

Summary of EIANZ member feedback on proposed Code changes

Division	Comments
	<p>..... EIANZ shouldn't be serious laggards.</p> <p>..... EIANZ's proposed changes appear reasonable for now and will help us as a profession progress – just because implementation may be challenging doesn't make it wrong.</p> <p>The proposed changes appear to be based on “realism” that First Nation's people have knowledge and interests that should be considered and this doesn't seem to be a big departure from the traditional values of the EIANZ that includes objectivity, inclusivity and rational analysis.</p>
	<p>..... based upon my understanding and reading, the recommendation is very well considered and well written. To me it seems to fill a gap – and obviously there is much more that will need to be done in Australia, and in subsequent levels of detail, for all of us to fully understand and address what is required – I can 't speak at all for NZ. The approach appears to be consistent of what I have come to expect from the Institute.</p>
NSW	<p>..... willing to support the current wording or alternative wording that may be proposed by and in consultation with the IEWG.</p>
ACT	<p>I endorse all of the proposed changes.</p>
FNQ	<p>I fully support the recognition of Indigenous knowledge and engagement in the Code of Ethics and Professional Conduct.</p> <p>References paper by Tengo et al, 2014 that presents the concept of multiple evidence base (MEB) as an approach that proposes parallels whereby indigenous, local and scientific knowledge systems are viewed to generate different manifestations of knowledge, which can generate new insights and innovations through complementarities.</p>

ACT	<p>My current position is to endorse the concept of incorporating the recognition of indigenous knowledge and engagement in the Code of Ethics and Professional Conduct.</p> <p>..... open to the idea that incorporating such matters into the Code of Ethics and Professional Conduct may not be the most appropriate approach. In my view, there are fundamental questions that the Institute should address, and consult on, in relation to the purpose of a Code of Ethics and Professional Conduct, prior to progressing with a vote by members on either specific or broader potential changes to the Code.</p> <p>..... the views of First Nations representatives should be sought on the appropriateness of including such matters in the Code prior to progressing with a vote by members on either specific or broader potential changes to the Code.</p> <p>..... a broader suite of options for incorporating the recognition of Indigenous knowledge and engagement has not been considered and consulted on, and there may be more appropriate ways of addressing the perceived issues with the existing arrangements that do not require a change to the Code at this time.</p>
CEnvP SC NZ	<p>I support the effort to recognise indigenous values and practices within the CEnvP community.</p>
TAS	<p>I think this is a great step forward for the Institute and I congratulate them on this move.</p> <ul style="list-style-type: none"> • I fully support the concept of incorporating the recognition of Indigenous knowledge and engagement in the Code of Ethics and Professional Conduct. • I endorse the wording to incorporate the recognition of Indigenous knowledge and engagement in the Code of Ethics and Professional Conduct. • The practice guide should be sufficient to assist environmental practitioners to achieve the intent of the proposed changes but articles and training opportunities would be appreciated.

NZ	<p>1. The NZ Chapter Executive strongly supports the Special Resolution and the broader review of the Code of Ethics and Professional Conduct.</p> <p>2. The NZ Chapter Executive considers that the Special Resolution will facilitate indigenous engagement with EIANZ generally and facilitate indigenous engagement in the review of the Code of Ethics and Professional Conduct, and this is essential.</p> <p>3. The NZ Chapter Executive considers that 18 December is too soon to ensure the Special Resolution will have the 75% support for a February SGM, and that a webinar or zoom meeting (or other comms) in late January 2021 is needed to provide and promote wider discussion on these matters prior to the SGM.</p> <p>4. The NZ Chapter Executive proposes that comment on the Special Resolution close on 31 January 2021 and the SGM be held in March 2021.</p>
SEQ	<p>It is fitting that EIANZ give guidance to its members on this matter.</p> <p>.....</p> <p>All knowledge and experience that leads to desired national/international environmental outcomes, irrespective of who has this knowledge and experience, should be identified and used for the benefit of all.</p> <p>.....</p> <p>Some principles that I believe should be incorporated into the EIANZ Code of Ethics:</p> <ul style="list-style-type: none"> • All people in Australia and New Zealand that should be treated with respect, and should be treated equally under the law. • That it foster reconciliation between all Australians (both Indigenous and NonIndigenous). • Both Indigenous and Non-Indigenous people should work together on establishing an effective way forward. (It is counterproductive for one group to seek to impose its views on another). • While what happened post-European settlement is unacceptable to today's society, we cannot change what has happened in the past. (We should be judged on what we do now).
NSW	<p>I fully support the initiative and would argue that achieving progress is more important than getting it 100% right – we should be confident with the proposed changes and then improve them over time if we haven't got them quite right this time.</p>

