



Commissioner for Children and Young People
Western Australia

Our reference: 23/8167

Ms June Oscar AO
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Australian Human Rights Commission
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Via e-mail: wiyiyaniuthangani@humanrights.gov.au

Dear Commissioner Oscar *June*

Submission – Wiyi Yani U Thangani Framework for Action and Institute for First Nations Gender Justice and Equality

Thank you for the opportunity to provide a submission to Stage Three of the *Wiyi Yani U Thangani (Women's Voices)* project to contribute to the design of the Wiyi Yani U Thangani Framework for Action for First Nations Gender Justice and Equality and the establishment of a First Nations Gender Justice Institute.

As Commissioner for Children and Young People in Western Australia, I have a statutory responsibility under the *Commissioner for Children and Young People Act 2006 (WA)* to advocate for the views of children and young people to be heard in decision making that affects them. This role includes giving priority to, and having special regard to, the interests and needs of Aboriginal and Torres Strait Islander children and young people.

In undertaking these responsibilities, I must also have regard for the United Nations Convention on the Rights of the Child (the UNCRC) which upholds the right of all children and young people to be protected from harm, to be safe, feel safe and be respected wherever they are, and to participate in making decisions that affect them. Under the United Nations Declaration on the Rights of Indigenous Peoples, Aboriginal children and young people have a right to maintain language and culture and to participate in decision making.

Our Aboriginal girls and young women are the leaders of tomorrow. Their voices are powerful. We need to listen. We need to learn from them about the changes they would like to see, with their families and communities, to live their lives in the way they want. The matters raised in this submission therefore reflect the views and experiences that Aboriginal children and young women have shared during consultations undertaken by this office, written in their own words.

Measuring change outcomes

Aboriginal girls and young women's voices should be heard and respected

My office works to ensure that the voices of Aboriginal girls and young women are heard and included in decision-making in all matters that impact them. Their voices are central to their self-determination.

*"Listen to kids more, because ultimately if you're trying to help kids you can't make decisions without their input you don't know their feelings because you aren't them."
(female, 15 year-old, Aboriginal)*

Aboriginal girls and young women have shared their diverse lived experience and perspectives with us about the pressing concerns they are facing. We need to continue to provide mechanisms and safe platforms for Aboriginal girls and young women to share and connect with each other to “build meaningful relationships that enable young people to create systemic change”.ⁱ

“Make kids feel good about sharing how they feel.” (female, 12 year-old, Aboriginal)

What Aboriginal girls and young women tell me

Maintaining a strong connection to culture is central to the wellbeing of Aboriginal girls and young women.ⁱⁱ Aboriginal girls and young women have often spoken with me about how their culture gives them a sense of pride and supports their wellbeing.

“To me [culture] means that I have something to live up to.”

Aboriginal girls and young people have told me that they want to be encouraged and supported to connect with, learn and practice their traditional culture at home, at school and in the community. This includes doing traditional activities, spending time on country, respect for Elders, and spending time with family.ⁱⁱⁱ

“When I know about my family and where I’m from, it makes me feel a part of it and know who I am and I feel proud to be where I’m from. When I don’t, I feel like I don’t deserve to have the culture and community that I do and that I take it for granted or use it for attention I have people at school who acknowledge me even if they don’t really know me.”

“My family tell me about my culture and teach me about my culture and who’s land we are on and my nan and pop tells me cultural story’s.”

Through the leadership and guidance of elders and senior women, Aboriginal girls and young women share a deep sense of belonging and connection to culture, language and identity. In turn, Aboriginal girls and young women also take on a nurturing and caring role for their younger siblings, sharing stories, culture and language with them.

“My grandma likes to tell me stories about the past, long time ago and my culture. I love talking about those things and so do all the other young kids. I like knowing my family will keep teaching me things. I tell my little brothers and sister stories and show them things too. It’s a different sort of learning to school.”

Aboriginal girls and young women want to feel healthy, supported and connected to their family, school and community. For Aboriginal girls and young women, health is viewed in a holistic context that encompasses physical and mental health, cultural and spiritual health, and the importance of connection to the land, culture, spirituality, family and community.^{iv} The voices of girls and young women share the importance of strong relationships with family, friends, teachers and community in providing a sense of safety, wellbeing and belonging.

