



Paul Wright <paul@antar.org.au>

RE: ANTaR National Letter - First Nations Affairs platform for 2022 Federal Election

1 message

Saif, Naomi (A. Bandt, MP) <Naomi.Saif@aph.gov.au>
To: "paul@antar.org.au" <paul@antar.org.au>

22 March 2022 at 11:00

Good afternoon,

Thank you for your letter to Adam Bandt and Senators Thorpe and Cox regarding your key policies for this coming election. I am responding on behalf of the Greens and I apologise for the delay. Please see below our response to your letter.

What will a Greens Government do to deliver on its obligation to the National Agreement on Closing the Gap?

The Greens are committed to Closing the Gap. We will do this through actually addressing the causes of the injustices First Nations people face in this country. The Closing the Gap Report tells us every year that merely treating the symptoms of colonisation doesn't work. We need to address the root causes through Treaty and proper self-determination of First Nations people.

First Nations people know best what their communities need, which is why the Greens are backing community controlled services and decision-making.

We would also fully implement the recommendations from the Bringing Them Home Report and the Royal Commission into Aboriginal Deaths in Custody.

What are the Greens' next steps to support the four core priorities of the National Agreement on Closing the Gap?**1. Strengthen and establish formal partnerships and shared decision-making**

The Greens are guided by the principle of First Nations self-determination. For this to be realised in this country, we need Treaty.

The Greens will launch a nationwide consultation process to promote discussion, raise awareness, and promote engagement on Treaty or Treaties at a local, state and national level.

The Greens will also ensure the United Nations Declaration on the Rights of Indigenous Peoples is fully enacted and implemented in Australia, which, among other things, would mean that nothing concerning First Nations peoples will happen without their Free, Prior and Informed Consent.

2. Build the Aboriginal and Torres Strait Islander community-controlled sector

The Greens believe in First Nations self-determination and will provide \$634 million till 2027 to self-determined, community-led First Nations services to increase their capacity to support their own communities, and we will resource, train and

further develop the First Nations health workforce.

We will also provide \$1.07b to build a network of First Nations-owned and led healing places. Healing places are dedicated First Nations community hubs for First Nations people to gather, connect, and heal from the ongoing trauma of colonisation and access culturally safe support and practice traditional healing methods.

3. Transform government organisations so they work better for Aboriginal and Torres Strait Islander people

The Greens would enact the United Nations Declaration on the Rights for Indigenous Peoples and require all government organisations to ensure full Free, Prior and Informed Consent of First Nations communities where they are affected by government decisions.

The Greens will also contribute \$51m to establish a First Nations legal defence fund so First Nations communities can access independent legal advice to protect their heritage and Country when their rights have been violated through the actions of governments and mining companies.

4. Improve and share access to data and information to enable Aboriginal and Torres Strait Islander communities to make informed decisions.

Data sovereignty for First Nations people is critical. First Nations people have the right to maintain, control, protect and develop data that is collected about them, for them, and/or their communities and in the spirit of self-determination, they have a right to make decisions using this data. The Greens would support First Nations people's data sovereignty at all levels.

Addressing the over-representation of Aboriginal and Torres Strait Islander people in prison;

Ultimately, the best way to reduce crime is to prevent it. The Greens will reform the criminal legal system by preventing people getting caught up in it in the first place. Prioritising strong communities over prisons and other punitive measures also known as justice reinvestment. We will work with underserved communities and provide them the public funding they need.

The Greens will implement the recommendations from the Australian Law Reform Commission's *Pathway to Justice* report on how to end the over-imprisonment of First Nations people, including by establishing a justice reinvestment coordinating body. We will work with affected communities to ensure the recommendations from the *Royal Commission into the Detention and Protection of Children in the Northern Territory* are also implemented.

Raising the age of criminal responsibility to 14 with no carve-outs;

The Greens will increase the age of legal responsibility from 10 to at least 14, with no delay.

Instead of jailing children for minor crimes, our plan will support children to get back on the right path through culturally safe and supportive diversionary programs as well as supportive bail and community corrections programs to divert people away from prisons.

