

SANSBURY, Mr Tauto, Private capacity

Evidence taken via teleconference—

[14:29]

CHAIR: Thank you for meeting with the committee. I apologise for those senators and members who aren't here today, especially the co-chair, Mr Leeser. I've got a little formality to go through before we get down to business. Do you have any comments to make on the capacity in which you appear?

Mr Sansbury: I am speaking to you as a Narungga elder of the Yorke Peninsula and a representative of Aboriginal people in South Australia.

CHAIR: The committee has been asked by the Commonwealth parliament to look into constitutional recognition relating to Aboriginal and Torres Strait Islander peoples. The resolution of appointment outlines in more detail the aspects of the committee's consideration. As co-chairs of the committee, Mr Leeser and I have made a statement expressing our wish to hear more from First Nations peoples as we start our work. We've also explained that we will continue to receive submissions and to hear more views around Australia in coming months.

We need to ensure that everyone present is aware of the procedural considerations. Today the committee is taking a *Hansard* record of the proceedings, but the proceedings are not being broadcast. The microphones aren't broadcasting or amplifying your words in the room, but they are likely to be on and recording at any given time. The committee may wish to make the *Hansard* record public at a later date, but we will seek your views on this before doing so. If you feel very strongly that you do not want your views recorded in any way, we'll give consideration to that. As you may be aware, when you provide information to a committee of the parliament, you are covered by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage you on account of the evidence given, and such action may be treated by the parliament as a contempt. It is also a contempt for you to give false or misleading information. If you make an adverse comment about an individual or organisation, that individual or organisation will be made aware of the comment and be given a reasonable opportunity to respond to the committee. Would you like to make an opening statement, Mr Sansbury?

Mr Sansbury: Yes, I would. My opening statement is that I was part of the delegation that attended Uluru. I'd like to say from the outset that I totally endorse the Uluru Statement from the Heart, and I've always been of that opinion.

CHAIR: Thank you very much. It would be good for our committee to hear about the process in South Australia. I know that you and your people were involved in the treaty-making process with the previous government. We might benefit from hearing about that discussion and some of those experiences. But I'll leave that in your hands and turn to other members of the committee to ask you their questions.

Ms BURNEY: You just said that you totally endorse the statement from Uluru. I'm assuming that means you would not see any of the recommendations out of the expert panel's work around section 25 and 51(xxvi) as being necessary anymore. They're the ones around race powers and so forth.

Mr Sansbury: The ones around?

Ms BURNEY: The ones around the issue of race in the Constitution. There has been previous work done to suggest that those parts of the Constitution need changing, but that's not what the Uluru Statement from the Heart decided.

Mr Sansbury: I'm not quite up to date with all of that at present, but, with anything that's changed in the Constitution, I'd prefer to see it changed for the protection and the rights of Aboriginal people, whether it's race protection or not. I've always been of the opinion that Aboriginal Australia needs to be recognised as a sovereign nation within its own nation and have the opportunity to represent, at a level that is quite appropriate for us to represent, at a state and national level. We don't seem to be sitting down and having discussions about where Aboriginal Australia fits at the present moment.

Ms BURNEY: We've got a description of your background. As a senior elder and the fact that you're from a generation when missions were very much still part of everyday life—

Mr Sansbury: I was born on a mission.

Ms BURNEY: Yes. And you had lots of involvement in the Royal Commission into Aboriginal Deaths in Custody.

Mr Sansbury: Yes.

Ms BURNEY: What do you think a voice to the parliament would achieve, particularly when it's been recommended that it would be advisory only?

Mr Sansbury: I'm not quite sure about advisory only. We need to be a body that advocates for the rights of and respect for Aboriginal people. Each of you sitting around the table at the moment know the problems that we have with the incarceration rate and the removal of Aboriginal children being massively overrepresented. Many of our young people are dying at a much younger age. Closing the Gap is not really achieving the outcomes that it should. It has only around six targets. It's looking at health and welfare and so forth, but it's not even identifying the removal of Aboriginal children or the incarceration rate. I would prefer to see a body that has the right sit down and discuss the implementation of a greater outcome and a greater understanding of what we should be doing and what we shouldn't be doing, an understanding of where Aboriginal Australia comes from, and a form of reconciliation where truth can be discussed.

Ms BURNEY: I agree with you. Thank you very much for that. The final thing I'd like you to share with the panel is the challenge of constitutional reform. From memory, you were involved in the '67 referendum as well, weren't you?

Mr Sansbury: A little bit—not as much as I have in the one that we're doing at the present moment.

Ms BURNEY: Can you talk to us about that?