SEQ	<p>Support the concept of incorporating recognition of Indigenous knowledge and engagement in the Code.</p> <p>Endorse the proposed wording from the AGM.</p>
WA	<p>I strongly endorse the concept of incorporating the recognition of Indigenous knowledge and engagement in the Code of Ethics and Professional Conduct.</p> <p>I endorse the proposed changes as worded.</p> <p>..... other than to say thank you to everyone involved for doing a great job.</p>
SEQ	<p>Support the concept of incorporating recognition of Indigenous knowledge and engagement in the Code.</p>
NZ	<p>Yes I endorse the concept of incorporating the recognition of Indigenous knowledge and engagement in the Code of Ethics and Professional Conduct.</p> <p>I largely endorse the wording from the AGM – I do query is whether 'advocate' is the right term? I am recalling the role of the scientist as discussed in the honest broker.</p>
SEQ	<p>Support - see submission for details.</p> <p>Whether the EIANZ is following a path that says that the knowledge and wisdom of Indigenous Peoples has much to offer on how Australia and Aotearoa-New Zealand ought to address environmental management and sustainability matters. Or whether it is charting its own path by recognising that the rights and interests of Indigenous Peoples in stewardship of country are an integral part of environmental management and sustainability solutions, matters little. It is the role of a professional organisation to show leadership and chart the way when ever the time is right.</p> <p>It is my submission that if the EIANZ is serious about setting a foundation on which it can begin to engage with Indigenous Peoples about their rights and interests in environmental management and sustainability matters, then now is the time to act. To do otherwise would be to have no foundation for action, no basis for building a trusted relationship.</p>

ACT	Support the concept of incorporating recognition of Indigenous knowledge and engagement in the Code.
NSW	Support the concept of incorporating recognition of Indigenous knowledge and engagement in the Code. Endorse the proposed wording from the AGM.
SEQ	Support the concept of incorporating recognition of Indigenous knowledge and engagement in the Code. Willing to endorse the proposed wording from the AGM with potential for PEP (b) to be nuanced as follows: "Advocate the protection of environmental values and the mitigation of environmental harm, based on scientific evidence and technical expertise, taking into account respecting traditional knowledge, and acknowledging Indigenous management."
WA	Support the concept of incorporating recognition of Indigenous knowledge and engagement in the Code. Does not support the proposed amended wording and has suggested alternative wording.
SEQ	Provided offer to assist with the work and copies of reports - "Re-casting Terra Nullius Blindness: Empowering Indigenous Protocols and Knowledge in Australian University Built Environment Education, 2016" and "Indigenous Knowledge in the Built Environment, 2018".

Division	Comments
ACT	<p>With respect to the specific wording endorsed at the AGM I am not willing to endorse these proposed changes at this time.</p> <p>..... I propose alternative approaches. Primarily, I would encourage the Board to decide to pause work on any special resolution that asks members to vote to endorse specific changes to the Code, along the lines presented to the 2020 Annual General Meeting. Rather, the Board should continue to engage with members, Certified Environmental Practitioners and others in relation to changes to the Code as part of a broader process to update the Code.</p> <p>While that work is progressing, the Institute should focus on and progress other aspects outlined in the Roadmap developed by the Indigenous Engagement Working Group, particularly focussing on developing the Reconciliation Action Plan in Australia.</p>

