

Chapter 6:

Aboriginal and Torres Strait Islander Social Justice

Statement from the Commissioner

The past year has seen many developments relating to the human rights of Aboriginal and Torres Strait Islander peoples. The Commission has been engaged in debates across a wide range of issues and through a variety of processes as set out in this report.

From a human rights perspective, developments relating to Indigenous peoples over the past year relate to three main sets of issues. First, the need to ensure the effective participation of Indigenous peoples in decision making that relates to our rights and interests.



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Second, the need to ensure transparency in and accountability for government programs and services relating to Indigenous peoples (including ensuring that government commitments are linked to targets and benchmarks and that progress is measured in terms of whether outcomes meet these targets).

Third, the growing recognition internationally of the rights of Indigenous peoples against which developments in Australia should be considered. These include developments which the Australian government has supported internationally – such as approval of the Program of Action for the Second International Decade for the World's Indigenous Peoples – yet have failed to act on or match to their domestic activities to date.

Central to the success of government programs is ensuring that the people affected by policies and programs are able to participate effectively in decision making. This is particularly so for Indigenous peoples due to the distinct cultural issues that we face, the diversity between different Indigenous groups and geographies, and the inequalities that we continue to experience compared to all other Australians.

A range of my activities as Social Justice Commissioner over the past year have been concerned with addressing whether Indigenous peoples are able to effectively participate in decision making that affects us.

The *Social Justice Report 2005* continued my monitoring of the newly introduced administrative arrangements for Indigenous affairs at the federal level. This includes the Shared Responsibility Agreement and Regional Partnership Agreement making processes and the delivery of services at a regional and whole of government level through Indigenous Coordination Centres. Overall, the report expresses ongoing concerns about the ability of Indigenous peoples to participate in these new decision making structures. The absence of regional mechanisms to facilitate Indigenous participation, following the closure of the Aboriginal and Torres Strait Islander Commission, remains a key concern which is impeding the new arrangements.

The *Native Title Report 2005* sets out a range of concerns relating to the debates about individual titling over Indigenous communal land, and the need for effective participation of Indigenous peoples in any decisions to open up Indigenous lands.

I have also set out a human rights based approach to engaging with Indigenous communities. This was done in the *Social Justice Report 2005*, with principles to guide the Shared Responsibility Agreement making process to ensure that it does not breach human rights standards. It was also advanced through the convening of an international workshop on engaging with Indigenous peoples held in Brisbane in August 2005, along with the Secretariat of the United Nations Permanent Forum on Indigenous Issues. The report of this workshop has received wide interest, including through the United Nations.

The Commission has also supported the development of good governance structures among Indigenous organisations, such as by supporting the development of a national organisation comprised of the chief executive officers of native title representative bodies and native title services.

Ensuring effective Indigenous participation also needs to be matched with accountability and transparency for government activities. All governments in Australia have made, and continue to make, significant commitments to addressing the situations faced by Indigenous peoples. This is particularly through the Council of Australian Governments and bilateral agreements that are beginning to emerge between the federal government and the states and territories.

Indigenous peoples do not suffer from a lack of commitment by governments. We suffer from a lack of targeted action that matches the scope of these commitments made towards our communities and our situation. In short, we suffer from a lack of implementation by governments.

The *Social Justice Report 2005* considers this from the perspective of the health inequality experienced by Aboriginal peoples and Torres Strait Islanders. I propose

a 25-year campaign to eliminate the life expectancy gap between Indigenous and non-Indigenous peoples within a generation. This requires targeted action from governments so that we can measure whether the commitments and the rhetoric are being matched by effort. The challenge set in this report is being taken up by a coalition of non-government organisations and the health sector. The Commission also hosted visits from international guests to discuss the rights based approach to health and the importance of social determinants of health status to continue the focus on these issues over the past year. We can expect much debate about this important issue over the next twelve months.

The Commission has also undertaken a range of research and consultation projects during the past year which highlight important issues that do not receive sufficient research or policy attention. We completed stage one of research on the situation of Indigenous juveniles with cognitive disabilities and the effect of this on contact with criminal justice systems. Stage two of this research will be conducted in the coming year and focus on early intervention strategies. The Commission also negotiated funding to conduct a national workshop of Indigenous women and service providers to consider the issues faced by Indigenous women upon exiting prison. This process will culminate in a national round table in 2006.

