

Reflect Reconciliation Action Plan

November 2016–April 2018



Relationships



Respect



Opportunities



Tracking

Our business

The Australian Law Reform Commission (ALRC) is an independent statutory authority that operates under the *Australian Law Reform Commission Act 1996* (Cth) (ALRC Act), the *Public Governance, Performance and Accountability Act 2013* (Cth) (PGPA Act) and the *Public Service Act 1999* (Cth). The ALRC is responsible to Parliament through the Attorney-General, the Minister responsible for the ALRC. The ALRC conducts law reform inquiries—also known as references—into areas of law at the request of the Attorney-General. Based on its research and consultations throughout an inquiry, the ALRC makes recommendations on law reform to government so that government can make informed decisions about improving Australia's laws and legal frameworks.

The primary function of the ALRC is to review Commonwealth laws for the purposes of:

- bringing the law into line with current conditions and ensuring that it meets current needs;
- removing defects in the law;
- simplifying the law;
- adopting new or more effective methods for administering the law and dispensing justice; and
- providing improved access to justice.

The ALRC is to consider proposals for making or consolidating Commonwealth laws, and, with reference to those matters referred to it, must consider proposals for:

- the repeal of obsolete or unnecessary laws;
- uniformity between state and territory laws; and
- complementary Commonwealth, state and territory laws

In performing its functions the ALRC must ensure that the recommendations it makes do not trespass unduly on personal rights and liberties or make the rights and liberties of citizens unduly dependent on administrative, rather than judicial, decisions; and are, as far as practicable, consistent with Australia's international obligations that are relevant to the matter.

When formulating recommendations, the ALRC must have regard to the effect that the recommendations may have on the costs of getting access to, and dispensing, justice; and persons and businesses who would be affected by the recommendations (including the economic effect, for example).

As a federal agency, the ALRC has a national reach and operates out of one office in Sydney.

It is normal practice for the ALRC to undertake two concurrent law reform inquiries. However in the past 12 months due to budget reductions, the ALRC has only been able to work on one inquiry. The ALRC does not self refer inquiries, and the number of inquiries undertaken at any one time, and the subject matter of those inquiries is the prerogative of the Attorney-General.

The ALRC currently employs 12 Full time equivalents and has one full-time Commissioner, the President. At the induction of new staff to the ALRC, they are asked to fill in a personal information form, that provides information about people's cultural background and languages spoken. While it is not compulsory to fill out this form, ALRC employees have chosen to provide this information, and based on this information, it has been determined that the ALRC does not currently have any Aboriginal and Torres Strait Islander employees.

As a Commonwealth Agency, the ALRC is subject to the Commonwealth Government Aboriginal Employment Strategy that aims to build First Australian employment in the Commonwealth public sector, and sets out actions agencies can take to help them meet the Government's target of 3% Aboriginal and Torres Strait Islander representation by 2018. The ALRC is required to report on Indigenous Procurement in its annual report and to the Procurement division of the Attorney-General's Department which reports against the Indigenous Procurement Policy (IPP).

At the beginning of each inquiry, the ALRC establishes an Advisory Committee of experts or key stakeholders in the area under review. These Advisory Committees usually meet with the ALRC three times during the course of an inquiry to offer their guidance and feedback, and provide quality assurance to the ALRC with regards to its processes and analysis.

Our reconciliation journey

The ALRC developed its first RAP in 2009 following a process of cross-cultural training over a period of two days at Tranby Aboriginal College in Glebe. The ALRC's first RAP was developed in consultation with an ALRC Indigenous Advisory Committee. However, this Committee did not continue in an ongoing capacity, and it was decided that it would be a more productive use of individuals' time to be involved directly in the inquiry work of the ALRC and through this, achieve some of the goals of the RAP. Since that time, the ALRC has updated the original RAP every two years and has reviewed and measured our performance against our targets every year, reporting to our Minister and Reconciliation Australia annually. These reports were also provided to the public through our Annual Report and made available on the ALRC website. Through the process of measuring our performance against our RAP targets, the ALRC has had significant learnings about the process of reconciliation and has incorporated these learnings into the development of our RAP.

