture, inequitable access to resources other Australians enjoy, and the structural, overt and casual racism inflicted by the dominant white culture, and, ultimately a reduced life expectancy.

We welcome the opportunity to participate in the National Voice consultation. The ANMF recognises and acknowledges the injustices that have taken and continue to take place, and it is our motivation and desire that Australia can progress towards a just, respectful, culturally safe and inclusive relationship with Aboriginal and Torres Strait Islander people. Australia's First Nations people are the world's oldest living culture, and there is much for us to learn from them about this land we live on. We want the National Voice initiative, along with constitutional recognition, to provide the way forward.



ANMF RECONCILIATION ACTION PLAN (RAP)

The ANMF has had a RAP since 2009, which guides our work and relationships with Aboriginal and Torres Strait Islander organisations and people. As part of our RAP, we have policies on how ANMF consults with Aboriginal and Torres Strait Islander organisations, health, and cultural awareness and safety. The overriding principles reflected in our policies are those of self-determination, respect, partnership, and equity of access to the resources that support good health and wellbeing. The ANMF regularly participates in Close the Gap Day and National Reconciliation Week, and our RAP is a guiding document for our response to this consultation.

Our RAP Working Group includes the role of an Aboriginal nurse adviser. She is a practicing registered nurse in a clinical setting who participates in our working group, shares her networks with us and provides us with guidance, advice and an Aboriginal perspective on issues that arise.

CLOSE THE GAP CAMPAIGN

The Close the Gap (CTG) Campaign was launched with both shame and optimism in 2007. In 2008, our governments committed to closing identified gaps in educational attainment, health status, infant mortality, life expectancy and employment between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians.

In 2021, many of the gaps remain large, which is a national disgrace. The reasons for failure are closely linked to the approach taken, which remains largely paternalistic and not founded in partnership, respect, truth telling or understanding. It includes a short-term funding outlook and cuts to Aboriginal and Torres Strait Islander health and wellbeing programs, creating uncertainty around the continuation of successful community-led programs.

Add to that punitive policies which are contrary to CTG objectives, such as the imposition of the cashless welfare card, high rates of incarceration, and high suicide rates for young Indigenous people and it is clear that something is very wrong - not with Aboriginal and Torres Strait Islander people, but with the attitudes and approaches of non-Indigenous Australia.

The Close the Gap Report for 2021 took a new approach in its focus, highlighting among other things the successful management of COVID-19 by Aboriginal and Torres Strait Islander organisations and communities, and Indigenous ways of tackling climate change. It emphasises a strengths-based approach that focuses on success and what works in communities, rather than a deficit approach, which casts First Nations people and communities as the problem. Promisingly, in 2020 an historic national agreement was signed by Australian governments and Aboriginal and Torres Strait Islander peak organisations that commits governments to a respectful partnership approach in achieving CTG objectives¹.

The ANMF believes the proposal for a National Voice is entirely consistent with the objectives of the CTG Campaign and the new National Agreement, providing a formalised, co-designed structure to facilitate consultation on laws and policies that affect Aboriginal and Torres Strait Islander communities and individuals.

¹ National Agreement on Closing the Gap: An agreement between the Coalition of Aboriginal and Torres Strait Islander Peak Organisations and all Australian Governments. July 2020. Available at https://www.closingthegap.gov.au/sites/default/files/2021-03/national-agreement-ctg-mar-21_0.pdf



ABORIGINAL AND TORRES STRAIT ISLANDER WORKFORCE

The Council of Aboriginal and Torres Strait Islander Nurses and Midwives (CATSINaM) has worked hard over many years to attract and retain First Nations people into the nursing and midwifery professions. Recent workforce data reflects some success²:

Between 2016 and 2019, the total number of Aboriginal and Torres Strait Islander nurses and midwives with general or provisional registration increased by 37.0% from 3,677 to 5,037 (a compound annual growth rate of 11.1%). The number of employed Aboriginal and Torres Strait Islander nurses and midwives ('workforce') increased 36.4% from 3,202 to 4,369 over the same period (a compound annual growth rate of 10.9%).