These developments all take place in the context of significant and rapid developments in the international human rights system and its treatment of Indigenous issues.

In June 2006 the new Human Rights Council approved the Declaration on the Rights of Indigenous Peoples by overwhelming majority. The Declaration now goes to the United Nations General Assembly for final approval and entry into force. It is likely to be in force by the end of 2006, and will provide significant guidance for all countries in how they frame policies towards indigenous peoples.

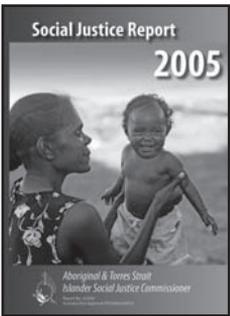
Late last year the General Assembly also approved the Program of Action for the second International Decade of the World's Indigenous People. Through this, all countries commit to working in partnership with Indigenous peoples to promote the objectives of the Decade. These include: promoting non-discrimination and inclusion of indigenous peoples in the design, implementation and evaluation of processes regarding policies and programs; promoting the full and effective participation of indigenous peoples in decisions which directly or indirectly affect their lifestyles; adopting targeted policies and programs for the development of indigenous peoples, including concrete benchmarks; and developing strong monitoring mechanisms and enhancing accountability for the protection of indigenous peoples and the improvement of their lives.

These internationally agreed objectives are also the key challenges that I have identified Indigenous peoples continue to face in Australia. Commitment without action will continue to be unacceptable over the coming year – at the international and the local level.

Monitoring and Reporting

The Social Justice Commissioner produces two reports annually on the human rights situation faced by Aboriginal and Torres Strait Islander peoples: the *Social Justice Report* and *Native Title Report*. These provide an annual state of the nation review of progress on Indigenous policy and human rights compliance.

Social Justice Report 2005



Under section 46C(1)(a) of the *Human Rights and Equal Opportunity Commission Act 1986* (Cth), the Commissioner is required to submit annually a report to the Attorney-General on the exercise and enjoyment of human rights by Aboriginal persons and Torres Strait Islanders (the *Social Justice Report*).

The *Social Justice Report 2005* was transmitted to the Attorney-General on 16 December 2005 and tabled in Parliament on 14 February 2006. A launch and press conference was held in Canberra on 16 February 2006.

The Report considers progress in achieving improvements in the health status of Aboriginal and Torres Strait Islander peoples. It sets out a campaign of achieving Aboriginal and Torres Strait Islander health status and life expectation equality within the next generation (approximately 25 years).

The Commissioner states in the report:

There is no greater challenge to the Australian values of decency, fairness and egalitarianism than the inequality in health status between Aboriginal and Torres Strait Islander peoples and the non-Indigenous population. It is a well known fact that a large gap in health equality exists in Australia. The gap in life expectation between Aboriginal and Torres Strait Islander peoples and the non-Indigenous population is estimated to be 17 years.

This campaign seeks to place time-frames on the goal and aims of the *National Strategic Framework for Aboriginal and Torres Strait Islander Health* and the commitments of the *Council of Australian Governments* (COAG) to overcome Aboriginal and Torres Strait Islander disadvantage. It provides a long-term vision for government activity.

There has been significant work to address many public health issues affecting Aboriginal and Torres Strait Islander peoples, notably commitments to environmental health workers, food and housing. However, there is no overarching strategic response to public health issues (notably health infrastructure) faced by Aboriginal and Torres Strait Islander peoples.

This campaign would link existing commitments to adequate funding and resources and set the goal of health equality *within* a 25-year period.

The *Social Justice Report* also examines the implementation of the new arrangements for Indigenous affairs, in a post-ATSIC environment. It considers the new arrangements from the perspective of whether they ensure the effective participation of Aboriginal and Torres Strait Islander peoples in decision making that affects their daily lives.

From a human rights perspective, Aboriginal and Torres Strait Islander people must be assured of the opportunity to participate effectively in all aspects of policy development and service delivery that impact upon them.

There have been substantial efforts made in the first 12 months of the new arrangements to identify processes for engaging with Indigenous peoples. Despite this, significant gaps remain in Indigenous representation at local, regional and national levels. Also, no mechanisms have been established to ensure the distinct issues of Torres Strait Islanders on the mainland are addressed.