Mr Sansbury: I thought it was an important time for Aboriginal Australia. The 1967 referendum really gave us a lot of hope of moving forward. There were a lot of people. We had something like 99 per cent of the total population agreeing that there should be changes. We hoped and looked for those changes to occur, but I honestly think that a lot of that hasn't happened and we've moved backwards in the sense of moving forward. What we're doing now needs to be about sitting down, telling the truth and understanding where we sit. If it has to be an advisory body, it has to be an advisory body with a little bit of teeth, knowledge and input into sitting down and discussing what's really important for Aboriginal Australia.

Ms BURNEY: Thank you so much.

Ms LEY: I'm interested in whether you have a view about the empowerment consultation that is being run by the Department of the Prime Minister and Cabinet, although you would see it on the ground as bringing together local leaders and trying to give local leadership a voice without government getting in the way. There are eight different regions around Australia. Do you have a view on that?

Mr Sansbury: I haven't been to one yet. From 9 o'clock yesterday until about 10 o'clock last night, I was involved in a community meeting in Port Lincoln about all of the issues and problems that we're having over here at the moment. They brought me in as a consultant to help them sort out and put together a plan on how to move forward. We had the new minister that has been recently elected, Peter Treloar, from the Liberal Party, come to the meeting. This is the first time that that has occurred. Port Lincoln has not been in a discussion with any other state or federal government departments about all of their concerns. There are a lot of drugs and alcohol and car stealing and everything else occurring over here and they're looking for help, and so are we in South Australia. The new move from the federal government—and I'm glad that I've got this phone call—is that we need to all move together for a greater outcome for all of us.

Ms LEY: Thank you.

Mr SNOWDON: Mr Sansbury, would you be able to take us through the process prior to the election where you saw the signing off of an agreement with the then South Australian government and what was in that agreement?

Mr Sansbury: I thought that was a good agreement that we ended up with. We've called it the 'Buthera Agreement', which is a songline of our community on the Yorke Peninsula. The first discussion started off as a treaty proposal. We were hoping that it was going to be a treaty, but unfortunately the Labor government in South Australia realised it and said that they couldn't do a treaty, so it ended up as an agreement. The agreement gave us \$1.8 million over three years to set in place economic development, working with DCP in relation to child protection, developing crime prevention programs on the Yorke Peninsula and working with the four local councils to make sure that the Indigenous land use agreement looking at the national park that was signed off was implemented. The Innes National Park at the foot of the Yorke Peninsula will be handed over to us as a business opportunity within the next three years. So what we got out of it we were quite happy with. We were a little bit disappointed that it wasn't a treaty, but maybe a little bit further down the track, in the next three or four years, something might happen there.

The agreement was really great for us. Many other Aboriginal communities around South Australia were quite happy, because we've shared it with them. It hasn't been a secret document. We have spoken to them and showed

them. I showed them what Port Lincoln looked like, and they said that they needed something like that. It identified many things, as well as education and the opportunity for jobs. I think something like that in agreements from a state and federal level would be great for Aboriginal communities.

Mr SNOWDON: Is the new government going to abide by the agreement?

Mr Sansbury: The new government is going to abide by the agreement, because when we had the discussion we attached a clause to it that if the new government pulled out of it they were liable for X amount of dollars, which would be \$1.8 million, for renegeing on the agreement that was signed off by the Labor Party. The new government is going to fulfil it also.

Mr SNOWDON: Are they going to look at the prospect of doing similar agreements with other first nations groups?

Mr Sansbury: We hope so. The Liberal Party has never been in power. Labor has been in power in South Australia for the last 16 years. So I think the Liberal Party will need a lot of re-educating on Aboriginal issues and Aboriginal affairs. We're hoping to get to Steven Marshall and talk to him, because he has the Aboriginal affairs portfolio under his belt. So Aboriginal affairs in South Australia is now within premier and cabinet, and that is a great opportunity for us to continue to improve with what we have got and make sure that it occurs right across South Australia in the next four years.

CHAIR: Senator Stoker, do you have any questions?

Senator STOKER: No, I don't. Thank you.

CHAIR: Mr Sansbury, thank you for your contribution. Is there anything further you wish to say to this committee?

Mr Sansbury: No. I would just like to thank you for the opportunity to speak to each and every one of you, and I hope what I've spoken about gives you a little bit of an insight into the South Australian point of view, because I would honestly say that the agreement that we signed off in relation to the Yorke Peninsula and the state government is something that is going to move us forward, because my community has been starving for oxygen and it has basically had no output. As I said, I was born on that mission back in 1949 and it basically went backwards, but I hope that this will bring us into the 20th century, move our children forward and do a lot more in relation to many issues that we've been faced with.

CHAIR: Thank you very much, and I hope that your aspirations are fulfilled. I thank you for the opportunity I had to be with you and your people on the day that agreement was signed with the previous minister. It was a great occasion.

Mr Sansbury: We were very glad to have both of you there.

Mr SNOWDON: That was very enjoyable.

Mr Sansbury: Thank you very much and good to speak to you. You all have a nice day.

CHAIR: Thank you.