The number of Aboriginal and Torres Strait Islander nurse and midwives working in clinical settings has increased 41.4%, from 2,838 to 4,012 over the same period.

The draft National Aboriginal and Torres Strait Islander health workforce strategic framework and implementation plan 2021-2031 says that Aboriginal and Torres Strait Islander people are under-represented in the health workforce³. In 2016, they represented only 1.8% of the health workforce, while comprising 3.3% of the Australian population. To reach population parity, they have set a target for Aboriginal and Torres Strait Islander people to represent 3.43% of the national workforce by 2031.

The ANMF understands that more Aboriginal and Torres Strait Islander nurses and midwives are necessary for the provision of culturally safe healthcare and better health outcomes for First Nations people, and ultimately a step towards closing the gap in life expectancy.

CONSTITUTIONAL RECOGNITION

The *Close the Gap Report 2021* calls for the full implementation of the Uluru Statement from the Heart and a constitutionally enshrined First Nations Voice⁴. The ANMF understands that the Uluru Statement from the Heart and constitutional recognition are outside the scope of the National Voice proposal as it stands.⁵ However we believe it is important to be on the record on this matter.

The ANMF prefaces its comments on the National Voice proposal with the view that ultimately the two processes – constitutional recognition and the establishment of the National Voice structures, should go together as expressed in the CTG Report.

Constitutional recognition should underpin and provide a secure basis for the National Voice, whereby it would not be subject to the whims of future governments. Enabling legislation for the National Voice must be passed after a referendum has been held in the next term of Parliament.

² Australian Institute of Health and Welfare (2020). Aboriginal and Torres Strait Islander nurses and midwives 2019. Canberra: AIHW.

³ National Aboriginal and Torres Strait Islander Health Workforce Project Reference Group [2020]. National Aboriginal and Torres Strait Islander health workforce strategic framework and implementation plan 2021-2031.

⁴ Lowitja Institute (2021). *Leadership and legacy through crises: Keeping our Mob safe - Close the Gap Campaign report 2021*. Close the Gap Campaign Steering Committee, p 6. Available at <https://humanrights.gov.au/our-work/aboriginal-and-torres-strait-islander-social-justice/publications/close-gap-2021>

⁵ National Indigenous Australians Agency (2020). *Indigenous Voice co-design process interim report to the Australian Government*. Commonwealth of Australia, p 177. Available at <https://voice.niaa.gov.au/resources>



Australia has a long history of calls for and promises of constitutional recognition. Calls and petitions by Aboriginal and Torres Strait Islander people date back to early days of colonisation, Australian federation and the time of the 1967 referendum⁶. Constitutional recognition has been promised most notably by John Howard in 2007 and again by Julia Gillard in 2011⁷. In 2021, constitutional recognition has still not been achieved, and this too is a national shame.

The ANMF supports constitutional recognition as has been expressed by the Uluru Statement from the Heart, which specifically states:

We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.⁸

AN INDIGENOUS VOICE

Aboriginal and Torres Strait Islander communities and individuals have fought hard to be heard, and have delivered consistent messages around self-determination and a partnership, strengths-based approach. They have shown tenacity, thoroughness, patience and wisdom in articulating the respectful, consultative style of relationship they wish to build with non-Indigenous Australia. They know what they need to recover and to thrive.

There have been proposals over many years for a formalised body through which to consult about laws and policy which affect Aboriginal and Torres Strait Islander people, most recently the 2018 Joint Select Committee on Constitutional Recognition.⁹ The Indigenous Voice proposal comes out of that work.

The ANMF supports an Indigenous Voice, however as already stated it should be implemented with the principles of the Uluru Statement from the Heart in mind, including constitutional reforms. The ANMF believes that if Australian governments are to take seriously their commitments to closing health, education, employment and life expectancy gaps, and repairing relationships with Aboriginal and Torres Strait Islander communities and people, and to engender trust by those communities, they must respond positively to this proposal now. Australia cannot continue to be dismissive of Aboriginal and Torres Strait Islander voices at the government level.

