

Agreement in Principle

Ms KRISTINA KENEALLY (Heffron—Premier, and Minister for Redfern Waterloo) [11.39 a.m.]: I move:

That this bill be now agreed to in principle.

I acknowledge that we are on the traditional lands of the Gadigal people. I pay my respect to elders past and present, and recognise that we have in the Chamber today many distinguished Aboriginal people from a range of areas within our community. I acknowledge Ms Bev Manton, Chairperson of the New South Wales Aboriginal Land Council. Bev is a proud member of the Worimi nation and is a welcome guest in our House today. I also acknowledge Uncle Charles "Chicka" Madden, a most respected local Aboriginal elder who also joins us on the floor of the Parliament for these historic proceedings. I have been to many events with Chicka over the years, and at all times he has been a strong advocate for his people and respected in all communities. I also acknowledge the Hon. James Spigelman, Lieutenant-Governor of New South Wales and Chief Justice of New South Wales, representing the Governor today. I also acknowledge our invited guests in the Chamber today. You are welcome guests of this Government and this Parliament to witness today's proceedings.

It is humbling to have the opportunity to put before this House legislation to recognise our first people, our Aboriginal people, in the New South Wales Constitution Act. And it is inspiring. It is inspiring because I do so with confidence that this bill enjoys the support of all members of the House, reflecting the goodwill of communities across New South Wales to our intention. Our intention is to provide recognition—recognition that is long overdue. One hundred and eight years after its first passing, our Constitution Act will acknowledge the first communities, the first nations, of what is now our State. While noting that this recognition is overdue, this Parliament can still take pride in the steps we have already taken to honour and recognise our Aboriginal communities, perhaps most notably in the passage of the Aboriginal Land Rights Act 1983. As well as taking real steps to redress the injustice and neglect of Aboriginal needs, this Act included in its preamble an important statement by the Parliament on the spiritual, social, cultural and economic significance of land to the Aboriginal people of New South Wales.

We now understand that this recognition should extend further and that it should not be bound to a single issue or Act but expressed as a principle of our democratic foundation. Today we are enshrining fundamental truths: the truth that our Aboriginal people are the first inhabitants of New South Wales; the truth of the spiritual, cultural and economic ties that bind our Aboriginal people to their traditional lands and waters; and the truth in the diverse and unique contributions that our many Aboriginal nations, cultures and communities make to the life, the economy and the character of our State. Some may say that this legislation is just symbolic, but I trust that those who do also know the importance of symbols and their power to inspire and to shape our attitudes and actions. I trust they understand that the icons of our national and cultural identity are of themselves merely symbols, and I ask them to consider how they might feel if they had to live their lives in absence of these symbols, in the absence of the recognition they proclaim, and in the absence of the identity they publicly provide.

I ask them to consider that in all our cultures and in all human history there are symbols, and then there are the meanings that we attach to them. People have died for reasons that others might have called symbolic. There are times when symbols matter very deeply. Similar things could be and were said of aspects of the 1967 referendum. The referendum proposal that Aboriginal people no longer be excluded from the census was, from a perspective, symbolic. But it recognised that Aboriginal people were Australian people. And the impact of this symbolism was deep and far-reaching because, by including Aboriginal people in the census, issues that had been well known in Aboriginal circles but shrouded away from mainstream Australia were suddenly exposed on a national scale. Numerous insights emerged. Many of them were shocking, and that shock kick-started much-needed improvements in health, education and services.

Similar things could be and were said of the apology to the stolen generations that was made by this Parliament in June 1997—the first of its kind by any Parliament in Australia. They were also said of the national apology in 2008. Yes, these were symbolic gestures. They were deeply symbolic gestures because they were powerful and they were necessary expressions of the community's will. These are gestures of recognition and the emotion on display at their giving, perhaps most memorably in Canberra in 2008, tells us how powerful recognition is when it comes after generations of being denied. Days like this are both emotive and empowering, and they truly serve as milestones for our whole community, reminding us of how far we have come together and showing the journey still ahead. In the words of Bev Manton, Chairwoman of the New South Wales Aboriginal Land Council:

There is a tendency to ignore the symbolic over the practical, but there is no good reason, of course, why we can't do both".

We can, and today, we are. Three months ago both sides of this House pledged to work in a bipartisan spirit to close the gap in indigenous disadvantage, specifically the gap in life expectancy. We pledged to work with non-government organisations and the community to improve indigenous health and equality for Aboriginal people across the board, and we are pressing ahead with fresh determination to implement our many measures to

improve Aboriginal health, welfare and education. What gives me the greatest hope in our ambition is that this is now finally an issue that is beyond politics, and our efforts can only be stronger for our agreements on this priority. Many people deserve mention as we reach this historic milestone today, because what we see today is fulfilment of a collective expression. So I thank all those who have brought us to this proud day in our State's history.

I thank the many New South Wales residents and members of this House who provided comment and feedback on the proposed changes. I thank the Leader of the Opposition for his support, enabling us to move forward with common resolve. Above all, I thank the Aboriginal people of New South Wales for their cooperation, understanding and patience. This, like other moments in our journey to reconciliation, has been too long coming. Having lived with such recognition my entire life, I cannot begin to understand the tolerance required to live in its absence. In fact, I can barely imagine it. So while our commitment to true equality of opportunity in our State is expressed primarily in practical actions, our symbols do matter, especially those that reside in our pre-eminent legal framework. So I am grateful to be here today as our Parliament brings forward necessary and positive change. I commend the bill to the House.