

Unfinished business

By Geraldine Collins



Welcome to the spring edition of *Precedent*. As the warmer weather begins, it is timely that this edition examines Indigenous issues, which have for many years languished in a very cold winter.

The Australian Indigenous people are one of the oldest continual civilisations in history, dating back at least 40,000 years. Unfortunately, for most of the period of white settlement, it has been a history characterised by shameful acts and tyranny.

Although we have witnessed some advancement in recent times, it is clear that, as a nation, we must do more to improve the rights, living conditions, health and educational standards of Aboriginal and Torres Strait Islander peoples.

It is estimated that when white settlement began in 1788 the Indigenous population was around 300,000. Settlers did not value existing cultures and the Indigenous people did not want to give up their way of life. The result was hugely detrimental, with the Indigenous population dropping to as low as 100,000.

From the 1950s, significant campaigns to remove discrimination were undertaken by both Indigenous and non-Indigenous people. The 1967 referendum, with an affirmative vote of more than 90 per cent, gave the Commonwealth Government a clear mandate to implement policies to benefit Indigenous people. This is considered to be the birth of the reconciliation movement, but some 46 years later it is still an unfinished process.

Industrial progress took place during the 1960s, with the significant 1968 decision by the Conciliation and Arbitration Commission ruling on equal wages in the cattle industry. But in 2013, wages are still owed.

Although Indigenous populations had commenced their land rights fight as early as 1846, it was the 1966 pastoral worker walk-off at Wave Hill in the NT which is considered the birth of the modern land rights movement. In 1967 the group moved to Wattie Creek and asserted a claim to Gurinji lands. From 1972, the Whitlam government advanced the issue of land rights, culminating in the 1975 issuing of two leases over the Wave Hill land.

In 1991, the Royal Commission into Aboriginal Deaths in Custody released its report. It detailed a complex and devastating picture of the effects of dispossession, colonisation and institutional racism. Partly in response, the Commonwealth established the Council for Aboriginal Reconciliation which had as its goal the 'transformation of Aboriginal and non-Aboriginal relations in this country'.

Land rights continued to develop, leading to the 1992 High Court decision of *Mabo*, widely regarded as a momentous landmark in the advancement of rights for Australia's Indigenous people. For the first time, the notion that Australia was *terra nullius* at the time of European settlement was rejected. The consequent *Native Title Act* was passed in 1993.

Prime Minister Paul Keating delivered his famous Redfern speech on 10 December 1992. This was the first time a prime minister publicly acknowledged to Indigenous Australians that European settlers were responsible for the difficulties such communities continued to face: 'We committed the murders. We took the children from their mothers. We practised discrimination and exclusion. It was our ignorance and our prejudice.'

In 1997 the Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families was tabled in Parliament. Titled 'Bringing Them Home', it marked a pivotal moment in the controversy that came to be known as the Stolen Generations.

Extraordinarily, it took a further decade before this injustice was publicly recognised by the Commonwealth Government. Prime Minister Kevin Rudd tabled a motion in Parliament on 13 February 2008, apologising to the Indigenous population, particularly to the Stolen Generations, for laws and policies which had 'inflicted profound grief, suffering and loss on these our fellow Australians'. It included a proposal for a policy commission to close the gap between Indigenous and non-Indigenous Australians in 'life expectancy, educational achievement and economic opportunity'.

Campaigns to redress the injustices done to Aboriginal and Torres Strait Islander peoples continue, including the current grassroots movement to have Indigenous recognition within the Australian Constitution.

There has been some progress; but there is much more to do, as indicated by the articles in this edition of *Precedent*. ■

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