

No 12

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31 MAY 2007  
LEGAL, CONSTITUTIONAL AND  
ADMINISTRATIVE REVIEW  
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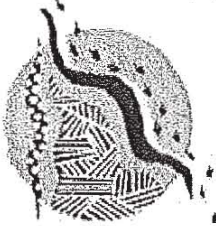
**From:** Katrina Wright 1  
**Sent:** Thursday, 31 May 2007 9:24 AM  
**To:** LCARC  
**Subject:** Hands on Parliament recommendations  
**Attachments:** 30.05.07 Hands on Parliament Recommendations Submission - CYLC.pdf

Please find attached the Cape York Land Council's submission in relation to the above. The original will follow in the post today.

Should you require anything further please contact Jane Holden of our office on 07 4053 9222

Kind Regards,

**Katrina Wright**  
**Personal Assistant**  
**Cape York Land Council**  
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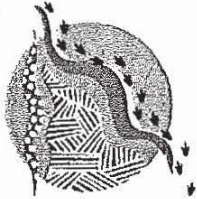
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Dear Sir/Madam,

**Re: Invitation to participate in interim evaluation of *Hands on Parliament* recommendations**

We refer to the invitation sent to Cape York Land Council (CYLC) by letter dated 24 April 2007.

We enclose a submission based on comments provided by members of CYLC's Executive Committee.

CYLC is an Aboriginal corporation formed by Cape York traditional owners in 1990, to advance the self-determination of Aboriginal people in the Cape York Peninsula. We consult with traditional owners and represent their aspirations and interests, relating to management, use and ownership of Cape York. We are also a Native Title Representative Body. The Executive Committee is drawn from the Governing Committee, which is comprised of elected representatives from each of the indigenous communities in Cape York and is responsible for providing executive level guidance and decision-making on a range of matters.

If you have any queries in relation to the submission, please do not hesitate to contact Jane Holden at CYLC on 07-40539222.

Yours sincerely  
**CAPE YORK LAND COUNCIL**

**Peter Callaghan**  
Chief Executive Officer

**CAPE YORK LAND COUNCIL – SUBMISSION ON INTERM EVALUATION OF  
HANDS ON PARLIAMENT RECOMMENDATIONS**

30<sup>th</sup> May 2007

**Formal Recognition of Aboriginal and Torres Strait Islander Peoples (pages 5 and 6)**

CYLC submits that it is important to recognise Aboriginal and Torres Strait Islander people in a preamble to the *Constitution of Queensland 2001*, and therefore that the Government should adequately fund further public consultation on this issue. CYLC submits that such recognition would be an important start to a process of inclusion of indigenous people in the democratic process.

**Political parties (pages 6 to 10)**

CYLC submits that there is currently little or no practical encouragement given to indigenous people to participate in the political process, whether in becoming members of political parties or further involvement such as standing for election. Some members of the Executive Committee are aware of letters received from political parties, but those letters were not directed specifically at indigenous people. CYLC suggests that there was greater encouragement in the past (for example in the 1980's) for indigenous people to become involved with political parties, but considers that there has been little support within the broader community. Some members of the Executive Committee expressed a view that there would not be sufficient support provided for an individual to want to take on any political capacity personally (particularly for females).

It is submitted that there is more support from within the indigenous communities, than from the government for those interested in engaging in the political process, with a strong perception that any successful action by indigenous people as part of political process has resulted not from actions taken by government.

**Enhanced and inclusive civics education (pages 10 to 13)**

CYLC's representatives are strongly of the view that the process of civics education needs to commence in primary school, and that there is currently not enough education and therefore, awareness amongst indigenous people about how political processes work. There is little information available or knowledge about the efforts being made in schools to address these issues.

**Testing inclusiveness in civics education (pages 13 and 14)**

CYLC submits that appropriate testing of Aboriginal and Torres Strait Islander perspectives of citizenship and governance should be included in the national civics test.

**Parliamentary Education Services (pages 15 to 17)**

Information, education and training about some levels of government exists. For example, there are training programs for indigenous people who wish to become Community Council members. However, it is submitted that most of the training programs of which Executive Committee members are aware are federally funded (such as through the Office of the Registrar of Aboriginal Corporations). There was also mention of programs provided by the (State) Department of Employment and Training. However, it is again submitted that information about and services provided fall short.



#### **Youth participation in local government processes (pages 17 to 20)**

CYLC's Executive Committee submits that there is not, at present, a lot of involvement from youth in either local government processes or other political processes, other than through the very worthwhile work of the Cape York Institute and the few, rare individuals who are able to rise to the challenges. It is considered that there is a fundamental problem with low literacy and numeracy skills among youth which needs to be addressed, with plenty of potential leaders out there, but insufficient education, training, opportunities and encouragement. More emphasis and positive encouragement needs to come from the wider community. There is little knowledge about Youth Advisory Committees.

#### **Australian Electoral Commission voter education activities (pages 20 and 21)**

CYLC submits that there was greater encouragement for enrolment and education some years ago, and that the current reality is that there is very little happening in communities to improve the very low levels of understanding and involvement of indigenous people in the political process. Executive Committee members are aware of some indigenous people employed to help other indigenous people vote, but it is limited to taking them to the electoral booth and showing them how to fill out the form. There is no education or encouragement about the reasons for voting or the way in which the democratic process works.

