



MEDIA RELEASE
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GREEN LIGHT FOR CONSTITUTIONAL CHANGE - JUSTICE FOR AUSTRALIA'S FIRST PEOPLE

AUSTRALIA has been given an unprecedented opportunity to deliver true justice and recognition to Australia's first people with today's handing over of recommendations to Prime Minister Julia Gillard by the Expert Panel on Constitutional Recognition of Indigenous Australians.

Drawing strong parallels with the 1967 referendum in which 90% of the population voted a resounding 'yes' to amending section 51 to allow race specific laws to include 'Aborigines', 82 per cent of people surveyed in 84 urban, regional and remote locations gave strong support for Constitutional recognition of Aboriginal and Torres Strait Islander people.

In contrast to Norwegian and Canadian Constitutions that, via constitutional reforms, recognise, celebrate and protect the rights of their respective Indigenous peoples, the Australian Constitution is deficient and includes discrimination on the basis of race.

Norway's constitution guarantees to maintain the unique culture of the Sami people whilst promoting the country's multicultural status with terminology like:

"It is the responsibility of the authorities of the State to create conditions enabling the Sami people to preserve and develop its language, culture and way of life."

The National Aboriginal & Torres Strait Islander Catholic Council (NATSICC) encourages our decision makers to use this opportunity to build a solid foundation on which our people can grow and prosper, hand in hand with all Australians. Speaking metaphorically, it is important that we build our house on a foundation of rock rather than one of sand.

"Currently we feel as if the goal posts are constantly shifting due to the ability to change Statute Law and legislation relatively easily via Parliament and often without consultation with Indigenous people. The Constitution, however cannot be changed without the will of the Australian people. That is the strong foundation that we are talking about." NATSICC Chair Thelma Parker said.

NATSICC supports the recommendations put forward by the expert panel and encourages the Government to act upon them quickly and strongly by putting a clear and accurate question to the Australian people via a referendum.

"The constitution, as it is written, gives no reflection of how important Aboriginal and Torres Strait Islander cultures are to our society." NATSICC Chair, Thelma Parker, said.

"But the Expert Panel has shown how the Australian people truly feel as a collective and this represents a significant opportunity for Australia to reform its founding document and deliver justice to Aboriginal and Torres Strait Islanders," Ms Parker said.

“By changing the constitution to recognise the rights and contributions of Aboriginal and Torres Strait Islanders, the entire nation will mature and move forward to a place where we can all walk side-by-side with each other’s best interests at heart.”

Ms Parker said there was no doubt Aboriginal and Torres Strait Islander people were Australia’s most disadvantaged citizens and Parliament has to be able to make specific laws which can address these issues.

However, these laws should be based on need and the national interest, not race. We have to get away from this 19th century idea that Aboriginal people (or anyone else) are members of a “race”, she said.

“Of course we need to have laws that relate to Aboriginal and Torres Strait Islander people, just as we do many groups in society – women, the elderly, the disabled, veterans, people living in remote areas – but these laws should be based on need and the national interest, not race.”

“What we should strive for is to give weight and meaning to a statement of recognition by eliminating the parts of the Constitution that allow for discrimination, while ensuring existing rights and legislation such as Aboriginal and Torres Strait Islander land rights, native title and heritage rights are protected in much the same way as Section 35(1) of the Canadian Constitution Act 1982 provides: *“The existing Aboriginal and treaty rights of the Aboriginal peoples of Canada are hereby recognized and affirmed.”*

“Australians have a strong belief in equality and a fair go and will always embrace practical solutions. Now they have spoken and it is up to the Australian Government to deliver them the opportunity to have their official say and do what we all know is right.”

Media Contact: Thelma Parker Ph: 0457 603 376