

# 2022 FEDERAL ELECTION

## SCORECARD | MAY 2022

In this 2022 Federal Election Scorecard, ANTaR has provided a guide to the policies of the Liberal-National Coalition, the Australian Labor Party and the Greens, in relation to Aboriginal and Torres Strait Islander affairs. We've provided Australian voters with an independent assessment of Federal Election platforms for 25 years, elevating issues of justice, rights and respect for First Nations Peoples.

In early 2022, ANTaR wrote to the major political parties, seeking their policies and election commitments relating to:

### 1. CLOSING THE GAP

The Federal obligations to the New Agreement on Closing the Gap

### 2. INJUSTICE AND INCARCERATION

Addressing the injustice of disproportionately high incarceration rates

### 3. CONSTITUTIONAL REFORM

Including the implementation of the Uluru Statement from the Heart

### 4. HERITAGE PROTECTION

Ensuring the protection of living culture and cultural landscapes

All three political parties have responded to ANTaR's request, and these responses are available, in full, on our website at [antar.org.au](http://antar.org.au). In producing this scorecard, we have also drawn upon the existing election platforms and public statements to inform your vote. This scorecard is based on forward-looking, stated election commitments and we are not including standard programs and services (unless they are contentious). We have only highlighted the major policy commitments.

ANTaR recommends close consideration of the policies of the major parties contesting the 2022 Federal Election – and particularly the policies related to Aboriginal and Torres Strait Islander peoples. We believe that justice, rights, and respect for Australia's First Peoples must be a top priority for the next Federal Government and the 47th Parliament of Australia.



## DON'T FORGET TO VOTE

# 1. CLOSING THE GAP

It has been nearly two years since the new National Agreement on Closing the Gap was signed between the Governments of Australia and the [Coalition of Peaks](#) representing Aboriginal and Torres Strait Islander peoples. The agreement has identified [four priority reforms](#) to reshape the relationship between governments and First Nations peoples, centred around genuine partnerships, community-controlled services, eliminating racism, and better data. With [17 targets](#), this revamped agreement is the culmination of negotiations between First Nations peoples and government. But with less reporting and accountability, little new funding for community organisations – coupled with the historical failure of the Closing the Gap framework – we have reason to be sceptical of the government’s ability to match rhetoric with genuine action.

Last year, the Productivity Commission released its [first report](#) on the progress of the renewed targets of the National Agreement on Closing the Gap. It found that 4 of the 7 targets with new data were not on track to be met: incarceration, children in out-of-home care, suicides, and life expectancy. In fact, some issues – like the amount of children in out-of-home care – are [expected to worsen](#) if there is no change in government policy.

ANTaR asked what each party will do to address the continuing and unacceptable disparities in health outcomes faced by First Nations peoples.

Specifically, we asked each party for their policies and election commitments regarding:

- What is the Federal Government doing as part of its obligation to the National Agreement on Closing the Gap? and
- What are the next Federal steps to support the four core priorities of the National Agreement on Closing the Gap?

		
<p>The Morrison government is investing <a href="#">\$98 million</a> in a series of new programs to prevent vulnerable Aboriginal and Torres Strait Islander families ‘from falling through the cracks’ of the Closing the Gap program.</p> <p><a href="#">\$54.7 million</a> boost in funding for Aboriginal Community Controlled Health Services (ACCHS), with longer funding agreements for ACCHS.</p> <p>\$49 million to support states and territories to review and redesign frontline service models including family violence, mental and physical health, substance abuse and disability. The redesigned models will attempt to integrate social work specialists to support families, with a renewed focus on early intervention.</p> <p>\$38.6 million to support proposals identified by Aboriginal Community Controlled Organisations (ACCOs) to address the rising levels of children in out-of-home care, and safe households.</p>	<p>An Albanese Labor Government will work with the Coalition of Peaks and all levels of government to raise ambitions and ensure sustained progress on the current National Agreement on Closing the Gap, including in the four priority reform areas.</p> <p>Labor has pledged to strengthen First Nations health by training 500 new First Nations health workers, increasing access to lifesaving dialysis treatment for those living with chronic kidney disease and expanding efforts to eradicate Rheumatic Heart Disease (RHD) in remote communities. This package also includes funding to improve water quality in remote communities.</p> <p>Invest \$100 million for urgent housing and infrastructure on Northern Territory Homelands and proposed Housing Future Fund that will provide \$200 million to improve housing in remote First Nations communities.</p>	<p>The Greens 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.</p> <p>Will provide \$1.07 billion 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, as well as access culturally safe support and practice traditional healing methods.</p> <p>Ensure First Nations peoples have equal rights and access to essential services including health, education, training, housing, community infrastructure, employment support, and culturally specific and culturally safe justice systems.</p>