The report also considers how shared responsibility agreements impact on the well-being of Indigenous peoples and whether they are consistent with human rights standards. A key principle that emerges throughout the considerations for agreement making is that of **free, prior and informed consent**. The elements of this principle include the lack of coercion, intimidation and manipulative actions; that consent has been sought in advance and consultation processes have been respected; information is provided on the scope of the activity; and that consultation and participation are undertaken in good faith.

The report, an executive summary and media pack can be accessed from the Commission's website at: www.humanrights.gov.au/social_justice/sjreport05/index.html.

Native Title Report 2005

Under section 209 of the *Native Title Act 1993* (Cth), the Commissioner is required annually to submit a report to the Attorney-General on the operation of the Native Title Act and the effect of the Act on the exercise and enjoyment of human rights of Aboriginal peoples and Torres Strait Islanders (the *Native Title Report*).

The *Native Title Report 2005* was transmitted to the Attorney-General on the 16 December 2005 and tabled in Parliament on 14 February 2006. A launch and press conference was held in Canberra on 16 February 2006.

The *Native Title Report 2005* focuses on the issues and the potential impacts of the Australian Government's proposal to encourage



individual leases on Indigenous communal lands by making changes to land rights legislation. The report analyses the National Indigenous Council's *Indigenous Land Tenure Principles* (NIC Principles) which are the central platform of the Australian Government's strategy for Indigenous land, as well as analysing arguments and research on the impacts of individualising communal title.

The key feature of the Australian Government's strategy is to take 99-year head leases over Indigenous townships in order to sublease individual land lots back to community members, government entities and business enterprise. The Government's stated objective for changing land tenure arrangements is to encourage economic development on Indigenous land. This will include enterprise development, both Indigenous and non-Indigenous and Indigenous housing projects.

The first chapter of the Report provides a chronology of events and government statements that led to the release of the NIC Principles. It includes an analysis of the Principles, especially Principle 4 that outlines involuntary measures should traditional owners 'unreasonably withhold' consent to the leasing scheme.

The second chapter defines Indigenous communal land types and outlines existing leasing options on Indigenous communal lands in each Australian jurisdiction. The Report notes that under existing arrangements, it is currently possible to lease Indigenous lands in every state and territory. This existing provision effectively rules out the need for a regime to change land tenure arrangements as outlined in the NIC Principles.

The second and third chapters detail the international experience of individual titling on Indigenous communal lands, identifying the negative outcomes that have resulted for Indigenous peoples, including:

- significant loss of land by Indigenous peoples
- complex succession problems – that is, who inherits these land titles upon the death of the owner – in relation to both freehold and leasehold interests
- creation of smaller and smaller blocks (partitioning) as the land is divided amongst each successive generation, and
- the constant tension between communal cultural values with the rights granted under individual titles.

Countries that have implemented these strategies, including the United States and New Zealand, are now reversing these policies.

Chapter four explores the extent to which the NIC Principles comply with international human rights.

It puts the case that the process for developing the NIC Principles is not consistent with Australia's obligations to ensure the civil, political, economic, social and cultural rights of its citizens. Human rights principles emphasise Indigenous

participation in decision making, and the right to give 'free, prior and informed consent'. The chapter further outlines guidelines for engagement with Indigenous peoples based on these principles.

The Report, an executive summary and media pack can be accessed from the Commission's website at: www.humanrights.gov.au/social_justice/ntreport05/index.html.

Community Guide and CD-Rom

35 000 Community Guides for the *Native Title Report* and *Social Justice Report* were printed. 25 000 of these were distributed through the *National Indigenous Times* and the *Koori Mail* in early March 2006.

The reports, community guide, media summaries and other materials, have also been made available on a CD-Rom.

Research and Policy

The Social Justice Commissioner advocates for the recognition of the rights of Indigenous Australians and seeks to promote respect and understanding of these rights among the broader Australian community.