Addressing the excessively high rates of family and domestic violence against Aboriginal and Torres Strait Islander women; and

The Greens will work with key legal assistance, court support and advocacy, family violence prevention and legal stakeholders to begin implementing the recommended reforms from numerous inquiries into the family law system that the Government has allowed to gather dust.

Particularly those recommendations around training for court staff, expanding successful pilot projects, increased staffing and judicial officers, and providing adequate wrap-around support for people appearing before the courts.

The Greens will work with stakeholders and the community to repair and rebuild the family court system to restore specialisation, particularly in family law and family violence and to increase the safety of children and adult survivors of family violence.

The Greens have also succeeded to establish an inquiry into Missing and Murdered First Nations Women and Children which investigates the systemic causes of violence including underlying social, economic, cultural, institutional and historical causes contributing to the ongoing violence and particular vulnerabilities of First Nations women and children" so we can better understand how to protect these women and children.

Supporting a National Justice Reinvestment Body and funding for Justice Reinvestment sites around Australia

The Greens will implement the recommendations from the Australian Law Reform Commission's *Pathway to Justice* report on how to end the over-imprisonment of First Nations people, including by establishing a justice reinvestment coordinating body.

Voice: a constitutionally enshrined First Nations Voice to Parliament;

We have always supported Truth, Treaty, and Voice, but our view is that the timing and sequence of these actions matter.

First Nations people in this country have suffered countless injustices, but all those injustices start from one single event - the invasion of this country. Until that first injustice is resolved, none of the other injustices can be properly addressed. Resolving this means negotiating and enacting a Treaty or Treaties in this country, sovereign to sovereign. Therefore, our policy affirms that Treaty and truth-telling are foundational processes to make sure any changes in the constitution are meaningful and not just tokenistic. A 'Treaty first' approach is essential to ensure that sovereignty is recognised. Once you have a Treaty, you have a platform to bring peace to this country, and it will make it easier to meaningfully resolve issues like constitutional recognition and a voice to parliament.

A National Treaty: with a process for agreement-making between the Commonwealth and First Nations peoples; and

Our nation's journey towards Treaty or Treaties with individual clans and nations is the unfinished business we must complete together.

Guided by the work of the Truth and Justice Commission, the next step in our journey towards a Treaty involves engaging and involving the community in developing the Treaty or Treaties.

The Greens will launch a nationwide consultation process to promote discussion, raise awareness, and promote engagement on Treaty or Treaties at a local, state and national level.

It is important that truth-telling about our history is coupled with a national debate and discussion about the needs for a Treaty or Treaties, and that this debate centres the experiences of First Nations people.

The Greens will make sure that the whole community can engage with and understand the need for a Treaty or Treaties and then develop them together. Similar to the national, consultative engagement process that was undertaken by the Council for Aboriginal Reconciliation beginning in 1991.

A national process of historical truth-telling.

Our journey to Treaty involves truth-telling and healing first. The Greens will begin our journey towards Treaty by contributing \$250m to establish a national and independent Truth and Justice Commission. The Truth and Justice Commission will be an independent body that investigates and reveals past wrongdoing to resolve ongoing and historical conflict and heal from it. The Commission will have the powers of a Royal Commission and will investigate and reveal wrongdoing and human rights abuses perpetrated against First Nations people since colonisation to the present day.

The Truth and Justice Commission will lay the foundations for agreement making between governments and First Nations people, as well as foster healing and national unity based on Truth-telling. The Commission's work will be underpinned by the United Nations Declaration on the Rights of Indigenous Peoples and led by First Nations people.

Ancient cultural heritage sites

In line with the principles in the United Nations Declaration on the Rights of Indigenous Peoples, we will introduce strong laws that protect First Nations people's tangible and intangible heritage, like sites of significance, traditional

knowledge and science, intellectual property, ancestral remains, totems, symbols, and artistic works.

