

**natsiwa**  
NATIONAL ABORIGINAL AND  
TORRES STRAIT ISLANDER WOMEN'S ALLIANCE

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## **SUBMISSION ON THE COMPREHENSIVE NATIONAL REVIEW OF IMPLEMENTATION OF BEIJING DECLARATION AND PLATFORM FOR ACTION**

Heeding the spirit of the 2030 Agenda's cross-cutting commitment to gender equality and empowerment of all women and girls, the commitment to leaving no one behind requires that policies and legislations are addressed with the existing international commitment to safeguard Aboriginal and Torres Strait Islander women access to social protection, public services and sustainable infrastructure while ensuring that their design and delivery is transformed to prevent discrimination and to support Aboriginal and Torres Strait Islander women and girls.<sup>1</sup>

### **Section One: Priorities, achievements, challengers and setbacks**

#### **1. What have been the most important achievements, challengers and set-backs in progress towards gender equality and the empowerment of women over the past 5 years?**

The most important achievements are:

- Adoption of the National Plan to reduce violence against women and children (2010 to 2022).
- To implement local solutions to prevent and respond to violence, through education projects that aim towards violence prevention.
- The Australian Government's commitment to develop a National Data Collection and Reporting Framework for domestic and family violence and sexual assault, to improve information to support research, policy development, operational decision making, education and community activities into the future, this is expected to be operational by 2022.
- The appointment of the first Aboriginal woman June Oscar as the Aboriginal and Torres Strait Islander Social Justice Commissioner.
- Continuation of funding for the Women's Alliances.

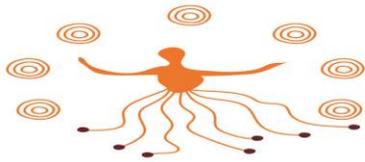
The Australian Federal Governments have made some attempts to provide human rights instruments for Aboriginal and Torres Strait Islander women and girls, though they need to work more collectively to ensure equality and protection.

Some of the challengers faced by Aboriginal and Torres Strait Islander women are;

- They are not accepted as having their own identity which define their language groups, traditional knowledge and social economic values.
- Social policies are enforced and interpret in different ways by non-indigenous workers.
- Very few in management position where serious decision making is done to truly influence change.

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<sup>1</sup> [stakeholder%20forum concept%20note%20discussion%20guide 11%20january%202019](#)



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- International human rights standards are still required in an effort to help protect Aboriginal and Torres Strait Islander women in the justice system – for example – the statistics of violence perpetrated against Aboriginal and Torres Strait Islander women are high and the violence that takes place is either in the home or on the streets. Violence is complex and multi-faceted, resulting in years of dispossession, marginalisation of Aboriginal and Torres Strait Islander women, their families and communities. It can at times seem to be a paternalistic relationship between Aboriginal and Torres Strait Islander people and the Government. Over-simplification of this issue may serve at times as a political agenda, but does not serve the women, families and girls whose lives are at risk.

The set backs are:

- Aboriginal women, girls and children still suffer from high levels of discrimination, extreme poverty and poor healthcare. There are numerous studies which have shown that poverty is one of the main drivers of child protection system involvement.
- The high rate of incarceration of women – for example – For minor offences such as outstanding parking fines, there needs to be alternative programs in the criminal justice system for minor offences. The women are weary of the system and too often when incarcerated they can be retraumatized and also revictimized
- increasing removals of children – Australia is a signatory of the *Convention on the Rights of the Child*. The best interest of the child must be the primary consideration in all action concerning Aboriginal and Torres Strait Islander children, this principle not only applies to government decision but also to decision by private social welfare institutions, including non-government organisation concerned with the child welfare.<sup>2</sup> Tragically this year we have seen the percentage of our children who are placed with Aboriginal and Torres Strait Islander carers drop below 50 per cent for the first time following a steep decline over the last ten years.<sup>3</sup> Even though those children are placed with kin, we know that many are not placed in genuine kinship placements.<sup>4</sup> Authorities continue to define kinship far too broadly and fail to consult with our communities who have the cultural knowledge and authority to determine the most appropriate placements for children.<sup>5</sup>
- Policies and programs are not culturally, or appropriately designed and not framed within human rights, they are not helping to reduce and prevent poverty, vulnerability and social exclusion.
- The National Indigenous Law and Justice Framework was developed by the Standing Committee of Attorney-General to address the serious and complex issues for Aboriginal and Torres Strait Islander peoples and the justice system, this never eventuated.
- Some of the women who are placed on the basic card instead of receiving money. Social protection policies are supposed to be designed to help the people on welfare not place them in

