

## **“Social Inclusion and the National Congress of Australia’s First Peoples”**

**Chain Reaction Breakfast Cafe – KPMG Sydney  
19<sup>th</sup> June 2012**

**Guest Speaker – Jody Broun**

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I begin by paying tribute and acknowledging the Gadigal people of the Eora nation on whose land we are meeting here today. I pay my respects to their elders and ancestors many of whom fought for rights for Aboriginal people in Australia and led the way to bring us to where we are today.

I am an Yindjibarndi from the Pilbara in Western Australia and take seriously the protocols of acknowledging the owners of the country.

This is a protocol of respect and culture that goes to the core of social inclusion and to the proposed changes to the Australian Constitution – to recognise of the First peoples – which I will speak of a bit more later – it’s a protocol that has been embedded already in many of our institutions.

It’s a real pleasure to be invited to speak to you today by Chain Reaction – Margaret Bell – I have had a long standing relationship with Chain Reaction from my time in NSW as Director General of Department of Aboriginal Affairs when she approached me for funding for the first learning ground in Mount Druitt – social inclusion in action. Since then I have been to graduations and presentations and recently the lunch to celebrate 10 years of Chain Reaction. Once again congratulations Margaret.

I’m sure all of you understand and appreciate the work that Margaret and Chain Reaction have done or else you wouldn’t be here this morning.

As Co-Chair of Congress I'm now in a very different role to others I have held in the public service. Representing Aboriginal and Torres Strait Islander peoples at a national level and it's an honour to do that.

Congress is part of the legacy provided by courageous fighters and leaders from many generations, a company established to realise our aspirations and be part of a continuing journey to achieving rights and justice for the First Peoples of this country.

I am proud to be part of the Congress, firstly because we are the only company registered with ASIC to include gender equity in its Constitution....

...and secondly, because we are responsible for giving a national voice to our members and the broader Aboriginal and Torres Strait Islander community.

Since our establishment just over 2 years ago we have signed up 4500 individual members and over 140 organisations. It's a very different organisation to ATSI – membership is at the heart of the organisation.

Congress was established following consultation around the country and the model developed to meet the views and expectations of the Aboriginal and Torres Strait Islander peoples expressed at those consultations.

Our purpose, outlined in our constitution are:

**Leading Peoples**

(1) providing national leadership and recognition of the status and of the rights of Aboriginal and Torres Strait Islander people as first nations peoples;

**Protecting Rights**

(2) protecting and advancing the wellbeing and rights of Aboriginal and Torres Strait Islander peoples and communities;

### **Being Representative**

(3) providing a representative voice of, and a conduit for communications with and between, Aboriginal and Torres Strait Islander peoples;

### **Securing Futures**

(4) securing economic, political, social, cultural and environmental futures for Aboriginal and Torres Strait Islander peoples and communities by working with governments, service providers, communities and other stakeholders;

### **Building Relationships**

(5) building strong relationships with government, industry and among Aboriginal and Torres Strait Islander peoples and communities, based on mutual respect and equality;

### **Identifying Solutions**

(6) identifying issues, researching solutions and educating government, service providers and Aboriginal and Torres Strait Islander peoples and communities to achieve the above purposes.

Congress structure has three chambers representing peak bodies, organisations and individuals.

120 Delegates meet each year 40 from each of those chambers and has gender equity as a principle.

Additionally there is an ethics council to ensure the Congress meets the highest standards of ethics.

In representing our members we seek to work in unity and engage and draw on the expertise of our members. Not to replace or duplicate the roles, particularly of peak bodies.

There is an inherent tension, I think, between social inclusion and separate structures and recognition of first peoples but it is not a tension that should be denied or quashed. It is about ensuring all voices are heard, all peoples are respected and valued and different needs are met.

The rights and unique place of first peoples is one that has international recognition.

New York Permanent forum Indigenous Issues – new experience – difference and similarity.