#### **Electoral Commission Queensland voter education activities (pages 22 and 23)**

CYLC submits that there is little distinction between the federal and state processes at the grass roots level. As with the federal processes, there is a poor quality of education and knowledge amongst Indigenous people on the voting/democratic process, including on matters as basic as being enrolled to vote.

#### **Employment and training in democratic institutions and processes (23 to 25)**

CYLC submits that some opportunities do exist for indigenous involvement in training and employment, particularly in terms of input into policy development for health and local community issues. However, that involvement is not perceived as translating into any real outcomes (for example, work done on policy development by indigenous employees not being incorporated into the final policy) or flow-on benefits to indigenous people or communities, apart from the occasional job for an individual. The level at which indigenous input is provided is too low, so that the message doesn't get through to high levels of government.

A level of training is provided for those involved in community organizations, but as noted above, there is little knowledge or awareness of training related to local government, state or federal government processes.

#### **Leadership Training (pages 25 and 26)**

CYLC submits that there is little government support for development of indigenous leaders, with those who do take on leadership roles doing so as a result of support from their local indigenous communities, rather than from any external source. Further, there is concern that for an indigenous person who does become involved in politics, there is little on-going cultural support provided, with the risk that the individual is not then able to fulfil their potential. The Executive Committee is strongly of the view that can be too difficult for an individual or a couple of individuals to be heard, when up against a large majority of non-indigenous voices.

However, Cape York Institute is again identified as an organization which is providing vital leadership training (we note that Cape York Institute is partially funded by State Government).

**Enhancing local government participation (pages 26 and 27)**

CYLC submits that there is very little support amongst the broader community for a greater degree of indigenous participation. There has been some limited experience of local indigenous people seeking election at the local government level in Cape York. However, the most recent example involved 2 indigenous people who in effect split the indigenous (and the limited non-indigenous support) vote. Had only one person nominated, a position is likely to have been achieved. Issues such as availability of funding for advertising, and cultural difficulties with the political processes, mean it remains rare for individuals to seek to become involved in this way.

**Evaluation of Participation in local government (page 28)**

CYLC supports Recommendation 13.

**The role of ATSIC and efficient service delivery (pages 28 to 30)**

CYLC submits that there continues to be great inefficiency in service delivery for indigenous people, with little improvement in recent years, and no identifiable improvements following the transfer of responsibility for services from ATSIC to mainstream government departments. There are many examples of over-"consultation" and under-"implementation", and of confusion about who has responsibility for what issues (including a lack of information between government departments and agencies).

**Indigenous Community Cabinets (pages 30 and 31)**

There is no awareness amongst Executive Committee members of Indigenous Community Cabinets, and it appears that there have not been any such Cabinets in Cape York or Cairns. The perception is that the only time the Ministers or Premier make an effort to travel to Cape York is to celebrate a hard-fought outcome (such as the recent Eastern Kuku Yalanji ILUAs celebration).

**The role of community leaders (pages 31 to 33)**

The views expressed by the Executive Committee included that:-

- The negotiation table process has worked well in some areas of Cape York, with some significant outcomes noted;
- Situations where the Government Champion has been the same person for long enough to establish good relationships with the community, and have made an effort to fully understand the issues, also appear to have produced some worthwhile outcomes;
- Leaders within particular indigenous communities continue to work hard to achieve outcomes in communities;
- The Community Justice Groups are a good idea in theory but many are experiencing serious operational difficulties. For example, representatives on the Justice Groups need to remain neutral but this can be very difficult in small communities. A closer look at how indigenous people become involved (for example, election rather than self nomination) and how the Justice Groups are operating (for example, the process is reactive rather than proactive) is urgently



needed. More funding and resources are needed to assist the operation of the Justice Groups.

**Governments' appreciation of cultural differences (pages 33 and 34)**

CYLC submits that there is very little effort by governments to understand cultural differences. There is a need for a link between the government and indigenous people, with face to face discussions needed to create trust and the feeling that the government really does want to make an effort to come out to the communities.

**Fundamental legislative principles (pages 34 and 35) and LCARC's area of responsibility (page 35) and agenda (page 35)**

CYLC supports Recommendations 18, 19 and 20. Despite continued assurances from all levels of government that indigenous issues are taken into account, the reality is that legislation continues to fail to have "sufficient regard to Aboriginal tradition, Island custom and any particular effect the legislation might have on Aboriginal or Torres Strait Islander peoples".

**Parliamentary Indigenous liaison officers (pages 36 and 37)**

CYLC supports Recommendation 21. The report does not provide any information about the basis for the Government Response, which does not support the recommendation and states that existing staffing levels within the Parliamentary Service are sufficient for the provision of advice to committees concerning Aboriginal tradition and Island custom.

**Dedicated Parliament seats for aboriginal people (page 38)**

CYLC supports dedicated seats but notes that there would need to be a number of seats to ensure that the indigenous voice could be heard and that there was representation for the various parts of Queensland.