

11 January 2013

Submission to the Joint Select Committee on the Inquiry into the Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012

Reconciliation Victoria welcomes the opportunity to make a submission in support of the introduction of the Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012, as a step towards holding a successful referendum to recognise Aboriginal and Torres Strait Islander peoples in the Australian Constitution.

We welcome the establishment of this Joint Select Committee to “work to build a secure, strong, multipartisan parliamentary consensus around the timing and specific content of referendum proposals for Constitutional recognition of Aboriginal and Torres Strait Islander peoples” and “engage with Aboriginal and Torres Strait Islander people and the broader community to secure their support for specific referendum proposals for constitutional recognition”.

Reconciliation Victoria submits that an additional clause be added to the Bill at Section 4 (2)(e) that empowers ‘those undertaking the review’ of the Act – that is, the Joint Select Committee - to “consider the means by which this support can be developed” or wording to this effect.

There is a clear need for leadership and publicly stated support on this issue from across the political spectrum. This is supported by YouMeUnity’s social research indicating the extent to which public opinion on this issue is influenced by the positions of political leaders. Securing the level of support required for a successful referendum will depend on two things: the efforts to build grass-roots community awareness and support by organisations such as ourselves, including in partnership with YouMeUnity through the funding they have received for this purpose; and strong multi-partisan support from political leaders and parties.

Should the Joint Select Committee find in reviewing the Act in approximately 18 months’ time that there is insufficient support to ensure the double majority required for a successful referendum, then the Committee should be in a position to make recommendations to the Parliament as to the means by which this support can be developed, averting the potential for extensive delays or even side-lining of a referendum on this critical issue.

Reconciliation Victoria welcomed the Report of the Expert Panel and is pleased to see the reference made to this valuable Report in the Act. We endorse the view of the Expert Panel that adequate resources and timing are crucial to ensure community awareness and understanding of the detailed and potentially confusing issues related to Constitutional Recognition. Reconciliation Victoria’s submission to the Expert Panel emphasised the importance of this community education and engagement, and outlined some of the issues and possible approaches to community-based processes for building awareness and support, reflecting our interactions with grass-roots communities around Victoria on this issue. This extract from our submission is included for your reference at Appendix 1.

Reconciliation Victoria supports the Government’s response to this issue in providing \$10,000,000 to Reconciliation Australia to support the community conversation about Constitutional Recognition. We welcome the establishment of YouMeUnity and the ‘Recognise’ campaign, and are actively working with YouMeUnity to build community support for Constitutional Recognition in Victoria.

Appendix 1 – Extract from Reconciliation Victoria’s submission to the Expert Panel

3. Community education and engagement

Reconciliation Victoria views community engagement and education on the issues of constitutional recognition of Aboriginal and Torres Strait Islander peoples as being of critical importance. This is consistent with much of the feedback from Victorian conversations and consultations so far.

A national conversation on these issues, such as was occurring in the lead-up to the 1967 referendum, is important not only for enabling the best chance of success of a referendum, but also for improving mutual understanding, respect and relationships between Aboriginal and Torres Strait Islander people and other Australians.

State Government engagement is important in building political support and leadership for the changes. This provides an opportunity to build on existing recognition of Aboriginal and Torres Strait Islander peoples in State Constitutions, such as the Preamble to Victoria’s which states:

"The Parliament recognises that Victoria’s Aboriginal people, as the original custodians of the land on which the Colony of Victoria was established: have a unique status as the descendants of Australia’s first peoples; have a spiritual, social, cultural and economic relationship with their traditional lands and waters within Victoria; and have made a unique and irreplaceable contribution to the identity and wellbeing of Victoria."

To create the ‘national conversation’ that is required for change to be achieved, through ‘majority of votes in the majority of states’, there will need to be **state-based, intensive, grass-roots campaigns** throughout each of the Australian States and Territories.

In Victoria, as in other states, there is an existing grass-roots reconciliation movement and organisations that can actualise such a campaign. There is a network of 24 active local reconciliation groups, established in the late nineties and early 2000’s, and two peak bodies - Reconciliation Victoria and ANTaR Victoria - among many other organisations that support reconciliation including faith-based groups, community sector organisations, Aboriginal organisations, sporting organisations and schools.

Reconciliation Victoria also has close relationships and networks with the Victorian State Government and 79 local governments, who are important stakeholders in the campaign.

With the specific focus of engagement and raising awareness on proposed changes to the Constitution, and some dedicated resourcing, this network could be mobilised to involve the majority of Victorians in the national conversation.