Indigenous Youth with cognitive disabilities and the juvenile justice system

In 2005, the Commissioner prepared a report providing an overview of the issues relating to Indigenous young people with cognitive disabilities and/or mental health issues in Australian juvenile justice systems. The report recommended that the National Crime Prevention Program and the National Community Crime Prevention Program be continued and expanded in order to fund specific projects to address Indigenous young people with cognitive disabilities and/or mental health problems who are at risk of entering the juvenile justice system. Specifically, the report recommended that the Commonwealth Attorney-General's Department could consider providing resources for the training of field officers and other relevant staff in mental health issues and cognitive disabilities in young people. Further, it was recommended that social and emotional wellbeing programs that specifically target Aboriginal and Torres Strait Islander children be provided with adequate funding and resources.

It was also proposed that further research be conducted that would look at a number of issues including: the impact of diversionary programs on Indigenous young people; and the links between young people with cognitive disabilities and their early disengagement with education. The report is available online at: www.humanrights.gov.au/social_justice/cognitive_disabilities.pdf.

In 2006, the Commissioner will undertake Stage 2 of this project. Stage 2 of the project will examine the impact of a range of early intervention strategies including police diversionary programs and assess whether such programs are having an impact on reducing offending behaviour among Indigenous young people with a cognitive disability or mental health issue. A report will be submitted to the Commonwealth Attorney-General's Department for consideration in late 2006.

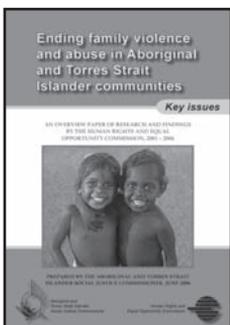
Indigenous women in corrections

Stemming directly from recommendations made in the *2004 Social Justice Report*, the Commissioner is planning to host a two-day national workshop with key government and non-government stakeholders working with Indigenous women after their release from prison.

The workshop participants will seek to identify gaps in service delivery for Indigenous women exiting prison and strategies to overcome such gaps. The workshop will focus on housing, reconnecting with family and community, and healing for Indigenous women post release. The recommendations from the workshop will be tabled later in the year at a national roundtable. The roundtable will identify best practice examples of pre and post release support for Indigenous women exiting prison. The Commission will encourage government officials who have the power to effect changes in service delivery in prisons to attend.

This project has been funded by the Department of Families, Community Services and Indigenous Affairs and the Attorney-General's Department.

Ending family violence and abuse in Aboriginal and Torres Strait Islander communities – key issues



Following public interest and community outrage about family violence in Indigenous communities, the Commissioner co-hosted the 'Ending violence in Indigenous Communities' Forum with ANTaR, Oxfam Australia, Australian Indigenous Doctors' Association, Australian Medical Association and the Australian Principals' Associations Professional Development Council at Parliament House, Canberra on 19 June 2006. Indigenous people who work directly with family violence provided examples of successful community projects.

The Commission released an overview paper in June 2006 of research and findings on domestic violence in Indigenous communities, titled *Ending family violence and abuse in Aboriginal and Torres Strait Islander communities*. The paper summarises the key challenges in addressing family violence and abuse that have been identified and reported on by the Commission from 2001 to 2006. The paper can be used as a reference tool for government officials, researchers and Indigenous communities to help ensure that policy

responses are built on solid evidence and facts. The resource is available online at: www.humanrights.gov.au/social_justice/familyviolence/index.html.

On 26 June 2006, the Commissioner attended the National Ministerial Summit on Family Violence in Indigenous Communities held by the Minister for Indigenous Affairs in Canberra. The Commissioner was the only non-government representative at the Summit.

Economic development on Indigenous land forum

On 27 February 2006 the Commissioner convened the inaugural meeting of senior executives and chairs of national entities with responsibility for progressing economic interests on Indigenous land. The group will meet again in November 2006. The purpose of the meeting was to share information and to identify ways to work collaboratively to enhance the economic interests of traditional land owners.

Education and Promotion

Right to Health Campaign

In March 2006, the Commissioner invited key Indigenous health organisations, reconciliation and human rights organisations to a briefing on the *Social Justice Report 2005* to enlist their support for the Indigenous health equality campaign and in lobbying the governments of Australia to endorse the campaign. A Steering Committee formed at the briefing has met regularly. The Commission hopes to host an Indigenous Health Summit in November 2006 to identify the key challenges in achieving Aboriginal and Torres Strait Islander health equality within a generation.

Lecture by Professor Sir Michael Marmot

In early 2006, the Commissioner invited Professor Sir Michael Marmot to present a lecture on Social Determinants and the health of Aboriginal and Torres Strait Islander peoples.

