



Response to the Indigenous Voice Co-Design Interim Report

Western Australian Government submission

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INTRODUCTION

The Western Australian (WA) Government welcomes the opportunity to provide feedback on the interim proposals identified for an Indigenous Voice at local, regional and national levels.¹

It has reviewed the Indigenous Voice Co-Design Interim Report (Interim Report) developed by the Indigenous Voice co-design groups, in partnership with the National Indigenous Australians Agency (NIAA).

The WA Government recognises the dual role of both the State and Commonwealth in Aboriginal affairs, ensuring government programs and services are delivered in genuine partnership with Aboriginal peoples and communities for better social, economic, health and cultural outcomes.

The proposals are critical given a range of indicators which show that Aboriginal people have unacceptably lower levels of health, economic security, social and emotional wellbeing, and educational attainment, than other Australians.

It is crucial for Aboriginal people to have a say in the decisions, policies and laws that affect them. A National Voice to the Australian Parliament and Government is a pragmatic and equitable proposal.

The WA Government's submission reflects its views and recommendations on the Interim Report, aspects of the 2017 Uluru Statement from the Heart and WA Aboriginal peoples and communities' opinion.

LOCAL AND REGIONAL VOICE

The proposal for a Local and Regional Voice is both timely and relevant to key Aboriginal policy reforms currently being progressed by the WA Government, in partnership with the State's statutory Aboriginal Advisory Council.

The Council is established under section 18(1) of the *Aboriginal Affairs Planning Authority Act 1972* (AAPA Act) and has a direct reporting relationship with the Minister (for Aboriginal Affairs).

Council's role is to lead and coordinate dialogue and facilitate decision making regarding those issues which affect the recognition, rights, leadership and vision, expertise, wellbeing and integrity of Aboriginal people and communities in WA.

¹ In this submission, the term **Aboriginal people** is used in preference to "Indigenous" or "Aboriginal and Torres Strait Islander people", in recognition that Aboriginal peoples are the original inhabitants of Western Australia.

Early alignment between the Local and Regional Voice and the Council presents an important opportunity to improve coordination between State and Commonwealth processes, reduce any policy duplication and avoid potential stakeholder confusion.

Proposed number of regions

The WA Government strongly recommends an increase in the number of regions identified for WA as part of the Local and Regional Voice proposal, from seven regions to nine. The rationale for this increase is to allow alignment with the nine regions currently represented by the membership of the Council. Accordingly, a Local and Regional Voice consisting of 35 regions nationally is deemed essential by the WA Government.

Identification of the Council's nine regions has been informed by widespread and long-standing recognition of these regional boundaries by Aboriginal people in WA. Membership of the Council represents the cultural diversity of regions and includes the:

- Perth metropolitan
- South West
- Goldfields
- Esperance
- Ngaanyatjarra Lands
- Midwest/Gascoyne
- Pilbara
- West Kimberley
- East Kimberley

The Council's membership also reflects a diversity of organisation types, areas of expertise and genders. There are currently 11 members on the Council representing eight of the nine regions.

Importantly, Council members live and work in the regions they represent, allowing them to highlight current local and regional issues of significance at Council meetings.

This local and regional knowledge has been invaluable to the WA Government during COVID-19 and has been integral to the WA Government's successful response in keeping Aboriginal communities safe during the pandemic.

Proposed principles

The proposed principles for the Local and Regional Voice are in broad alignment with the values and principles developed by Council members. Council plays a key role in State priorities including development of the draft Aboriginal Empowerment Strategy, Closing the Gap, Aboriginal youth suicide, and reduced incarceration of Aboriginal people.

The Council's values and principles are as follows:

- **Recognition** – respect the prior and continuous occupation of Aboriginal people, their ongoing role as custodians of the lands and seas of WA, and their uniqueness of culture.
- **Culture, Country and heritage** – respect the diversity of culture, language, Country and history of its members and Aboriginal communities across WA.
- **Aboriginal-controlled and led** – recognise Aboriginal people as key decision makers in issues that affect their rights, prosperity and wellbeing.
- **Integrity** – demonstrate honesty, fairness and transparency, and expect the same from its partners.
- **Place based** – represent and engage with Aboriginal communities across WA.
- **Accountability** – make and keep agreements internally, be accountable to Aboriginal communities, and hold partners, including service providers and policy makers to account.
- **Positive outcomes** – commitment to taking action that achieves outcomes and solutions which advance the rights and wellbeing of Aboriginal people.
- **Knowledge based** – driven by Aboriginal expertise including lived experience, traditional law and culture, and scientific evidence and best practices.
- **Collaboration** – work collaboratively with partners and peers, including other relevant coordination and governance mechanisms.