The ALRC recognises that historically the Australian legal system has failed to deliver equitable social and economic outcomes for Aboriginal and Torres Strait Islander peoples. As a law reform body, the ALRC has the opportunity to contribute to social justice, equity and inclusion in Australia and by developing a Reconciliation Action Plan (RAP), the ALRC will be able to focus on working towards this goal. In deciding to develop a RAP, the ALRC commits to building trusting and respectful relationships with Aboriginal and Torres Strait Islander peoples and to involve them in our inquiry work whenever possible. The ALRC's RAP documents the aims and strategies that the ALRC will adopt to contribute to and promote reconciliation between Aboriginal and Torres Strait Islander peoples and other Australians.

The ALRC has established a RAP Committee that meets two times per annum and champions our RAP across all the activities of the organisation. Current members of the RAP Committee are ALRC President, Professor Rosalind Croucher (Chair), Executive Director, Sabina Wynn, Communications Manager, Marie-Claire Muir, Project Coordinator Tina O'Brien, and Legal Officer Shreeya Smith. It is the ALRC's intention to have a First Australian representation on our RAP Committee by the end of the RAP (April 2018).

The ALRC has undertaken cultural awareness training every 2 years and now regularly participates in key First Australian celebrations including NAIDOC week and Reconciliation Action Week, which a range of activities including inviting representatives from Indigenous organisations such as the Aboriginal Legal Service of NSW and ACT, and RECOGNISE, to speak to ALRC staff about their issues and perspectives, and by visiting

Aboriginal and Torres Strait islander art exhibitions and attending launches of Aboriginal and Torres Strait Islander reports . Through our RAP processes, the ALRC now considers how to engage with Aboriginal and Torres Strait Islander stakeholders in all its inquiry work and wherever possible employs First Australian businesses to provide services.

Our current activities

In the past year the ALRC celebrated NAIDOC week and National Reconciliation Action Week. In 2016, our focus has been on building an understanding of the issues concerning the campaign for the recognition of Aboriginal and Torres Strait Islander peoples in the Australian Constitution. As part of this process the ALRC invited members from the RECOGNISE campaign to discuss this with us at a lunch time meeting of all ALRC staff. The ALRC also invited staff from the Australian Government Solicitor's Office to join us in this event. Approximately 35 people attended. The ALRC has developed an Acknowledgement of Country and Welcome to Country protocol. In its protocol the Commission pays its respects to Traditional Owners and Elders, past and present, acknowledging the unique place that Aboriginal and Torres Strait Islander peoples have in Australian society and the contribution that First Australian peoples and cultures make to the nation that we share. The ALRC determines who the Traditional Owners are at each event, and acknowledges them specifically as part of this process. The ALRC has identified the Gadigal people of the Eora Nation as the Traditional Owners of the lands and waters in our local area.

The ALRC recognises the importance of ensuring that ALRC employees have an understanding of Aboriginal and Torres Strait Islander cultures, histories and achievements so that in the work that the ALRC undertakes, the opinions, needs and contributions of Aboriginal and Torres Strait Islander peoples can be taken into consideration. The ALRC sees reconciliation between First Australians and the broader community as requiring meaningful and ongoing dialogue between First Australians and the ALRC. For the ALRC, *respect* for Australia's First Peoples; *participation and representation* of Australia's First Peoples; and *consideration and understanding* of issues that are important to First Australians are essential features of the journey to, and achievement of, reconciliation in Australia. As such, the ALRC is committed to ensuring that ALRC employees undertake cultural appreciation training on a regular basis.

As part of its reconciliation actions over the past five years, the ALRC has attempted to establish an Aboriginal and Torres Strait Islander internship program that would run alongside the ALRC's general internship program, The Aboriginal and Torres Strait Islander internship was offered to First Australian law students who were in their penultimate or last year of a law degree and the ALRC contacted law schools around the country, and in particular Indigenous student centres including the Indigenous Law Centre at UNSW, Jumbunna House at UTS, the Department of Indigenous Studies at Macquarie University, Nura Gili Programs Centre at UNSW, Badanami Centre for Indigenous Education at UWS, Wammarra Indigenous Student Services at Charles Sturt University. The ALRC is not able to offer any financial support to students coming from interstate to cover costs such as travel and accommodation while they are in Sydney and therefore our internship program has limited appeal for students from interstate. Unfortunately, despite advertising the program through these contacts and through our network of law school deans, the ALRC has not been able to attract any First Australian law students to do an internship with the ALRC. We continue to make our general internship program open to First Australian law students and will advertise the program through Indigenous media and Indigenous networks accordingly.