Professor Sir Michael Marmot, who also contributed to the *2005 Social Justice Report*, gave a lecture on the subject at the University of Sydney on 14 June 2006.

Professor Marmot, MBBS, MPH, PhD, FRCP, FFPHM is currently the Director, International Centre for Health and Society, and Professor of Epidemiology and Public Health, University College London, and has worked for the World Health Organisation. He is a co-editor of *Social Determinants of Health* (1999), a definitive survey of the main social determinant of health. Professor Marmot's presentation is available online at: www.humanrights.gov.au/social_justice/index.html.

Visit by Paul Hunt, United Nations Special Rapporteur on the right to health

The Commissioner agreed to support the University of New South Wales (through the Australian Human Rights Centre and Diplomacy Training Centre) and Oxfam Australia in co-hosting the visit to Australia in May 2006 of the United Nations Special Rapporteur on the Right to Health, Professor Paul Hunt. The Special Rapporteur's visit to Australia was not an official, government endorsed visit to examine the situation in Australia. Rather, he was brought to Australia by the University of New South Wales' Diplomacy Training Program which undertakes training in human rights advocacy in the Asia Pacific Region.

The Commissioner hosted a workshop with Professor Hunt in Sydney in early May, as well as hosting a two-day workshop of Indigenous health and policy experts in Darwin on the right to health and incorporating this into national policy processes (this workshop occurred as part of the Diplomacy Training Program's Indigenous training program).

Engaging the marginalised: Partnerships between Indigenous peoples, governments and civil society – workshop

On 15 August 2005, the Commissioner co-hosted a workshop with the Secretariat of the United Nations Permanent Forum on Indigenous Issues at the International Engaging Communities conference in Brisbane. 160 delegates participated in the workshop, titled Engaging the Marginalised: Partnerships between Indigenous Peoples, Governments and Civil Society.

The workshop centred on the challenges and opportunities of recognising cultural diversity; developing policies and programs that are non-discriminatory, inclusive, targeted and effective; providing an enabling environment for participation and the empowerment of Indigenous peoples at all levels; and adopting approaches that are (Indigenous) people centred. The report of the workshop was presented to the United Nations Permanent Forum on Indigenous issues in May 2006. The report and other resources are available online at: www.humanrights.gov.au/social_justice/conference/engaging_communities/index.html.

Workshop on the Overcoming Indigenous Disadvantage, Key Indicators Report 2005

On Friday 16 September 2005, the Social Justice Commissioner co-hosted a workshop on the Steering Committee for Government Service Provision's Overcoming Indigenous Disadvantage, Key Indicators 2005 Report. The workshop was co-hosted with the Productivity Commission and Reconciliation Australia, and attended by approximately 100 people. The workshop specifically considered issues relating to Indigenous governance, health, education, and a human rights based approach to benchmarking Indigenous disadvantage. The presentations made at the workshop are available online at: www.humanrights.gov.au/social_justice/conferences.html.

Legislative Development

The operation of Prescribed Bodies Corporate

On 23 January 2006 the Commissioner presented a submission to the federal Attorney-General on the proposed amendments to the *Native Title Act 1993* (Cth) specific to the operation of Prescribed Bodies Corporate.

Prescribed Bodies Corporate are required under the Native Title Act to hold and/or manage native title rights following a successful determination. However, there have been a number of difficulties relating to the operation of bodies corporate, namely a lack of funding for these organisations and questions over the appropriateness of their structures. The submission addressed these concerns and provided comment on the appropriateness of the bodies corporate structure; education and training options for personnel; and difficulties with decision making processes.

The Native Title Claims Resolution Review

On 13 February 2006 the Commissioner presented a submission to the federal Attorney-General on the proposed changes to the Claims Resolution Review process as part of the proposed amendments to the *Native Title Act 1993* (Cth).

The submission addressed three areas of the review:

1. The relative under funding of Native Title Representative Bodies and Land Services bodies as compared with other entities in the native title system;
2. The necessity to redirect funding from third party respondents already protected under the Native Title Act, to Native Title Representative Bodies and Land Services bodies; and
3. The relative capacity of the National Native Title Tribunal, the Federal Court, Native Title Representative Bodies, Land Services bodies and respondent parties to assist native title holders to achieve the best possible outcomes.

