



Opening statement

by Andrew Meehan to the Joint Select Committee on

Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples

20 February 2015

ANTaR is a long-term supporter of constitutional recognition of Aboriginal and Torres Strait Islander people and has been strongly engaged in recent moves towards a referendum on this issue.

A constitutional recognition of Aboriginal and Torres Strait Islander peoples is one of our high-priority campaigns. We are currently working closely with RECOGNISE and some 50 organisations to help build a community movement in support of constitutional recognition. We have engaged our constituents regularly and widely on the issue in the past three years, including through music concerts, events, information stalls, videos, speeches and social media.

We maintain our support for reform of the Constitution to recognise Australia's first peoples, remove racially discriminatory provisions and protect future generations from discrimination on the basis of race, colour or ethnicity. A detailed statement of our position can be found in ANTaR's submission to the Expert Panel on Constitutional Recognition of Indigenous Australians, as well as in two submissions to this committee in June 2014 and May 2013.

We believe that the current multiparty support, along with growing widespread public support for constitutional recognition, offers a historic opportunity to acknowledge the unique culture and heritage of the First Australians and address discrimination in our Constitution.

We believe that through a carefully managed process that speaks to the aspirations and identity of all Australians we can achieve support for constitutional recognition that is lasting, meaningful and substantive.

We acknowledge the work of this committee, particularly in maintaining bipartisan support for this issue.

We believe that the reform proposals advanced by the expert panel offer a sound and robust platform to take both the issues and the process towards constitutional recognition forward.

We strongly believe that the proposals advanced by the expert panel are reasonable and, with political support and adequate resourcing of awareness raising, are able to be supported by a majority of Australians and a majority of states.

We also acknowledge that further discussion and refinement as part of the process considering the model is required, particularly in relation to some of the wording of section 51A as well as in relation to 127A. I note that discussion is ongoing around discrimination provisions.

ANTaR believes that the partnership, negotiation and engagement with Aboriginal and Torres Strait Islander peoples will be essential to the ongoing legitimacy of the process and ensuring the appropriateness of the final model for reform. This is, of course, consistent

with the principles agreed by the expert panel in assessing proposals, including that change must be of benefit to and in accordance with the wishes of Aboriginal and Torres Strait Islander people.

We note the wealth of work, discussion and consideration that has been undertaken, and believe that engagement on a proposal can be undertaken and completed this year, as could an informed parliamentary debate.

ANTaR believes it is essential that a proposal is finalised for engagement, particularly with Aboriginal and Torres Strait Islander people, as a matter of urgency. It is, we believe, critical that the process towards a referendum is made clear, including through the following steps: that a date should be set for a referendum, ideally at or before the next federal election but no later than 27 May 2017; that a timetable and process be set for the finalisation of words to change the Constitution that will be put to the people in a referendum; that an undertaking be given that those words will be meaningful and address the lack of recognition and address racial discrimination; and that an agreement be made to consult with Aboriginal and Torres Strait Islander people about those words and that an agreement be made between political parties to work together or to continue working together for this change so that a referendum unites rather than divides the nation.

ANTaR believes there are limitations to raising awareness and engaging Aboriginal and Torres Strait Islander people and the broader Australian community until such a process and steps are made clear and widely understood.

ANTaR notes that the Aboriginal and Torres Strait Islander Peoples Recognition Act ceases to have effect at the end of two years after its commencement, that date being 27 March 2015. We believe that it would be untenable for the act to sunset at that time, and we encourage the committee to emphasise the importance of the parliament accepting its recommendations 6 and 7 of its final report in October—that is, to extend the act for up to three years, but also, at the same time, to set out a clear process towards a referendum.