



Submission to the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander peoples

➤ About the NSW Reconciliation Council

The New South Wales Reconciliation Council (NSWRC) is the peak representative body for Reconciliation in NSW. The Council is made up of Indigenous and non-Indigenous Australians working through a range of groups and organisations to promote united communities and the ongoing progression towards Reconciliation. This means supporting recognition of rights, economic independence and social justice for Indigenous people.

NSWRC has been working towards a reconciled Australia since its inception; believing that relationships between Indigenous and non-Indigenous people at the community level have a vital impact on Indigenous peoples' socio-economic status, health, culture and well-being. By advocating for a 'sharing of cultures approach' to Reconciliation, the NSWRC seeks an increase in mutual (cross cultural) understanding through the 'promotion of equitable and just communities that acknowledge and respect Aboriginal and Torres Strait Islander peoples, cultures and values'. The NSWRC believes the reconciliation process can be advanced by building a peoples' movement; raising awareness and understanding; and promoting and supporting social justice, equity and human rights.

➤ Position taken by the NSW Reconciliation Council

The NSW Reconciliation Council welcomes the formation of the Joint Select Committee on Constitutional Recognition. We believe this will provoke more widespread discussion of the concept of Constitutional Recognition in the community and that this broader-based understanding will lead to broader support.

At the NSW Reconciliation Council we support the campaign for constitutional recognition and reform as part of our Reconciliation Goals. Our current Strategic Plan outlines our support for constitutional reform within the framework of promoting the United Nations Declaration on the Rights of Indigenous Peoples and the Principles of the Declaration. By implementing the proposed changes, Australia will come closer to fulfilling its international obligations with regards to this important human rights instrument. Additionally, the NSWRC aims to promote and support Aboriginal arts and culture which is also achieved through constitutional reform and recognition of Indigenous languages and cultures. However, our full endorsement will be conditional on the exact wording of the final proposal.

➤ Issues central to success of the campaign

Sovereignty has been at the heart of the debate around these reforms and is an issue for many within our membership base. As articulated by organisations such as ANTaR, constitutional reform proposals must have the endorsement of the Aboriginal and Torres Strait Islander community in order to garner the support of the wider community. The issue of whether these reforms would serve to undermine a campaign for sovereignty or treaty-based options in the future has caused many members of the Aboriginal and Torres Strait Islander community, including within our membership base, to be hesitant in their support of the reform options.

The NSW Reconciliation Council has a close working relationship with the Recognise Campaign and advocates such as George Williams AO. Through our membership base and publications, we have attempted to dispel this misunderstanding of the nature of the changes, though it is clear that the continued lack of understanding and information around the concrete implications of the proposed changes is hindering the campaign.

In order to achieve a successful outcome in this referendum, it must be made unequivocally clear that these proposals do not preclude sovereignty or treaty-based options in the future. Although this is not a politically palatable option, it may be necessary in order to secure the success of a referendum.

George Williams is an invaluable member of the Recognise Campaign and articulates the argument succinctly. He explains that while it may seem revisionist to campaign for inclusion in a document that does not appear to represent Indigenous people or their interests, this could actually prove to be a powerful foundation from which to establish a campaign for sovereignty and treaty-based recognition. Recognising Australia's First Peoples and eliminating the capacity to discriminate on the basis of race provides a framework for further political developments around recognition of Indigenous sovereignty. Furthermore, Williams adds that constitutional reform may provide a much-needed catalyst for the campaign to recognise sovereignty and the need for a treaty-based approach. This is a powerful message and must be further-reaching if it is to have any influence.

Aside from the clarification needed, the NSWRC supports the steps taken by the Recognise Campaign to secure support. A grassroots approach is essential to create a 'peoples movement' over which Aboriginal and Torres Strait Islander peoples feel a sense of ownership. The community engagement of Recognise has led to a ground swell of support and we eagerly anticipate the NSW leg of the campaign in 2015. We encourage the use of further community consultation methods including roundtables and meetings with local Aboriginal and Torres Strait Islander groups as well as community reconciliation bodies.

Ultimately, the final wording of the proposed changes will determine people's support or opposition. We encourage the Committee to release this as soon as possible, along with a timeline for when a referendum will be held. This will enable the Recognise Campaign, and organisations such as the NSW Reconciliation Council, to build on the current momentum



and create a more highly publicised movement with a clear goal in sight. The risk of not establishing a clear date for a referendum is that the campaign will lose its focus and its energy.

➤ Conclusion

As a peak body for reconciliation, the NSWRC supports the campaign for Constitutional Recognition. Through our collaboration with the Recognise campaign as well as our community consultation through our members and member groups, we encourage support for this movement. We eagerly await the Recognise campaign's New South Wales leg and the opportunity to further engage with our local Aboriginal and Torres Strait Islander communities on this issue. The NSWRC emphasises that developing momentum within Aboriginal and Torres Strait Islander communities is the key to securing the support of the broader Australian community and that in order to achieve this, more investment must be made in communities once the final wording is made available and a timeline established.