The ANMF strongly supports the broader Indigenous Voice proposal and the specific proposals for Local and Regional Voices and a National Voice for Aboriginal and Torres Strait Islander people to parliament. Government policies have been established at national and state/territory levels about the ways Aboriginal and Torres Strait Islander people may exist, but have failed to consider *their* views about how they wish to live. An Indigenous Voice will provide a way to ensure there is trusted, genuine consultation and a collaborative approach.

⁶ Uluru Statement from the Heart (2017). <https://ulurustatement.org/the-statement>

⁷ Noel Pearson speech. National Museum of Australia, 17 March 2021. Available at https://www.youtube.com/watch?v=Q_T1lcF93Ds.

⁸ Op cit. *Uluru Statement*.

⁹ Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples. (2018). *Final report*. Canberra: Commonwealth of Australia.



LOCAL AND REGIONAL VOICES

The ANMF supports the proposal as outlined in the Indigenous Voice Co-design discussion paper¹⁰ and the Principles outlined in the Interim Report.¹¹ Local and Regional Voices would be focused on their defined areas, be properly resourced, and provide a trusted, inclusive forum for local Aboriginal and Torres Strait Islander people, communities and organisations to express views and collaborate on community-led initiatives and problem solving.

They may also provide a forum for consulting with non-Indigenous people and organisations. For example, the ANMF has Branches in each state and territory, which is where our members join. ANMF Branches are at various stages of developing Reconciliation Action Plans, which provide a foundation for work and activism in Aboriginal and Torres Strait Islander matters. ANMF branches such as the QNMU have started First Nations Reference Groups, which clearly endorse the Uluru Statement from the Heart.¹² Local and Regional Voice bodies could provide avenues for our Branches to engage and consult on local activities and matters arising from their RAPs.

NATIONAL VOICE

The ANMF supports the National Voice proposal, however again reiterates that this must go ahead with constitutional reform as clearly spelled out in the Uluru Statement from the Heart.

OPTIONS FOR MEMBERSHIP OF THE NATIONAL VOICE

The ANMF fundamentally supports the proposal that members of the National Voice are chosen by Aboriginal and Torres Strait Islander people, structurally linked and drawn from within their communities and from within the Local and Regional Voices, as described in Core model 1 of the Interim Report¹³.

The membership model for the National Voice should ensure previously unheard Aboriginal and Torres Strait Islander people have the same chance of being selected as established leadership figures. Concerning the length of term, the ANMF supports four years with staggered terms, for reasons of continuity and stability, which can be achieved by overlapping terms.

¹⁰ National Indigenous Australians Agency (2021). Indigenous Voice: Discussion paper, pp 4-5. Available at <https://voice.niaa.gov.au/resources>

¹¹ Op cit. *Indigenous Voice co-design process interim report*, pp 73-83.

¹² Queensland Nurses and Midwives' Union. *QNMU takes home NAIDOC Union Award*. 11 December 2020. Available at https://www.qnmu.org.au/QNMU/PUBLIC/MEDIA_AND_PUBLICATIONS/News_items/2020/QNMU_NAIDOC_award_101220.aspx

¹³ Op cit. *Indigenous Voice co-design process interim report*, pp 35-36.



CONCLUSION

Australia is a country yet to reconcile with its past. Many non-Indigenous Australians, both individually and organisationally, continue to exhibit racist responses in dialogues about the realities of our colonial past and present activities.

The ANMF acknowledges and congratulates everyone who has worked hard on the National Voice process. However, we believe it is important to note that the legislative route for a National Voice is fraught. The legislation which governed the Aboriginal and Torres Strait Island Commission (ATSIC) was constantly amended and the ANMF fears that any legislated outcome of this process risks having the same problems.

Having come to a model for the National Voice that is widely supported by the Aboriginal and Torres Strait Islander community then this should be used as the basis for a referendum rather than going down the legislative route. The Commonwealth government must honour its election commitment to a referendum once a model for the National Voice has been settled.