# 1. CLOSING THE GAP CONT.

		
<p><a href="#">\$7.7 million</a> to develop the cultural competency and trauma responsiveness of the child and family sector workforce through the Department of Social Services grant funding in prevention and early intervention services in the child and family support sector.</p> <p>The Coalition have budgeted \$6.7 billion in the forward estimates for the Indigenous Advancement Strategy. In 2021, the Morrison government announced approximately \$1 billion in funding for the National Agreement on Closing the Gap – no additional monies have been allocated.</p>	<p>Will renegotiate the Remote Housing Agreement with the Northern Territory when it expires in mid-2023.</p> <p>Teach First Nations languages in schools across the country to help keep languages alive and promote school attendance.</p> <p>Scrap the failed Community Development Program (CDP) and replace it with a new program with real jobs, proper wages and decent conditions – developed in partnership with First Nations people.</p> <p>Pledge to abolish the discriminatory Cashless Debit Card (CDC) and instead support First Nations communities to make their own decisions about the way forward.</p> <p>Strengthen First Nations jobs and employment opportunities by setting a 5% employment target in the public sector and requiring public reporting on the proportion of First Nations employees from our largest 200 employers.</p> <p>Labor will ensure that Australia's 200 largest employers publicly report their proportion of First Nations employees.</p> <p>Labor will double the number of Indigenous Rangers – who play a vital role in the restoration and preservation of land and water – to 3,800 jobs by the end of the decade.</p>	<p>Revoke compulsory income management (the CDC).</p> <p>Transform government organisations so they work better for Aboriginal and Torres Strait Islander people.</p> <p>Enact the United Nations Declaration on the Rights of 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.</p> <p>Contribute \$51 million 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.</p> <p>Improve and share access to data and information to enable Aboriginal and Torres Strait Islander communities to make informed decisions.</p>
 <p><b>MIXED</b>        Two years into the new National Agreement and not much seems to be happening. Funding is piecemeal.</p>	 <p><b>MIXED</b>        Some good initiatives but no overarching program to fund the National Agreement.</p>	 <p><b>MIXED</b>        Some good initiatives but no overarching program to fund the National Agreement.</p>

## 2. INJUSTICE + INCARCERATION

First Nations peoples are the most incarcerated people on the planet. They are massively overrepresented in the criminal justice system. While First Nations peoples represent 3% of the total population, [29% of Australia's prison](#) population identify as Aboriginal and Torres Strait Islander. Although it has been over 30 years since the Royal Commission into Aboriginal Deaths in Custody, at least 500 First Nations peoples have died in custody in the time since.

Just [over half of the Australian children imprisoned](#) on any given night are First Nations children. If Australia raised the age of criminal responsibility to 14, more than 600 children would be released, lowering their chances of reoffending. Worryingly, First Nations women [make up 2% of the population yet make up 34%](#) of the women behind bars. This is one of Australia's most significant human rights concerns.

We asked each party for their policies in the following areas:

- **Over-representation of Aboriginal and Torres Strait Islander people in prison;**
- **Raising the age of criminal responsibility to 14, with no carve-outs;**
- **Excessively high rates of family and domestic violence against Aboriginal and Torres Strait Islander women; and**
- **The establishment of a National Justice Reinvestment Body and funding for Justice Reinvestment sites around Australia.**