“I feel safe with my family and friends. They help me a lot.”

*“I... have this one teacher that me and my friend always go to talk to about our problems and they are really good because I have grown and truest full relationship with them and she has helped me through a lot and sees my side of the story”
(female, 14 year-old, Aboriginal)*

“my friends make me feel good about myself, accepted and like I’m actually doing something right.”

“I can talk about my problems to me mum or my best friend and teachers and they give me advice and support in any situation.”

Aboriginal girls and young people consistently tell me that they want to feel safe, taken seriously, treated with respect, and to have the same opportunities as their male peers.^v

“I believe that gender inequality is an issue in aboriginal families because boys always get to do whatever they want while girls are always told what do and not do. It’s also very unfair how little freedom girls have.” (female, 16 year-old, Aboriginal)

Embedding Aboriginal girls and young womens’ voices in data collection practices

Aboriginal girls and young women should be given opportunities to be involved in community research and data collection with appropriate training, resourcing, and capacity-building. Through the Young Aboriginal Researchers in Community (YARiC) project, my office provided Aboriginal young people with a culturally safe opportunity to develop leadership skills, knowledge, and experience in community research.

In 2022, seven young Aboriginal women from three Kalgoorlie high schools participated in the YARiC project to explore topics related to girls’ wellbeing and gender equity in the community. An Indigenous research and ethics expert to design and develop a culturally safe training program in research skills for young people. The project culminated in the release of the YARiC Wellbeing Survey Report presenting a snapshot of views about girls’ wellbeing including gender inequality, sexual harassment, stereotyping, and unfair social norms.^{vi} Feedback from participants highlighted the rewards of connecting with other Aboriginal girls, feeling confident in their abilities, and understanding how community research and individual voices can make positive change.

“It’s good that someone is helping us girls to have a voice.”

“The program was great. Safe environment and everyone treated each other with respect and all got along really well and I’m happy that this program exists.”

The YARiC project provides an example of how to meaningfully partner with Aboriginal girls and young women in community research and take their views into account in collecting and measuring data on issues that affect them.

The strengths of the YARiC project in successfully engaging Aboriginal girls and young women included:

- Utilising culturally safe training strategies to engage Aboriginal girls and young women in community research, conducted by an Indigenous research and ethics expert.
- Allowing Aboriginal girls and young women to determine the priorities of the group and peer-research activities, giving them ownership of their ideas.
- Involving Aboriginal girls and young women in the design, development, and delivery of peer-research activities.
- Facilitating the program in a way that holds space for participants to ‘find their way’.
- Engaging self-care facilitators to create cultural safety and provide a range of support for participants throughout all stages of the project.

Protecting and strengthening data sovereignty and governance: a living database

Aboriginal girls and young women should be able to determine how they want to be engaged with, how data and information is collected, and how their voices will be shared. They know best in the context of their lives and the community. I strongly encourage the AHRC to engage directly with Aboriginal girls and young women to ensure their perspectives are heard, with the support and guidance of senior women, elders, and communities.

Datasets need to be community driven and owned if they are to be most effective. Aboriginal women and girls “have the right to govern, retain control over, and manage the collection usage, and application of data for our purposes and to use it in ways that align with our self-determined priorities, aspirations and practices”^{vii}. Collection of data must be relevant to the lives of Aboriginal girls and young women reflecting their world view and experiences. It must be collected in partnership with communities and uphold the principles of Indigenous data sovereignty, as derived from the inherent rights of self-determination as described in the United Nations Declaration on the Rights of Indigenous People.

Creating holistic datasets that measure health and wellbeing outcomes important to Aboriginal girls and women will require greater access to public sector data, as well as greater support for communities to collect and manage their own data.^{viii} Constructing digital infrastructure to engage such an approach will require robust training, capacity building and resourcing within many Aboriginal community-controlled organisations.^{ix} Training pathways and opportunities for Aboriginal girls and young women could support them to develop skills to influence research priorities, data sovereignty and governance.