ACT	<p>Further Submission (2021)</p> <p>I am strongly of the view that the Code of Ethics and Professional Conduct should not be amended at this time. I strongly recommend that the Board halt any plans to put a revised Special Resolution to members at a Special General Meeting in early 2021. Instead, I recommend that the Board commits to a broader process of review of the Code, that should engage with Indigenous representatives (along with other internal and external stakeholders), to achieve one update to the Code within, say, 18 months.</p> <p>Here is a summary of my reasoning:</p> <ul style="list-style-type: none"> • The 'problem' has not been defined nor have the options to resolve explored. • It is unclear whether a diversity of Indigenous voices has been listened to in the development of changes. • It is unclear whether alternatives to amending the Code at this time have been considered by Indigenous representatives. • Changes to the Code should not be made in an 'ad hoc' or frequent manner - there are a wide range of implications to changing the Code. This includes circumstances where a member or CEnvP is accused of breaching the Code
ACT	<p>There does not appear to be sufficient justification to proceed with minor changes to the Code at this time. The recent engagement and interest from Institute members should be harnessed to commence high quality consultation regarding the broader Code. While there is broad agreement that changes to the Institute's public-facing and underpinning documents are needed to achieve a greater ambition by members to recognise Indigenous Peoples and their knowledge, there is not broad agreement regarding the appropriate approach to do so. Given the importance of the Code to all members, Certified Environmental Practitioners, and the profession more broadly, it is preferable to take a more considered approach to updates to the Code.</p>
CEnvP NZ	<p>I am not willing to endorse the proposed changes for the following reasons:</p> <ul style="list-style-type: none"> • I consider the word "values" to be highly ambiguous. I believe that it detracts from the cause of finding common ground on ethics. • I believe that replacing "human community" with "human communities" is unnecessarily divisive and perhaps vaguely racist. I think the concept that sub-communities vary within the larger human community is implicit. • I strongly object to removing the phrase "objective scientific and technical knowledge" and replacing it with "scientific evidence and technical expertise". Science is always meant to be objective and the entire edifice of science, which unpins our profession, is based on knowledge, from which expertise is derived. It almost seems to be an insult to the time tested traditional practices of Indigenous Peoples to imply that they cannot stand up to objective scientific scrutiny. • I suggest that paragraph (b) of the Environmental Principles section of the Code be modified to read: <i>'Advocate the protection of environmental values and the mitigation of environmental harm through the use of objective scientific principals as well as technical and traditional indigenous knowledge as appropriate.'</i>

SEQ	I cannot support the wording as presented. Comments on the draft Code and suggested changes to its wording are included in Attachment 1.
NT	<p>I have been struggling with where to start in responding to these documents.</p> <p>They cover a lot of important issues in a shallow way that lacks coherence and I don't support them. If Indigenous knowledge and engagement are important topics, they should be assigned commensurate resources and rigor in developing policy. To promote the importance of Indigenous engagement without engaging with Indigenous people beyond a small working group doesn't get to even first base.</p> <p>I note that, yet again, cultural and social are subsumed as part of 'the environment'. It would be far better to acknowledge the equal importance of social, cultural, ecological and economic values.</p>
WA	<p>Does not support the specific wording endorsed at the AGM.</p> <p>Does not support the proposed Practice Guidance Note believing it to be "totally inadequate".</p> <p>See alternative proposed wording below.</p>
WA	<p>.....</p> <p>Also, where the traditional Indigenous knowledge, as expressed and explained by local Elders, is clearly at odds with either scientific evidence or recorded history since 1788, how can an environmental practitioner, ethically, be expected to 'value' and 'apply' that traditional Indigenous knowledge?</p> <p>Specific Matters - There must be clear explanation, in the EIANZ practice guide and elsewhere, of what exactly this means for the EIANZ practitioner. Specifically, " ... the application of traditional Indigenous knowledge ..." requires explanation, especially where there is contradiction between traditional Indigenous knowledge and objective scientific knowledge acquired since 1788.</p>
FNQ	<p>PEP (b) - delete 'and acknowledging indigenous management' from the added words.</p> <p>..... 'acknowledging' is extraneous to the task of sound environmental management; taking into account traditional knowledge is sufficient.</p>

