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Dear Sir / Madam

SHIRE OF BROOME SUBMISSION – DISCUSSION PAPER: AN OFFICE FOR ADVOCACY AND ACCOUNTABILITY IN ABORIGINAL AFFAIRS IN WESTERN AUSTRALIA

Thank you for the opportunity to provide a submission on the Discussion Paper, *An office for advocacy and accountability in Aboriginal affairs in Western Australia*.

The Broome Shire is supportive of working with Aboriginal people to improve social, economic, cultural and health outcomes. The Shire's comments provided are structured to address the five discussion points contained in the Discussion Paper. Given that this proposal is still in its developmental stages, this submission has been made by Shire officers and Council would like to the opportunity to provide a more substantive submission once more detail is available.

1. Function of the new office

It is proposed the new office's role would be to hold Government accountable and to ensure that Government understands and responds to the views and interests of Aboriginal people. This may involve conducting investigations and formal inquires, working with Ministers and government agencies, whilst avoiding duplicating the work of other agencies.

There is insufficient detail at this stage regarding how the new office will deliver the services outlined in the Discussion Paper, how the office will be resourced and what qualifications and experience will be required to deliver the objectives of the new office. It is also not clear how the new office's performance will be measured.

The October 2017 Service Priority Review Final Report to the Western Australian Government, includes recommendations to provide whole of government targets to improve outcomes for the whole community.

Government agency service delivery and performance should be addressed at agency level, with performance measures made publicly available to ensure transparency and accountability.

2. Business of the new office

It is proposed the new office, in collaboration with Aboriginal organisations, government agencies, non-government agencies and technical specialists, should be free to determine which issues are relevant to the interests and well-being of Aboriginal West Australians. This broad scope would inevitably involve some overlap with other accountable agencies such as the Ombudsman, Commissioner for Children and Young People and Inspector of Custodial Services.

This raises the question, how will priorities be determined? What does the State propose to ensure transparency with decision making, roles and functions, structure, governance and funding arrangements? What is the likely impact on the State budget?

The new office's role and responsibilities should be clearly defined to eliminate waste and duplication with other government agencies. It may be worth investigating whether the function of the proposed new office could be achieved by a Lead Agency or task force that already has the experience and resources.

3. Structures and powers of the new office

The Discussion Paper suggests the office should be a new entity rather than adapting an existing one, accountable to Parliament and independent of any Minister, appointed for a term of five years, with the power to table reports in Parliament at any time and obtain documents and information.

It is proposed the new office could be accountable to Parliament through a mechanism such as a Standing Committee. Parliamentary Committees consist of delegates of the Houses of Parliament – the Legislative Council and Legislative Assembly.

How would this proposed Committee be enacted, and would introducing such a Committee add another layer of unnecessary bureaucracy?

Further information is required regarding the type and extent of legal powers proposed for the new office before it can be understood how these powers may affect Local Government Authorities, then a more substantive submission may be made.

4. Name of the new office

The Shire agrees that if the name of the new office is drawn from an Aboriginal language, it should respect the diversity of languages throughout the State.

5. Appointment process

The Discussion Paper suggests the new office may be appointed by Aboriginal people and organisations. If this approach is pursued, officers recommend that it would be more transparent and open if the positions were elected (interested parties elect to be nominated).

The Shire looks forward to being involved in further consultation. Should you have any further queries please do not hesitate to contact Jacquie Jankowski, Land Tenure Officer, on 9191 3402 or via email to Jacqueline.Jankowski@broome.wa.gov.au.

Yours faithfully



Aletta Nugent
DIRECTOR - DEVELOPMENT AND COMMUNITY