

By Jack Halliday

Aboriginal people occupied this continent sustainably for over 65,000 years until white occupancy and settlement two and a half centuries ago. Since then their way of life has been totally devastated, characterised by dispossession, discrimination, neglect and racism. New Zealand, Canada, Sweden, Finland, Norway, Japan, Greenland and the US have developed treaties with their indigenous peoples, with mixed outcomes, but Australia has never sought any form of constitutional settlement with our indigenous peoples. The proposed Voice would not represent such a settlement, but would constitute significant constitutional recognition and would enable Aboriginal and Torres State Islanders to make representations to the Parliament on important policy issues.

Australia's abject failure to create and implement effective policy impacting Aboriginal and Torres Strait Islanders is apparent through key reports and policy measures since the 1967 referendum:

1991 Royal Commission on Aboriginal Deaths in Custody – many recommendations have still not been implemented

1992 Mabo – the High Court rules that Australia was not terra nullius at the time of European occupation

1997 Bringing them Home – this report from the Australian Human Rights Commission recorded the forcible separation of Aboriginal children from their families, and the laws, practices and policies which enabled this to happen. It led to the term “Stolen Generation”.

2004 Government abolishes ATSIC

2007 Closing the Gap – this attempt by the Australian government confirmed that policies developed for Aboriginal peoples over forty years since the referendum have been almost totally ineffective, and the annual reports presented since its inception illustrate that the living conditions of Aboriginal peoples have not materially improved.

2008 Sorry statement – the Australian PM makes a formal apology to Aboriginal and Torres Strait Islanders for the forced removal of children and assimilation policies. The apology included a commitment to develop new solutions to continuing problems where previous approaches had failed, and to base new policies on mutual respect and responsibility.

In the 15 years since the Sorry statement conditions have not significantly improved.

The proposed Voice would not enable Aboriginal or Torres Strait Islanders to dictate or determine Australian government policies, but would enable them to provide informed views to government about the effective design of relevant policies. Since occupation the Australian, State and Territory governments have made policies **for** Aboriginal and Torres Strait Islanders, not **with** them.

It is critical not only that policies should be designed and planned with the Aboriginal and Torres Strait Islanders, but that the implementation of those policies is carried out collaboratively with them. Right now we are witnessing in Alice Springs the effect of successive governments believing that they know best what's necessary for First Nation peoples; the problems this mindset has created are long-standing and can only be remediated by a new contract with First Nations peoples. Had a Voice been in place since Closing the Gap was established we could be seeing much different and improved conditions affecting First Nations peoples.