<p>CEnvP SC NZ</p>	<p>PEP (a) - I consider the word “values” to be highly ambiguous. While almost everyone can basically agree on acceptable standards for health, safety and welfare, I believe that there is great potential for disagreement when it comes to values. What you value could very well be quite different from what I value. It might be convenient for me to cite my “values” if I am criticised for my professional conduct, but I believe that it detracts from the cause of finding common ground on ethics.</p> <p>PEP (a) - I believe that replacing “human community” with “human communities” is unnecessarily divisive and perhaps vaguely racist. We are all human and, as such, are part of a single human community. This does not imply that everyone is exactly the same and I think the concept that sub-communities vary within the larger human community is implicit.</p>
	<p>PEP (b) - I strongly object to removing the phrase “objective scientific and technical knowledge” and replacing it with “scientific evidence and technical expertise”. I base almost everything I do as a CEnvP SC on objective science and my technical knowledge. Science is always meant to be objective and the entire edifice of science, which unpins our profession, is based on knowledge, from which expertise is derived. It almost seems to be an insult to the time tested traditional practices of Indigenous Peoples to imply that they cannot stand up to objective scientific scrutiny.</p> <p>I suggest that paragraph (b) of the Environmental Principles section of the Code be modified to read: <i>Advocate the protection of environmental values and the mitigation of environmental harm through the use of objective scientific principals as well as technical and traditional indigenous knowledge as appropriate.</i></p>
<p>SEQ</p>	<p>PEP (a) - I suggest the Code should be about enhancing the recognition of the contribution that Indigenous people have and could have in sharing their knowledge and experience. . Therefore, I suggest “values” be deleted unless there is strong opposition from Indigenous people for doing so.</p> <p>.....</p> <p>Subsequent comment on 'values' - I suggest that the Code include an explanation of what is meant by "values" as this term can be interpreted differently by different groups.</p> <p>PEP (a) - The change to “communities” is questioned. While well intended, it might suggest that Indigenous people are not a part of the community – the opposite to what I believe was intended. Maybe preferred wording might be “...all members of the community” - especially if the Indigenous people are given prominent reference in the preamble to the Code.</p> <p>PEP (b) - Values here in this instance is taken by me to mean “outcomes” rather than “beliefs”. Why have “objective” and “technical knowledge”, irrespective of the source of this knowledge based on evidence, been deleted. Surely EIANZ should base its position on these grounds? If this is what is intended surely the original text doesn't need to be altered.</p>
<p>NSW</p>	<p>..... the concept of 'promote' – and this is maybe because of a long history of working within the industry where 'promote' means 'sell' 'cover up' 'sanitise' rather than the concept of 'encourage'. So maybe an alternative word such as 'encourage' is better than 'promote'. However recognise that the word 'promote' is in the existing code and it may be counterproductive to open it up for further discussion.</p>

SEQ	<p>..... it is my submission that it would be better expressed as follows: "a) Advocate the integrity of the cultural and natural environments, and the health, safety, values and welfare of human communities and future generations as being central to environmental practice."</p> <p>..... for paragraph b) of 'Promote Environmental Principles', it is my submission that it would be more elegantly expressed as follows: "b) Advocate the protection of environmental values and the mitigation of environmental harm, based on scientific evidence and technical knowledge expertise, taking into account the traditional knowledge and stewardship practices of Indigenous Peoples."</p>
ACT	<p>Promote environmental principles</p> <p>a) - the word 'values': Concern that this is too broad and may enable adverse outcomes.</p> <p>b) - 'taking into account traditional knowledge and acknowledging indigenous management': needs to be tightened - current wording suggests subjectivity in "traditional knowledge" - needs to be done by traditional owners, not environmental specialists</p>
SEQ	<p>Willing to endorse the proposed wording from the AGM with potential for PEP (b) to be nuanced as follows: "Advocate the protection of environmental values and the mitigation of environmental harm, based on scientific evidence and technical expertise, taking into account respecting traditional knowledge, and acknowledging Indigenous management."</p>
WA	<p>PEP (b) - the word "objective" should not be deleted. The rest of the following proposed sentence allows for subjective matters, traditional knowledge and Indigenous management practices to be taken into account. Note that the CEPC (2012, page 3, last paragraph) says that: "Scientific evidence is the basis of environmental practice, and a commitment to rigorous and objective science is fundamental". If objective science was fundamental in 2012, it remains that in 2021. So, deleting the word "objective" is detracting from the original, fundamental intent of the CEPC (2012).</p>
SEQ	<p>While the proposed change has merit it would be of concern if it implied that Indigenous people were not part of the community.</p> <p>.....</p> <p>Subsequent comment - I do not believe it is helpful for "Indigenous people" to be perceived to be more than any other "stakeholder" that has a custodial interest. I strongly hold the view that Indigenous people and their interests need to be judged equal to those of other members of the community not separate from them, not to be lessor or superior, as might be interpreted by the proposed wording. There is a risk that the use of "recognizing", depending on the reader, may convey more than what I believe you intend.</p>
ACT	<p>Practice competently</p> <p>d) - change Indigenous to Aboriginal; and retain 'all stakeholders', adding 'including Indigenous peoples' after.</p>

