

**The WA Children’s Commission: Aboriginal women and children must have their own voice too!**

The WA Gordon Inquiry into government agency response to complaints of family violence and child abuse in the Aboriginal community was triggered by the tragic death of Susan Taylor, a young Noongar girl impacted by sexual abuse and violence. One of the key recommendations from the Gordon Inquiry was the need to establish a Children’s Commission office. The Gordon Inquiry further recommended a

**Deputy Indigenous Children’s Commissioner with specific responsibility for issues in relation to Indigenous children (Recommendation 145).**

We support this and also demand that Aboriginal women’s participation, knowledge, culture and obligation to protect our children from abuse and harm, is fully accounted for in the development and establishment of this new body. We remind the Government about its Policy Framework for Substantive Equality that was endorsed in December 2004 as official Government policy. This Policy outlines a clear process for anti-discriminatory development, implementation, delivery, monitoring and evaluation for all Government programs and services.

We are aware that the Children’s Commissioner Act requires Indigenous children’s issues to be considered as priority. Whilst this is a positive start, it is not enough. Our direct experiences with non-Indigenous government bodies have been that they are typically organisationally-focused and process-driven much to the detriment of quality and appropriate service delivery to Indigenous people. They also “do what they think”, rather than adopting an evidence-based approach to service delivery for Indigenous people that is grounded in Indigenous knowledge, conceptualisations and understandings. This commonly results in policies and practices that do not recognise, understand, support and promote Indigenous women, children and families and consequently are detrimental to our wellbeing and future as Indigenous peoples.

*We extend our hand to Non-Aboriginal people particularly Non-Aboriginal women and invite them to work with us and walk with us as EQUALS AND IN TRUE PARTNERSHIP.*

We are forced to yet again remind the WA government of the spirit of the *Statement of Commitment to a New and Just Relationship* signed in 2001. We say that without equality and the sharing of power there can be no true partnership.

For the record, we understand from parliamentary committee hearing that preceded the legislation, evidence was received from a non-Aboriginal female lawyer of the West Australian Aboriginal Legal Service that a Deputy Indigenous Children's Commissioner was not warranted because it would mean Aboriginal children would be treated 'as different from other children'. This person could not comprehend the importance of the Gordon recommendation and put this position forward notwithstanding that she failed to consult within the organisation or with any Indigenous women. Again, we remind the Government of its Policy Framework for Substantive Equality and say that **Aboriginal children are different, have different needs and therefore need to be treated differently in order to be treated equally.** To pretend otherwise is to engage in the fiction and dishonesty of colour-blindness. We do not support such dishonesty.

The parliamentary members (predominantly female & non-Indigenous) later stated that they needed to be 'guided from advice from Aboriginal people who stated that all West Australian children should be treated equally'! (Barbara Scott MLC, 29 May 2007). For the record, Aboriginal women did not give this advice, our network of Aboriginal women with expertise across a broad range of fields including human rights, criminal justice, social justice, and health and child protection, reject maternalism and will maintain our right to speak, our right to our own voice. Aboriginal women are not invisible women, we carry law and culture and we know what is best for our children, families and communities.

**We will defend our human rights as Aboriginal women and we will speak out on this issue because it concerns our children's safety and future.**

Aboriginal women's right to political participation was affirmed in 2003 by the United Nations **Committee on the Rights of the Child** who called on 'States parties (to) work

closely with Indigenous peoples and organizations to seek consensus on development strategies, policies and projects aimed at implementing children's rights...' (Committee on the Rights of the Child, 34<sup>th</sup> Session, 3 October 2003).

How will the state government actually be acknowledging this binding treaty obligation with respect to the Children's Commission?

In WA Aboriginal children are experiencing serious violation of their human right to live a childhood free from abuse, violations and life long traumas. The statistics concerning Aboriginal children in WA means that we cannot accept anything less than the establishment of a Children's Commission body that is realistically equipped to address and tackle the harsh and abusive reality of life for many Aboriginal children. We believe the appointment of a Deputy Indigenous Children's Commissioner, guided by a properly appointed and resourced permanent Aboriginal Advisory Group, will be the best way forward in addressing the very serious and too often systemic issues that are impacting on our children's well-being.

WA has become wealthy from the resources derived from Aboriginal traditional lands but our children are the ones who continue to suffer today. They are beautiful children who deserve nothing less than what we have outlined in this statement.

Statement of the Perth Aboriginal Women's Network

June 2007.