

FINDING A VOICE THROUGH THE *ULURU STATEMENT FROM THE HEART*

A REPORT ON A FAMILIES AUSTRALIA

**'BUILDING STRONGER AUSTRALIAN FAMILIES'
POLICY FORUM**

CANBERRA ACT

21 OCTOBER 2019

Building Stronger Australian Families
What do they need to thrive?

AN INITIATIVE OF
FamiliesAustralia

About Families Australia

Families Australia is a national, peak, not-for-profit organisation that strives to improve the wellbeing of Australian families, especially those who experience the greatest vulnerability and marginalisation. Families Australia does this by providing policy advice to, and working with, the Australian Government and Parliament on behalf of more than 800 member organisations around Australia.

Since 2007, Families Australia has coordinated the National Coalition on Child Safety and Wellbeing, a consortium of around 200 major non-government community service organisations and prominent researchers from across Australia who work closely with the Commonwealth, State and Territory Governments to implement the National Framework for Protecting Australia's Children 2009-2020.

Acknowledgements

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Finding a Voice through the *Uluru Statement from the Heart*

21 October 2019

Summary

On 21 October 2019, in conjunction with its Annual General Meeting, Families Australia hosted the 7th policy forum under the *Building Stronger Australian Families* national policy forum series. The theme of the forum was *Finding a Voice through the Uluru Statement from the Heart* (the Uluru Statement).

The Uluru Statement was developed at the First Nations Constitutional Convention in May 2017, held on the 50th anniversary of the 1967 referendum. The Convention brought together over 250 Aboriginal and Torres Strait Islander leaders in Central Australia at the foot of Uluru, on the lands of the Anḱangu people.

The Uluru Statement calls for a First Nations Voice to Parliament and a Makarrata Commission to supervise a process of agreement-making and truth-telling. These proposed reforms are: Voice, Treaty, Truth.¹

The first reform is the constitutional enshrinement of a Voice to Parliament (Voice) that seeks to empower First Nations politically. It will be a permanent institution for expressing First Nations' views to the parliament and government on important issues affecting First Nations.² The second reform is the Makarrata Commission to supervise a process of agreement-making between governments and First Nations (Treaty), and truth-telling (Truth). Voice, Treaty and Truth are identified as a clear and practical path forward for First Nations' self-determination in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.³

A copy of the Uluru Statement is at **Attachment A**.

This policy forum sought to explore what the Uluru Statement might mean for the work of the family support sector and for the people served by the sector. It looked at the history of Aboriginal and Torres Strait Islander policy in Australia, including political responses. It traced the continuum of calls for self-determination and empowerment by Aboriginal and Torres Strait Islander peoples which led to the Uluru Statement. It then considered the future path for the Uluru Statement and how the social services sector might respond to its message in a meaningful way.

Approximately 50 representatives from government agencies, the community sector, and academia attended the forum in Canberra, ACT.

¹ <https://ulurustatement.org/faqs> viewed 6 January 2020

² Ibid.

³ Ibid

Background

Families Australia's policy forums bring together key people from government, the community sector and the research community to consider how best to advance the wellbeing of Australian families now and into the future.

One of the fundamental principles underpinning the work of Families Australia is that Australia will be a fairer and more equitable and compassionate nation when genuine and lasting improvements are made in the wellbeing of our First Nations peoples. Families Australia works in partnership with Aboriginal and Torres Strait Islander-led member organisations, such as SNAICC - National Voice for our Children, to advocate for improvements in the wellbeing of Aboriginal and Torres Strait Islander children and families. In particular, Families Australia works to highlight the needs and interests of Aboriginal and Torres Strait Islander peoples through the National Framework for Protecting Australia's Children 2009 - 2020.

The Forum

Prue Warrilow, Chair of the Board of Directors of Families Australia, opened the forum and introduced guest speaker Dean Parkin.

Mr Parkin is from the Quandamooka peoples of Minjerribah (North Stradbroke Island) in Queensland. He has a Bachelor of Arts in Politics and Journalism from the University of Queensland, and a Graduate Certificate in Education from the University of Melbourne. He is a Senior Fellow of the Atlantic Fellowship for Social Equity and is an ex-officio member of the Business Council of Australia's *Indigenous Engagement Taskforce*. He is currently an investment analyst at Tanarra Capital. Dean has been extensively involved in the field of Indigenous development for many years and continues to advocate for constitutional and structural reform for Aboriginal and Torres Strait Islander peoples. From December 2015, he worked with the Referendum Council which was appointed jointly by the Australian Prime Minister and Leader of the Opposition to advise them on a way forward towards a successful referendum to recognise Aboriginal and Torres Strait Islander peoples in the Australian Constitution. Dean co-facilitated each of the 12 regional First Nations dialogues held across the country in 2016 and 2017 as part of the Referendum Council's national consultation process. He also co-facilitated the Uluru Convention in May 2017 and was a signatory to the Uluru Statement.