WA	PC (d) - the words "Indigenous people" should be "Indigenous Peoples". This would implicitly recognise that there are culturally and ethnically different people groups within Australia's Indigenous Peoples, and also then implicitly also includes tangata whenua (Maori).
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Division	Comments
SEQ	<p>I am concerned at the reference to "rights" in the Code as it reinforces the general view in the community that rights need to be defined when in fact existing rights are infinite unless limited by law. All custodians, or owners of natural resources, should have similar rights and obligations in managing the environment for the public good. Clearly Indigenous people that desire to be involved should be involved. I suggest the text be amended to read "We acknowledge the legitimate interests and legal rights of Indigenous Peoples* in the protection and management of environmental values through their involvement in decisions and processes, and the application of traditional Indigenous knowledge".</p> <p>As worded, the Code could be interpreted as "those Indigenous Peoples who might be displaced from their lands, even though they maintain an interest in it, might not be eligible to be involved". The Code needs to be reworded to avoid this interpretation.</p>
NT	<p>Things that could be acknowledged:</p> <ul style="list-style-type: none"> • respect for all First Nations peoples of Australia and New Zealand • respect for their abiding stewardship for Country and enduring spiritual and cultural connections to their land and seas • the importance of incorporating traditional knowledge, not just western scientific knowledge, in land management and ecological studies • respect for cultural leadership, the use and ownership of traditional knowledge and genuine engagement with First Nations peoples • acknowledging the importance of the intertwined social, cultural, economic (livelihoods) and ecological knowledge of Country • the importance of suitably qualified, multidisciplinary practitioners when working with First Nations people, including anthropologists and social scientists • greater use of cultural impact assessment.

SEQ	<p>..... uncomfortable with the footnote in the preamble as it does not appropriately recognise the impacts that many Aboriginal and Torres Strait Islander peoples have faced, and continue to face, due to the former notion of terra nullius and the Stolen Generation. Being an Indigenous person is not limited to those "...whom have maintained country and place in an holistic manner over multiple generations."</p> <p>Native Title may depend on such matters being demonstrated by claimants, but the same burden of proof should not be applied to environmental professionals, and to me is poor ethical standard to set. Particularly due to the complexities of custodianship and a persons right to identify as Indigenous – this is not dependent on whether or not a person knows which country/clan/lands they belong to; nor does a person have to belong to that particular land to be considered an Indigenous person that has meaningful opinions and knowledge.</p>
SEQ	<p>In "Guidance re: Preamble" I think that recognition of human rights of Indigenous peoples is important to note too. For example: UN Declaration on the Rights of Indigenous Peoples; <i>Human Rights Act 2019</i> (Qld).</p> <p>I note the UN Declaration is included in "Additional Reading", but it should be at the forefront of ethical behaviour. Thus, I believe that it should be in a more appropriate section (e.g. guidance: Preamble as mentioned above).</p>
SEQ	<p>..... it is my submission that the proposed change could be more elegantly expressed as follows: "Environmental practitioners acknowledge and value the rights and interests of Indigenous Peoples* in the protection and management of environmental values through their involvement in decisions and processes, and the application of Indigenous Peoples' traditional knowledge.</p>
WA	<p>..... any changes to the CEPC (EIANZ, 2012) relating to Indigenous Engagement, such as those currently being discussed and proposed, should be advertised for membership review and a vote on acceptability at the same time as any other changes and the updating of the current CEPC.</p> <p>I have a major problem with the serious difficulties, and what seems to me to be often insurmountable difficulties, this proposed inclusion on the website of the 'statement' ("EIANZ acknowledges ..."), especially the clause "... and the application of traditional Indigenous knowledge", will create for EIANZ practitioners and CEnvPs. Some of the major difficulties, often encountered during engagement and negotiations in my experience, are: determining who it is who has the authority to speak on behalf of Traditional Custodians and/or the Indigenous community resident in a particular area; and, how as a non-Indigenous 'outsider', to resolve issues or facilitate resolution of issues such as a lack of agreement between Indigenous spokespeople on what is the consensus view on a proposed project, or what is the authoritative applicable interpretation of the locally relevant Dreamings.</p>

