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Ms Michelle Andrews
Deputy Director General
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Dear Ms Andrews

Close the Gap Refresh – Technical Submission

Thank you for the invitation to provide a submission to the Close the Gap Refresh process.

As Commissioner for Children and Young People in Western Australia, I have a statutory responsibility to monitor and review laws, policies, practices and services that affect the wellbeing of children and young people under the age of 18 in WA, and in doing so, have regard to the best interests of the children and young people as being of paramount importance. It is also a statutory function of my office to advocate for the views of children and young people to be heard in decision making that affects them. In undertaking these responsibilities, I must give priority to Aboriginal1 children and young people and those who are vulnerable or disadvantaged for any reason. I must also have regard for the United Nations Convention on the Rights of the Child.2

My responses to the series of qualitative questions are outlined below, as supported by the consultations with children and young people undertaken by my office:

Question 1: In my consultations, Aboriginal children and young people highlight the importance of culture to their sense of pride and wellbeing; this includes being able to practice culture and access culturally competent services. One of the current critical issues facing Aboriginal children and young people, and their families, in Western Australia is the lack of support for the development and implementation of sustainable Aboriginal led solutions. This is impacted by a number of factors including:

- A lack of coordinated approach across all agencies and domains; recognising that when children and young people (and their families) are disadvantaged in

1 For the purposes of this submission, the term ‘Aboriginal’ encompasses Australia’s diverse language groups and also recognises those of Torres Strait Islander descent. The use of the term ‘Aboriginal’ in this way is not intended to imply equivalence between Aboriginal and Torres Strait Islander cultures, though similarities do exist.

one domain, such as housing, the disadvantage is usually also seen in other
domains such as employment, education and health. Aboriginal solutions tend
to be holistic and focused on the wellbeing of an individual and their community
as a whole; requiring a broader, more coordinated cross-departmental and
cross-sector approach at policy and service levels.³

"You know how [my son] is involved with justice system, so you have
Corrective Services or whatever generally for education, housing and DCP,
that's a bit confusing but there's like 20 different people every day. Well maybe
there could be a service that's involved in that area, where they can get one
person to deal with that family and their issues, and have one person allocated
to that family... and communication can be done by that one person because it
does get overwhelming."Mother (Youth Justice Consultation)

- A lack of sustainable investment, both financial and resources, in Aboriginal
leadership (governance) and capacity building (management) across all sectors
including private, government and non-government spheres.
- A lack of genuine acknowledgement of the need for a healing process to occur
to assist in recognising and alleviating individual and intergenerational trauma,
which will require prolonged support and engagement. One example is the
Truth and Reconciliation Commission⁴ and the National Centre for Truth and
Reconciliation in Canada⁵.

To address this issue the cultural and professional expertise of Aboriginal peoples must
be embodied in legislation, policy, procurement practices, and program and service
development, implementation and review. In doing so, Aboriginal peoples' exercise of
self-determination and sharing of world views should become a core part of the way
we do business for all communities⁶, not a segregated or fragmented "add on".

The government, non-government and private sectors must work together to:

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³ In the context of health, the National Aboriginal Health Strategy, 1989 defined “health” in an
Aboriginal context as meaning "...not just the physical well-being of an individual but refers to the social,
emotional and cultural well-being of the whole Community in which each individual is able to achieve
their full potential as a human being, thereby bringing about the total well-being of their Community. It
is a whole-of-life view and includes the cyclical concept of life-death-life. Health care services should
strive to achieve the state where every individual is able to achieve their full potential as a human being
and thus bring about the total well-being of their community."
https://www.naccho.org.au/about/aboriginal-health/definitions/
⁴ Archived Truth and Reconciliation Commission website:
⁵ National Centre for Truth and Reconciliation website: https://nctr.ca/map.php
⁶ Understanding how Aboriginal culture can help to deliver positive outcomes for children may also help
service providers in their work with non-Indigenous families. Some of the strengths of traditional
Aboriginal cultural practices are supported by evidence that could be applied in cross-cultural settings.
See for example: S Lohar, N Butera and E Kennedy “Strengths of Australian Aboriginal cultural practices
in family life and children rearing” Child Family Community Australia, Australian Institute of Family
Studies 2014.
• build the support and opportunities available to families to improve their own wellbeing
• ensure cultural education is recognised as an ongoing commitment to learning and understanding which must be reflective of local culture and developed in partnership with local Aboriginal businesses and Elders
• promote the many successes of Aboriginal people to the broader community; the current Closing the Gap rhetoric promotes that there is no progress, that Aboriginal peoples are not capable of “closing the gap” themselves and looks at Aboriginal peoples and culture from a deficit perspective.

"I would eradicate racism between black and white to build respect... It is a bit confusing growing up Aboriginal in this society because we are taught to be proud but lots of times we aren’t really accepted, even when we try to be like them." 13 year-old Noongar young person (ATSI Consultation)

**Question 2:** In my view, the key priorities Government should focus on to close the gap are:

• Building cultural understanding in the broader community, workplaces and schools through public awareness campaigns, visible cultural and historical recognition and formal education (including outcomes focused cultural awareness). As noted in the Prime Minister’s 2018 Closing the Gap report “Building an understanding of Aboriginal and Torres Strait Islander cultures within the broader population is crucial to Indigenous people’s health, social, economic and emotional wellbeing, and the overall unity and pride of our nation.”

• Supporting communities to work with families to build their capacity and wellbeing and ensure early intervention in the cycle of disadvantage through relationship development and service support.