The Uluru statement from the heart: what it is and what it isn't

Mr Parkin began his address by describing the Uluru Statement as "430 words of nation building", about which there has been misunderstanding and misleading commentary.

He emphasised that the Uluru Statement is not a report to government but rather, an invitation to the Australian public that represents a consensus position by Aboriginal and Torres Strait Islander peoples "from all points of the southern sky".

The Uluru Statement invites all Australians to walk with Aboriginal and Torres Strait Islander peoples in finding a way to give them a voice in the laws and policies that are made about them.

Mr Parkin described the Uluru Statement as an outcome of a decades-long conversation about Aboriginal and Torres Strait Islander development and calls for self-determination. Rather than being an abstract process looking for symbolic change, Mr Parkin spoke passionately about the Uluru Statement being a call for genuine cultural and policy reform to address the very real, 'on the ground' needs of Australia's First Nations peoples.

Family Matters Report 2019

Mr Parkin acknowledged the work of the family support sector and in particular SNAICC's [Family Matters Campaign](#) and [Family Matters Report 2019](#). He spoke of the devastating "unavoidable truth of the facts" in this report that extend well beyond the statistics to the absolute tragedy of the human toll that sits behind them. He went on to discuss two key facts from the report which are of particular relevance to the family support sector:

- 1) The number of Aboriginal and Torres Strait Islander children in Out-of-Home Care is on course to double in the next 10 years, increasing from around 20,000 to 40,000 children. This is on top of a doubling since the National Apology to the Stolen Generations in 2008.
- 2) Nearly one-third of Aboriginal and Torres Strait Islander people live below the poverty line.

Mr Parkin discussed the growing body of research identifying the stresses of living in poverty, the impact this has on children and families, and the increased probability of involvement with child protection systems. He cited evidence in the Family Matters Report that children who grow up in families experiencing poverty are more likely to experience adverse childhood events and have an increased risk of being subject to child protection intervention. He drew attention to one of the key messages in the Family Matters Report – that focus and resources are directed to the wrong end of the system, to dealing with the consequences of poverty without enough emphasis being placed on preventing it. He noted how the Report re-introduces the language of self-determination and issues a call for empowerment of Aboriginal and Torres Strait Islander communities. The report states that, in order to address the causes and consequences of poverty, it is essential that First Nations peoples are able to determine the key changes that are needed in their communities and the ways in which those changes will be brought about.

A history of calls for self-determination

Mr Parkin spoke about the concepts of empowerment and self-determination proposed in the Uluru Statement and the importance of understanding that they do not represent anything new or radical. He argued that these principles have been present in all Aboriginal and Torres Strait Islander activism and advocacy and presented excerpts from some of the many calls for self-determination that have been issued over recent decades:

1991 [Royal Commission into Deaths in Custody](#)

“The thrust of this report is that the elimination of disadvantage requires an end of domination and an empowerment of Aboriginal people; that control of their lives, of their communities must be returned to Aboriginal hands.”

1992 [Human Rights and Equal Opportunity Commission \(HREOC\) --- "Aboriginal and Torres Strait Islander Social Justice Commission: First Report 1993"](#)

“The crucial importance of self-determination to Aboriginal and Torres Strait Islanders is little appreciated by non-Indigenous Australians. Correctly understood, every issue concerning the historical and present status, entitlements, treatments and aspirations of Aboriginal and Torres Strait Islander peoples is implicated in the concept of self-determination. The reason for this lies in the fact that self-determination is a process. The right of self-determination is the right to make decisions. These decisions effect the enjoyment and exercise of the full range of freedoms and human rights of Indigenous peoples.”

1992 [COAG Statement on the *National commitment to improved outcomes in the delivery of programs and services for Aboriginal peoples and Torres Strait Islanders*](#)

“Guiding Principle1: Empowerment, self-determination and self-management by Aboriginal peoples and Torres Strait Islanders.”

1995 [Recognition, Rights and Reform: A Report to Government on Native Title Social Justice Measures \(ATSIC\)](#)

“Our focus is on institutional, structural, collaborative, cooperative reform. It is about a fundamental shift from welfare to basic rights; from dependence to autonomy; from government assistance to power. Central to the Social Justice agenda is self-determination.”

