

June 26, 2014

To the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples:

The *Victorian Constitutional Recognition Coalition (VCRC)* would like to request an opportunity to meet with the Committee during the consultation period in Victoria (August 13-15). We would welcome the opportunity to discuss the ongoing work and development around the model for constitutional reform to recognise Aboriginal and Torres Strait Islander peoples as the First Peoples of this country as well as to protect all Australians from racial discrimination.

We support the scope and intent of the recommendations made by the Expert Panel. We know from our long term engagement on this issue that recognition without the protection against racial discrimination will be seen as tokenistic by Victorian Aboriginal community members and leaders. So how do we make recognition meaningful?’

**We therefore recommend:**

- **That the constitution is amended with the insertion of a clause prohibiting racial discrimination as recommended by the Expert Panel.**

**In addition to:**

- **The inclusion of a statement of recognition of Aboriginal and Torres Strait Islander peoples as the original peoples of the land in the body of the Constitution, as recommended by the Expert Panel.**
- **That sections 25 and 51 (26) of the Australian Constitution (the so-called race powers) be repealed as recommended by the Expert Panel.**

We also would like to refer in particular to the intentions in the Progress Report 1 Clause 3.14 (b) for the Committee to review wording of the proposed section 51(A) to ‘ensure...positive purpose’ and appropriateness of the term ‘advancement’, within the proposed model will help ensure the positive purpose of government policies and legislations. We strongly encourage the Committee to have a focussed examination of this critical issue.

Our view in support of the Council for Aboriginal Reconciliation’s Final Report is that constitutional recognition is another step in the reconciliation process and not an end point. We would therefore welcome consideration by the Committee of further steps and processes to address the still unresolved issues of sovereignty, agreement making and treaty as highlighted in the Expert Panel report.

The VCRC was formed in 2011 and consists of representatives from the Victorian Aboriginal Child Care Agency, Reconciliation Victoria, the Uniting Church in Australia Synod of Victoria and Tasmania, ANTaR Victoria, the Victorian Council Of Social Services, Faith Communities Victoria, the Victorian Council of Churches, the Salvation Army Australia Southern Territory, Oxfam Australia and the Geelong One Fire Reconciliation Group, some of whom have received funding from Recognise. The VCRC has been meeting monthly to share information and coordinate the Victorian side of the Constitutional Recognition campaign.

We look forward to hearing from you

Warm Regards,

Dr Peter Lewis (on behalf of the VCRC)