



Queensland
Government

Department of
Families

Office of the
Director-General

In reply please quote: D19166

13 FEB 2003

Ms Karen Struthers MP
Chair, Legal Constitutional and
Administrative Review Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Ms Struthers

Thank you for your letter of 16 December 2002 enclosing a copy of the *Hands on Parliament Issues Paper – December 2002* and inviting a submission on the paper.

The Department of Families supports the intentions of the Issues Paper to improve Indigenous participation in Queensland's democratic processes. Section 4 of the Issues Paper mentions the Reconciliation Council's identification of self-determination and political participation as key elements of the rights of Aboriginal and Torres Strait Islander peoples. These elements are also indicated in the Department of Families *Statement of Intent for Reconciliation* which refers to the rights of Aboriginal and Torres Strait Islander peoples to self-determination and economic independence.

With respect to the particular strategies in the Issues Paper, I would offer the following comments. In making these comments, I consider that the practicality of any proposed enhancements is an essential aspect, both in terms of the rights and needs of Indigenous people and also of the arrangements that would be required to effect intended changes.

Strategy 1: Enhance participation in the existing processes

Two areas that could assist Indigenous participation in the existing process are:

- (i) building into the electoral process sufficient time for electoral information to be disseminated to Indigenous communities across the State; and
- (ii) setting a standard for political parties to be explicit in their policy statements about proposed items affecting Indigenous people and how Indigenous people can comment to the parties about those items.

7th Floor, 111 George Street
Brisbane Queensland 4000

GPO Box 806 Brisbane
Queensland 4001 Australia

General Enquiries:

Telephone +61 7 3224 8113

Facsimile +61 7 3225 8833

Email mailbox@families.qld.gov.au

A.B.N. 42 458 314 397

Strategy 2: Direct input into Parliament

A possible enhancement to the parliamentary process could be that the introduction of a Bill into the House include an explanation of how possible impacts on Indigenous people have been provided for, how Indigenous people have been consulted on those possible impacts and how their views have been taken into account.

(Correspondingly, public sector agencies could be required to do the same in the preparation of submissions.)

Strategy 3: An Aboriginal and Torres Strait Islander Assembly

Strategy 4: Dedicated seats

Strategy 5: Changes to the electoral process

I would consider these three strategies together because, if there was an Indigenous Assembly, the issue of how it would relate to the Parliament inevitably arises, as does the need for consequent changes to the electoral process. The minority size of Queensland's Indigenous population suggests that the proposal for dedicated seats would include that such seats represent Indigenous peoples across the State, that is, that they not represent specific geographical areas. The holders of such seats could have particular standing in an Indigenous Assembly and perform two broad roles - one relating to considerations by an Indigenous Assembly and another relating to transmitting the outcomes of those considerations into parliamentary processes. The practicality of achieving the necessary constitutional changes to effect such an arrangement is an obvious issue. In this regard, consideration of a series of steps to be implemented over time may be worth exploring, with a condition for implementing successive steps being the successful implementation of preceding ones.

I trust that these comments are helpful to the Committee's consideration of the items raised in the Issues Paper.

The Department has also drawn the web site containing the Issues Paper to the attention of its Indigenous networks for their individual consideration.

I would appreciate being kept informed of the outcomes of the public consultation on the Issues Paper.

Should the Inquiry require assistance from the Department of Families, please contact Mr Dick White, Director, Strategic Services, on 3224 8087 or dick.white@families.qld.gov.au.

Yours sincerely



F J Peach
Director-General