The submission expressed concern at the lack of native title claimant-holders representation in the review process. It requested that an Indigenous representative be appointed to the review steering committee and that Indigenous stakeholders be given the opportunity to provide comments on the consultant's final report.

Third Party Respondent funding

On 14 February 2006 the Commissioner presented a submission to the federal Attorney-General on Third Party Respondent funding as part of the proposed amendments to the *Native Title Act 1993* (Cth).

The submission supported the proposed guidelines which provide a tighter definition of potential respondents and a more rigorous test to determine what activity will be funded on behalf of third parties. The submission recommended that funding additional historians and anthropologists to provide reports to respondents is unnecessary as it duplicates resources and consumes time.

Native Title Representative Bodies

On the 27 February 2006, the Commissioner presented a submission to the federal Attorney-General on the effect of the proposed changes to Native Title Representative Bodies as part of the suite of submissions regarding the proposed amendments to the *Native Title Act 1993* (Cth).

The submission outlined concerns that under the new provisions that bodies incorporated under the *Corporations Act 2001* will not be representative of Aboriginal and Torres Strait Islander peoples. Under the proposed de-recognition processes the Commissioner argued that if the Australian Government intends to reduce the notice period from 90 to 60 days it should include avenues for review of de-recognition. The Commissioner welcomed the proposed reforms to provide funding up to six years and with links to the recognition period of representative bodies.

Western Australia Alternative Settlement Framework

On the 24 February 2006 the Commissioner presented a submission to the Western Australian Government on the proposed Western Australia Alternative Settlement Framework for Native Title.

The framework provides an alternative, non-litigated settlement regime for the resolution of native title claims. The framework requires the surrender of native title claims on the basis of the existing standards set by Yorta Yorta and Miriuwung Gajerrong. The submission welcomed processes which lead to agreement making and non-litigated settlement of claims. The submission argued that while the framework provided some rights in exchange for the extinguishment of native title, these rights were very limited in nature and did not provide for the adequate recognition of important procedural rights.

International activities

Draft Declaration on the Rights of Indigenous Peoples

The Commissioner attended the 11th session of the Commission on Human Rights Working Group on the Draft Declaration on the Rights of Indigenous Peoples (DDRIP) in November/December 2005 and February 2006.

After many years of negotiations, agreement was reached on approximately two-thirds of the Declaration's provisions during this session. Where agreement was not reached, the lines of disagreement were narrowed significantly. At the end of the February meeting, the Chairperson of the Working Group released his report on the session. This included proposals for a finalised Declaration (the 'Chairman's text'). He recommended that the Declaration be approved by the Commission on Human Rights and sent forward for adoption.

In June 2006, the Chairman's text for the Declaration was considered by the new United Nations Human Rights Council (which replaced the Commission on Human Rights). By overwhelming majority the Council adopted the Declaration and has recommended to the United Nations General Assembly that it do so as well. It is anticipated that the Declaration will be considered for final adoption by the General Assembly in November 2006.

Information about the Declaration, including the Chairman's text is available on the HREOC website at: www.humanrights.gov.au/social_justice/drip/index.html.

Permanent Sovereignty over natural resources and Indigenous peoples' relationship to land

The Office of the United Nations High Commissioner for Human Rights invited and funded the Commissioner to participate in an expert seminar on Indigenous peoples' permanent sovereignty over natural resources and on their relationship to land from 25–27 January 2006 in Geneva. The seminar took place immediately prior to the resumed session of the DDRIP (as discussed above). The Commissioner was elected Chairperson of the Workshop and also made a presentation on current approaches to Indigenous land and resource ownership in Australia. The report of the workshop is available online at: <http://daccessdds.un.org/doc/UNDOC/GEN/G06/123/79/PDF/G0612379.pdf?OpenElement>

Indigenous engagement on international human rights dialogues

In November 2005, the Office of Indigenous Policy Coordination provided \$8 500 funding for the Commissioner to host a two-day workshop of Indigenous groups and government to prepare for the 11th session of negotiations on the Draft Declaration on the Rights of Indigenous Peoples.

In early 2006, the Office of Indigenous Policy Coordination also confirmed that it would transfer \$50 000 per annum to the Commissioner to inform and engage with Indigenous peoples in international human rights dialogues.