The Greens will also legislate to grant environmental personhood to natural areas of First Nations significance. Environmental personhood is giving nature, or parts of nature (like mountains, rivers, and lakes) rights in the same way that humans have rights. Environmental personhood recognises that for First Nations people nature is not a resource that can be owned, exploited or degraded but rather an interconnected ecosystem on which

we all depend for our wellbeing.

First Nations languages

The Greens support and embrace First Nations cultural identity and languages, and commit to support the preservation and expansion of their use, and to providing extended language translation services.

First Nations natural resource management

The Greens will contribute \$767m over the forward estimates to expand First Nations ranger programs and Indigenous Protected Areas to allow more First Nations people and communities to conserve and protect animals, plants, and sites of cultural significance for all

future generations. The Greens will also expand First Nations-led cultural burning programs to ensure First Nations people are involved in fuel and hazard reduction on Country which enhances the health of the land and its people.

The Greens will also legislate to grant environmental personhood to natural areas of First Nations significance. Environmental personhood is giving nature, or parts of nature (like mountains, rivers, and lakes) rights in the same way that humans have rights. Environmental personhood recognises that for First Nations people nature is not a resource that can be owned, exploited or degraded but rather an interconnected ecosystem on which we all depend for our wellbeing.

Australia's environment, especially from the impacts of global warming;

Protection of Australia's environment is a priority for the Greens. We are calling for no more coal, oil and gas, as reduction of phasing out fossil fuels is the only way to keep our communities and ecosystems safe from the climate crisis.

To further protect Australia's environment, the Greens will introduce strong environmental laws to prevent damaging developments going ahead. These include a legislated requirement for all new developments to be assessed on their climate impact, as well as an Independent Environment Protection watchdog to enforce laws, to name a few. Our Green Australia plan will invest \$1.8 billion to restore existing environments across Australia, and support caring for and protecting First Nations cultural heritage.

First Nations peoples' rights in respect of Indigenous Cultural and Intellectual Property (ICIP)

In line with the principles in the United Nations Declaration on the Rights of Indigenous Peoples, the Greens will introduce strong laws that protect First Nations people's tangible and intangible heritage, like sites of significance, traditional knowledge and science, intellectual property, ancestral remains, totems, symbols, and artistic works.

The Greens will also contribute \$51m to establish a First Nations legal defence fund so First Nations communities can access independent legal advice to protect their heritage, including

sites of significance from inappropriate development or destruction.

If you have any further questions, please get in contact. You can reach me on 0477 998 688.

Kind regards,

Naomi

Naomi Saif
Policy Adviser
Office of Adam Bandt

Leader of the Australian Greens and Member for Melbourne

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I acknowledge the Traditional Custodians of the country on which I work, the Ngunnawal people, and pay my respects to elders past, present and emerging. Sovereignty was never been ceded. This always was, and always will be Aboriginal land.

From: Paul Wright <paul@antar.org.au>
Sent: Monday, 14 March 2022 1:53 PM
To: Bandt, Adam (MP) <Adam.Bandt.MP@aph.gov.au>
Cc: Thorpe, Lidia (Senator) <Senator.Thorpe@aph.gov.au>; Cox, Dorinda (Senator) <Senator.Cox@aph.gov.au>
Subject: Re: ANTaR National Letter - First Nations Affairs platform for 2022 Federal Election

Dear Mr Bandt (and Senators Thorpe and Cox),

Just following up from our letter sent last month, as the formal campaign has not yet started, we wanted to extend the request for information from the Greens. Could we please request a response by Friday 15 April to inform our supporters and networks of your key policies regarding Aboriginal and Torres Strait Islander communities.

Regards

Paul

Paul Wright

National Director

(I work Monday to Thursday)

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On Mon, 14 Feb 2022 at 10:36, Paul Wright <paul@antar.org.au> wrote:

Dear Mr Bandt (and Senators Thorpe and Cox),

Please find attached a letter to you, seeking information about the Green's Aboriginal and Torres Strait Islander affairs policy platform in the lead up to the 2022 Federal Election.

Regards

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