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## Fake Aboriginal claims 'a job for Labor watchdog'.

**Date:** Oct. 14, 2022

**From:** The Australian (National, Australia)

**Publisher:** News Limited

**Document Type:** Article

**Length:** 496 words

**Lexile Measure:** 1650L

Full Text:

Byline: PAIGE TAYLOR

The scandal of non-Indigenous people and organisations claiming contracts, jobs and benefits intended for Aboriginal Australians must be a priority for Labor's proposed National Anti-Corruption Commission, according to a regional NSW land council.

Darkinjung Local Aboriginal Land Council chief executive Brendan Moyle has asked the joint select committee on the National Anti-Corruption Commission Bill to insist that the watchdog has retrospective powers, open hearings and a mandate to pursue what he says is a lack of checks and clever workarounds by enterprising individuals.

Mr Moyle and Darkinjung chairman Barry Duncan are concerned about the awarding of commonwealth contracts through the multibillion-dollar Indigenous Procurement Policy.

Under the scheme established in 2015, more than \$5.3bn worth of commonwealth contracts have been won by companies deemed at least 50 per cent Indigenous owned.

"You have got people starting up companies that are signing off on their own Aboriginality," Mr Moyle said.

Darkinjung also claims some commonwealth agencies have left the door open for non-Indigenous people to take jobs set aside for Indigenous people by accepting a statutory declaration or some other form of self identification as proof of Aboriginality. The land council wants the anti-corruption commission to examine this, too.

"This is sorely needed, particularly in dealing with corrupt conduct where public officials choose to not apply the legislative and common law determinations relating to Aboriginal identity," Mr Moyle wrote in his submission, obtained by The Weekend Australian.

"This is particularly concerning where public officials have been given explicit direction to apply all relevant legislative and common law determination in the distribution of publicly funded benefits intended for Aboriginal people.

"This distorts national statistics which often negatively influences policy design and implementation, and contributes to the ongoing failure of policies under Closing the Gap.

"Darkinjung, among many community-controlled organisations, has serious concerns over the lack of application of law by commonwealth public officials that relates to or could relate to the knowingly misuse of significant public resources intended to address the disadvantage and struggles that many Aboriginal people face."

Darkinjung argues in its submission to the joint select committee that the awarding of more than \$5.3bn in contracts to Indigenous companies has made no substantial difference to the quality of the lives of the most disadvantaged Indigenous Australians.

The definition of an Indigenous Australian in the commonwealth's recruitment guide is a person who is of Aboriginal and or Torres Strait Island descent and identifies as Aboriginal and or Torres Strait Islander and who is accepted by their community as being Aboriginal and or Torres Strait Islander.

Mr Duncan said this was not always applied. He claimed there were loopholes in the Corporations (Aboriginal and Torres Strait Islander) Act that allowed people to validate claims of Aboriginality even if the community had questions about that.

"The issue of people claiming a long-lost but never proven Aboriginal to access benefits intended for legitimate Aboriginal people continues to be a growing issue for many of our communities," he said.

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**Source Citation** (MLA 9th Edition)

"Fake Aboriginal claims 'a job for Labor watchdog'." *Australian* [National, Australia], 14 Oct. 2022, p. NA. *Gale Business: Insights*, link.gale.com/apps/doc/A722384502/GBIB?u=griffith&sid=bookmark-GBIB&xid=e45fd208. Accessed 12 Sept. 2023.

**Gale Document Number:** GALE|A722384502