	<p>Regarding the comment:</p> <p>"... all of whom have maintained country and place in an holistic manner over multiple generations", why is it here, and without any rationale or explanation either in these proposed CEPC amendments or in the draft PGN2: EPRIE of 16 November 2020?</p> <p>Also, unfortunately, it is not true in all cases across Australia, and therefore, in my opinion, should be deleted. There are numerous examples in the public domain, even from just Western Australia, where "country and place" under the control of Indigenous Peoples, have not been maintained in "a holistic manner".</p> <p>I believe the statement "..., all of whom have maintained country and place in an holistic manner over multiple generations" is proven wrong by evidence in the public domain, and therefore should be deleted.</p>
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Division	Comments
FNQ	<p>It would be good to see the concept of MEB in the Practice Guidance Note I think it leads to the idea of 'knowledge partnerships' rather than TEK/scientific knowledge; us/them.</p> <p>I would recommend the inclusion of the idea of MEB and knowledge partnerships in the wording of the guidance note and addition of the Tengo et al. reference be added to the note.</p>
ACT	<p>I am unclear of the intent of the proposed changes(to the Code of Ethics and Professional Conduct), and how the proposed changes will achieve a desired intent. Regarding the practice guide, it is well-written and appears to be valuable. I have no specific ideas on what additional guidance or support may be required. I would value hearing from other practitioners regarding their views before coming to a conclusion. I also think that such guidance should be considered as a 'work in progress', and it may be best to publish an initial document, which is then refined over time as a body of evidence and experience develops.</p>
CEnvP SC NZ	<p>From reading the practice guide, it is anything but clear exactly how these proposed changes will be implemented and how they will affect the way I do my job. Environmental professionals already labour under significant constraints imposed by the companies they work for, their clients, and, most significantly, the regulatory climate in which they operate as implemented by various territorial and regional councils. At the very least, the practice guide should demonstrate exactly how this new emphasis on Indigenous Peoples and traditional values will operate in real life. Provide realistic practical examples of when these values should be applied. Most importantly, explain what an environmental professional is meant to do when these traditional values inevitably conflict with regulatory requirements.</p>
SEQ	<p>There should be clarification on how the Code might be applied.</p>
NSW	<p>The guidance note currently says: <i>Environmental practitioners, in order to demonstrate ethical practice, ought to be able to explain how and to what extent they have promoted the involvement of Indigenous Peoples, or why they consider such involvement is not</i></p>

	<p>how and to what extent they have promoted the involvement of indigenous peoples, or why they consider such involvement is not relevant.</p>
FNQ	<p>Clause (b) -The guidance requires clarification to specify that taking into account traditional knowledge applies when relevant; otherwise it is misleading. it is neither necessary nor is it possible to take into account traditional knowledge in every situation.</p> <p>Clause (d) - This guidance is impracticable; it reads as a 'wish' rather than a guide to practitioners. The inclusion of 'ought where possible' provides the path to ignoring the 'wish' It is not practical for the practitioner to seek and encourage involvement of Indigenous Peoples in all situations</p> <p>Guidance as follows is suggested: <i>Where the practitioner is able to influence the conduct of work relevant to the specific interests of Indigenous Peoples, the practitioner will promote the involvement of Indigenous Peoples to the extent they are able; for example, by recommending to decision makers the relevance of Indigenous Peoples to the task at hand.</i></p> <p>This is intended to recognise that not all work requires the involvement of Indigenous Peoples (ie the intent is to be practical) and that practitioners are often advisors rather than decision makers</p>
SEQ	<p>Thinks the Practice Guidance Note is sufficient, so long as it has had Indigenous input and review.</p>
WA	<p>I think the guide is a good starting point and that we should all use the guide as intended and then revisit this issue in a year's time to gather feedback from members on how well the guide satisfied requirements, or whether additional/amended guidance is required or indeed if other support might be beneficial.</p>
SEQ	<p>I think that more resources on meaningful and appropriate engagement mechanisms (commonly referred to as protocols) would be beneficial. (See examples in submission)</p> <p>The concept of bioprospecting/biopiracy and intellectual property rights for traditional knowledge (e.g. food, medicinal, pest management) should also be addressed. This is very important for any scientific research that is being undertaken with Indigenous peoples or is based on their culture/practices. (See examples in submission)</p>
NZ	<p>I think detailed guidance will need to develop at a more local / organisational context level to assist with exactly how adopting the concept is implemented 'on the ground' and to mesh with existing / future approaches of the work place.</p> <p>Practitioners often work in project teams without control (or a role) for actually doing the engagement with tangata whenua – so the guidance note stating that practitioners are required to take into account X Y Z may not be possible within the scope of their role.</p>