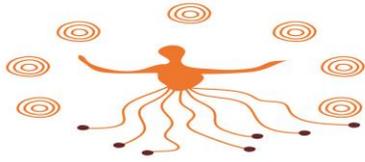
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<sup>2</sup> <https://www.snaicc.org.au/policy-and-research/social-justice-and-human-rights/human-rights-resource-page/human-rights-obligations/>

<sup>3</sup> Family Matters Report 2018 - <https://www.humanrights.gov.au/convention-rights-child>

<sup>4</sup> *ibid*

<sup>5</sup> *ibid*



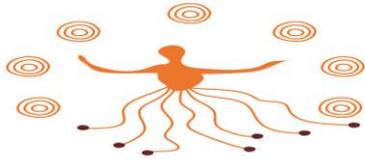
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further poverty. By placing some of the women on the basic card, fifty to eighty percent of their welfare payment is restricted, this can place the women and their families into poverty, and they can become vulnerable and socially excluded. Aboriginal and Torres Strait Islander women need to be empowered more rather than regulated and controlled, through empowerment they can have self-determination.

- The Health and Wellbeing of Aboriginal and Torres Strait Islander women and children needs to be a priority. The health disadvantages experienced, owes much to contemporary structural and social factors, embodied in what have been termed the 'social determinants' of health. In broad terms, economic opportunity, physical infrastructure, and social conditions influence the health of individuals, communities, and societies as a whole. These factors are specifically manifest in measures such as education, employment, income, housing, access to services, social networks, connection with land, racism, and incarceration.
2. **Over the past five year, have you taken specific measures to prevent discrimination and promote the rights of women who experience multiple and intersecting forms of disadvantage and discrimination?**

Some of The National Aboriginal and Torres Strait Island Women's Alliance project activity over the past five years:

- Co-authored with Mura Kosker Sorority Inc in the Torres Strait to write a Domestic Violence Framework for the Torres Strait. We have worked with Elders and women from the Torres Strait to write the framework using their traditional knowledge to help eliminate DV and support women/families. This framework will also be written in the six different languages in the Torres Strait.
- Worked with the Judicial Council on Cultural Diversity who are an advisory body form to assist Australian courts. Judicial officers and administrators positively respond to our diverse needs, including the particular issues that arise in Aboriginal and Torres Strait Islander communities.
- Promoted Aboriginal and Torres Strait Islander women in business working with Westpac, Many Rivers, Indigenous Business Australia, Human Rights Commission New Zealand, Prime Minister and Cabinet, Indigenous women around Australia and the National Rural Women's Coalition.
- Working with the University of Queensland and Share the Dignity for the health and wellbeing of water and hygiene for Aboriginal and Torres Strait Islander women and girls in remote areas of Australia.
- Submitted submissions in response to changes of legislations, reviews, CEDAW and the Special Rapporteur for Indigenous Peoples.
- Participated in the Aboriginal and Torres Strait Islander women's meetings around the country with Aboriginal and Torres Strait Islander Social Justice Commission June Oscar's Wiyi Yani Thangani project an Australian Government initiative. This project will inform government policy into the future, ensuring the rights and security of generations of women and girls.



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Aboriginal and Torres Strait Islander women rights and well-being is to be implemented and protected when addressing the Sustainable Development Goal to ensure that the agenda 2030 does not leave 'no one' behind. We are amongst the poorest in the world and we lag behind virtually every social, economic or political indicator considered in the Sustainable Development Goals.

The Sustainable Development Goals, 1,2,5,10,13,14,15,16 are targets that are relevant to ensure that the rights of Aboriginal and Torres Strait Islander women, girls and children are relevant to our rights and well-being.

The way forward is to include the voices and full participation and engagement of Aboriginal and Torres Strait Islander women at all levels of conversation and to implement the 2030 agenda with full respect for the rights granted in the United Nations Declaration on the Rights of Indigenous Peoples.



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