The Commissioner has identified the following priorities for this funding in the 2005–06 and 2006–07 financial years:

- Convening domestic preparatory meetings ahead of significant international meetings, most notably the Permanent Forum and Working Group on the Draft Declaration on the Rights of Indigenous Peoples, as well as to consider significant developments, such as the 2nd International Decade on the World's Indigenous People;
- Establishing processes for disseminating information within Australia about international developments; and
- Support for attendance of Indigenous delegates to the United Nations Permanent Forum on Indigenous Issues (held annually in New York in May).

In April 2006, the Commissioner convened a domestic preparatory meeting on the Permanent Forum on Indigenous Issues. The meeting sought input from Indigenous peak representative bodies and non-government organisations. It is intended that this meeting will be convened two or three times per year, ahead of significant international negotiations and forums.

In April 2006, the Commissioner also announced co-funding support for five organisations to attend the 5th session of the United Nations Permanent Forum on Indigenous Issues in New York. These organisations were:

- Aboriginal Legal Rights Movement;
- Menzies School of Health Research (with support for the nominated candidate from the Australian Indigenous Doctors Association and Telethon Institute for Child Health Research);
- Foundation for Aboriginal and Islander Research Action;
- National Aboriginal Community Controlled Health Organisation; and
- New South Wales Aboriginal Land Council.

A report of the participation of Aboriginal and Torres Strait Islander delegations and the outcomes of the Permanent Forum will be distributed by HREOC in late 2006. Discussions are underway to seek third party funding to enable greater participation of Indigenous youth, women and men in international indigenous activities.

Speeches

A selection of public addresses made by the Social Justice Commissioner during 2005–06 is listed below. Speeches can also be accessed on the Commission's websites at: http://www.humanrights.gov.au/speeches/social_justice/index.html

Utilising Indigenous socio-economic data in policy development, Indigenous Socioeconomic Outcomes: Assessing the Recent Evidence Conference, Centre for Aboriginal Economic Policy Research, Australian National University, Canberra, 12 August 2005.

Australian Institute of Health and Welfare and Australian Bureau of Statistics – The Health and Welfare of Aboriginal and Torres Strait Islander Peoples 2005, Launch speech, Tandanya, Adelaide, 26 August 2005.

Overcoming Indigenous Disadvantage – Key Indicators Report 2005: A human rights perspective, Workshop hosted by HREOC, Reconciliation Australia and Productivity Commission, *Overcoming Indigenous Disadvantage Report 2005*, The Mint, Sydney, 16 September 2005.

Professional Issues in Aboriginal Mental Health, Conference, Charles Sturt University, Wagga Wagga Campus, 29 September 2005.

Addressing the needs of Aboriginal and Torres Strait Islander peoples as the victims of crime, Human Rights and Victims Rights Conference, 16 November 2005.

Examples of arrangements to accommodate indigenous peoples' rights over natural resources native title and land rights in Australia, Expert seminar on Indigenous Peoples' Permanent Sovereignty over Natural Resources and on their Relationship to Land, Office of the United Nations High Commissioner for Human Rights, 26 January 2006, Palais des Nations, Geneva, Switzerland.

Indigenous Health Equality and Indigenous social justice issues, Address to the Australian Catholic Bishops Social Justice Council, Sydney, 11 March 2006.

Launch of the 2005 Social Justice and Native Title Reports, Museum of Sydney, Sydney, 31 March 2006.

From rhetoric to reconciliation: addressing the challenge of equality for Aboriginal and Torres Strait Islander peoples in criminal justice processes, Elliott Johnston Tribute Lecture, Flinders University Law School, Adelaide, 23 May 2006.

Tradition and Change – An Integrated Approach to Economic and Community Development on Indigenous Land, Native Title Conference 2006, Australian Institute of Aboriginal and Torres Strait Islander Studies, Darwin, 25 May 2006.

Addressing family violence in Aboriginal and Torres Strait Islander Communities – Key issues, Forum on ending family violence in Indigenous communities, Parliament House Canberra, 19 June 2006

Speech to OIPC National Indigenous Men's Community Leadership Forum, Canberra, 20 June 2006.

Evaluating the External Forces which exert an influence on government policy direction, Collaborative Indigenous Policy Development Conference, Brisbane 27 June 2006.