

The Greens (WA) 2021 policy

First Nations Peoples

The Greens (WA) recognise that the First Nations Peoples of Western Australia are the first sovereign peoples of this place and that they lived on this land according to their own laws, customs and governance systems from time immemorial. They took care of their lands and their peoples and lived by their customary laws which were still in operation when their lands were invaded and illegally occupied.

First Nations Peoples' rights and responsibilities as Land Owners and Custodians must be respected. They have the right to self-determination and appropriate political representation, and must be the leading partners in the development and implementation of public policies, programs and services, as well as any private developments proposed on their lands.

The Greens (WA) are committed to Truth, Treaty, Voice and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The Greens (WA) want to include the unique knowledge systems of First Nations People in all aspects of Western Australian policy. We want to understand and provide allyship to the unique cultural, social, physical and spiritual relationship with the land, waters and environments that First Nations Peoples have, from which everyone in Western Australia can benefit. We recognise that the inclusion of First Nations knowledge and processes can transform our current ways of doing into shared collaborations that work. The Greens (WA) will work together with First Nations in a shared healing of our history, our land and our ways of being and doing.

Truth, Treaty, Voice

We will sit with First Nations families, peoples, communities and organisations, recognising the diversity of histories, views and dreams. We will collaborate, recognising that self-determination is the basis of all our work together, through education and truth telling. We respect the ways of knowing, being and doing of First Nations Peoples and know they must be the foundations of this work together in growing our grass roots movement. We will utilise the knowledge of First Nations people widely in doing this, so that the policy of self-determination is embedded in our interactions with First Nations Peoples.

1. All First Nations Peoples have the right to access and equal outcomes to essential services including health, education, training, housing, community infrastructure, employment support and justice.
2. The continuing cultural, spiritual, and practical connection of First Nations Peoples to Land and Sea must be recognised as a major determinant to achieve positive outcomes through self-determination.

Aims

The Greens (WA) want:

- treaties, under recognised international frameworks, that honour the sovereignty and self-determination of First Nations Peoples, and a guarantee and time frame for their implementation
- protection for cultural and intellectual property of First Nations Peoples, including the right to benefit from this property
- protection and promotion of the rights of First Nations Peoples across cultural, social, environmental economic and emotional contexts, including history and heritage
- an end to the disparity in life expectancy between First Nations Peoples and other Australians by ensuring culturally responsive and equitable access and outcomes to community-led health, education and training, housing, infrastructure and justice (see also The Greens (WA) [Health](#) policy)
- an end to the disproportionate incarceration of First Nations Peoples through:
 - increasing legal protection for First Nations Peoples
 - providing equitable access to legal services; and
 - establishing restorative justice processes including diversionary programs and tribal courts. (See also the Greens (WA) [Justice](#) policy)
- support First Nations Peoples to develop state-wide structures and processes that enable grassroots democratic engagement with each other and other bodies, including all levels of government

Measures

The Greens (WA) will initiate and support legislation and actions that:

- ensure that obligations towards First Nations Peoples under international treaties and Human Rights conventions¹ are honoured by State and Federal practice, and fulfilled at every level of decision-making
- implement, in both spirit and letter, the recommendations of, but not limited to:
 - The 1987 Royal Commission into Aboriginal Deaths in Custody
 - ‘Putting the Picture Together’ 2002 (the Gordon report)
 - ‘Bringing Them Home’ Report 1997 (Stolen Generation)
 - The Elder’s Report into Preventing Indigenous Self-harm and Youth Suicide 2014
 - The Inquest into the 13 Deaths of Children and Young Persons in the Kimberley Region
 - The 2018 Royal Commission into Institutional Responses to Child Sexual Abuse
 - The Aboriginal Customary Laws Final Report of the Law Reform Commission of Western Australia 2006
 - Hard Labour, Stolen Wages: National report on stolen wages 2007
 - Kimberley Appropriate Economies Roundtable Forum 2005
- provide well-resourced Aboriginal Community controlled health and mental health services that are underpinned by cultural, social and emotional well-being principles (See also The Greens (WA) [Mental Health](#) policy)
- conduct performance and productivity reviews with the aim of adjusting funding models and allocation for the WA Police, Aboriginal Legal service Inc WA, the Aboriginal Family Law Service Inc WA, Night patrols and

Outreach, Legal Aid WA, and other similar services (see also The Greens (WA) [Justice](#) policy)

- undertake research and evaluation on all justice sector stakeholders practice frameworks to ensure the effective implementation of best practice models
- implement justice/social reinvestment programs across western Australia, particularly for youth as a priority to reduce the unacceptable rate of incarceration and the poor treatment of First Nations Peoples in State custody
- incorporate First Nations' governance including Tribal Laws and Courts in dealing with First Nations' matter, where appropriate and not in breach of fundamental rights
- change, or remove where necessary, any laws and policies that disproportionately impact on First Nations Peoples, such as mandatory youth sentencing
- ensure that Aboriginal communities are not forcibly closed and residents are not relocated without their free, prior and informed consent
- ensure that Aboriginal peoples are not deterred from living in their communities, through inadequate provision of services to which they, as West Australians, are entitled
- ensure that annual audits and performance and productivity measures of government and non-government agencies responsible for service delivery to First Nations Peoples' communities, are resourced and undertaken by the Western Australian Auditor General
- fund and facilitate the effective operation of locally run, community driven and culturally appropriate programs and services
- ensure all entities and their systems and processes working with First Nations Peoples and communities are resourced to engage grass roots movements, including geographical, technological and staffing issues
- replace the *Aboriginal Heritage Act* (1972) with contemporary legislation that reflects and genuinely protects the true significance and importance of cultural heritage (see also The Greens (WA) [Heritage](#) policy)
- return items of cultural heritage to the rightful owners and custodians with government funding and assistance (see also The Greens (WA) [Arts & Culture](#) policy)
- prohibit the manufacture and sale of items purporting to be of Aboriginal Heritage nature without cultural and intellectual property certification
- work to identify, recognise and protect all sites on land or waters that have cultural significance, including World Heritage Listing for Murujuga (the Burrup Peninsula and Dampier Archipelago)
- amend the *Mining Act* (1978) to require:
 - potential proponents to enter into partnership and/or agreements with all relevant First Nations Peoples during the project development stage;
 - ensure free prior and informed consent is enacted as the key principle for project development; and
 - ensure First Nations Peoples and communities are positioned as the informed key decision makers

(See also the Australian Greens [First Nations Peoples](#) policy)

Footnotes

1. These treaties include:

- The Universal Declaration of Human Rights
- The International Convention on the Elimination of All Forms of Racial Discrimination
- The International Convention on the Rights of the Child
- The International Covenant on Economic, Social and Cultural Rights and
- The International Covenant on Civil and Political Rights
- The Declaration of the Rights of Indigenous Peoples

First Nations Peoples policy ratified by The Greens (WA) in 2021

The Greens (WA) spokesperson for First Nations Peoples issues is [Robin Chapple MLC](#)