WA Aboriginal policy reforms also include consideration of accountability mechanisms and elected regional representative structures. Significantly, the Council has informed and co-designed these initiatives in partnership with WA Government agencies.

Now in its final stages of development, the draft Aboriginal Empowerment Strategy will set out key steps to be taken to recognise and address the ongoing impacts of historical policies and practices on Aboriginal people and communities, while also acknowledging and celebrating the enduring strength, resilience and contribution of Aboriginal people and cultures.

Many of the proposed principles of the Local and Regional Voice are consistent with the principles published in the discussion paper *'A Path Forward: Developing the Western Australian Government's Aboriginal Empowerment Strategy'*.

Central to the proposed Local and Regional Voice and the Strategy is the fundamental principle of empowerment. Inclusion of this principle in the Strategy is premised on the recognition Aboriginal people's empowerment has been eroded and must be restored to achieve better social, economic, health and cultural outcomes.

Putting this principle into action will, at times, require governments to step back to create space for change. In other cases, governments will need to step up and drive necessary reforms, in genuine partnership with Aboriginal people.

While the exploration of accountability mechanisms and elected regional representative structures are in the initial stages, the WA Government is keen to work collaboratively with the Australian Government to ensure that these initiatives align with the development of a Local and Regional Voice.

The *'Strengthening accountability and advocacy in Aboriginal affairs Community Feedback Report'* summarises the findings of submissions from Aboriginal people and organisations in WA on the proposed establishment of the Office of Accountability. The following points were highlighted:

'In addition to the functions, powers, structure and accountability of the proposed office, submissions raised a range of other factors for the Government to consider, including:

- *Ensuring Aboriginal culture, including respect for Elders and cultural authority, forms the fundamental framework for how the office operates.*
- *Ensuring women's and men's perspectives and issues are given equal emphasis, and giving special attention to the needs of children and young people.*
- *A decentralised structure, which recognises and operates according to the regional, even cultural diversity of Aboriginal people in WA.'*

The above feedback from Aboriginal people in WA reinforces the need for regional and cultural diversity to be adequately represented on a Local and Regional Voice.

NATIONAL VOICE

The WA Government has benefited greatly from the regional insights and advice of the Aboriginal Advisory Council on a wide range of matters, including draft legislation and strategic priorities such as COVID-19 recovery planning and Closing the Gap implementation.

Similarly, a National Voice would provide the Australian Government and Parliament with valuable advice from the regions and ensure that laws and public policy decisions concerning Aboriginal communities are appropriately informed by those most impacted by them – Aboriginal peoples.

Whether membership is ‘structurally linked’ (members selected from Local and Regional Voices) or ‘elected’ via an election process is a matter for further consideration.

The WA Government acknowledges that membership to the National Voice is designed to be gender balanced and represent jurisdictional, rather than regional interests.

The 2016 census detailed that there were about 75,000 Aboriginal and Torres Strait Islander people residing in Western Australia. Reflecting its diversity, the Australian Institute of Aboriginal and Torres Strait Islanders Studies (AIATSIS) map recognises 90 Aboriginal languages in Western Australia.

The vastness of the State and its large and dispersed government service system, and dispersed community, will add significant logistical and functional challenges to deliver the Voice in regional WA.

However, due to WA’s large Aboriginal population, distinct cultural blocs and the magnitude of the State, an increase in the proposed number of appointed members from WA to the National Voice from two to four is strongly recommended.

The increase in membership from two to four will allow for more equitable and adequate representation of the jurisdictional interests of Aboriginal peoples in WA at a national level. This is especially critical for WA where there is currently minimal peak body representation, as identified through the National Agreement on Closing the Gap (National Agreement).

The WA Government recently committed funding to establish a Consortium of Aboriginal Community Controlled Organisations, in line with the sector-strengthening objectives of the National Agreement on Closing the Gap. It is currently unclear as to whether the National Voice will have any linkages to the National Agreement.

SUMMARY

The WA Government, in partnership with the Aboriginal Advisory Council, looks forward to working with the Australian Government on the development of an Indigenous Voice at local, regional and national levels.

Future Indigenous Voice bodies must work with, and build on, existing mechanisms that reflect the regional and cultural diversity of Aboriginal peoples and communities in WA.

In conclusion, the WA Government endorsed The Uluru Statement from the Heart in 2019, which calls for structural reform including constitutional change.

This means establishing a new relationship between Aboriginal peoples and the Australian nation, based on justice and self-determination.