		
<p>The Morrison Government has invested \$274.5 million from 2021-22 to fund initiatives to improve justice and community safety outcomes for Indigenous Australians. (*No specifics in their written response about how this money is spent or over what period).</p> <p>Plan to reduce the incarceration rate of Aboriginal and Torres Strait Islander adults by 15% and youth by 30%.</p> <p>\$25 million in targeted investments will be directed towards reducing the overrepresentation of adult and youth Aboriginal and Torres Strait Islander people in the criminal justice system (Targets 10 and 11). The package includes funding for:</p> <ul style="list-style-type: none"> <li>• \$9.3 million to Aboriginal and Torres Strait Islander Legal Services (ATSILS) for expensive and complex cases and to support criminal justice reform through coronial inquiries.</li> <li>• \$8.3 million in funding for culturally safe and appropriate family dispute resolution for Aboriginal and Torres Strait Islander people.</li> <li>• \$7.6 million in funding to establish and support the Justice Policy Partnership between all Australian governments and Indigenous representatives.</li> </ul>	<p>An Albanese Labor Government will work closely with the States and Territories to ensure the age of criminal responsibility reflects what is best for children.</p> <p>Labor is committed to working with First Nations women to address the unacceptable rates of family and domestic violence they experience. This includes funding 500 new frontline workers to support women in crisis, with a specific focus on plugging the gaps for First Nations women in rural and regional communities.</p> <p>Labor supports calls for a separate First Nations National Safety Plan to end violence against Aboriginal and Torres Strait Islander women and children. The plan must be sufficient in scale and ambition and properly resourced to make a difference.</p> <p>Labor will provide \$79 million to expand justice reinvestment, for up to 30 communities to establish justice reinvestment initiatives from 2023 to expand existing services to reduce crime and recidivism – including rehabilitation services; family or domestic violence support; homelessness support and school retention initiatives.</p> <p>Commitments to establish an independent national justice reinvestment unit to assist communities and evaluate program performance.</p>	<p>The Greens will prioritise strong communities over prisons and other punitive measures also known as justice reinvestment.</p> <p>Will work with underserved communities and provide them the public funding they need.</p> <p>Will implement the recommendations from the Australian Law Reform Commission's <a href="#">Pathway to Justice report</a> on how to end the over-imprisonment of First Nations people, including by establishing a justice reinvestment coordinating body.</p> <p>Will raise the age of criminal responsibility to at least 14 years old.</p> <p>Double the funding for legal assistance services and provide an extra \$310 million per year.</p> <p>Provide \$382 million, with equal contribution from the states and territories, to set up independent police and prison oversight mechanisms and establish a national police ombudsman system to investigate all police complaints.</p> <p>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, particularly those</p>

## 2. INJUSTICE + INCARCERATION CONT.

		
<ul style="list-style-type: none"> <li>Funding to provide support for the jurisdictional implementation of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).</li> </ul>	<p>\$13.5 million for more effective coronial inquests:</p> <ul style="list-style-type: none"> <li>Labor will provide specific standalone funding for Aboriginal and Torres Strait Islander legal services to ensure First Nations families can access culturally appropriate, timely, and fair legal assistance before, during and after all coronial processes.</li> <li>Labor will convene a national summit bringing together First Nations and state and territory representatives to ensure coordinated action on First Nations deaths in custody.</li> <li>Labor would work with the states and territories to set up a national process for real-time reporting of deaths in custody, with all deaths to be publicly reported within 24 hours.</li> </ul>	<p>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.</p> <p>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.</p>
 <p><b>THUMBS DOWN</b> This isn't going to get it done.</p>	 <p><b>THUMBS UP</b> Much closer to what Aboriginal and Torres Strait Islander communities are asking for.</p>	 <p><b>THUMBS UP</b> Much closer to what Aboriginal and Torres Strait Islander communities are asking for.</p>

### 3. CONSTITUTIONAL REFORM

The [Uluru Statement](#) represents a consensus of First Nations Peoples across Australia and is a direct and influential statement on their aspirations for proper recognition in Australia's Constitution.

It asks all Australians to support them in having a constitutionally-enshrined Voice to the Australian Parliament in all matters concerning their well-being in the community, putting an end to the "torment of our powerlessness." The Statement also seeks to establish a Makarrata Commission to oversee agreement-making (Treaty) and truth-telling between governments and First Nations Peoples.