• Focus on the principles of self-determination and empowerment to create sustainable change which is lead and supported in a meaningful way by Aboriginal groups.

"To me [culture] means that I have something to live up to.” 13 year-old (ATSI Consultation)

**Question 3:** We can achieve positive change in the next 10 years in improved safety, health and education outcomes within each community; meaning what an improved

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7 The families children and young people grow up in are indisputably one of the most influential factors in their lives. Commissioner for Children and Young People 2018, “It’s like a big circle trap” - Discussion paper on children and young people’s vulnerability, Commissioner for Children and Young People WA, Perth and New Zealand Ministry for Vulnerable Children, Oranga Tamariki 2014, White Paper for Vulnerable Children – Volume 2, Government of New Zealand.


9 Commonwealth of Australia, Department of the Prime Minister and Cabinet, Closing the Gap Prime Minister’s Report 2018, pg 24.

10 Commissioner for Children and Young People 2018, “It’s like a big circle trap” - Discussion paper on children and young people’s vulnerability, Commissioner for Children and Young People WA, Perth.
outcome looks like and the required interventions must be determined through a place-based approach.\textsuperscript{11}

Recognising the key role that parents/guardians/role models play in the lives of children and young people, efforts need to be renewed to educate and support families to build strong futures for their children. A focus on early education or year 12 education in isolation of the family that support that child or young person is not enough.\textsuperscript{12} In my youth justice consultation, this was particularly noticeable as young people highlighted the importance of family in supporting them to make better choices for their future.

"Probably to do with the parenting, whether you have rules set in place or not. I know a lot of my friends; their parents don't have any rules in place, and they used to get into trouble quite a lot... we don't want rules obviously, but rules are good to put in place, 'cause when our parents set rules, they do work most of the time." 18 year-old (Youth Justice Consultation)

**Question 4:** Developments on the horizon that could affect future opportunities to improve outcomes for Aboriginal people include:

- Progressing state and national discussions around “treaty” which must be premised on the principles of self-determination. Developments in this space can recognise and support the position of Aboriginal people in the broader community as the First Peoples of this nation with a distinct cultural identity, history and rights as well as having an active role in our shared history and future.

- The Western Australian Government’s response to a number of recent Royal Commissions and Inquiries needs to ensure that positive, affirmative action is taken to create meaningful change and the report findings are not simply filed away and forgotten. This includes taking action on recommendations and findings from:
  - Royal Commission into Institutional Responses to Child Sexual Abuse
  - Northern Territory Royal Commission into the Protection and Detention of Children
  - the Western Australian Learnings from the message stick: report of the Inquiry into Aboriginal youth suicide in remote areas
  - Inspector of Custodial Services report on the behaviour management practices at Banksia Hill Detention centre and
  - subsequent research findings on the prevalence of FASD undertaken by Telethon Kids Institute as part of the Banksia Hill Project.

- The movement towards the support and development of the Aboriginal Community Controlled sector being fully embraced in Western Australia. Self-determination means having genuine decision making power and responsibility.

"Make schools for black kids ‘cause we learn different to Wadjellas [non-Aboriginal people]. We think different, a school where Wadjella kids could come too, so we can


\textsuperscript{12} Commissioner for Children and Young People 2018, "It’s like a big circle trap": Discussion paper on children and young people’s vulnerability, Commissioner for Children and Young People WA, Perth
share our ways and teach them... I would bring language and culture back first. We need that to be strong to feel important and then we can learn the other stuff. The other stuff will be easier for us to learn once we know our own way. Because we [are] always walking around lost like we missing something. And that's what I think it is.” 13 year-old Noongar young person (ATSI Consultation)

**Question 5:** Innovative targets or indicators that could best measure improved outcomes for Aboriginal people in Western Australia should focus on the priority areas of health, safety and education.

The indicators themselves need to be informed by an Aboriginal world view, be outcomes focused and should include qualitative data about factors that speak to cultural security and the quality of the service such as whether people:
- feel that their needs are met,
- feel comfortable accessing/using the program or service,
- would recommend the program or service to a friend or family member.

I am currently working on including some of these indicators in the Wellbeing Monitoring Framework that is being developed by my office which will give an indication on the wellbeing of children and young people across the state. If it could be useful to your team, I would welcome the opportunity to discuss this project further.

"The children of [my town] are exposed to things that they should not be, such as drugs and alcohol, family abuse, sexual abuse, verbal and physical abuse. They need places where they can go and feel wanted and needed. They don't like going to school because they know that there are people in the school that are just there to work and make money. They can tell when people don't care about them. They need people that care about them, people that are willing to give them their own time to listen and help and be their friends.” 17 year-old (ATSI Consultation)

**Question 6:** The Closing the Gap refresh provides a nation-wide opportunity to rebuild trust and respect between the government and Aboriginal peoples. It is also an opportunity to genuinely support self-determination and empowerment in a way which will lead to better outcomes for future generations of Aboriginal peoples. As the Commissioner for Children and Young People I reiterate my support for the establishment of a Commissioner for Aboriginal Children and Young People who could drive the advocacy, policy development and monitoring necessary to ensure the success of the refreshed targets. In the meantime, I offer my support in ensuring that the refreshed process achieves the outcomes necessary to improve the wellbeing of Aboriginal children and young people.

Yours sincerely

[Signature]

COLIN PETTIT
Commissioner for Children and Young People WA
23 July 2018