Adults, organisations and the wider community have a responsibility to listen, respond to and collaborate with children to ensure they feel safe, protected and supported to participate.^x Collecting data and information about Aboriginal girls and young women should be a meaningful and respectful process, allowing space for storytelling and yarning in a safe environment. Clear communication about participation and consent, including how the information will be used, should be provided. Aboriginal girls and young women should be provided with a range of appropriate options for participating in data collection, including sharing in gendered spaces, with cultural mentors, in group settings or one-on-one, or anonymously. The privacy and confidentiality of Aboriginal girls and young women in sharing data and information is paramount. Children and young people have consistently told me that speaking out without judgment is an important consideration in participating in surveys and consultation processes.

“Let kids speak without fear, they have the rights to and know stuff adults don’t”

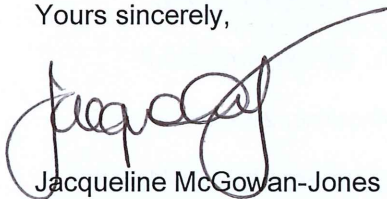
“I thought this was good to do, let us vent in private.”

Reporting should be contextualised and shared through a holistic, strengths-based approach that uplifts the wellbeing of Aboriginal girls and young women.^{xi} It should be responded to genuinely by stakeholders, recognising the importance of treating data and information sensitively and respectfully. Reporting should be led by the voices of Aboriginal girls and young women, providing rich descriptions and stories in their own words. It should be accessible to Aboriginal girls and young women, presented in a variety of formats and languages, and reflect their communication preferences.

I fully support the development of the Wiyi Yani U Thangani Framework for Action for First Nations Gender Justice and Equality and the establishment of a First Nations Gender Justice Institute, to collectively strive towards achieving First Nations gender justice and equality. I also support the call for the first Aboriginal and Torres Strait Islander National Youth Summit that is led, designed and hosted by First Nations young people, as was raised at the Wiyi Yani U Thangani National Summit in May 2023.

Thank you for the opportunity to contribute to the design of the Wiyi Yani U Thangani Framework for Action for First Nations Gender Justice and Equality and the establishment of a First Nations Gender Justice Institute. For further information about the matters discussed in this submission, please contact Dawn Fitzgerald on 08 621 32205.

Yours sincerely,



Jacqueline McGowan-Jones

Commissioner

13 December 2023

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- ⁱ Wini Yani U Thangani (Women's Voices), [Wiyi Yani U Thangani Youth Statement 2023](#), Australian Human Rights Commission, 2023, accessed 8 December 2023.
- ⁱⁱ SA Hunter, H Skouteris, and H Morris, 'A Conceptual Model of Protective Factors Within Aboriginal and Torres Strait Islander Culture That Build Strength', *Journal of Cross-Cultural Psychology*, 2021, 52 (8-9).
- ⁱⁱⁱ Commissioner for Children and Young People WA, [Aboriginal children and young people speak out about culture and identity](#), Commissioner for Children and Young People WA, 2011, accessed 8 December 2023.
- ^{iv} P Dudgeon, H Milroy and R Walker (eds), *Working Together: Aboriginal and Torres Strait Islander Mental Health and Wellbeing Principles and Practice*, Telethon Institute for Child Health Research/Kulunga Research Network, Barton, 2014.
- ^v Commissioner for Children and Young People WA, [Report on the YARiC Wellbeing Survey](#), Commissioner for Children and Young People WA, 2022, accessed 8 December 2023.
- ^{vi} Commissioner for Children and Young People WA, [Report on the YARiC Wellbeing Survey](#), Commissioner for Children and Young People WA, 2022, accessed 8 December 2023.
- ^{vii} Lowitja Institute, [Indigenous Data Governance and Sovereignty](#), 2021, Carlton, accessed 8 December 2023.
- ^{viii} E Booth, '[\\$1.3 million Indigenous data project announced](#)', Council Magazine, 2020, accessed 8 December 2023.
- ^{ix} University of Melbourne, [Indigenous Data Network – Community Data Project \(2021-2024\)](#), 2023, accessed 8 December 2023.
- ^x Commission for Children and Young People Vic, [Tip Sheet: Child Safe Organisations – Empowerment and participation of children](#), undated, Commission for Children and Young People Victoria, Melbourne, accessed 8 December 2023.
- ^{xi} M Walter, Lovett R, Maher B, Williamson B, Prehn J, Bodkin-Andrews G, Lee V, 'Indigenous Data Sovereignty in the Era of Big Data and Open Data', *Australian Journal of Social Issues*, 2021, 56(2) (143-156).