



Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples

PO Box 6021
Parliament House
Canberra ACT 2600

Via email: jscqr@aph.gov.au

**A joint submission from the Social Responsibilities Committee (SRC) and
Reconciliation Action Plan (RAP) Working Group of the Anglican Church
Southern Queensland.**

Contact:
The Very Reverend Dr Peter Catt
Chair, SRC

About Us

The Anglican Church Southern Queensland (ACSQ) covers an area of more than a half a million square kilometres, from Bundaberg in north central Queensland to Coolangatta on the New South Wales border and west to the borders of South Australia and the Northern Territory.

The Social Responsibilities Committee was formed in 2009 to provide responses to social justice issues raised within the community, media, Church Commissions, and Episcopal jurisdictions.

The Reconciliation Action Plan Working Group was established as part of the development of our Innovate Reconciliation Action Plan (RAP) over the last several years, which commenced in late 2016.

The Anglican Church Southern Queensland support for the self-determination of Aboriginal and Torres Strait Islander First Nations peoples.

We refer to the submission already published from the Public Affairs Commission of the Anglican Church of Australia, noting that the Anglican Church of Australia has:

- formally endorsed the recommendation of the Referendum Council for a constitutionally entrenched First Nations' Voice to the Commonwealth Parliament; and
- formally encouraged the Government to negotiate in good faith, towards treaties with our First Nations peoples, or some similar agreement.

We also note that in October 2017 the National Aboriginal and Torres Strait Islander Anglican Council (NATSIAC) endorsed the *Uluru Statement from the Heart*.

We support the position of both the national Anglican Church and NATSIAC.

As the Anglican Church of Southern Queensland wrote in its submission to the Expert Panel in 2011:

[T]he need for a lasting settlement with our Aboriginal and Torres Strait Islander brothers and sisters presses upon us very urgently. Recognition of Aboriginal and Torres Strait Islander peoples in the Australian Constitution is one aspect of that settlement, and is itself a significant moral cause...

[t]his... ought not to be merely symbolic, but must do justice, opening the way for a new model of Indigenous governance characterised by localism or subsidiarity. Only by respecting the inviolable dignity of Indigenous community life—alike with all community life—will there emerge a meaningful interdependence of peoples and a vision of our common good.

A “Voice” to the Commonwealth Parliament and *Makarrata* Commission

The call for a First Nations Voice and a *Makarrata* Commission are both modest and reasoned proposals, worthy of a much deeper engagement from our Commonwealth Parliament and the Australian public than they have received thus far.

Our 2011 submission endorsed constitutional change that included an agreement making power, which would enable the Commonwealth to enter binding agreements with Aboriginal and Torres Strait Islander communities. As we noted then, and remains the case:

“...The present power of the Commonwealth to enter into agreements does not give sufficient legal assurance or standing to Aboriginal and Torres Strait Islander peoples, since “[w]hat the government gives you today by statutory right, they will quite quickly take away tomorrow”.¹ This situation is in considerable tension with the notion that Aboriginal and Torres Strait Islander peoples ought to control their own affairs.”

We further endorsed a model of governance and self-determination that is outlined in the United Nations’ *Declaration on the Rights of Indigenous Peoples*, and is consistent with a Christian vision of cultural pluralism and sovereignty. That Aboriginal and Torres Strait Islander peoples should be free to determine their political status and to pursue their economic, social and cultural development, within the Australian State (internal self-determination).

Thus we believe that the Commonwealth must continue to engage with and explore the possibilities for *both* a lasting political settlement or agreement, such as treaty, *and* a model of governance that allows First Nations peoples to move towards a fuller expression of self-determination.

The *Statement from the Heart*, offers a real path towards realising these.

¹ *National Human Rights Consultation Report (2009)*
www.humanrightsconsultation.gov.au/www/nhrcc/nhrcc.nsf/Page/Report_NationalHumanRightsConsultationReport-Chapter9

A truth telling process as a precondition to a mature polity

In our discussions and final 2011 submission to the Expert Panel, we also reflected on what might be the necessary preconditions for a proper honouring of our common life and common humanity.

In line with our reasoning then, we suggest that some form of a truth-telling process, in all its complexity and contradiction, violence and grief, struggles and progress, is a necessary precondition to a more lasting settlement and reconciliation between all Australian peoples, between First Nations and non-Indigenous alike.

Processes involving truth, justice and reconciliation are never easy, nor perfect. However, if we do not have the courage to allow such truths and multiple stories of our past be told and *heard*, this wound will live on in the Australian psyche and relationships within our communities and across our polity.

We support this proposal and urge the Commonwealth to treat it with the moral and political seriousness it deserves.

A gracious offer and a historic moment

The *Statement from the Heart* was the culmination of many years of dialogue, which reached an extraordinary degree of agreement and was presented with care, thoughtfulness and grace by our First Nations peoples.

We and future generations will look back on the *Statement from the Heart* as a truly significant milestone in Australian history.

The opportunity lies before all of us, but in particular before the 45th Commonwealth Parliament, to hear and accept what has been asked of us, and to engage genuinely and openly in a process that might give life to these proposals, and carry us forward as a nation, together.

We urge the Committee to recommend that the Parliament embrace this historic opportunity.