SEQ	I think that the proposed practice guide is a sufficient place to begin. Over time it will evolve and will be supported by other documents. It is my submission that in time the development of documents relating to the ways in which the rights and interests of Indigenous Peoples are brought to bare on environmental management and sustainability matters will be led by Indigenous Peoples.
NSW	I agree that the practice guide will be sufficient to assist environmental practitioners to achieve the intent of the proposed changes.
SEQ	<p>..... there are key parts of the Practice Guidance Note pertaining to Clause (b) of Promote Environmental Principles and Clause (d) of Practice Competently with which I have concerns.</p> <p>Clause (b)</p> <p>The practice note is worded in a manner that can be potentially interpreted as though the input of Indigenous Peoples is mandatory for all activities undertaken by those operating under the Code. It can also be interpreted as though a practitioner must maintain documentation for every activity to ensure they are not accused of acting unethically.</p> <p>I propose the following alternative wording to paragraph two: "Practicing ethically, environmental practitioners ought to take into account traditional knowledge and Indigenous management as part of planning any activity. As an outcome of planning, environmental practitioners will then be able to, if requested, explain how and to what extent they have taken into account traditional knowledge and Indigenous management or why they consider such information is not relevant. If planning identifies a need or uncertainty, then there is an obligation to seek the necessary knowledge through respectful engagement with Indigenous Peoples. It is recognised that such knowledge and expertise have value and that time and effort in sharing knowledge and expertise should be rewarded. Practitioners also need to be mindful that some such knowledge may be confidential and engagement with Indigenous Peoples should respect the sensitivity of information."</p>
	<p>Clause (d)</p> <p>The emphasis of the second and third paragraphs are subtly different. I therefore suggest rewording the third paragraph to read:</p> <p>"It is the responsibility of environmental practitioners, where there is an identified need or uncertainty, to seek and encourage the involvement of Indigenous Peoples, through respectful consultation and participation, and through appropriate contribution of traditional Indigenous knowledge, particularly where projects and decisions have the potential to affect Indigenous rights and interests. Environmental practitioners, in order to demonstrate ethical practice, ought to be able to explain how and to what extent they have promoted the involvement of Indigenous Peoples, or why they consider such involvement is not relevant if requested to do so."</p>

SEQ	<p>It is difficult for practitioners to “take in to account indigenous knowledge, and acknowledging Indigenous management” without having adequate knowledge about the subject and importantly information about with whom and when it is appropriate to engage. Under the proposed changes practitioners run the risk of being accused of acting unethically for the reason of not being adequately informed. Therefore, with respect to the seminars, conferences and other training events delivered by the EIANZ it is recommended that:</p> <ol style="list-style-type: none"> 1. That all speakers are requested to, where practicable, make reference to indigenous knowledge and/or where such knowledge can be sourced; and 2. Efforts are made to seek speakers with an indigenous background to present at events for the purpose of providing their perspective on the event's subject matter.
WA	<p>The current draft practice guide is totally inadequate.</p> <p>.....</p> <p>..... consists mostly of aspirational goals interspersed with platitudes, and all that is interspersed with inadequate explanations of proposed changes which as yet have not been approved. While it creates requirements, responsibilities and obligations for EIANZ Members and CEnvPs, the draft PGN2: EPRIE introduces significant terms without specific definitions – with some of the current broad definitions creating more questions (= issues for environmental practitioners) than answers, and it has a complete lack of what the title implies that document does – provide EIANZ Members and CEnvPs with practical specific guidance on how to achieve ethical practice regarding Indigenous engagement.</p> <p>.....</p>

	<p>In addition, once the PGN2: EPRIE has been suitably re-written to actually provide practical specific practice guidance (if that is what the EIANZ Board intends), and has addressed other serious deficiencies raised by Members, there needs to be considerably more than just the [revised] practice guide (see below) to assist environmental practitioners achieve the intent of the proposed changes.</p> <p>(a) EIANZ Board to decide whether the changes to the CEPC are to mandate Indigenous engagement (noting this submission most strongly argues against that), or to be a 'statement of aspirational objectives'. That will determine whether the PGN2: EPRIE is intended to be a statement of EIANZ's aspirational objectives, or a functional 'practice guidance' note. Then, in that context, a complete re-writing is required of the existing draft PGN2: EPRIE to specifically define all significant terms, and to provide practical, specific guidance about the key issues. This practice guidance note document (or 'Statement of Aspirational Objectives' as the case may be) then should be reviewed and approved, as a stand-alone item, by the general membership.</p>
	<p>(b) An emphatic, unambiguous, concise statement of intent (a maximum of two to three paragraphs, of at most about 200 words in total), from the EIANZ Board, published prominently on the EIANZ website. There are statements on the EIANZ website already which contain the core of such a statement, but the core statement is currently embedded in a mass of peripheral and in some instances now obsolete information. Hence, I think a stand-alone emphatic, unambiguous, concise statement of intent is required, again, being a maximum of two to three paragraphs, of at most about 200 words in total.</p> <p>(c) Developing on-line further information and training modules for EIANZ Members and CEnvPs, including a list of likely FAQs and answers, covering both the aspirational objectives of the EIANZ with respect to Indigenous engagement, and practical, specific advice on how to achieve those objectives.</p>