Relationships			
Action	Deliverable	Timeline	Responsibility
1. Establish a RAP Working Group (RWG)	<ul style="list-style-type: none"> RAP Working Group, responsible for RAP governance and implementation, meets bi-annually. 	December 2016, May 2017, December 2017, May 2018	RWG Chair
	<ul style="list-style-type: none"> Invite Aboriginal and Torres Strait Islander stakeholders to join our RWG. 	May 2017	RWG Chair
	<ul style="list-style-type: none"> Ensure that our RWG has Aboriginal and Torres Strait Islander representation. 	April 2018	RWG Chair
2. Build internal and external relationships	<ul style="list-style-type: none"> Maintain the currency of our database of Aboriginal and Torres Strait Islander peoples, communities and organisations relevant to our inquiry work that we can connect with on our reconciliation journey. This database will be updated to ensure it includes new Aboriginal and Torres Strait Islander people and organisations who have contributed to the ALRC's work over 2016–17. 	May 2017	Project Coordinator
	<ul style="list-style-type: none"> Build relationships with law firms that have a RAP to collaborate on reconciliation initiatives, share learnings and enhance our reconciliation journey. 	May 2017	Executive Director
	<ul style="list-style-type: none"> Organise a meeting for our RAP Committee with the Australian Government Solicitor RAP Committee to share learnings about reconciliation and map out possible joint RAP activities. 	February 2017	Executive Director
	<ul style="list-style-type: none"> Invite Aboriginal and Torres Strait Islander peoples to participate in Advisory Committees for ALRC references. 	When new Inquiry announced	President

<p>3. Participate in and celebrate National Reconciliation Week (NRW)</p>	<ul style="list-style-type: none"> • Ensure our Reconciliation Committee attends an external event to recognise and celebrate NRW and actively encourage ALRC staff to celebrate NRW by giving them time to attend one activity celebrating NRW as a matter of priority. • Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff annually. 	<p>27 May–3 June 2017</p> <p>December 2016, December 2017</p>	<p>President</p> <p>Executive Director</p>
<p>4. Raise internal awareness of our RAP</p>	<ul style="list-style-type: none"> • Make all staff aware of the ALRC RAP and encourage them to contribute to its implementation by including the RAP in staff induction and sending reminders when the RAP Committee meets. • Discuss RAP commitments at team meetings, particularly at the beginning of each inquiry to ensure that any avenues for engagement with First Australian stakeholders are identified early in our processes. • Develop and implement a plan to engage and inform key internal stakeholders of their responsibilities within our RAP. 	<p>December 2016, May 2017</p> <p>December 2016</p> <p>December 2016</p>	<p>Executive Director</p> <p>Communications Manager</p> <p>Communications Manager</p>
<p>5. Identify opportunities for consultation with Aboriginal and Torres Strait Islander communities and organisations on ALRC inquiries.</p>	<ul style="list-style-type: none"> • Develop an Aboriginal and Torres Strait Islander consultation strategy at the beginning of each inquiry. • When a consultation has been conducted with a First Australian organisation, report to RAP Committee and place details in the database of Aboriginal and Torres Strait Islander peoples, communities and organisations. • Provide feedback, when relevant, to Aboriginal and Torres Strait Islander communities about the results of inquiries in a number of ways including by using the website, through First Australian media outlets, through community fact sheets, articles in First Australian publications and through attending Aboriginal and Torres Strait Islander conferences and seminars. 	<p>When Inquiry is referred</p> <p>May 2017</p> <p>July 2017</p>	<p>Communications Manager</p> <p>Project Coordinator</p> <p>President and Communications Manager</p>