We asked each party for their national policy intentions relating to:

- **Voice: a constitutionally enshrined 'First Nations Voice' which would be able to speak into Parliament;**
- **A National Treaty: with a process for agreement-making between the Commonwealth and First Nations peoples; and**
- **A process of historical truth-telling.**

		
<p>The Morrison Government remains committed to holding a referendum to recognise Indigenous Australians in the Constitution, once there is consensus on the way forward and at a time it has the best chance of success. This does not include support for a constitutionally enshrined Voice as called for in the Uluru Statement.</p> <p>In December 2021, the Minister for Indigenous Australians, Ken Wyatt announced the establishment of Local &amp; Regional Voices.</p>	<p>An Albanese Labor Government will progress a referendum to constitutionally enshrine a First Nations Voice to Parliament as a matter of priority.</p> <p>Labor will also establish a Makarrata Commission with responsibility for treaty and truth-telling. The Makarrata Commission will support and fund local models of truth-telling, in partnership with First Nations communities and other levels of government. It will also develop a national framework for treaty-making, taking into account existing state and territory treaty processes.</p>	<p>Support the Uluru Statement but with a different sequence to Voice Treaty and Truth, proposing rather to begin with Treaty, then a Truth Commission, then a First Nations Voice.</p> <p>\$250 million to establish a Truth &amp; Justice Commission to investigate historic and ongoing human rights abuses.</p> <p>Enact a national Treaty and/or Treaties with First Nations peoples in this country, sovereign to sovereign.</p> <p>Subject to Treaty negotiations, establish a national First Nations Voice to be included in the governance of Australia, as determined by First Nations peoples.</p> <p>Recognise the Frontier Wars as part of Australian history and make reparations to those affected by the Frontier Wars.</p>
 <p><b>THUMBS DOWN</b> This isn't going to get it done.</p>	 <p><b>THUMBS UP</b></p>	 <p><b>MIXED</b> The changes to the proposed Uluru Statement from the Heart process/sequence is distracting and unnecessary. Some other good initiatives included.</p>

## 4. HERITAGE PROTECTION

The destruction of Juukan Gorge in 2020 was an outrage. Yet, it is just one of the [innumerable actions which have caused devastation](#) to First Nations cultural heritage – legally – under Australian law. Everyday cultural heritage is being destroyed, causing deep hurt to First Nations people and an irreplaceable loss for us all. Unless [national legislation](#) is reformed and strengthened in consultation with First Nations people, this destruction will continue.

The Senate's [A Way Forward](#) report highlights the immense impact of cultural heritage destruction and underscores the importance of strengthening national legislation informed by the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) to guide law reform in all jurisdictions. It indicates many pathways the Federal government can take to move forward and better protect First Nations cultural heritage.

Further, of the more than 250 First Nations languages, [only 60 are widely spoken enough](#) to be considered a 'first language'. Finally, the changing climate increases the importance of sustainable natural resource management, emphasising the importance of protecting and empowering First Nations peoples to care for and return to Country.

We asked each party for their policies and election commitments to assist in the protection of:

- First Nations languages;
- First Nations natural resource management;
- Australia's environment, including from the impacts of global warming; and
- First Nations peoples' rights in respect of Indigenous Cultural and Intellectual Property (ICIP).



In November 2021, the Morrison Government 'signed a Partnership Agreement with the First Nations Heritage Protection Alliance to implement a national engagement process to consult with Aboriginal and Torres Strait Islander peoples on Indigenous heritage reforms at the Commonwealth level. The Coalition is also committed to modernising Indigenous cultural heritage protection regimes across Australia, including through engagement with states and territories.'

In the 2022-23 Budget, the Morrison Government 'announced an investment of \$11 million over two years to drive forward Indigenous cultural heritage reforms. As part of these reforms, \$5 million will support the partnership to undertake a program of community consultations in the next phase of the reform process. While the reform process is underway, \$6 million will be invested to facilitate timely decision making under the existing Aboriginal and Torres Strait Islander Heritage Protection Act 1984.'



Labor will double the number of Indigenous Rangers to an equivalent of 1800 full-time positions by the end of the decade, to help protect and restore both our biodiversity and cultural values.

Funding for Indigenous Protected Areas will be increased by around 50% to ensure appropriate management of these areas.

Labor will deliver the \$40 million of cultural water promised in 2018 but not yet delivered by the Morrison Government.