1997 [Bringing them Home Report](#)

“Our principle finding is that self-determination for Indigenous peoples provides the key to reversing the over-representation of Indigenous children in the child welfare and juvenile justice systems of the State and Territories and to enabling the unjustified removal of Indigenous Children from their families and communities.”

2007 [Little Children are Sacred Report](#)

“What is required is a determined, coordinated effort to break the cycle and provide the necessary strength, power and appropriate support and the services to local communities so that they can lead themselves out of malaise. In a word, empowerment!”

2014 [Empowered Communities Project](#)

“Empowerment in our meaning has two aspects. It means Indigenous people empowering ourselves by taking all appropriate and necessary powers and responsibilities for our own lives and futures. It also means Commonwealth, state and territory governments sharing, and in some cases relinquishing certain powers and responsibilities, and supporting Indigenous people with resources and capability building.”

2017 [Northern Territory Royal Commission into the Detention and Protection of Children in the Northern Territory](#)

“Despite constant recommendations calling for the inclusion of Aboriginal people and communities, governments have not allowed for empowered Aboriginal people to lead in decision making. Engagement and consultation are often given lip service, but have no practical impact on outcomes.”

Mr Parkin reflected that, despite this long and consistent history of calls for self-determination and empowerment for Aboriginal and Torres Strait Islander peoples, these calls remain unheard.

Where are we now, since the Uluru Statement?

Mr Parkin discussed the national conversation that has been occurring in Australia over the last 10 – 15 years about how to recognise Aboriginal and Torres Strait Islander peoples in the Constitution. He described the Uluru Statement as a response from Aboriginal and Torres Strait Islander peoples to that conversation. He made the point that when finally given the opportunity, through the Referendum Council process, to say what constitutional recognition looked like to them, Aboriginal and Torres Strait Islander peoples did not opt for minimalism or symbolism. Their response, in the 430 words of the Uluru Statement, was that the real issue at stake is not constitutional recognition but rather, nation building.

The call of the Uluru Statement is for a shift in the conversation from being simply about ‘Closing the Gap’ to a fuller expression of Australia’s nationhood with Aboriginal and Torres Strait Islander culture as the core of Australian identity.

Mr Parkin expressed his view that some responses to the Uluru Statement have drawn a false distinction between the practical and the symbolic, with constitutional recognition being described as merely symbolic and not able to affect real, practical improvement in the lives of Aboriginal and Torres Strait Islander peoples. He argued, however, that the Uluru Statement is necessarily both practical and symbolic, as nation building requires both; that there must be change in the circumstances of life for Aboriginal and Torres Strait Islander peoples, as well as in how we think about ourselves as a nation. He further posited that empowerment is actually the most practical tool to use in ending disadvantage for Aboriginal and Torres Strait Islander peoples but one that governments of both political sides have refused to use.

Mr Parkin outlined the current situation where the Government has decoupled constitutional recognition from the concept of a First Nations Voice (Voice). It has ruled out enshrining a Voice to Parliament in the Constitution, and has redefined the Voice as a Voice to government. A co-design process, between First Nations Peoples and the Australian Parliament, has been established to flesh out the details required to develop local, regional and national elements of a Voice to government. Mr Parkin expressed the view that while the path forward will present significant challenges, advocacy around enshrining a Voice to Parliament in the Constitution will persist and options to facilitate implementation will continue to be explored. He explained that, through the year-long Referendum Council process, Aboriginal and Torres Strait Islander peoples reviewed all options for constitutional recognition, and came up with one unanimous recommendation: a Voice to Parliament.

He went on to explain that the Uluru Statement is the culmination of generations of activism and advocacy by Aboriginal and Torres Strait Islander peoples and there is a growing people's movement in support of it. He pointed out organisations from across the spectrum of Australian society have publicly endorsed the Uluru Statement, such as the Australian Medical Association, Australian Bar Association, Australian Council of Social Services, universities, sporting organisations, the Business Council of Australia and many in the business and finance community.

In conclusion, Mr Parkin described the Uluru Statement as a statement of hope and nation building, an invitation to the people of Australia to walk with Aboriginal and Torres Strait Islander peoples on a path towards a more inclusive society and genuine change in the way we think of ourselves as a nation. He emphasised the importance of the Voice being enshrined in the Constitution in order to protect it from political or bureaucratic interference and argued that anything less than constitutional recognition would be a rejection of the unanimous decision of Australia's First Nations peoples for a Voice to Parliament.