The Declaration on the Rights of Indigenous Peoples was supported by the UN in 2007 and supported by the Australian Government in April 2009 and provides a platform for a partnership between Aboriginal and Torres Strait Islander peoples and Government.

Congress is recognised as being an expression of the Declaration, particularly Article 18. (Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision making institutions.)

Since the inaugural elected board took up our roles in July last year the Congress has been vocal on the NT Stronger Futures legislation, languages education, national cultural policy, health equality and of course, the Constitution.

National Health Leadership Forum has been formed by Chamber 1 health peak bodies – NACCHO, AIDO, NATSIWAH, Lowitja Institute and Healing Foundation – working with Minister Snowdon on Health Equity Plan.

We have established policy working groups based on priorities identified by our members – health, education, justice and country – and because of the priority afforded by members have been actively involved in the work on Constitutional recognition.

As co-chairperson of the National Congress I was privileged to be involved in the work of the expert panel that delivered its report to the Prime Minister in January this year.

After surveying our members and delegates, and conducting workshops at the inaugural National Congress meeting in Sydney, Les and I were able to help shape the final report of the Expert Panel.

For an overwhelming number of our members, **there is no more important public policy issue before the Australian nation today than realising our desire for justice and for recognition of our continuing cultures by being included in the Australian Constitution.**

Three Rs- rights, recognition and what's right for all of us.

And it is very much about how social inclusion can work in this country. The 67 referendum was one step being counted in the census and the Commonwealth government making laws for Aboriginal people. We have fought to be included in schools, live in towns etc. This is the next step we must take as a nation.

As a member of the Expert Panel appointed by the Government to make recommendations on Constitutional change, I attended consultations across Australia and I heard the emotion, frustration and anger of Aboriginal and

Torres Strait Islander peoples who feel they don't belong in their own country, and of the need to set this right.

I also heard of not wanting to revisit the past and to move forward.

I heard from many participants that the acknowledgment of First Peoples and recognition in the Constitution is an important part of resetting the relationships and contributing to the wellbeing of our communities, and particularly our youth. In Yarrabah the Youth Council presented a poem that spoke of being accepted, proud of their identity and shaping a shared future of hope.

Recognition obviously has the potential to be more than symbolic. It has the capacity to substantially change the way Australia values and respects the original owners of this land. And to provide a firm footing for us to move forward strong and valued.

There will be measurable positive impacts for Aboriginal and Torres Strait Islander peoples by being included in the Australian Constitution including evidence of an improved sense of wellbeing and an increase in personal power – the power to take responsibility in our society, the power to take up the opportunities afforded to us.

And there are benefits for the nation by recognising Aboriginal and Torres Strait Islander peoples in the Constitution. An obvious national benefit would be for our rich and diverse national identity to include the oldest living culture in the world. Additionally, a yes vote would foster true reconciliation, build a modern Constitution and improve our international reputation by committing to 'unity for all'.

The recommendations for Constitutional change put to the Government were well considered and based on the submissions and consultations received by the expert panel.

4 main proposals that have been put forward and need to be considered as a package;

51A to replace 51(xxvi)

Repeal 25

Non-discrimination

Languages

The input from Congress was based on views of our members and delegates. Members were surveyed twice on specific elements and proposed wording as well as contributions in roundtables.

I am sure that our members' views reflect those of the broader ATSI community and that constitutional recognition is something the majority of ATSI people want.

This came through loud and clear at the EP consultations.

There is a view that it is only so called 'urban blacks' who support constitutional change, but consultations I attended in places such as Wadeye, Tennant Creek and Broome confirmed that this was not the case. In these locations I heard first hand that Aboriginal people are interested and committed to these issues.

Of particular interest to me *as a former teacher* were the strong views expressed about the way our history is taught in schools.

This was raised in the recent proposed changes in the history curriculum (NSDC)

What an extraordinary day it will be when the Constitution's statements of recognition, respect and acknowledgement adorn classroom walls around the country.