Labor will work with the First Nations Heritage Alliance and other stakeholders to reform our national heritage protection framework and prevent such destruction occurring in the future. Many reviews have highlighted the need for change and Labor's work to strengthen heritage protections will take into account the findings of the Juukan inquiry's A Way Forward report, the Samuels Review of the Environmental Protection and Biodiversity Conservation (EPBC) Act, the Dhawura Ngilan best practice standards and the principles in the United Nations Declaration on the Rights of Indigenous Peoples.



The Greens have announced a comprehensive \$767 million 'Caring for Country' plan to expand protections for Indigenous areas and sacred sites, fund more First Nations ranger programs and legislate environmental personhood to areas of First Nations significance – ensuring that future crises like that at Juukan are avoided.

Will establish a new Aboriginal Cultural Heritage Act.

Ensure Australia complies with the UNDRIP and all other international instruments that recognise the rights of First Nations peoples.

Review the Native Title Legislation to make it consistent with the UN Declaration on the Rights of Indigenous Peoples.

Will contribute \$51 million 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.

## 4. HERITAGE PROTECTION CONT.



In January 2022, the Morrison Government ‘announced the establishment of Ngurra, an Aboriginal and Torres Strait Islander cultural precinct, in the Parliamentary Triangle, on Ngunnawal Country (Canberra). Ngurra will include a learning and knowledge centre, a national resting place for Aboriginal and Torres Strait Islander ancestral remains and a new home for the Australian Institute of Aboriginal and Torres Strait Islander Studies.’

\$636 million for expansion of the Indigenous Rangers program with 2000 new positions.

\$37.5 million for strengthening the governance of Native Title Prescribed Bodies Corporate (PBCs) – *although should be a lot more!*

\$22 million to help steadily increase in the number and strength of Aboriginal and Torres Strait Islander languages being spoken between now and 2031.

Labor will invest in First Nations’ conservation of our land and waters by doubling the Indigenous Rangers program, boosting funding for Indigenous Protected Areas by \$10 million a year, and delivering the promised cultural water in the Murray Darling Basin.

Have a plan to teach First Nations languages in schools, investing \$14 million to partner with 60 primary schools across the country. First Nations communities will be placed at the centre of the program, deciding whether they want to share their language and culture with local schools.

Labor will also work with First Nations to establish stand-alone legislation to protect First Nations peoples’ traditional knowledge and cultural expressions, informed by the findings of the Productivity Commission inquiry. We will review the operation of the Indigenous Art Code, including how it can be better resourced and strengthened.



**THUMBS UP**  
 Some strong commitments after engaging with First Nations leadership.



**THUMBS UP**



**THUMBS UP**

## CONTACT

Paul Wright  
National Director

Email [antar@antar.org.au](mailto:antar@antar.org.au)

Phone (02) 9280 0060

[www.antar.org.au](http://www.antar.org.au)

PO Box 77  
Strawberry Hills  
NSW 2012

ANTaR is a national advocacy organisation working for Justice, Rights and Respect for Australia's First Peoples. We do this primarily through campaigns, advocacy and lobbying.

We also engage in national advocacy across a range of policy and social justice issues affecting Aboriginal and Torres Strait Islander communities, including native title, languages and cultures, economic and community development, remote communities services and infrastructure, health and human rights.

ANTaR is a foundational member of the Close the Gap Campaign Steering Committee, the Change the Record Campaign Steering Committee and the Redfern Statement Alliance.

ANTaR has been working with Aboriginal and Torres Strait Islander communities, organisations and leaders on rights and reconciliation issues since 1997.

ANTaR is a non-government, not-for-profit, community-based organisation.

## Sources for Parties policies:



### The Liberal-National Coalition

<https://www.liberal.org.au/latest-news/2021/08/09/social-services-funding-boost-towards-closing-gap>

<https://www.pm.gov.au/media/closing-gap-implementation-plan-australian-parliament-house-act>

<https://www.liberal.org.au/latest-news/2021/08/07/significant-new-funding-justice-system-close-gap>

### Labor



[https://www.alp.org.au/policies/justice\\_reinvestment](https://www.alp.org.au/policies/justice_reinvestment)

<https://anthonyalbanese.com.au/media-centre/closing-the-gap-speech>

<https://www.alp.org.au/policies/first-nations>

### The Greens

<https://lidia-thorpe.greensmps.org.au/articles/greens-announce-767m-caring-country-plan-prevent-another-juukan>

<https://greens.org.au/policies/first-nations-peoples>

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