

Exclusive National NSW [University](#)

This was published 4 months ago

Sydney Uni cracks down on staff, students 'self-identifying' as Indigenous



[Mary Ward](#)

October 9, 2022 – 5.00am

The University of Sydney plans to crack down on students and staff self-identifying as Aboriginal or Torres Strait Islander without community recognition, as land councils raise concerns about people unduly claiming the status.

Under the university's new *Aboriginal and Torres Strait Islander Status Policy 2022*, a draft of which was presented to students last week, applicants for identity-dependent scholarships or staff positions can no longer sign a statutory declaration to confirm they are Indigenous.



The University of Sydney is proposing major changes to its Aboriginal and Torres Strait Islander identity policies. PETER RAE

Instead, they must produce a confirmation of identity letter from a Local Aboriginal Land Council or other Indigenous community-controlled organisation, showing they meet the Commonwealth three-part identity test: that they are of Aboriginal or Torres Strait Islander descent, identify as such, and their identity is accepted by a community in which they live or previously lived.

However, student groups and academics are concerned the shift will potentially exclude disadvantaged Indigenous students from needed scholarships and housing opportunities which are already “going begging”.

The proposed changes follow lobbying from Aboriginal land councils, who believe staff and students who do not meet the Commonwealth criteria are taking part in Indigenous programs.

Last November, the Metropolitan Local Aboriginal Land Council complained to the Independent Commission Against Corruption about the number of students at the university identifying as Indigenous using statutory declarations. Council CEO Nathan Moran said the provision was “embarrassing”.

“It’s open fraud. We say to academic students: can they pass a paper without citing a verified source?,” he said.



Nathan Moran, CEO of the Metro Local Aboriginal Land Council, has lobbied for the University of Sydney to review its identity policy. DOMINIC LORRIMER

A University of Sydney spokesperson denied it reviewed the policy due to fraudulently claimed scholarships or positions reserved for Indigenous applicants, but was instead to ensure processes were “in line with current community expectations”.

“[The review] was initiated in response to multiple expressions of community concern, particularly in relation to the use of statutory declarations, rather than any specific concerns about fraud,” they said.

“We are seeking feedback and further input from members of our own and the broader community, representative organisations and other universities on this culturally significant matter.”

But the proposed policy has been criticised by students and academics, concerned the institution already struggles to attract Indigenous students.

The university’s 2021-2024 Indigenous strategy says it is “committed” to increasing Indigenous enrolment: 0.9 per cent of its students identify as Aboriginal or Torres Strait Islander, compared to a national sector average of 1.72 per cent.

On Wednesday, the University of Sydney’s student representative council passed a motion opposing the change, which it believes could exclude deserving students from needed support.

“This new policy is likely to disproportionately affect Indigenous people from the most

disadvantaged backgrounds,” a group of Indigenous students opposing the change said in a statement.

“In some circumstances students may come from abusive families, have been in foster care or for other reasons not be able to get family documentation to undergo the process that has been proposed.”

Professor Jakelin Troy, a Ngarigu woman and director of Aboriginal and Torres Strait Islander Research at the university, said she understood why the change had been made, but was “sad” about the outcome.

“It’s a response to a push from some parts of Aboriginal Australia, but not all of us,” she said, adding it was untrue to say Indigenous students were being excluded from scholarship opportunities because they were being taken by people with lesser connections to community.

“We have scholarships going begging every year; nobody has been excluded from a scholarship because we don’t have enough.”

The policy will not apply retrospectively, but will impact future students seeking Indigenous scholarships, including housing scholarships, and applicants for Indigenous staff roles.

Students and staff will not be prevented from otherwise identifying as Indigenous on campus and will still be able to access the university’s Gadigal Centre, which provides academic, pastoral and cultural support to Indigenous students.

While Moran was sympathetic to students who may be impacted – “it’s no fault of theirs, the university should never have allowed it” – he described self-identification of Aboriginality as “a nightmare that’s got out of control”.

The number of people identifying as Indigenous in Australia has been increasing since the 1980s. In the 2021 census, [3.2 per cent of people identified as being of Aboriginal or Torres Strait Islander, double the proportion 20 years ago.](#)

Statutory declarations are an established way of demonstrating Indigenous identity to state and federal bodies if a person cannot gain confirmation from an Indigenous organisation. Supporting documentation is usually also required.

For example, the NSW Aboriginal Housing Office allows statutory declarations “as a last resort”, with an explanation for their use ideally provided in the declaration along with supporting documents.

Under the university’s existing policy, enacted in 2015, students and staff needing to establish they are Indigenous “for the purposes of accessing specific programs, services or opportunities” can provide a statutory declaration affirming they meet the three-part test if they cannot produce Confirmation of Aboriginality from a land council in an area they reside or previously lived, or an incorporated community organisation, such as an Aboriginal medical or legal service.

Other Sydney universities allow a person to identify as Aboriginal or Torres Strait Islander using a statutory declaration if confirmation documents are not available.

At UNSW, supporting documentation must be provided, but this can be as informal as a letter from a student's high school. Western Sydney University requires at least a second statutory declaration from another Indigenous person who is not a relative, while Macquarie recognises self-identification without further documentation.

However, the University of Newcastle's policy is similar to that proposed by the University of Sydney.

Moran hoped the change at the University of Sydney would spur reviews at other universities.

A spokesperson for UNSW confirmed it was also currently undertaking a review of "guidelines and decisions regarding confirmation of Aboriginality for [its] programs, appointments and scholarships" and would publish revised guidelines following an internal consultation period.

Macquarie University Aboriginal academic Professor Bronwyn Carlson, author of the book *The Politics of Identity: Who Counts as Aboriginal Today?*, said scrapping statutory declarations was "a move that will create issues".

"It burdens our organisations with the responsibility to work with individuals who may have complex histories and are unable to provide written evidence of their family histories," she said.

"Not all Aboriginal peoples have such documents at the ready: members of the Stolen Generations and others who were displaced for various reasons, foster kids."

Troy noted self-identification was accepted at many international research institutions.

"I personally think universities shouldn't really be dictating to Aboriginal people about identity. I don't think anyone should be," she said.



Mary Ward is a reporter at The Sun-Herald. Connect via [Twitter](#) or [email](#).
