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To whom it concerns,

**UnionsWA Aboriginal and Torres Strait Islander Committee submission on proposed office for advocacy and accountability in Aboriginal affairs in Western Australia**

UnionsWA is the governing peak body of the trade union movement in Western Australia, and the Western Australian Branch of the Australian Council of Trade Unions (ACTU). UnionsWA acknowledges that union members work on Aboriginal land, the traditional home of the Whadjuk people of the Noongar Nation. We acknowledge the importance of Aboriginal people, culture and knowledge to the ongoing social, cultural and economic life of Western Australia. We pay our respects to the elders, past, present and emerging.

As a peak body we are dedicated to strengthening WA unions through co-operation and co-ordination on campaigning and common industrial matters. UnionsWA represents around 30 affiliate unions, who in turn represent approximately 140,000 Western Australian workers. UnionsWA has an Aboriginal and Torres Strait Islander Committee which aims to increase and empower Aboriginal and Torres Strait Islander union members, workers and their communities for a strong representative voice to strengthen their workplace rights. It is on their behalf that I make this submission.

The Australian Trade Union movement has a long, very proud and strong history standing shoulder to shoulder with Aboriginal and Torres Strait Islander peoples in campaigning for social justice, civil and industrial rights in the pursuit of equality and self-determination.

The most recent 2018 ACTU Congress condemned the Federal Government for rejecting the 'Statement from the Heart' and its continued hypocrisy regarding First Nations People.

The Australian union movement endorses the 'Uluru Statement from the Heart' – in particular the priority of having a voice to Parliament, which would include having a new Indigenous body to advise Parliament. This would force politicians to listen to Indigenous peoples before they make laws that affect them. The WA State Government deserves to be applauded for this initiative.

UnionsWA also endorses the submissions made by our affiliates, such as the CPSU/CSA.

**1. What do you think of the idea?**

UnionsWA supports the concept of the proposed new office. They agree with the point made by the discussion paper, that Western Australia's history of engagement with Aboriginal people has been fraught with missteps, paternalism and actions that, today, seem reprehensible. The proposed office

provides the opportunity to seek more unified and reconciled State and more unified and reconciled services for Aboriginal people. The office should not speak for a specific family, nation, or Country, but for the Aboriginal community as a whole.

We believe that an advocacy and accountability office should prioritise the following:

- Making Aboriginal employment outcomes core business for government and other enterprises
- Making it compulsory for Agencies to consult with the office in the early stages of developing new policies and statutes that focus or impact upon Aboriginal people
- Reviewing and reporting on Aboriginal employees' rights in Western Australia, including rights for CDP workers
- Auditing and collaborating on internal investigations relating to the deaths of Aboriginal people linked with the provision of public services

The selection process for the role of Commissioner or equivalent office should include the participation of Aboriginal people at all stages of the selection and appointment process.

Similarly, any supporting board structure should reflect Aboriginal cultural principles and world-views in its construction and operation. It should also have transparency of engagement and provides structures and processes that enable Aboriginal-led decision-making.

## **2. What should the name of the organisation be?**

Whatever name is chosen for the office should encapsulate its mission, and accurately reflect the functions of the office. It was acknowledged that naming the organisation using one of Western Australia's languages could have the unintended outcome of disengaging some stakeholders. One suggestion was to use relevant languages to name regional offices (if there are any) or specific initiatives

The name of the organisation should reflect the Uluru Statement's goal '*to empower our people and take a rightful place in our own country*'. The Statement goes onto say that:

*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.*

## **3. How should Aboriginal people be involved in choosing the right person?**

When appointing the first Commissioner or equivalent office holder, they should be an Aboriginal or Torres Strait Islander person who meets or exceeds the selection criteria.

The process of appointment needs to involve representative structures from the regions in order to ensure that the office holder is independent and is provided with community advice.

Accordingly, the process should be based on the principles of unity, inclusivity, practicality, independence, transparency and accountability. 'Accountability' in particular should focus on *cultural* accountability. Other elements of accountability, such as legal or corporate governance, should be managed by other appropriate regulators.

UnionsWA supports the CPSU/CSA's suggestion that:

*Involving a majority of senior Aboriginal public sector workers in the selection committee would be one means of ensuring high level Aboriginal input.*

Thank you for the opportunity to comment on this proposal. Please contact the Aboriginal and Torres Strait Islander Committee through me on 08 9328 7877 or [MHammat@unionswa.com.au](mailto:MHammat@unionswa.com.au) if you would like to discuss matters further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Meredith Hammat', with a stylized flourish at the end.

**Meredith Hammat**

**Secretary**