Respect			
Action	Deliverable	Timeline	Responsibility
6. Investigate Aboriginal and Torres Strait Islander cultural learning and development	<ul style="list-style-type: none"> Ensure that all staff attend face to face Aboriginal and Torres Strait Islander cultural awareness training every two years. 	May 2017	Executive Director
	<ul style="list-style-type: none"> Capture data and measure our staff's current level of knowledge and understanding of Aboriginal and Torres Strait Islander cultures, histories and achievements. 	July 2017	Executive Director
7. Participate in and celebrate NAIDOC Week	<ul style="list-style-type: none"> Raise awareness and share information amongst our staff of the meaning of NAIDOC Week which includes information about the local Aboriginal and Torres Strait Islander peoples and communities. 	July 2017	Executive Director
	<ul style="list-style-type: none"> Introduce our staff to NAIDOC Week by promoting community events in our local area. 	July 2017	Executive Director
	<ul style="list-style-type: none"> Ensure our Reconciliation Committee participates in an external NAIDOC Week event. 	July 2017	Executive Director
	<ul style="list-style-type: none"> Strengthen relationships with local First Australian stakeholders through attendance at local NAIDOC Week celebrations. 	July 2017	RWG
8. Raise internal understanding of Aboriginal and Torres Strait Islander cultural protocols	<ul style="list-style-type: none"> Consult with Aboriginal and Torres Strait Islander stakeholders to review, update and communicate our Welcome to Country and Acknowledgement of Country protocols policy to all ALRC staff 	December 2016	Executive Director
9. Increase awareness of Aboriginal and Torres Strait Islander dates of significance for celebration.	<ul style="list-style-type: none"> Develop a calendar of events to mark or celebrate dates of significance for Aboriginal and Torres Strait Islander peoples 	May 2017	Communications Manager
	<ul style="list-style-type: none"> Encourage staff to use Reconciliation Australia's Share Our Pride online tool. 	December 2016, May 2017	Executive Director

Opportunities			
Action	Deliverable	Timeline	Responsibility
10. Investigate Aboriginal and Torres Strait Islander employment	<ul style="list-style-type: none"> Report on the ALRC's progress towards its 3% Aboriginal and Torres Strait Islander employment target under the Commonwealth Government Aboriginal Employment Strategy. 	August 2017	Executive Director
	<ul style="list-style-type: none"> Advertise all new jobs and the existence of the ALRC temporary employment register, in First Australian media, through Aboriginal and Torres Strait Islander support services at universities and law schools and the First Australian community. 	April 2017, 2018	Executive Director
	<ul style="list-style-type: none"> Include in all job advertisements a statement encouraging Aboriginal and Torres Strait Islander applicants to apply. 	April 2017, 2018	Executive Director
11. Investigate Aboriginal and Torres Strait Islander supplier diversity	<ul style="list-style-type: none"> Seek opportunities to support First Australian businesses and source Aboriginal and Torres Strait Islander businesses via the Supply Nation website whenever possible. 	September 2016, 2017	Executive Director
12. Encourage Aboriginal and Torres Strait Islander internships	<ul style="list-style-type: none"> Encourage First Australian law students to apply to our internship program through liaising with Aboriginal and Torres Strait Islander law centres at universities to ensure they know about the internship program and it is advertised to First Australian students. 	October 2016, February 2017, June 2017	Communications Manager

Tracking and Progress			
Action	Targets	Timeline	Responsibility
13. Build support for the RAP	<ul style="list-style-type: none"> Complete the annual RAP Impact Measurement Questionnaire and submit to Reconciliation Australia. 	30 September 2017	RWG Chair
	<ul style="list-style-type: none"> Define systems and capability needs to track, measure and report on RAP activities. 	May 2017	RWG Chair
14. Review and Refresh RAP	<ul style="list-style-type: none"> Liaise with Reconciliation Australia to develop a new RAP based on our learnings, challenges and achievements. 	December 2017	RWG Chair
	<ul style="list-style-type: none"> Submit draft RAP to Reconciliation Australia for formal review and endorsement. 	March 2018	RWG Chair

Contact details for public enquiries about our RAP.

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