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To: Aboriginal Lands Act
Subject: Aboriginal Lands Act

Follow Up Flag: Follow up
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To whom it may concern:

Please see my additional feedback regarding this extra round of consultation on the Aboriginal Lands Act for Lutruwita Tasmania, which closes this Sunday, 12 March 2023 as per your website.

This extra round seems to be a deliberate attempt at political interference with the feedback that was already received. It seems like an attempt to ensure the government receives the answers they want, instead of listening to the Palawa Community of Lutruwita.

As an engagement professional, I find the consultations undertaken to be tokenistic, complicated for the audience, and inaccessible. This puts the whole process into disrepute and is not compliant with the core values and ethics of IAP2 engagement practice.

Nonetheless, in addition to my previous submission, I make the following remarks - some of which are repeated to emphasise their importance:

Scope of the Act

- The scope of the Act should include Inland waters and Sea Country. Extensive community conversations and consultations carried out to discuss Treaty, have raised that the waters of Lutruwita are an integral part of all Country. Both waterway and sea rights must be included so we can also environmentally and culturally care for water quality, food and cultural resources.

ALCT Elections

- The community has already stated they do not want any revisions to the ALCT elections.
- The current process allows Aboriginal people to challenge anyone applying to get on the roll who is not Aboriginal. Anyone challenged must prove their eligibility through an Aboriginal Panel appointed by the Tasmanian Electoral Commissioner. This is the most appropriate, transparent, and fair process.
- If an 'advisory' panel is needed then the elected ALCT should act as this panel to the Electoral Commissioner – not another panel appointed by a Minister as this will undermine any confidence in the process.
- Alternatively, appointments could be made by the Commissioner themselves and be restricted to the existing members of the ALCT electoral roll.
- I again refer you to the United Declaration on the Rights of Indigenous Peoples:
 - Specifically: Article 4 Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
 - Article 8 1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture. (and) (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources; (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights; (d) Any form of forced assimilation or integration;
 - Article 18 Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

- Article 33 1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live. 2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.
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Land Management

- Current Aboriginal land managers who look after Aboriginal land (and who are local to these areas), are experienced, and have the deep knowledge and expertise to care for our country and its resources. They have restored extensive landscapes over the years and must continue as the land managers. I have witnessed first hand the incredible work they do and the health country planning that goes into rehabilitating land that was neglected for too long under colonial management.
- We should be caring for country in a united way to maintain cultural resources and access for all Aboriginal people, and our land managers are doing this. If anything, further funding to support the work and to build capacity in the community for more rangers on land and sea would be welcomed.
- All Aboriginal people currently have access to Aboriginal Land so no changes are required.

Governance

- ALCT is collective and inclusive ownership model and community members are part of its governance, unlike other organisations. In other organisations, rights are only given to members on their list, it is exclusive and any transfer of land to these organisations will exclude Aboriginal people across Tasmania.
- ALCT already generates and publishes management plans via the Health Country Planning processes and is accountable to the Tasmanian Aboriginal Community. Updates are provided to the community across Lutruwita on a regular basis.
- ALCT does not receive appropriate funding to deliver the proposed significant reporting proposals, and is already meeting the requirements required by the Tasmanian Audit Office, which requires significant time and resources to achieve.

The Aboriginal community must decide how land is returned and managed.

Regards

Sarah Wilcox

Palawa Community Member

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