Discussion

The Question and Answer session which followed Mr Parkin's address centred on the role of civil society, and in particular the social service sector, in the next phase of the constitutional recognition process.

One question raised concerns about the continual restructuring, change and rebirth of agencies in the Aboriginal and Torres Strait Islander policy space. In regard to the newly formed National Indigenous Australians Agency (NIAA), Mr Parkin explained that the agency was established in the machinery of government changes in May 2019, replacing the former Indigenous Affairs Group in the Department of the Prime Minister and Cabinet. The NIAA is responsible for whole-of-government coordination of policy and program design, development and service delivery for Aboriginal and Torres Strait Islander peoples. It is responsible to the Minister for Indigenous Australians, the Hon Ken Wyatt MP. Mr Parkin pointed out that part of the reasoning behind the proposal for a Voice to Parliament was to provide a means to help inform decisions impacting Aboriginal and Torres Strait Islander peoples, including decisions about bureaucratic arrangements. He cautioned that all the movement at the bureaucratic level could adversely impact progress on the real work at hand. He emphasised how crucial it is that the focus remain on efforts to achieve empowerment and self-determination for Aboriginal and Torres Strait Islander peoples.

There was also valuable discussion about how 'mainstream' organisations can best collaborate with local Aboriginal and Torres Strait Islander communities and organisations. Mr Parkin acknowledged that it can be difficult for social service organisations to determine when and how to be involved in service development and delivery in Aboriginal and Torres Strait Islander communities. On the one hand, it is not a good situation when large organisations that are not Aboriginal and Torres Strait Islander-led and not local to the community, crowd out those that are when competing for service contracts. On the other hand, it is true that many Aboriginal and Torres Strait Islander-led organisations do not have the capacity to submit tenders and implement the whole process of service design and delivery. He stressed however, that they do have key strengths, including local knowledge, cultural expertise and networks in the communities.

He suggested that organisations should ask themselves if, by tendering for work in Aboriginal and Torres Strait Islander communities, they are taking the role away from a local organisation that should be leading the work. He called for 'mainstream' service providers to be more creative in finding ways to collaborate and form partnerships with Aboriginal and Torres Strait Islander-led organisations. He argued they need to engage with local Aboriginal and Torres Strait Islander communities and organisations not merely as stakeholders to be consulted, but as essential partners in the decision-making process, including in service design and delivery. He pointed out, however, that it is also problematic when 'mainstream' organisations are too reluctant to take a role because for fear of subsuming Aboriginal and Torres Strait Islander agency. The ideal situation, Mr Parkin stated, is for 'mainstream' organisations to walk beside First Nations peoples and bring the expertise and influence of their organisations and networks to help achieve change.

Mr Parkin was asked what he thought was holding back real, meaningful cultural and structural change in Aboriginal and Torres Strait Islander policy. He responded that what must first be understood is that empowerment involves the transfer of power; and that is a conversation governments have been avoiding for a long time. He expressed his view that the preference is to hold on to power over a failing system rather than relinquish power. He described this as a 'capability deficit' driving the inability to let go of decision-making, probably based on risk aversion in governments and bureaucracies. He gave the example of the Closing the Gap strategy that he described as 'a decade of failure', but one in which government still insisted on holding on to power. He called for government and bureaucracies to find a way to overcome this 'deficit'. He also pointed to government talking about a new paradigm of empowerment and self-determination, but argued the rhetoric does not match the capability. He advocated for structural reform, arguing that current government processes supporting policy development and program implementation cannot simply slip into this new paradigm. He identified the [Empowered Communities Project](#) as an example of an attempt to bring about the necessary structural changes. In its report, the project set out a methodology for achieving empowerment for Aboriginal and Torres Strait Islander peoples.

The Project made 75 recommendations for reform. ([Empowered Communities Empowered Peoples Design Report](#).) Most of the proposed reforms relate to local Aboriginal and Torres Strait Islander-led organisations. Five relate to government. To date, there has been no progress made on the recommendations in relation to government structures and processes.

Next Steps

This policy forum is an important contribution to Families Australia's commitment to Reconciliation and our Plan for Reconciliation. Families Australia will continue to provide opportunities for Members and stakeholders to participate in, and contribute to, strategic policy discussions to support genuine and lasting improvements in the wellbeing of Aboriginal and Torres Strait Islander peoples.

Uluru Statement from the Heart

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart: Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago. This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown. How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years? With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood. Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness. We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country. We call for the establishment of a First Nations Voice enshrined in the Constitution. Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination. We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history. In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.