There is a view that we are expecting too much of the Australian public to vote for recognition and non-discrimination. I don't believe that is the case. I do not forget that this is still the same nation that voted to reject the outlawing of

the Communist Party, and to include Aboriginal people in the Census in the 1967.

Recognition of First Peoples takes nothing away from other Australians, but enhances, strengthens and unifies. **What we want is good for all Australians – identity, integrity and respect.**

Every political era presents a moment where it is possible to enrich the lives of all its citizens through shared ambition, joint responsibility, mutual respect and a value for human rights.

I don't think we should allow ourselves to be dragged back by the minority. Our parliamentarians need to be brave and listen to the silent majority of Australians who are reasonable, fair and just.

In championing these changes we need to consider the future - 50 years from now. We need to consider the judgement of that generation. I don't want to be associated with a failed referendum but neither do I want to be associated with a successful referendum that results in accepting less than what we should have and doesn't stand the test of time.

Some commentators have suggested the Expert Panel has over-reached and that recognition should only be in the form of mean spirited statements without commitment- the least that can be achieved.

To me it has to be more than that or else we may as well not bother. We will have missed an extraordinary opportunity to move forward as a nation, to embrace our history and to shape our future.

There are still many who remember the success of the '67 referendum- the elation and satisfaction of being a part of an historic moment that shapes a nation for the future.

We need to remind parliamentarians that these simple and just changes are the will of the people. I am confident that we will have the opportunity to vote yes in a referendum, which can once again inspire all Australians.

Congress will continue to ensure the voice of First Peoples is represented in the national debate, to the Australian government and the Australian community.

We have dedicated resources to engage and inform Aboriginal and Torres Strait Islander peoples across the country about what is at stake and what needs to be done.

**This is our once in a generation chance to make our voices heard and to finally be recognised in the Constitution.**

Reform will happen because Australians become interested and engaged in issues that concern the building of our nation. This is not a single stage process, nor is it one conversation within our community and the broader Australian community.

Understanding is forged when we all take time to consider issues and options and in moments such as this, demonstrate to each other our maturity as a people who choose to join together with purpose and in unity.

**What we decide as a nation will be expressed at the vote.**

Constitutional reform can inspire a world anew – not because the world will change overnight, but because in this moment we provide yet another opportunity to see ourselves and our role and responsibility to create this world anew, a possible rebirth of our nation and our national spirit.

Our way forward needs to happen on a strong foundation of dignity and grace for all. Our way forward is through unity, shared purpose and common ground.

The delivery of the report to the Prime Minister was the first step in this process. Now the hard work begins in outlining our case and driving support

by parliamentarians and the community for the changes we have recommended.

Now we are taking the next step toward long overdue constitutional change with the roll out of a national community awareness and education campaign.

We need to harness the goodwill and sense of fairness of the Australian people to build the momentum for change.

Reconciliation Australia has been appointed to lead this national movement and has \$10m. Congress will participate in that important work.

But the message needs to extend beyond us or RA it needs to be a true peoples movement, the conversation needs to occur in schools, workplaces, sporting clubs, churches.

While the proposed recognition of Aboriginal and Torres Strait Islander peoples in the Australian constitution is welcome there are other means of achieving affecting this recognition not reliant on the majority of Australians voting yes in a referendum.

This includes legislative, covenants, flags, anthems, curriculum etc. And these can and should be progressed simultaneously.

The implementation of the Declaration is not up to Government alone and Aboriginal and Torres Strait Islander peoples can and should take steps for implementation at local and regional levels. If self-determination is the basis of the Declaration then it is beholding on us to take our own steps.

The Declaration offers the basis for moving forward in the relationship between Aboriginal and Torres Strait Islander Peoples, the Australian government and other Australians, and development of an implementation plan and monitoring framework would ensure full achievement.

Congress has identified the Declaration as the platform for our relationship with Government and the promotion and protection of rights is a primary purpose for our organisation. We will continue to work with the Australian Government and our peoples to ensure the rights in the Declaration are acknowledge, understood and realised.