	<p>d) Expanding the scope of the current Ethics Hotline to include advice with issues with Indigenous engagement, and more active advertising of that expanded service to Members and CEnvPs.</p> <p>(e) Finally, after considered and more extensive consultation with representatives of Australian Indigenous Peoples' groups, representatives of Maori groups, with the EIANZ general membership and CEnvPs, and with the EIANZ Ethics Committee, on these changes and others required and/or proposed to update the CEPC, a comprehensive revision and updating of the CEPC which would include any amendments covering Indigenous engagement.</p>
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Division	Comments
SEQ	<p>Use "Indigenous Peoples" in the capitalised plural form whenever the term is used.</p> <p>Ensure that the resolution put to the proposed SGM deals only with the ratification of the amendments to the Code of Ethics and Professional Conduct as adopted by the Board.</p> <p>It is my submission that the EIANZ ought to consider taking the step of amending its secondary purposes Rule 2(2)(e) along the following lines: '(e) to liaise, consult, work in conjunction and make arrangements with Indigenous Peoples and others with interests, knowledge and rights relevant to the purposes of the Association, and contracts with any individuals, trusts, corporations, foundations, firms, partnerships, associations, societies, institutions, organisations and authorities and;'</p>
CEnvP SC NZ	<p>..... what are my options if a new Code of Ethics is promulgated that I do not feel that I can fully support? I do not feel that it would be fair or ethical for me to be penalised or stripped of my certification because the rules that I agreed to where suddenly changed without my agreement and I could not, in good conscience, fully support the new rules.</p>
SEQ	<p>Release of the Code should be delayed until practical guidance can be provided that recognises the principles indicated earlier</p>

NZ	<p>The extent to which this is possible depends on our resources, and perhaps more critically, our own understanding of te ao Maori (learning opportunities), and consequently the opportunities for such perspectives in our day to day work.</p> <p>In Aotearoa, in the context of regulatory resource management work, any future RMA reforms will likely influence the extent and form of engagement with tangata whenua in our work.</p>
ACT	<p>What do Indigenous people think of these changes?</p> <p>What's the difference between Australia and New Zealand? (aspiration wise).</p>
WA	<p>This current EIANZ 'Indigenous engagement' process has put 'the cart before the horse': we have been expected to approve changes to the CEPC without first having seen and considered the detailed justification of why this is being done, what exactly will be done, and what are the standards by which our competence will be assessed, all without the general membership having been given the necessary opportunity to modify and then approve these changes which most likely will have very significant implications for the practices of many Members and CEnvPs.</p> <p>Note that I am in full agreement with the concept of progressing Indigenous engagement in EIANZ documents, which I do think is actually overdue, and nothing I have said in this submission should be taken as indicating the contrary. My objection is that the current EIANZ process is confused and flawed, and the current draft PGN2: EPRIE is confused, confusing, and totally inadequate for the purposes it purports to support.</p>
	<p>As two most significant EIANZ ethics documents (the CEPC and the draft PGN2: EPRIE), I believe it should be totally appropriate for the Ethics Committee to have the opportunity to comment on future iterations of the the draft PGN2: EPRIE (or any other explanatory documents), and any proposed changes to the CEPC. Future drafts should be received by the Ethics Committee in a timely manner, allowing for in-depth consideration and discussion, and then recommendations to the IEWG and/or EIANZ Board, before those drafts are forwarded by the IEWG to the EIANZ Board and then released for general further comment.</p>

* Any papers cited in this feedback can be obtained by contacting Nicole Brown, Executive Officer (nicole@eianz.org)