

Confirmation of Aboriginality Information Sheet

1 Introduction

These guidelines apply when “Aboriginality” is a job requirement for roles within the Department of Justice that are ‘targeted’ or ‘identified’ for Australian Aboriginal and/or Torres Strait Islander people, in accordance with Section 14 of the *Anti-Discrimination Act 1977*.

Requesting proof of Aboriginal or Torres Strait Islander heritage from applicants for these roles is a reasonable requirement and helps us ensure that the roles are benefiting Aboriginal and Torres Strait Islander people and communities.

The guidelines provide information to candidates about how to confirm Aboriginality when applying for targeted or identified roles.

2 Definition of Aboriginality

- A person of Aboriginal or Torres Strait Islander descent; and
- A person who identifies as an Aboriginal or Torres Strait Islander person; and
- A person who is recognised and accepted as an Aboriginal or Torres Strait Islander person in the community, which they live or formally lived.

This definition is consistent with the *Aboriginal Land Rights Act 1983* (NSW) and the *Aboriginal and Torres Strait Islander Act 2005* (Cwlth).

3 How to confirm Aboriginality

3.1 Written Application

An applicant must state that they are an Australian Aboriginal and/or Torres Strait Islander person in their written application and provide further supporting information such as where they are

from, who their family is, and their connection to the Aboriginal community.

Candidates are required to provide these details in the *Confirmation of Aboriginality Declaration Form* provided, and submit the form with their job application.

3.2 Written confirmation of “Aboriginality” by a recognised Aboriginal organisation

Alternatively, Aboriginality may also be verified in writing by a recognised Aboriginal organisation from the community in which the person lives or lived.

To locate the appropriate local Aboriginal Land Council, candidates can contact the NSW Aboriginal Land Council Head Office on (02) 9689 4444 or visit their website www.alc.org.au.

Any confirmation of “Aboriginality” document received by the Department of Justice should include the following:

- Clear identification of the organisation providing the document.
- The common seal of that organisation.
- A signature of an office bearer of that organisation.
- The full name of the individual for which the organisation is confirming Aboriginality.
- A clearly defined statement from the organisation, confirming the individuals’ Aboriginality.

The recruitment panel should be provided with this document during the selection process, if the candidate proceeds to the interview stage.

4 Providing false or misleading information

If an applicant is found to have falsely claimed to be an Australian Aboriginal and/or Torres Strait Islander person, and has been appointed to a targeted or identified role, then employment will be reviewed under Section 69 of the GSE Act.

Confirmation of Aboriginality Declaration Form

I ----- do hereby solemnly and sincerely declare that I identify as an Australian Aboriginal and or Torres Strait Islander person

Please provide information about your family, including names and details where your family is from (if known)

If applicable, please provide details of why you are unable to obtain confirmation of Aboriginality from an incorporated Aboriginal or Torres Strait Islander organisation

Please provide details of acceptance and your connection to the Aboriginal community in which you live or have lived

Please sign and date below and attach to your written application

Name:

Signature:

Date: