

Mr Peter Tinley; Mr Ian Blayney; Mr Bill Johnston; Mr Murray Cowper; Mr Fran Logan; Ms Mia Davies; Mr Dave Kelly; Mr John McGrath; Mrs Michelle Roberts; Ms Janine Freeman; Mr David Templeman; Ms Margaret Quirk; Mr Ian Britza; Ms Lisa Baker; Mr Peter Watson; Mr Mick Murray; Mr Chris Tallentire; Mr Terry Waldron; Mr John Castrilli; Mr Paul Papalia; Mrs Liza Harvey; Ms Josie Farrer

CONSTITUTION AMENDMENT (RECOGNITION OF ABORIGINAL PEOPLE) BILL 2015

Second Reading

Resumed from an earlier stage of the sitting.

MR P.C. TINLEY (Willagee) [2.50 pm]: I rise to conclude my brief contribution on the historic Constitution Amendment (Recognition of Aboriginal People) Bill 2015. Without rehashing it, for the benefit of anybody who was not in the chamber at the time I characterised the Aboriginal contribution to military service in Western Australia and Australia as being a significant contribution to progressing the identity of both Aboriginal people and non-Aboriginal people in creating a unified culture. I also noted with some gratitude that symbolism is important. The opening quote that I used was “If you change the way you look at things, the things you look at will change.” I believe that we have progressed even in the time of this Parliament to being on the cusp of delivering a significant substantive arrangement beyond symbolism for the Indigenous land use agreements with the Noongar people at the National Native Title Tribunal. We look forward to making a substantive contribution to reconciliation beyond just the symbolism. It underscores for me the contribution that symbolism makes in these matters, and certainly recognition in our Constitution of the fact that Indigenous people, the first Australians, were present prior to our ancestors’ arrival in no way diminishes the future that we would have for ourselves. In fact, it enhances the opportunity for us to advance the way we see ourselves as the Indian Ocean peoples, if you like, the sole representative of the commonwealth of Australia in our region. An outstanding contribution was made by many Aboriginal men and women in uniform.

It is important also that in considering our identity and our future, we have a full, clear-eyed view of our past and the symbolism that is required to acknowledge some of those issues of the past and to make a substantive contribution to reconciliation and restoration, if you like, of the Indigenous military contribution, because it precedes Federation. I have already mentioned the contribution of Aboriginal people as far back as the Boer War; in fact, there is some evidence that it goes beyond that. Aboriginal people served this country before it was federated and they served this country 85 years before they were given the vote in this country, and that needs to be recognised. We need to go back even before that to settlement. As a former soldier, I believe it is important to acknowledge the military history of our settlement in the process and to properly recognise the past battles between the settlers of the colony of Western Australia and the landowners at the time, the Aboriginal people. We remember the accounts of the battle of Pinjarra, sometimes referred to as the massacre at Pinjarra, written by Henry Reynolds in *Forgotten War*. In a military context, I see it clearly, by any reading of the history, as a battle. Like all battles fought by soldiers, we honour and respect our opponents.

It is quite interesting how many members who have been to Gallipoli have recounted their trips in this place and talked about how the Turkish people have taken into account with respect and reverence the deaths of Australian soldiers on the Gallipoli peninsula in monumental form. I do not see why, if we see ourselves as a single unified nation, we should not recognise the soldiers who fought for their country in past battles. I would like to see in our time in Parliament a substantive contribution to recognise the symbolism of a monument to the resisters of white settlement in the colony of Western Australia right alongside the war memorial at Kings Park and make it a fitting place to acknowledge the contributions and sacrifice that Indigenous men and women have made in a military sense in the protection of their land and make them feel a part of our military history, as much as we do for any of our other opponents in various wars who become our allies.

I might make a sharp contrast there. It is really important in the full context of a clear-eyed view of our history that we acknowledge them, respect them and, in my view, remember them. The only way we can do that is to bring it into the present through monumental remembrance of them at the one place that we gather on 25 April every year, and that is Kings Park. I am proud to be part of this chamber on this historic day to see this bill passed that will allow us to take one further step forward in true reconciliation in Australia.

MR I.C. BLAYNEY (Geraldton) [2.56 pm]: I wish to deliver the first part of my speech in Wajarri and I seek your permission to do this.

The ACTING SPEAKER (Ms L.L. Baker): Yes. Permission is granted.

Mr I.C. BLAYNEY: I give an assurance that there is nothing unparliamentary in my speech and I will repeat this part of the speech in English afterwards —

[Words spoken in Wajarri language —

Nhurra barndi.

Extract from Hansard

[ASSEMBLY — Wednesday, 19 August 2015]

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Ngathalu wilhbala waggamanha nhurra banhagula nyinaji, barna gujurda.

Ngatha waayi ngurliyimanha waggagu Yamaji banha thanu Nhanhagardi biirna, Amanggu thaagi.

Ngatha wagganha, barndiman nhurra Josie Farrer gi, Kimberley thanu. Josielu yalyba walgaman bibarlu nhinhanggu.

Urda nganhu jina yana nyinanyugundi.]

What I said in Wajarri was —

Hello, I am speaking as a person from Geraldton, who represents, among others, the Amangu and Wajarri people here. I would like to say thank you to Josie Farrer from the Kimberley for her work on this bill.

We will all continue to walk this journey.

I would like to acknowledge the help of Godfrey Simpson and Edie Maher of the Bundiyarra–Irma Wangga Language Centre in Geraldton for translating that. Godfrey is a young man I know quite well and is a traditional owner of the lands in the Murchison where the Square Kilometre Array is. I travelled to Canada with him to a Square Kilometre Array conference. If anyone is interested in the Wajarri language, Irma Wangga Language Centre has created an app that people can download to their phone. It has about 2 000 Wajarri words. Out of about eight or nine languages, it is the most complicated one I have tried to speak.

I also visited a number of organisations in my electorate to ask them how they would like their member to address the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. One of the groups I talked to was the Midwest Aboriginal Organisations Alliance, which showed me a copy of the letter it had written to Josie thanking her for her work. I asked the staff whether they were comfortable with me reading this letter in Parliament and they said that they were very happy about that. I then asked Josie whether she was okay with me doing that and, once again, she said that was fine. The letter states —

Ms. Josie Farrer MLA

Member for Kimberley

...

Dear Ms. Farrer

On behalf of the Midwest Aboriginal Organisations' Alliance (MAOA), I would like to thank you, and congratulate you, for your determination and courage in your recent re-introduction, for a second reading, of the *Constitution Amendment (Recognition of Aboriginal People) Bill 2015*.

It is indeed an important historic event to amend the State's Constitution in recognition of Aboriginal Western Australians as being the traditional custodians, and first people, of this land.

MAOA is an alliance of 17 Aboriginal organisations in Western Australia's Midwest region. MAOA leads, and supports, an established group of dedicated Aboriginal organisations and service agencies which encompass a broad range resource agencies; media and art facilities; housing providers; health, social and emotional wellbeing services; sporting and youth agencies; and employment services. MAOA values the contribution of each of its member organisations, and works collaboratively with community, industry and government partners in addressing key issues affecting the health, education, housing, justice, socioeconomic and cultural futures of Aboriginal people living in the Midwest region.

As a result of your dedication and work, this Bill will be etched in history. It will be a defining moment in moving forward in unity, and in recognising and respecting Western Australia's Aboriginal people as the first people and traditional custodians of this land. It will also propel us towards true reconciliation.

Yours faithfully

Gordon Gray

Chairperson

Midwest Aboriginal Organisations' Alliance (MAOA)

In this place I represent about 3 500 Aboriginal people from across the midwest. Their issues in health, education, housing and many other areas are issues I deal with most days. I proudly serve on the board of Rangeway Primary School—the school I attended—which has about 500 students, 60 per cent of whom are Aboriginal, and where the turnover rate is 50 per cent per annum. Last year Rangeway won the Premier's Excellence in Aboriginal Education

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Award, and it was well deserved. I congratulate everybody at Rangeway on the celebration of its fiftieth anniversary last week. I am proud of what the Aboriginal people of the midwest have achieved. I acknowledge that a lot of work is still to be done; it is a journey that we all have to take.

Finally, I thank Josie. Every Aboriginal person I spoke to about her bill in my electorate knew about it and knew that she brought it here.

MR W.J. JOHNSTON (Cannington) [3.01 pm]: I rise to speak on the Constitution Amendment (Recognition of Aboriginal People) Bill 2015—a very important piece of legislation. I make the point that it is a very proud day for the member for Kimberley; she has done a wonderful thing. But of course I would say that it is not a day for celebration because we are admitting the truth; that is, that Australia was a settled country before the arrival of the English. Some people say that that statement is part of a black armband view of history, but, as I have said previously in this place, that was actually the view of the original settlers of Australia. I read from *Forgotten War* by Henry Reynolds, in which he quotes an original document written by Governor Arthur of Tasmania. Governor Arthur was talking about South Australia, but he could have just as easily been talking about Western Australia. The excerpt reads —

We are Intruders. ... They are the native burghers of this wilderness and every contest with them must be fought within those confines, which they have inherited from their Ancestors. ...The natives of South Australia, who are said to be numerous, cannot be expected to give up or retire from their native hunting grounds, unless they be purchased from them, without struggle, ...

The early white settlers in Australia knew what they were doing.

I want to draw your attention, Madam Acting Speaker (Lisa Baker), to a quote from this chamber during the debate on the 1905 amendments. A Mr Walker, member for Kanowna—a seat that no longer exists—stated —

We had taken their lands ... and had removed their every chance of subsistence on game, and we had condemned them for ever to work for us, or to starve, or to risk becoming outlaws through killing settlers' stock.

In 1905, I would imagine that this man, from reading other things he said, would have subscribed to the racist view of the time that the white—the English—person was actually a superior race to others. But at least he was acknowledging the truth, even though he was wrong about the superiority of the white race. He was acknowledging the fact that the land was not empty when we arrived. My point is that the Aboriginal people of Australia were a settled people, and I will come to detail what that means.

I will read from *Land rights: a Christian perspective*, which was jointly published in 1980 by the Australian Council of Churches and the Catholic Commission for Justice and Peace. It reads —

Numerically the majority of those so neglected are white, working-class Australians, or members of migrant ethnic minorities —

That is talking about poor people in Australia —

But far and away the most underprivileged people in Australian society are Aborigines. Comprising about 1% of the population, they constitute most of the poorest 1%. In other words, more than any other ethnic group, they are over-represented amongst the poor. White people are inclined to blame Aborigines for not getting themselves out of this position. Those who do this are usually privileged enough by education and social mobility to be able to raise their own standard of living without overmuch effort. But the fact is that Aborigines who attempt to assimilate into the white community almost invariably suffer from discrimination in housing, education, employment, finance and community involvement. This prevents them from enjoying the same standard of living and opportunities as whites. No amount of individual effort can overcome the barriers imposed by collective racist attitudes, subtly present almost everywhere. The social and economic position of Aborigines, which is the outcome of the historical relations between whites and Aborigines, indicate that Australia is structurally a racist society, and the continuing personal institutional discrimination that Aborigines suffer confirm this. Attitudes and institutions react on each other and reinforce each other.

Those comments, made from a Christian perspective, were from 35 years ago on the question of Aboriginal land rights, which was the subject of the book. The book also quotes a pamphlet produced by the Western Australian government for the 150th anniversary of white settlement in Western Australia. It reads —

“This ageless land is now the NEW world, emerging from the shadows of time, bright and burgeoning, brilliant and bountiful. In this history of civilization 150 years is but a tiny speck of time. Yet it was

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only 150 years ago that man came to stay. Brave and bold, the first fleeters found a home on the banks of the Swan River. Slowly, surely, systematically, they ventured from the coastal plain across the ranges. In less than half a century these pioneers had explored the length and breadth of Western Australia's 2,500,000 square kilometers. They overcame the torrid heat of the hinterland, they harnessed the forests and the Aborigines, harvested the seas, cultivated countless crops, and mustered mighty mobs of sheep and cattle.

That was the official position of the Western Australian government in 1979—to imply that there had been settlement in Western Australia for only 150 years. How can we not understand the severe injustice that represents?

Imperial Parliament passed a law in June 1842, allowing for the issuing of titles in Australia. That law applied equally to all the colonies. That law specifically made it clear that reservations could be made. When I use the term “reservation”, I do not just mean by land, I mean in terms of purpose, for the use of Indigenous Australians. It is specifically mentioned in subclause (3) of that legislation. That was always the intention of the colonial authorities. I quote from Earl Grey, who was one of the imperial overseers of colony and a person who was quoted extensively in the Mabo decision. I am quoting from “Land, Rights, Laws: Issues of Native Title” from the Australian Institute of Aboriginal and Torres Strait Islander Studies. The editor was Lisa Strelein and it was issue paper 24 of August 1998. Earl Grey said about pastoral leases —

‘these Leases are not intended to deprive the natives of their former right to hunt over these Districts, or to wander over them in search of subsistence, in the manner to which they have been heretofore accustomed’.

It was the white governments of the colonies that tried to deny the prior settlement of Indigenous Australians.

I make a point about the word “settle”. These were people with a system of government and they had deep and complex religious activity. They had trade and negotiations that stretched all the way to China. They were not as they are often presented in the history of Australia that is reflected in the quote of the government of Western Australia in 1979.

I want to quote from a book titled *The Voyage to Marege: Macassan Trepangers in Northern Australia*, by C.C. McKnight. It is a fantastic book and I recommend every member of this chamber read it. Mr McKnight's work is particularly about Arnhem Land, but it is clear from his work and the work of others that much of what is said about Arnhem Land could be equally applied to the Kimberley. It states —

On the Aboriginal side the most intense experience of the Macassans was gained by sailing on a prau along the coast, or back to Macassar and perhaps even farther afield. It was a great adventure and scores of young men set out on it.

He then quotes an example —

A few days earlier the same party had heard a more unusual story. Some distance inland they met ‘one very intelligent fellow ... [who] had been to Macassar [sic] and Singapore with the Malays and had a great admiration for those places knew the points of the compass in Malay and even spoke a few words of English’.

That is an Indigenous person in 1875 who had been to Singapore, so the idea that this was an isolated community on the edge of the world is completely wrong. It was wrong at the time and it is certainly wrong now, and we should not allow any vestiges of that point of view to remain.

I draw now from a paper by Regina Ganter titled “Turning the Map Upside Down”, which appeared in the *Griffith Review*. She makes the point that international trade in Australia started with Indigenous people before it started with white people. By the time white Australians arrived in the Northern Territory, there had already been international trade with all of Asia for more than 200 years, and that continued for 100 years after white people arrived in the north of Australia. The paper states —

That indigenous people of the far north were linked in trade with China well before the British colonists also pulls another plank of the historical master narrative into the vortex. The idea of the isolated continent has tenaciously survived empirical counter evidence.

The paper continues —

We might say, on balance, that a period of isolation from the outside world began in the north with the arrival of white colonisers.

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The point is made that after the arrival of the South Australian authority in the Northern Territory in 1904 or 1906—I forget which—a tax was introduced on the trepangers that led to the abandonment of that industry. There is a view that the English actually wanted to take over the trepang trade from the Macassans.

The paper continues —

Until 1911, there were more Chinese than Europeans in the Northern Territory;

The idea of the white pioneer is not actually the story of Australia, and this is the point that the member for Victoria Park made so well.

I also draw attention to the linguistic connection between northern Australia and the Macassans. I thank Josie Farrer, the member for Kimberley, for telling me just last night that the word for salt in her Gidja language is “garam” which, as any person who like me speaks Indonesian knows, is the same word in Indonesian. Again, referring to *The Voyage to Marege: Macassan Trepangers in Northern Australia*, there is a quote from an Aboriginal pamphlet from the mid-1870s that uses the word “balanda”. Anyone who speaks Indonesian will know that “belanda” means “Dutch person”. There is also reference to the word “bunggawa”, which is derived from the Macassan word for “government”; “djama”, meaning “job”; and “rupia”, meaning “money”. These are all words that would be familiar to people who speak Indonesian. We do not know which words transferred the other way, but there almost certainly were words taken from Indigenous Australian languages and integrated into the languages of what we now call Indonesia.

I refer now to a paper by Denise Russell of the University of Wollongong, “Aboriginal–Makassan interactions in the eighteenth and nineteenth centuries in northern Australia and contemporary sea rights claims”, which appeared in *Australian Aboriginal Studies*. She quotes from evidence given to the Federal Court of Australia in 1997 by a woman in Arnhem Land. It reads —

I was told by my father that those people [Makassans] who did come, when they anchored these waters here and came ashore, they asked permission from the chief or the head person, the leader, to get trepang.

They sought permission from the Indigenous owners of the land. That is what one does when one visits somewhere else. As I have said, Indigenous Australians were a settled people; they had effective control over the land on which they lived. It might be true that because of the technological weight of weapons the white settlers were able to overwhelm the Indigenous inhabitants, but let us understand that that is what happened. It was, as Dr Reynolds describes in his book *Forgotten War*, a war. Not only that, but, as I have explained, it was done in contravention of the instructions of the colonial authorities, and that is what we are debating today.

I do not expect anybody to congratulate me for supporting this bill because it is effectively the same as saying that the sun rises in the east and sets in the west; we do not get congratulated for that observation. We should not be congratulated for the observation that Indigenous people were here first.

I want to quote now from research paper 5 1997–98 by Dr Mark McKenna of the Politics and Public Administration Group of the Parliamentary Information and Research Services of the federal Parliament, titled “Different Perspectives on Black Armband History”. It states —

As far back as 1888 Henry Parkes quipped in the NSW Parliament that the government should not organise centenary celebrations for the Aborigines because it would only remind them that they had been robbed.

I also remind members that on 26 January 1938, in Sydney, the Aboriginal Progressive Association held an event at the Sydney Town Hall, that being the 150th anniversary of the arrival of the First Fleet in Sydney. It presented a petition to King George VI which reads, in part —

To the Aborigines who are proud of their heritage it is indeed a day of mourning; we mourn the death of the many thousands of Aborigines who were brutally murdered; we mourn the loss of our land and the rape of our women by the white invaders.

Black consciousness knew what was occurring.

I want to finish by saying that in 1985 I was appointed to the board of the Australian Bicentennial Authority, and I understood and accepted that there would be protests about the celebration in 1988, but some of the protests were actually from the white community, against the Bicentennial Authority, saying that we were not being true

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to their view of the world. In fact, in a paper by Dr Ken Baker published by the Institute of Public Affairs in the *IPA Review* of summer 1985, under the heading “The Bicentenary: Celebration or Apology?”, he states —

While the programme fails to give due recognition to the British contribution to Australia’s heritage, it singles out the history and contribution of the Australian Aborigines and Torres Strait Islanders for special attention.

That was his criticism of the Bicentennial Authority. What an extraordinary criticism! Members can read that document for themselves; it was extraordinary. We have much to feel ashamed about.

But let me finish on a happier note. A member, Mr Samson, in a debate 28 August 1941, said this —

... it occurs to me that to give consideration to the representation of natives in this Chamber might be worth while.

... in New Zealand the Maoris, who are the natives of that country, are represented directly in the Dominion Parliament. Why then should we not have one or two representatives of the aborigines in this House?

I join other members in supporting the idea of an Indigenous acknowledgement prior to prayers each morning, and I also suggest that the standing orders be reviewed to allow the speaking of Indigenous languages in our chamber. I think that both of those things are very sensible.

I congratulate the member for Kimberley and the member for Victoria Park. I note the pioneering efforts of Carol Martin and Ernie Bridge as former members of the Kimberley. I support the passage of this bill.

MR M.J. COWPER (Murray–Wellington) [3.21 pm]: I will be brief in my comments on the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. It is important that I rise and make some comments on two fronts. Firstly, as a representative of the people of Murray–Wellington, I bring to members in this place greetings from my tribal elder Uncle Harry, Harry Nannup, who is the leader of the Pinjarra Noongar people. He lives not far from me and from time to time I rely on his counsel in some matters. He was here when Josie Farrer introduced the bill. A delegation of Aboriginal people from my electorate came to this place to see the bill introduced. It was a significant moment. Afterwards, I met with Josie and Josie met with my people, and it was a very interesting time for them and I believe Josie enjoyed their company as well.

When I was a young person, I grew up in South Perth and Lathlain Park. With the exception of a few Aborigines with whom I went to school and played football, I had very little exposure to Aboriginal culture as a young person. It was not until I was 21 years of age and I was a police officer, when I was dispatched to the Kimberley for 12 years that I was exposed to the Aboriginal culture and also the conditions and complexities of Aboriginal people, particularly in the Kimberley. When I returned back to the south, I was able to see the differences in culture and language and also perspectives. Of course, the wheel turns and I have found in my years that eventually we come full circle and, believe it or not, when I came to Parliament in the thirty-ninth Parliament, there was Josie Farrer, my neighbour from down the road when I was up north. We were reacquainted. For those members who do not know, Josie’s son is a good friend of mine and we have mutual friends. I have mentioned before that I could see when Josie brought her bill to this place that she was somewhat frustrated with the process—I suppose it is a learning curve for everyone who comes to this place—but I gave an undertaking to the former member for Kimberley that I would walk with her and we would see this day come and that it would be a significant day, particularly for Indigenous people, the Aboriginal people of Western Australia. It may not be so significant for non-Indigenous people inasmuch as I suspect they are a little bit like I was once, which was a bit foreign to the culture that existed here many, many years before European settlement. That is still the case today.

If I were to canvass members of this place, I would probably find that some could speak a language other than English, but there would not be too many who could speak one of the numerous languages that are native to this country. I commend the member for Geraldton for his research and coming to this place and having a crack at a difficult language. Well done to you, member. There are so many different Indigenous languages and in my time in the north I tried to learn some language, and I get by. Our education system teaches Japanese, Indonesian, French and Italian languages to our young people at school but not a language that is Indigenous to this country, which I find perplexing. This bill is a stepping stone in that recognition of Aboriginal people but, member for Kimberley, until such time we as a collective group of Australian people embrace the existing culture, I fear this will be a fairly long road to walk. I will give an example of why I say that. If I were to ask a young person, or any person, to name five tribes of the North America Indian nations, they could rattle them off without too much trouble. They would probably say Navajo, Comanche, Sioux, Cherokee, Iroquois, Mohicans

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and numerous other tribes they may be familiar with. However, if I were to ask them to tell me the names of five tribes that exist in the Kimberley in Western Australia, many would struggle to name them. In the south west we have the Noongar, Yamatji and Wongai people, who take up the bottom half of Western Australia. The north has a whole range of languages. In the home town of Josie Farrer, Halls Creek, the languages include Kukatja, Walpiri, Pintupi and Jaru. I am sure Hansard will ask me how to spell those later, but they will have to look those up. That is just one example.

I have another test that I like to use, which I discussed previously. I was in Broome recently with the member for Belmont and we were watching the stairway to the moon, a phenomenon that occurs a couple of times a year. We were standing next to Raelene Boyle and we were discussing the fact that we have much to learn from the history that preceded white settlement in this country. I took a straw poll on whether anyone had an understanding of an Indigenous language and whether they could say yes and no, or hello and goodbye, in any of the Aboriginal languages of this country, and not many people could. In learning any language, yes and no, hello and goodbye are usually the first words that we learn. I have been fortunate to go to Japan and I learned to say hello and goodbye. I did the same when I have visited other countries—the very few that I have visited—such as India, where thankfully they speak English broadly. Those are usually the first words we learn in a language, yet here we are; we have been settled in this place for over 175 years, and many of us still do not speak the language.

That is a barometer of where we are at still. I was just as naive prior to my departure for the Kimberley. I was the youngest policeman north of the twenty-sixth parallel. I was fortunate to be embraced by a fellow by the name of “Old Timer”, old Georgie Dann, an elder of the Nyul Nyul. His homeland was north of Beagle Bay. I was fortunate to go and spend time fishing and hunting with a group there. I saw a mutual friend of ours, Jalwa, Georgie Dann Junior, just the other day. We spent a lot of memorable times in the Kimberley hunting for turtle, collecting turtle eggs, and fishing and camping. From there I spent some time in Fitzroy Crossing during the floods in 1984 and I met with some very good colleagues there—Michael Mick, Kevin Oscar, Jock Shandley and Reggie Ford. Reggie Ford and Jock Shandley could not read or write, but they were respected elders of the community who were in the first intake of Aboriginal police liaison officers, or police aides as they were known then. I have fond memories of Reggie and Jock, who have now left us. But I was able to learn from them about the land and how it was a very important part of the lifestyle and existence of people there. I note with interest the comments of the Leader of the Opposition about Josie’s upbringing in Moola Bulla. I have been to her country and I have spent a lot of time, as she knows, in places like Me No Savvy yards, Tunganary Gorge and Nimintji Gorge, which is on Moola Bulla heading north towards Mount Amhurst. Very few people, apart from a few stockmen, would have ever been there. It is a memorable place that is etched upon my memory and I am very thankful for having that opportunity to spend time with the people in that part of the country. I do know from that country that the Me No Savvy yards is where Short Sambo Wamby came from, and his partner was old Lumboo. I have discussed Lumboo, but she has gone now. They were dear, dear people; still very much traditional Aboriginal people living a traditional life.

Later on there was an incident that some members might recall when we lost a couple of young stockmen, called Simon Amos and James Annetts, in the desert. They were missing from Nicholson station and Sturt Creek station. Unfortunately they were found some time later perished in the desert. If it were not for the cooperation, knowledge and understanding of many of the people across that area of the Kimberley, our job would have been much more difficult than it was. For those who do not know, we searched an area bigger than the state of Victoria and endured some pretty harsh conditions. But they also were wonderful memories for me of the bush and the country. This is the sort of thing that I think all Australians should consider experiencing. Many people choose to go overseas for holidays, maybe because of financial pressures, but there is so much to learn and experience out in the remote areas of Western Australia that will enrich the lives of all Western Australians. Until such time as we can continue to evolve together as a nation, and we learn from each other, and we are able to improve the lives of not only non-Indigenous but also Indigenous people, we have some significant challenges ahead.

This is a very important piece of legislation and the member for Kimberley should be commended. But what worries me is that this is only a stepping stone in what we need to do. There are significant issues we need to address that are vitally important. The health and education and hopes of people living in those remote areas is still very low and we need to not throw money at the problem, but have a far more strategic and better plan and executed way of dealing with all those matters that members in this place have spoken about, such as life expectancy, education, and opportunity for employment, and deal with the aspirations and hopes of these people, who are very much disadvantaged. Unless we deal with those people and help them, none of us can truly enjoy our own lot, no matter where we might be in this country.

Extract from Hansard

[ASSEMBLY — Wednesday, 19 August 2015]

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Mr Peter Tinley; Mr Ian Blayney; Mr Bill Johnston; Mr Murray Cowper; Mr Fran Logan; Ms Mia Davies; Mr Dave Kelly; Mr John McGrath; Mrs Michelle Roberts; Ms Janine Freeman; Mr David Templeman; Ms Margaret Quirk; Mr Ian Britza; Ms Lisa Baker; Mr Peter Watson; Mr Mick Murray; Mr Chris Tallentire; Mr Terry Waldron; Mr John Castrilli; Mr Paul Papalia; Mrs Liza Harvey; Ms Josie Farrer

Well done; thank you for your input, member for Kimberley. I am very privileged to have been part of the committee. I thank the committee and I thank the members who assisted the committee. As the member for Victoria Park said, it was a very good committee, one that operated in a very collegiate fashion, and we were able to achieve something quite good. It was a demonstration of how committees can and should work.

MR F.M. LOGAN (Cockburn) [3.35 pm]: I think it is appropriate that with the Constitution Amendment (Recognition of Aboriginal People) Bill 2015 before the house today I reiterate that I acknowledge the Noongar people and the traditional lands upon which we stand today. I will start by reminding members what we are doing with this bill; that is, inserting into the preamble the following words —

And whereas the Parliament resolves to acknowledge the Aboriginal people as the First People of Western Australia and traditional custodians of the land, the said Parliament seeks to effect a reconciliation with the Aboriginal people of Western Australia:

Whilst I know those words are fully supported by the committee and strongly supported by the members for Kimberley and Victoria Park, I also know that they would have sorely wished that those words were expanded and went a lot further than has been agreed to. Nevertheless, the wording we are dealing with today and the proposed change to the Constitution of Western Australia is in keeping with the direction and theme of the Mabo decision of 1992. Just to remind people about that Mabo decision, it was when the Murray Islanders brought an action against the Crown, led by Eddie Mabo, as members know, and declared that the property right—native title—in the Murray Islands before the British colony of Queensland and next to the islands of the Torres Strait in 1879 was based on their customary law. The Queensland law had not extinguished their customary law. The High Court judges agreed that under Australia's common law, native title to land continued after the British Crown became a sovereign power, but the Crown could lawfully extinguish native title by granting someone a proprietary interest in that land. Where the Crown had not granted such a right, native title remained. Claimants could present themselves as holders of native title by showing that in their surviving customary law they were the land's owners. That is referred to in *Divided Nation* by Murray Goot and Tim Rowse as a quick summary of the Mabo decision.

Given that the Mabo case was 23 years ago, Prime Minister Kevin Rudd's apology to the stolen generation was in February 2008, and a former President of the Legislative Council, Hon John Cowdell, tried to amend the WA Constitution along similar lines to include recognition of the first peoples of this state over 10 years ago, this amendment has been a very long time coming. However, the very fact that we are here today speaks volumes about the tenacity and effort of both the member for Victoria Park and the member for Kimberley. To both of you, we all give absolute thanks and acknowledgement of what you are doing here today.

We have come a long way in not only recognising Indigenous rights but also acknowledging Aboriginal people's relationship to country and land. In terms of reconciliation, however, we have a long, long way to go, not just here in Western Australia but across Australia. The member for Murray–Wellington touched on this point just a minute ago: Aboriginal culture, Aboriginal law and Aboriginal language are still not understood or recognised by the majority of Australians. The members for Geraldton and Murray–Wellington have pointed out that the majority of members in this house do not know about Aboriginal culture, law and language. That in itself is a major impediment to reconciliation.

In her speech the member for Kimberley talked about feeling invisible. The member for Kalgoorlie also mentioned that. I acknowledge everything that the member for Kimberley has said about the feeling of invisibility, particularly when Aboriginal people feel invisible about what they know, what they can add to conversations and what they can contribute to decision-making. No wonder they feel invisible, because they simply are not involved in most of the decisions in any tier of government, whether local, state or federal. Aboriginal people are just not involved in those decision-making forums.

I want to talk about visibility, because the very presence of Aboriginal people in Western Australia is still felt with fear and trepidation by Western Australians; the very presence of Aboriginal people in their street, in their cafe, in their parks is felt with fear and trepidation. This unspoken concern and outright hostility is very keenly felt by Indigenous people. I put it to members that if they walked a mile in either Josie's or Ben's shoes, they would know what I am talking about; even though they are MPs they would know what it is like to be an Aboriginal person in this state in 2015. It is the stares, the occasional jibes behind their back, being ignored, that look, "What are you doing here? What are you doing here in this restaurant? What are you doing in this cafe? Why are you here?" That happens to Aboriginal people. It has happened to Ben and Josie on a regular basis, and other Aboriginal people get treated that way every single day of their lives.

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At one time Josie and I walked from Parliament House to the city. I cannot remember what we were doing but we were walking through the city and visiting a number of places. The look on people's faces as Josie was walking alongside me, which I could pick up, was obvious—"What is she doing with you?" It was not because people recognised either Josie or me as MPs; it was the very fact that Josie is an Aboriginal person. "What is she doing here? What are you doing with her? Where are you going?" Remember that, Josie? I felt what the member for Kimberley felt. If members walked a mile in Josie's shoes they would feel what Aboriginal people feel every single day: the unspoken hostility, the unspoken criticisms about Aboriginal people and their presence here in Western Australia.

Another story that I want to refer to is about travelling through the Kimberley with the member for Kimberley, looking at housing. We stayed overnight in Halls Creek. Josie went home and I stayed at the Halls Creek pub. I went to the bar at dinnertime, ordered my meal, sat down in the courtyard and an Aboriginal fellow came over and we started to have a chat. We sat down and some more people came over and started chatting. It was actually a very, very funny conversation about family relations and who could speak to whom. I will not go into it, but it was an extremely funny conversation, and we had a great time. All around us were white fellas and I could see exactly what they were thinking. Every single one of them was staring at me thinking, "What are you doing sitting at that table with them blackfellas?" I could see it in their eyes, looking at me thinking, "What the hell are you up to? Who are you? What are you doing with them blackfellas? You shouldn't be sitting there." That happened in Halls Creek in 2015. We have a long, long way to go to meet reconciliation.

I put to the house that that fear and hostility of Aboriginal people that I have referred to is a hangover of WA's appalling history of land theft and domination. Other speakers have already referred to the 1905 Aborigines Act. As members know, that act was supposed to be for the protection and betterment of Aboriginal people—that basically was its title—and especially for the protection and betterment of the offspring of those people who were the subject of relations between Aboriginal people and whitefellas. That was the intent of the 1905 act. I put to the member for Victoria Park that the real agenda of the 1905 act was to de-legitimise any rights that Indigenous people had at common law as being subjects of British rule and then Australian federal rule in 1905. Until 1905 Aboriginal people were the subject of the British Crown and still had common law rights under British law. The 1905 act introduced legislation to take those rights away and de-legitimise any rights that they had. The 1905 act legitimised stealing land, marginalising Aboriginal people and discriminating against Aboriginal people. That is what the 1905 act did. It was not just about ensuring that the offspring of relations between Aboriginal people and white people were looked after and educated and kept separate. Look at exactly how it was applied. It was applied to de-legitimise existing common law rights of Aboriginal people that until that time were protected by British law. It basically legislated for discrimination and land theft with a legal authority. I point out to members that the application of that act resulted in Aboriginal people, at law, losing the right to live where they wanted to live, losing the right to decide who they could marry at law and losing the right to how they could be educated and who could be educated.

I have been reading bits and pieces from an interesting PhD by Peter Biskup, which is in the Parliamentary Library, entitled "Native administration and welfare in Western Australia, 1897–1954". It explains that even when Aboriginal people tried to become entrepreneurial, with the encouragement of particular enlightened missionaries, when they found a loophole in the Mining Act to take out tenements and mine for themselves, full-blooded Aboriginal people were completely excluded from that at law. When A.O. Neville found out that half-caste Aboriginal people were involved in this process, he closed that off as well. When Aboriginal people even had the ability, or were encouraged to have the ability, to be entrepreneurial and take out mining tenements, that right was closed off quickly. According to the application of the act, we could not have Aboriginal people with any rights whatsoever; all their rights had to be extinguished. That continued, as the member for Armadale indicated when he talked at length about the history of the Native Welfare Act and A.O. Neville and what became of that system.

I want to draw the attention of the house to the views of Western Australians right up until 1965 when a poll was taken. I refer again to Goot and Rowse in *Divided Nation*. A poll was taken here in Western Australia prior to the 1967 referendum that gave Aboriginal people citizenship in their own country. Three areas in Perth were surveyed and two other areas, one called "Bigtown" and one called "Smalltown". They were country towns but they were not named. In 1965, this poll asked about support for segregation in Western Australia. Effectively, 52 per cent of the people of Perth believed that hotels, bars, toilets, swimming pools, public dances, picture theatres and cafes should require segregation.

Dr K.D. Hames: What percentage?

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Mr F.M. LOGAN: It was 52 per cent. In “Bigtown”—we do not know where it is—54 per cent believed those amenities should require segregation and in “Smalltown”, a country town in Western Australia that is not named, 70 per cent of people surveyed believed all those facilities should require segregation. Remember, by segregation we are talking about apartheid, the same laws in South Africa that were in place at the time. That was the mentality of people in Western Australia in 1965, prior to the 1967 referendum. I ask that, under standing order 86, the figures in the graph in this book be incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

	Perth#	Bigtown	Smalltown
Residential hotels	29	36	50
Hotel bars	27	30	46
Public toilets	28	38	34
Swimming pools	22	28	26
Public dances	16	26	20
Picture theatres	*	22	22
Cafés	15	*	*
Total for some segregation	52	54	70
Average number of places chosen	1.95	2.54	2.44
n	(186)	(50)	(50)

Mr F.M. LOGAN: As with apartheid in South Africa, the segregation of people raised the most ludicrous situations. In 1940 and 1947 in Western Australia, the Minister for Education at the time, who did not want full-blood Aboriginal people to attend school and be educated, put in place a policy whereby if someone came from a family whose house had only one room, they could not go to school. If their house had four rooms, they could go to school regardless of the depth of their colour. That was to marginalise Aboriginal people—effectively, people living in the bush and on the margins of towns of Western Australia. That is how ludicrous the racist policies of Western Australia were.

That brings me to why people today still have fear and trepidation about Aboriginal people and why people feel that hostility very, very personally. I want to finish with a quote from Peter Biskup’s PhD thesis, which I think is a good summary of the ongoing determination of Aboriginal people to stand proud and maintain the fight for their own rights. In quoting other sources he states —

‘Once the idea was to kill them off, then the more humane programme was to let them die peacefully and meanwhile to smooth the dying pillow, now the policy is to assimilate them’.

He goes on to state —

But the natives appear determined to retain something of their aboriginal identity. They are still in a struggle with, ‘for a different set of things, differently arranged, from those which European interests want them to receive’. Perhaps they are unable to shed their ‘aboriginality’ and to cease being themselves.

[Member’s time extended.]

Mr F.M. LOGAN: He continues —

We are what our ancestors and the continuing circumstances of Western Australian civilisation have made us. The aboriginal able is aeons of isolation in the last and most difficult of continents have made him... In all conscientious we in a good deal, but it is difficult to pay the debt because our coin is not his.

Once again, I give thanks to the member for Kimberley and the member for Victoria Park for bringing this bill to the house.

MS M.J. DAVIES (Central Wheatbelt — Minister for Water) [3.56 pm]: I rise to speak on this historic occasion and acknowledge the member for Kimberley’s role in bringing the Constitution Amendment (Recognition of Aboriginal People) Bill 2015 to the Parliament and acknowledge all the comments made by the

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members who have contributed to this debate. It has been quite wonderful to sit here this afternoon and listen to the contributions. I hope people will reflect on them as we take this journey forward. I thank also the members who formed the committee—representatives from both houses of Parliament and from all political parties. That, too, is again something worth noting today. It shows a real desire by the community, reflected by the representatives in this house, to acknowledge our history, as the member for Victoria Park very eloquently said. I hope that is how everyone views this occasion today.

Previous speakers have spoken about the symbolism of today. Like other speakers, I also do not want to downplay the importance of a symbolic gesture. It is incredibly important. The member for Victoria Park said discrimination against Aboriginal people is not something in our far and distant past. The member for Cockburn said just then that the institutions and the impact of legislation by previous governments has shaped the way many generations of people have interacted and viewed Aboriginal, and I see it reflected in my community every day—the fact they were brought up in an environment like that shaped their views about Aboriginal people. I see it even in my own family and I struggle with that. I am determined to be more open-minded and to challenge anyone's belief that we should not all try to make a difference in this space. I think that is what today is about. It is one step in what today is about, as has been spoken about today—that this cannot sit in isolation from all the other things we need to do to make sure Aboriginal people feel that they are not invisible in their own country.

When I heard that spoken earlier today, it nearly broke my heart. As a white, middle-class woman who has grown up in this country, I cannot imagine what it must feel like to be invisible in my own country, particularly for people with the proud and long history that Aboriginal people have in this country and their connection to the country. It was heartbreaking to listen to that. I cannot imagine it. We are not having an academic conversation in this house today; it is not theoretical. In reality, I will probably never understand it in its true depth.

I have the great privilege of representing the electorate of Central Wheatbelt and of meeting and working with people from all walks of life, as we in this house all do. That opportunity is not unique to members of Parliament but for small moments in time it allows us to walk in the shoes of others. The member for Cockburn mentioned what it would be like to walk in the shoes of others. There have been some recent examples of the collective Australian mentality. I am thinking of the Adam Goodes incident. We should take just a moment to walk in Adam's shoes to understand why. From the outside, some of us thought that might have been him being overly sensitive to something that needs to be accepted as part of the rough-and-tumble of sport without taking into consideration the immense history and weight that he bears as somebody who is an articulate and proud Aboriginal man and who took the opportunity to make a statement while doing what he is very good at, which is playing football. Taking a moment to walk in his shoes—in anyone's shoes, as the member for Cockburn mentioned—certainly means that we are taking a more empathetic approach and it helps us understand why some people feel the way that they do.

I am not close to understanding some of those challenges. Today we have been given the opportunity to listen to some very personal and sometimes confronting views of our history, and I certainly do not want to be a passive bystander in continuing the journey of reconciliation. I saw a very small example of what acknowledgement does in my community in the central wheatbelt a month ago. There was a gathering in Quairading of about 50 members of the Winmar family, a family that has been in that community for a very long time and made a huge contribution, who have been petitioning for nearly 20 years to have Winmar Road accepted as a road name in the town of Quairading. It was a great day; I have never seen such celebration.

Mr B.S. Wyatt: They got the name?

Ms M.J. DAVIES: They got the name, yes, and I have never seen such celebration for a street name. Honestly, it is talking about what we are doing here today on a much smaller scale, but for them it meant everything because it was an acknowledgement of the contribution that their family had made over many years to that community. It was just wonderful to be there and be part of the celebration, to have elders there, to see it acknowledged in their lifetime and to see the pride of the kids who were coming through the ranks. Their community had acknowledged them in what we would take as something of an everyday matter—although I am not sure; I do not have a street named after my family—and for them it was an incredibly important day. It was really fantastic.

My contribution today is to say that acknowledgement is part of healing. Whatever we are talking about in any circumstance or situation in which there has been conflict, acknowledgement is the first step in that healing process. This is just another one of those points in time when we are acknowledging that there has been tension and conflict and we are taking the time to right what has been a historic wrong. When I joined the family in Quairading—I do this when I meet with other Aboriginal members of my constituency—I gave them an

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undertaking to continue to find opportunities for acknowledgement and to walk and share some of that journey together. I think that is my role as not only a member of Parliament, but also a Western Australian and an Australian.

On behalf of the Aboriginal people living in the electorate of Central Wheatbelt—the Njaki-Njaki, Ballardong and Kalamaia people—and the non-Aboriginal people, because I think this is about coming together, I offer my thanks to the member for Kimberley for creating the opportunity for us to acknowledge all Aboriginal people in our Constitution.

MR D.J. KELLY (Bassendean) [4.03 pm]: I rise in support of the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. I want to first acknowledge the traditional owners, both the Noongar people who are the owners of the land on which we meet and all the traditional owners of the land throughout Western Australia. I want to thank the member for Kimberley and the member for Victoria Park for the work that they have done in bringing this legislation to Parliament. Although this legislation does have bipartisan support, which is good, it is true that if it were not for the member for Kimberley and the member for Victoria Park, we probably would not be debating this legislation today. Although this bill has bipartisan support, I want to especially thank the member for Kimberley and the member for Victoria Park for the work that they have done.

I am pleased to be in this Parliament at a time when we are doing something positive towards righting the historical wrongs that the colonisation of Western Australia brought upon the Indigenous population. This Parliament has unfortunately not always been kind to Aboriginal people. I grew up in Fremantle and went to a school where I do not think there were many Aboriginal kids. I knew very little about Aboriginal culture throughout all my days at school. It is ironic; I remember learning about apartheid and I remember thinking that apartheid in South Africa was terrible and how could one group of people do that to another group of people based on the colour of their skin. I do not remember learning anything about Aboriginal culture, and certainly not about the terrible things that have been done to Aboriginal people through the years of post-colonisation. It was ironic, then, that I learnt about apartheid at school and I got quite active around that issue. I was a member of an organisation that had some people arrested in South Africa and I became active in getting them released from prison. I thought I knew a bit about these sorts of things. It was a bit of a surprise to me, then, when I got to university and one of the first essays I was asked to write, as part of doing some Australian history, was on the Aborigines Act 1905 passed by this Parliament. I was absolutely staggered when I realised that the legislation this Parliament had passed and imposed on the lives of Aborigines was pretty much the apartheid system that I had been so appalled by in South Africa, yet I had grown up knowing nothing about it.

It is very recent history; that 1905 act was actually the law of Western Australia until 1963. It may come as a surprise to some members of Parliament, but I was actually born in 1962. I was born during a time when that was the law of the land. People who say that any of this stuff is so far into the history of Western Australia that we really need to just get over it and move on really do not understand the history of the country that they live in. It is an important thing that we have done today, but it is only a small part of righting the wrongs of the past. It is popular for some people to celebrate the good things but still push the negative things that have happened into the past because they say that it is history and it is no longer important. It is only when people understand the history of the place that they live in that they can really understand the problems of the present and develop solutions for the future. The controversy that we recently had with Adam Goodes was maybe a useful public discussion to have, but it just highlights how many people still have very little understanding of what colonisation has done to Indigenous Australians. One talkback caller said that Adam Goodes was a sook for reacting the way he did. For anyone to say that Adam Goodes is a sook shows a complete lack of understanding of the history of this country. I think we have to constantly talk about the truth of our history, if the people who live today are going to understand where we are today, so that we can properly move on and build a future where Indigenous and non-Indigenous Australians can live together in some form of equal partnership in this country.

It is a case that we have to look to things that we can do in the future. Today, many speakers acknowledged the traditional owners of this land before they began their speech. It would be great if we could have an acknowledgement to country each day before Parliament sits. Whether it is before the prayer or after the prayer, I do not think it really matters, but we have a time of prayer each day to respect the views and beliefs of some members of Parliament. I think having an acknowledgement to country each day would be an appropriate thing for this house to do. I would also like to see the Aboriginal flag flying out the front of Parliament along with the Western Australian flag. They are two little things that we could do. We could also pay a bit more attention around budget time to the funding of Aboriginal and Islander education officers in our schools. We all know how important it is that we assist kids at the youngest possible age if they are to be given the best start in life. It is

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unfortunate that at budget time in this place those sorts of priorities sometimes fall off the edge in favour of some of the more glorious and, dare I say, more popular things that we can spend our money on. We have to give more attention to these things.

In closing, again I thank the member for Kimberley and the member for Victoria Park for bringing this bill before Parliament. It is a good thing that we have done today. It is a small step in righting some of the wrongs that this Parliament has done in our very recent past, and I hope we can continue in that vein.

MR J.E. McGRATH (South Perth — Parliamentary Secretary) [4.10 pm]: I rise to support the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. I congratulate the member for Kimberley and the government for getting together on this very important issue. I say at the beginning that the one person who would be most pleased that I am speaking on this issue would be my late father, who passed away before I came to this place. I was a bit like the member for Murray–Wellington. Growing up in Fremantle, I mainly went to school with migrant kids—the Croatians, Italians and Dutch. I did not have many Aboriginal kids in my class that I recall. I remember the Aboriginal people selling props, which they would bring around on their shoulders. Many families had a clothes line out the back and once the washing was put on the line, the props would hold up the clothes line. The Aboriginal people obviously went out to the bush and cut the timber, shaped it and brought it in. I did not have any great understanding of Aboriginal culture. I remember learning at school that Aboriginal people could light fire by rubbing sticks together and that sort of basic stuff, but I was never taught much about the history of the Aboriginal people.

In the 1960s, my father, who was an electrical contractor, went up north every year for a number of years. In those days, towns such as Broome and Derby did not have alternating current power; they had generators. The government decided that those towns would come onto the grid, so all the houses and buildings had to be rewired to allow for the new power to come through. Dad and another electrical contractor got the public works department contract in a number of these towns. I know that he worked in Broome and Wyndham, and he might have gone to Halls Creek. He spent a lot of time up there. He took my mother and my younger siblings up there. I stayed in Perth with relatives because I was at high school and it was important to finish high school, but the other kids were in primary school so they travelled up there. They lived in a diver's hut in Broome. I went up once during the school holidays and stayed with them. The local shire had provided them with a diver's hut. I remember my brother went out to the back toilet one night with a torch and the next thing he came running through the back door—I think he ran straight through the flywire—because there was a snake in the toilet. The next day the local council arranged for people from the prison to come around and clean up. These are things that I remember as a 15-year-old kid. My dad met so many Aboriginal people during his time up there, and he became very passionate about the need to support Aboriginal people and the fact that they had been so harshly treated under the white man's regime. He also became very upset over Noonkanbah. I know that former Premier Sir Charles Court, who was on our side of politics, was not too popular with my father over that incident. I remember that, so my father would expect me to say something about this bill.

What I can say is that I have learnt more about Aboriginal culture since I have become a member of this place than I learnt in my former life. In my former life, I knew some great footballers. I was a sports writer. I knew "Polly" Farmer and Barry Cable. When I covered the West Coast Eagles, I knew Chris Lewis, and I knew of all the abuse that Chris Lewis suffered on the football field. I knew Nicky Winmar and those guys. When I think back about it, what those players had to put up with was disgraceful. I am an East Fremantle supporter, and one of my favourite players was Jack Clarke. I remember "Polly" Farmer stated in his book, which was written by Bob Hawke's son, that the most racist comments directed at him on the football field were from Jack Clarke. I did a review of the book and the headline was "Jack Clarke was the worst racist, "Polly" Farmer says". "Polly" Farmer's wife rang me and said, "John, what have you done? We're now very good friends with Jack Clarke." I said, "I'm sorry, Marlene, but it's in the book; and, if it's in the book, it's in the book." That happened. That was common on the footy field. "Polly" said to me once, "John, you know how I used to retaliate?" I said, "How's that?" and he said, "I'd just keep getting the ball. The more I got the football, the more they would be annoyed." That is what those people had to put up with.

I have also come to know a group called Moorditj Keila in South Perth. Believe it or not, there are quite a few Aboriginal families in South Perth, with some in South Perth, but mainly in Manning and Karawara. Apparently, moorditj keila means happy, healthy dolphin. That is the name of the group of Aboriginals who lived in that part of Perth around the Canning River and the Swan River. Today, we still see dolphins in those two rivers, although there are probably not as many as there were back then. Moorditj Keila is associated with a not-for-profit organisation called Southcare. It does wonderful work in the area. It tries to set up programs for young Aboriginal kids and families to give them support and to give the kids a pathway. The guy who directs

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Moorditj Keila is Garry Gower, whom the member for Victoria Park might have met. Garry and his wife, Dena, do a lot of work with that community. The City of South Perth is doing a big redevelopment in Manning in what is called the Manning hub in Welwyn Avenue. As part of that development, there will be a headquarters for Moorditj Keila to operate from because of the social work it does. Garry told me a story one day. When I was first elected to Parliament, the principal at Como Secondary College said to me that the biggest problem with Indigenous kids was getting them to school and that if they were not educated, it would make it very difficult for them later in life. I was always aware of that. I gave some speeches and called on the government of the day to do something. When we were kids, we had truant officers and things like that, but in a modern society, it is probably not suitable to have truant officers because there are a lot more people out there and there is a lot more work for truant officers to do. It is not like the days when the local police officer knew all the kids and where they lived. The world has become much bigger. However, it is an issue to get kids to school. It is not only Aboriginal kids, but some Aboriginal kids are in a disadvantaged situation or are from a broken family and the mother has to do all the work and look after a big family of kids. I always felt that more help should be given, and I know that some charity groups have organised buses to pick them up and that sort of thing.

Garry made a point that brought it home to me. I think that education is the one way that we will be able to at least challenge this huge situation that we have. Garry spent time with three Aboriginal youths who had been in and out of institutions, and he asked them whether they would like to get involved in the maritime industry. They probably said, “What’s that?” He said, “That’s working on boats. How’d you like to work on a fishing boat?” He arranged to take them down to Fremantle fisherman’s wharf. They got down there, he took them onto a boat and they met the skipper who told them a bit about what he did and how to get a ticket and all that sort of stuff. When that was finished, Garry offered to buy them lunch. He took them into one of the big fish places—Cicerellos or Kailis Fish Market Cafe—and asked them what they wanted, but they looked up and none of them could read the board. These kids of 18 and 19 years of age could not read the board. That impressed on me that education is the only way we will get Aboriginal people to aspire to great jobs. I think the member for Victoria Park was at Clontarf when the lady who is now a specialist doctor at Sir Charles Gairdner Hospital —

Mr B.S. Wyatt: Do you mean Kim Isaacs?

Mr J.E. McGRATH: Yes, Kim Isaacs. She spoke, and I thought she was a great role model.

Mr B.S. Wyatt: I think she’s up in Broome.

Mr J.E. McGRATH: She is in Broome now, is she? She was so impressive; she is Robert Isaacs’ daughter.

Aboriginal people need role models. The members for Victoria Park and Kimberley are role models. Not every Aboriginal kid can play footy. Everyone says that Gerard Neesham’s Clontarf Foundation is great, but a lot of Aboriginal kids out there will not be AFL players, so there have to be other pathways for them. That is why I think it is important that we get people educated and into professional positions. One day an Aboriginal person will be Prime Minister of Australia, for sure—we know it will happen—and one day an Aboriginal person will be Premier of Western Australia; it will happen. As those things happen and that progress is made, I am sure we will start to make inroads into what has been a pretty sad story.

I recently went to the West Australian Football Hall of Fame dinner, where I met Syd Jackson; he is one of the most amazing people I could ever meet. As a young football fan, I remember Syd Jackson. He was a champion footballer. He did not play for East Fremantle; he played for East Perth, and then he went to Carlton. He was just a great player. He was finally recognised, and he was interviewed in front of all these luminaries of Western Australian football. He was a little guy in a dapper suit, and he said, “I was born in Leonora—not just in Leonora; out in the desert, the other side of Leonora.” He was three or four years of age when the government officers came in and took him and his two sisters away from their mother. He said that there were policemen there, and they took them down to a place called Roelands, which is down near Bunbury. He was not resentful of that; he knew that that was just something that had happened in his life. But he was lucky. He said, “I went to Roelands and we got an opportunity. We kicked a misshapen footy around; that’s what we did in our spare time”, and when he was 15 years old he was taken in by a local family. Dr Manea from Bunbury eventually got him into East Perth Football Club, and he then went to Carlton. I thought he was a remarkable human being. Considering all that had happened to him as a boy, he could be excused for being dirty on the world, but he was not. He now lives in Melbourne but he comes back all the time, and I think he is involved with an organisation linked to Roelands. He works to help young Aboriginal kids. I can only congratulate him for doing that, but he is one of many, many people who are trying so hard to help this situation. I do not really believe that most people are fearful of Aboriginal people; I think the world has changed. I think we still have a long way to go, but most people appreciate that Aboriginal people are like us; they are human beings, and they were the first Australians.

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I had a life-changing experience through a lady called Judith Hugo. She lives in my electorate and she belongs to the Friends of Australian Rock Art society. She contacted me and said, “I want you to come along. We’ve got a meeting and we’ve got this guy coming down from Karratha and he is going to talk about rock art.” I said, “Okay, I’ll come along. It’s not my electorate, but I’ll come along.” That is what I am like; as a member of Parliament, if people want me to engage, I will engage. So I sat there and listened to the history of rock art, and I was quite fascinated. I asked how I could get to see it, so she arranged for me to go up there. I used my imprest account for the travel, and I went to Karratha where I was picked up by a guy called Ken Mulvaney—a doctor who is principal of cultural heritage at Rio Tinto. Rio Tinto employs him to look after the cultural heritage when any development is happening. He took me around Burrup. I had never seen anything like it. I did not know much about it. I remember that when we were in opposition, the Premier made a speech about how we should save the rock art at Burrup. I had a look, and some of it is 20 000 or 30 000 years old. Ken Mulvaney took me all the way through and I have photos of it, and he taught me how the Aboriginal people would have done it. They did not have steel or metal; they would have just used rocks to make the images. But the most chilling part of it was that he took me to an area where the original inhabitants of Dampier Archipelago—the Yaburara people—were massacred over eight days because an Aboriginal person had killed a police officer or something from up in Dampier, the other side of Karratha. The police came down and massacred them in eight days. It was called the Flying Foam Massacre; I had never heard of it. They were wiped out. It was later found that the police who went down there did not even take any handcuffs with them; all they took were guns. When I was told that, it made me understand the dark side of our history, and it truly is a dark side.

I congratulate the member for Kimberley on bringing the Constitution Amendment (Recognition of Aboriginal People) Bill 2015 forward today. I think it was a long time coming. My father, Keith, would probably say that I am on the wrong side of politics —

Several members interjected.

Mr J.E. McGRATH: But to my father, Keith, I am sure he would be very happy with what I have said today and agree with it.

MRS M.H. ROBERTS (Midland) [4.28 pm]: I, too, want to acknowledge the traditional owners—the Noongar people—on whose land we meet today.

I rise in support of the Constitution Amendment (Recognition of Aboriginal People) Bill 2015, conscious of the weight of history that is on this place at the moment. Rarely do we speak in this place on matters of history and rarely do we speak in debates that might be considered historic. This bill, however, is a matter of history; it is a matter of historic justice. Some years ago it was my privilege, when serving as Minister for Indigenous Affairs, to travel to Canberra to witness the then Prime Minister, Kevin Rudd, deliver the apology to the stolen generations. His words were heartfelt and laden with desire to reconcile. Although we cannot change the past, we can at least attempt to mend it. This bill is made of the same historic stuff. It rights a wrong. For the century and more of colonial and immigrant settlement in Western Australia, Aboriginal people have not been our forgotten people; they have been our erased people. They have been rubbed out of history by those who deny the atrocities of the past; rubbed out of history by those who have wanted to claim that the land was empty of human habitation and therefore terra nullius, a vacant property that might be seized by the British Crown; and rubbed out of history by those who wish to deny their claims to country. This bill reverses that and makes a simple assertion: that Aboriginal people were here first and that they had long been the stewards and custodians of this land.

The depth of that connection is often asserted without being well understood. I remember my friend Carol Martin, the former member for Kimberley, once saying to me that she did not want ever to be referred to as “Indigenous”, as if she were part of the state’s flora and fauna; instead, she wanted to be spoken of as an Aborigine—a person who, in the strict original Latin meaning of the word, had been here from the beginning.

Not far from my electorate’s northern boundary is an archaeological site that has uncovered stone tools that have been dated to 36000 BCE, and this is not by any means the oldest site attesting to Aboriginal activity in Western Australia. Whilst we can easily say these huge numbers, if we really want to comprehend what they mean, we can think about what our ancestors might have been doing and where they might have been 1 000 or 2 000 years ago. I might even be able to hazard a guess as far back as the Celtic invasion of Europe 2 300 years ago, with respect to my own ancestors, but there are not many people who can state with confidence where their ancestors were or what they were doing 5 000 years ago, let alone 30 000 to 40 000 years ago. Carol Martin can; the current member for Kimberley, Josie Farrer, can; the member for Victoria Park can; and so can very many of my constituents. They can do that because this country has been their country from the beginning.

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My own electorate of Midland and all the suburbs contained within it are very rich in Aboriginal history. Indeed, I believe my electorate has the highest percentage of Aboriginal people of any metropolitan state electorate. Within my electorate is the important site of Guildford, which was a place of great importance to James Stirling back in 1829. It is Whadjuk country and is called Mandoon in the Noongar language. It is a place where corroborees have been held for thousands of years and a place of sacred meaning where the Wagyl dwells.

It was also one of the first sites of frontier conflict. To the settlers, the local people were a threat because they had no respect for or even understanding of property rights, and so there was a war there, of sorts. But there was also conscience. The first Anglican mission in Guildford, led by Reverend Louis Giustiniani in 1836, sought to minister directly to the local Indigenous people and to mitigate the worst excesses of the colonists against them. Within 18 months, the colonial establishment had turned violently against Giustiniani, refusing him naturalisation and pillorying him in the press as a scheming foreigner. His attempts to defend local Aboriginal people—members of his own church community, in fact—failed before the steely determination of early colonial grandees like William Henry Mackie and George Fletcher Moore. Giustiniani was ultimately driven from the colony, but his story remains emblematic of what Henry Reynolds has referred to as the “whispering in our hearts” that something is not right in the way in which colonial and post-colonial people have dealt with Aboriginal people.

The Constitution Amendment (Recognition of Aboriginal People) Bill 2015 is our opportunity to do something about that, by acknowledging the truth about our past—that all that has been built by colonial and modern Western Australians has been done so on a foundation that was laid by millennia of Aboriginal tenure in this place. We all live on land that has been walked on, travelled on, sung on and hunted on by those who were here first. We all live in another’s country. The least we can do here and now, in 2015, is to acknowledge that and to turn to Aboriginal people, the people who were here from the start, and say: This is your place, the place of your ancestors. It is now, and was always, Aboriginal land.

MS J.M. FREEMAN (Mirrabooka) [4.35 pm]: I also rise to speak on the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. I am very fortunate that the Aboriginal elders of the electorate that I represent have enabled me to give my acknowledgement in Noongar: Ngala kaaditj Noongar moort keyen kaadak nidja boodja. I am sorry; I did not ask for permission to do that, and I should have. I acknowledge the traditional owners of the land on which we meet and the elders past and present.

I congratulate the member for Kimberley, a noble and inspirational Gidja woman, and the member for Victoria Park, a proud and remarkable Wongi, Noongar and Yamatji man.

This bill, when passed by this Parliament, will ensure recognition of Aboriginal people through inserting, in part, the words —

... acknowledge the Aboriginal people as the First People of Western Australia and traditional custodians of the land, the said Parliament seeks to effect a reconciliation with the Aboriginal people of Western Australia:

As we know from the excellent parliamentary report of the Joint Select Committee on Aboriginal Constitutional Recognition, “Towards a True and Lasting Reconciliation”, constitutions are important as they are symbolic and aspirational texts that set out not only where a state is headed, but also how its community is constituted and where it has come from. The step that we make today is a step along the road of reconciliation and acceptance that this land was settled before colonisation.

In this place, some of those steps were taken when Hon John Cowdell ensured that there was a place in this building to acknowledge the first people of this land, the Aboriginal People’s Gallery, which features wonderful artwork from the many WA Aboriginal nations and glasswork from the people of Warburton. I love to take parliamentary visitors up to see the Noongar weather warriors, and they often remark on how accurate the six seasons are. The seasons certainly reflect the understanding the Noongar people have of nature and its cycles, and their respect for the land. Djilba is the season we find ourselves in now. It is the growing season and the season of conception; let us hope this is a good omen. My growth as a member representing the community in Mirrabooka has been greatly assisted by the strong and inspirational Aboriginal elders and leaders in the electorate of Mirrabooka. I have asked permission and they are agreeable that I share their stories.

Doolann-Leisha Eatts was given the name Doolann, after her grandmother, by her aunt. It means “strong hands”, and the stories of her family and her life are in such hands. Doolann begins her book as she lives her life: with a strong sense of self and identity. I will now quote from her book, which reads, on page 13 —

I am from a large Nyungah family from the central and eastern Wheatbelt, Avon Valley area and the Perth metropolitan area. My tribes are the Balladong, Piblemen/Biblemen, Mooroo and Whudjuk.

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...

Like all Nyungah people, I identify strongly with our spiritual and cultural connection to our land.

Doolann's book tells of her connection through the stories of her grandmother, and this makes her book a powerful insight into lives silenced by history and oppression. It reads, on page 15 —

Since 1831 there were “nigger hunts” when the troopers and settlers slaughtered my people so that they were always living in fear and on the look-out. This was told and retold around the camp fires by our old people.

But the richness of Doolann's life is evident throughout her book, even though she prevailed through many difficult, challenging and sad times. On page 17, she relishes the time to reflect in her country —

When I hear the *wardong* (crows) and the *kulbardi* (magpie) call, it brings me back to this moment and the yesteryears that have gone, and I'll never regain, bringing me back to reality. And I see the *djiddi djiddi* (willy wagtail) bouncing around as if pleased for my return and ants still busy going about their business, with the frogs croaking in their nests letting me know they are still around here.

Now that I have my time with them, my burdens are lifted, my spirit is renewed and I feel spiritually refreshed and strengthened now to go on.

Doolann is generous in sharing her stories with us in her book *Ngullah Boodjah Ngaadj Nyungah Myah*, which translates as “Our Country, my Nyungah Home”. She writes in the book that even her excitement of going to school was tinged with the pervasive racism that her family suffered. She says —

In 1946 a report ... to the Native Affairs from the local farmers that the school was overcrowded with Native children in the school and they did not like it.

That was obviously not an isolated incident of the discrimination that Doolann and her family faced, but the pride and self-identity of a woman with a strong sense of place is evident throughout her book in sharing her story and the stories of her people. It is my intention to donate a copy of Doolann's book to the Parliamentary Library so that members can make themselves aware of more of her stories and the stories of her grandmother.

Doolann's husband has also written a book and has shared his story. In his book *some where between not white not black not wanted* Walter Eatts gives a heartfelt commentary that the rich history and stories of Aboriginal people would enrich our nation, many of which have been lost due to the damage of the past. In commending government and community for their work towards reconciliation, he asks that Aboriginal stories be told to understand the pain of the past and build a better future.

Walter's story begins in Beagle Bay where, in his words —

... mum was robbed of her identity when forcibly removed from her biological family and contact was lost forever. Her birth name stripped from her, her culture erased and denied her ...

Later in his book Walter describes asking his mother about his family. He said —

Mum told us of how they were not allowed to talk their language or Corroboree. All cultural beliefs, languages and practices were strictly forbidden.

He said that his mum told them that that the nuns had cruelly and completely destroyed her Aboriginality. He said that the only thing they could not destroy was her spiritual attachment to the land. His mother and father married with the permission of the Chief Protector of Aborigines, and the impact of an identity, neither Aboriginal nor European, led to a life of hurt and isolation for Walter. He would embrace his identity with Doolann-Leisha, his wife. After years spent as a drover, he became a staunch advocate for Aboriginal people, first, through his work as the class 6 meeting coordinator for the National Aboriginal and Torres Strait Islander Coordinator in Canberra and then putting his passion into working with young Aboriginal people looking for guidance, through his and Doolann's company, Aboriginal Urban Services in Koondoola and Girrawheen. I will also make a copy of his book available in the Parliamentary Library.

I would also like to recognise the good work of Oriel Green, who has worked tirelessly on reconciliation in both councils in the electorate I represent—the City of Stirling and the City of Wanneroo. Oriel Green's tour “Back to Country” with her family, including husband, sisters, children and grandchildren, recently welcomed women in the community to share her family's wisdom of the country in which she grew up. Oriel was born of Noongar parents. She lived, worked, married and reared six children in Yamatji country, and her generosity of spirit has combined with City of Stirling and Sudbury Neighbourhood House to share these stories. I met with a participant

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who went on the tour over the weekend of 14 to 16 August, and she expressed her appreciation of being able to take this life-changing journey of reconciliation.

The 2011 census shows that the Aboriginal community makes up a significant number of the people I represent. Aboriginal people make up around three per cent of the Australian population. In Balga, which is the Noongar word for grass tree, or Zanthorrea, the figure is 3.72 per cent. In Koondoola, which is the Noongar word for emu, it is 5.54 per cent. In Mirrabooka, which was named after the south-eastern Australian Aboriginal word for the Southern Cross—the Department of Housing decided to give the suburb an Aboriginal name, but in the local language “booka” means skin and “mirra” is a throwing stick—the figure is 4.36 per cent of Aboriginal people. This is why the establishment of the WADJAK Northside Aboriginal Community Group centre in Balga is a great development to promote the strengthening and sharing of Aboriginal culture with the wider community in the area that I represent. With great local community support and the assistance of the City of Stirling, the centre will be housed in council premises at the corner of Finchley Crescent and Balga Avenue in Balga. Lotterywest funding has seen the recent completion of renovations, creating a centre that will support the local community by providing a place for families, young people, elders and all community members to meet together in small groups to share information and to participate in educational workshops and training opportunities. Len Yarran and Shane Garlett, the leaders in this project, are already making strong partnerships with government delivering a tree-of-life program with the Department for Child Protection and Family Support, and working with kids on their heritage and their identity and mentoring them. WADJAK Northside, in partnership with the City of Stirling, also recently won a Premier’s award for the Mooro Country Tours it has been conducting out and about in the City of Stirling. I recommend these tours to anyone. They take people to Lake Gwelup and Star Swamp and they give people a greater appreciation of Aboriginal culture in Perth. Soon the WADJAK Northside group will be delivering language services. What a fantastic innovation!

I also recognise the celebration of Aboriginals in many events in the Mirrabooka electorate, including the district dreaming round at the Balga Football Club, and the vibrant National Aborigines and Islanders Day Observance Committee event to be held in Mirrabooka.

In conclusion, I would like to again refer to the words of Walter Eatts, who writes —

In writing of this book, I have found it sad that Australia, has not embraced the truth of earlier years of colonisation by non-Aboriginal people. I believe if our country had not been founded on a bunch of lies and greed then this country would not be a place of division as it stands to-day.

It is worth noting that earlier in the book he expresses his commitment to embracing all those who choose to make Australia home. Such is the generosity and spirit of so many Aboriginal people I have met, it is only fitting that we have the same generosity of spirit in this place and right the wrong and recognise Aboriginal people in the Constitution.

The generosity and welcome of the Aboriginal elders and leaders in the community I represent is an honour and I only wish I can repay that honour in part through voting yes to this bill that recognises, as we should always have, this land’s first people in our Constitution. I also agree that recognition of Aboriginal country at the opening of each day in this Parliament would be fitting, and flying the Aboriginal flag would benefit all of us.

MR D.A. TEMPLEMAN (Mandurah) [4.46 pm]: I also am very pleased to endorse the Constitution Amendment (Recognition of Aboriginal People) Bill 2015 that is before us today. In doing so, I acknowledge the traditional owners of the land on which this Parliament meets. I also acknowledge the Binjareb people, the local Indigenous people from the Peel region in which I have lived for 27 or more years. I acknowledge those elders in Peel, both past and present, for their wisdom and leadership and as custodians of land that is known as Mandjagoordap, being my city Mandurah is the meeting place. I know that this is a very important and welcome day for members of Aboriginal communities throughout Western Australia, including the region in which I live. I acknowledge the tremendous work of the member for Kimberley and the member for Victoria Park, and all members for their support of this important piece of legislation. This is the right thing to do. Members have spoken about their experiences with Indigenous people in their communities and with their families et cetera, but at the end of the day this is the right thing to do.

When the member for Kimberley entered this place, she spoke with a number of members about her aspiration of ensuring that a great wrong was righted. Our Constitution, which sets down the governance structures of Western Australia, had omitted one crucial element—the acknowledgement of Aboriginal Western Australians as the first people here in this beautiful state.

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I salute the members for Kimberley and Victoria Park. I also would like to remind people of the words that the member for Kimberley highlighted in her second reading speech, when she challenged all of us to not be afraid, to not be timid and to be magnificent. She said that she is asking all of us who like to reminisce about our connections to Western Australia and our ancestral links overseas, wherever that may be, to join with her to seize this opportunity before us as parliamentarians to do something remarkable. That is what this bill is all about. It is about not being afraid, not being timid; it is about being magnificent and doing something remarkable.

I acknowledge Hon John Cowdell and his early work on a similar bill more than 10 years ago, but this bill, as it passes this place by early tonight and goes into the other place—hopefully that will be dealt by the other place promptly—will ensure that an important omission from the Western Australian Constitution is corrected and that Aboriginal members of the Western Australian community are justly acknowledged into the future. The kulungas—the Noongar word for children—now and into the future also need to share in this important step forward for the state into the future.

MS M.M. QUIRK (Girrawheen) [4.51 pm]: I, too, acknowledge and pay my respects to the Whadjuk people on whose land we stand. In my inaugural speech in this place, I also added to that acknowledgment and said that I looked forward to working with members in this place in a bipartisan manner to formulate changes that would meet the aspirations of Indigenous Western Australians for self-determination, access to their land and economic viability. I maintain that commitment today, and I hope the bipartisanship that is demonstrated today continues because there is still much to be done.

I congratulate the Joint Select Committee on Aboriginal Constitutional Recognition for the work it has done. Members should be mindful that there was a very short time frame for completing the committee report, which required members of the committee to meet over the summer recess at substantial inconvenience to them and their families, as they had to sacrifice time with their families, which many of us enjoy at that time of the year.

I particularly want to congratulate committee members. I think that when Attorney General Mischin, the chair of the committee, retires, he will look back on the Constitution Amendment (Recognition of Aboriginal People) Bill 2015 as one of his greatest achievements. I, of course, congratulate other committee members, including Hon Jacqui Boydell, Hon Dr Sally Talbot, the members for Victoria Park, Murray–Wellington and Kalgoorlie, and, of course, the member for Kimberley, Josie Farrer, for her considerable efforts which we have heard about today. One of the strengths of the member for Kimberley is that she asks awkward questions. I am always reminded when she asks those awkward questions of the following statement by Robert Kennedy —

There are those who look at things the way they are, and ask why ... I dream of things that never were, and ask why not?

In this particular case, it was the member for Kimberley's drive, commitment and persistence that got this bill into this place. In the original private member's bill that the member for Kimberley introduced, we were told by government that there were legal impediments to the constitutional recognition of Aboriginal people. That, frankly, was a straw man. I am very happy to say that the report of the committee completely dismissed that claim and it seems that that argument about legal complications was the refuge of the obstructive and miserable.

Constitutional recognition is very important. We have already heard the member for Kwinana talk about the importance of symbolism and I want to particularly raise a couple of issues in that regard. Firstly, when the government first mooted legislation that related to only the Noongar people, I thought that it was particularly offensive to the many other groups throughout this state who were not recognised in that bill. It is incredibly important that the heritage of all first nation groups be acknowledged. Secondly, symbolism should not be seen as an empty gesture; it is a fundamental sign that we mean to do better and that we want to stand shoulder to shoulder and work towards reconciliation. Symbols alone are not going to cut it. If this bill leads to smug complacency, I am concerned about our shared future. If however this constitutional recognition leads to renewal of our resolve to improve outcomes for Aboriginal Western Australians, then today is a truly significant day, and it is my fervent hope that it does so.

However, as many speakers have already acknowledged, there is much still to be done. In a recent report of the Jesuit Social Services "Dropping off the Edge 2015", which looks at disadvantage in Australia, there are some disturbing results for Western Australia. That particular survey looked at a number of criteria which point to disadvantage, including everything from internet access, level of unskilled workers, housing stress, disengaged adults, unemployment, family income, school readiness, numeracy, reading, overall education, disability support, post-school qualifications, long-term unemployment, mental health admissions, prison admissions and confirmed child maltreatment. Unfortunately, there are a number of indicators on which statistics were not kept for Western Australia but which were kept for other states. They include criminal convictions, criminal justice

Extract from *Hansard*

[ASSEMBLY — Wednesday, 19 August 2015]

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Mr Peter Tinley; Mr Ian Blayney; Mr Bill Johnston; Mr Murray Cowper; Mr Fran Logan; Ms Mia Davies; Mr Dave Kelly; Mr John McGrath; Mrs Michelle Roberts; Ms Janine Freeman; Mr David Templeman; Ms Margaret Quirk; Mr Ian Britza; Ms Lisa Baker; Mr Peter Watson; Mr Mick Murray; Mr Chris Tallentire; Mr Terry Waldron; Mr John Castrilli; Mr Paul Papalia; Mrs Liza Harvey; Ms Josie Farrer

related indicators, juvenile offending and domestic violence. Local government in Western Australia does not access those statistics to assist with the delivery of services. One suspects that if those additional statistics had been included in that data for disadvantage, then the outcomes would have been even worse. However, the report found —

The extent to which social disadvantage in Western Australia is geographically concentrated is shown by the fact that a limited number of postcodes occupy a disproportionate number of the ‘top’—that is, most disadvantaged ...

The most disadvantaged areas in WA were found to be, in no particular order, the local government areas of Derby, West Kimberley, Halls Creek, Meekatharra, Menzies, Mount Magnet, Wyndham, East Kimberley and Ngaanyatjarraku. There is a very good map in that report that I will hold up, but of course it will not be reflected in *Hansard*, that shows those areas are predominantly ones with Aboriginal populations. That is a major matter of concern. As part of this process, I certainly think that the Minister for Aboriginal Affairs, the Minister for Local Government or the Minister for Corrective Services should make sure that the material that indicates social disadvantage that is not being collected or given to local governments. From my time working in Corrective Services, it is almost trite to say that there is an over-representation of Aboriginal people in the corrective services prison system. This has the effect, obviously, of breaking up communities and creating a cycle of not just one generation lost, but also intergenerational problems and lack of social cohesion.

Yesterday, I was at a presentation by Alzheimer’s WA at the Harry Perkins Institute of Medical Research, where we learned that the incidence of Alzheimer’s disease in Aboriginal communities in the Kimberley is five times the general average for the occurrence of dementia. It is not clear why this is; it may be lifestyle issues. We need to address those sorts of issues and take them seriously and not rely on some artificial constitutional distinction about who is responsible for aged care.

On a couple of occasions I have had the opportunity to go to Canada where there are similar issues relating to first nation disadvantage. One of the things that made a real impact in Canada was the holding of a royal commission. One of the recommendations of that royal commission was that judges be able to take judicial notice of Indigenous disadvantage when they are sentencing offenders and in imposing a particular sentence disposition. That is something I think our Chief Justice would encourage informally, but we may need to consider whether we need to give the judiciary the power to formally take judicial notice of that cycle of disadvantage. The other initiatives in Canada that are very impressive are the use of healing circles and community healing so that dysfunctional communities become functional and the judicial system—law enforcement—takes a step back and facilitates community healing with very, very impressive outcomes. Certainly, the imprisonment rate was at the levels equivalent to those in Western Australia, but in the last two decades it has dropped substantially, so we need to look closely at the lessons learnt.

The other thing we can do as members is scrutinise legislation more closely. Almost on a weekly basis in this place we agree to legislation that, frankly, enshrines racial disadvantage, which leads to unequal outcomes and has a disproportionate impact on disadvantaged groups. We need to be mindful of this and we need to challenge unfair outcomes. This has been addressed in two ways in other jurisdictions. One measure in some states of the United States—I have talked about this before—is racial impact legislation. Racial impact legislation scrutinises legislation to be passed to determine whether particular groups in the community will be disproportionately disadvantaged by it. That does not mean that the legislation will not be passed but that legislators have to find the money and the resources to put in measures that will ameliorate that disadvantage. In Western Australia I can certainly think of a number of cases in which passing laws has effectively compounded systemic issues.

The other issue we need to have a long, hard look at is systemic racism. Once the “R” word is used, we get a lot of pushback, strident denial and people become sensitive. If we are a mature society, we need to have those discussions and do careful analysis of whether particular systems, guidelines and the delivery of service is done in a way that has unequal outcomes. The abolition of the substantive equality unit at the Equal Opportunity Commission was a backward step in this regard. That unit had the role of making sure that the bureaucracy did not implement policies in such a way that they did not deliver substantive equality. I think we need to renew our endeavours to ensure that we attain substantive equality and I do not believe that is being done.

As has the member for Mirrabooka, I would like to pay tribute to my constituent and elder Oriel Green, who recently turned 80. She is a woman of quiet dignity, who has had a lifelong commitment to her people and to ensuring fairer, more just outcomes for Aboriginal people. She frequently attends schools in my electorate and performs welcomes to country. She has received numerous awards over the years, including Aboriginal of the Year in 1993, a 1999–2000 reconciliation award, the Aboriginal Education and Training Hall of Fame Award of Excellence for Outstanding Achievement and a Centenary Medal. In 2000, Oriel was among the 300 000 people

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who walked across Sydney Harbour Bridge in support of reconciliation. In 2005, she participated in the launch of the National Day of Healing in the Great Hall of Parliament in Canberra. In 2010, she was acknowledged as an unsung hero for her dedication to improving the lives of Aboriginal and Torres Strait Islander people. In 2012 she was pronounced NAIDOC Perth Female Elder of the Year. Oriel was born of Noongar parents and was the eldest of 14 children. She lived, worked, married and raised six children in Yamatji country. She continues today to serve on dozens of boards, on committees and at national events and maintains her passion for improving the lives of Aboriginal and Torres Strait Islander people and the lives of all Western Australians. In addition to all of that, she has six children, eight grandchildren and one great-grandchild. In her eightieth year it is certainly very appropriate that I acknowledge the work of Oriel Green.

Finally, it is appropriate, particularly this week on its fortieth anniversary, to acknowledge the historic transfer of land by then Prime Minister, Gough Whitlam, to Vincent Lingiari, leader of the Gurindji people. I conclude my remarks with a statement that Vincent made after the Prime Minister symbolically poured that handful of sand into his hands. At that ceremony, Vincent said —

Let us live happily together, as mates, let us not make it hard for each other ... We want to live in a better way together, Aboriginals and white men, let us not fight over anything, let us be mates.

MR I.M. BRITZA (Morley) [5.08 pm]: It is with great honour and privilege that I stand to acknowledge the member for Kimberley's Constitution Amendment (Recognition of Aboriginal People) Bill 2015. It is a very tender bill and I think the highest of congratulations need to go to the member for Kimberley for having the courage to bring this into Parliament. I, for one, am honoured to be in the house to see it happen. I honour her and I, likewise, honour the member for Victoria Park. The committee also deserves honour for getting ahead with this bill and making it happen.

I realise that many members may be aware of my early history and of my father having been a missionary in Africa for more than 20 years. I was brought up as a young boy in Africa among the Africans and when I came to Australia as a six year old, I could not speak English—and not only that but also I thought I was black! It took several months before it dawned on me that I was not black and in fact I was white. The significance of this is that I sought refuge with everyone I could who had black skin. I did that just automatically as a child. My father was then transferred to Kojonup where we spent two years. He was with the Baptist Union of Australia—the only union he ever belonged to—and transferred to Woodanilling, which is a little town between Kojonup and Wagin, where I spent most of my most formative years. I spent four years in that wonderful town so I still regard myself as a “Woodyite”. I had a wonderful conversation with “Tuck”—I mean the member for Wagin—over that. After Woodanilling, I went to Katanning where the relationship with the Marribank Mission became very strong. People from the Marribank Mission came to our church where my father was pastor mainly because, I realise now although I was just a very young child, he knew how to communicate with them without any prejudice. That started a long relationship and one of understanding with the Aboriginal people. That is where I met the Farmers and the Quartermaines. That is where we all played football, which was wonderful. It laid a wonderful foundation.

Then when I came up from Woodanilling to Bayswater, I had to go to Cyril Jackson Senior Campus. I remember I was only 12 or 13 years old. I was absolutely scared stiff and did not know what to do. The only thing I had in common with anybody was that I barracked for East Perth Football Club. All of a sudden, I found somebody who barracked for East Perth, and it was a blind Aboriginal boy, Joe Lanigan. In all of my three years at Cyril Jackson I was his helper. I held his hand as we went all around that school and we worked together. Then of course I went to Sydney and we lost contact, but I had made a very tight relationship with that young man, tighter than I ever thought would be the case. Many, many years went past. I remarried and brought my wife from America out here and we spent four months on the Oodnadatta Track. Some may think what the heck I was doing on the Oodnadatta Track, but I learned more among the Aboriginal people on the Oodnadatta Track than I have probably learned in my entire life. We met and spent four months with the former Aboriginal Woman of the Year in South Australia, Clara Johnson, who came from a tribe just south of the Mutajula tribe. It was while I was at the Mutajula compound—that might not be the right word—that I saw things that just rendered my heart useless. I made the comment to myself then in 2004 or 2005 that if I had political authority, maybe I could make a difference among these people. That was the real key that turned my heart towards politics. Penny and I went back to America and she got pregnant with our little son Samuel. He was only three months old when we came back from America, and we came back through Quorn where Clara Johnson was. She was 79 at that time, and she took my son and as she held him, she said, “I’m going to say words over him”, obviously in her mother tongue, “and I’m going to give him his Aboriginal name. She said these words and then she gave him his Aboriginal name, which is Booka.

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A government member interjected.

Mr I.M. BRITZA: The member is right: it is an eastern word. When I said to her, “Why have you named him Booka?” she said, “Among my people, Booka means first male born.” So, we regard Samuel as having a second name: Booka. I then became a member of Parliament and, after 30 years, I bumped into Joseph Lanigan again. I was reunited with the one man with whom I have most probably spent the most time. If I have one criticism of members of Parliament and people who talk about wanting to establish a relationship with Indigenous people, it is to ask my first question, “How many hours have you spent around a campfire, because you cannot get their heart on any issue unless you sit, and then you have to sit for a long time, preferably around a campfire because at least you’ll be warm. But then after several hours you’ll begin to talk. After more several hours, more things will be able to be shared.” This is what Joe and I did, and he introduced me to several more Aboriginal elders within my electorate whom I have helped unofficially. When I say “unofficially” I mean that we cannot write press releases about things such as helping people get into homes. Remember, Joe was blind. When I went to his unit—I will not say where—I saw cockroaches everywhere. It was absolutely filthy. I just could not believe that any department would allow someone like this man to actually live in a place like this. I set about rectifying that and within a matter of months I had him transferred into a beautiful unit, until six weeks ago when he passed away. I was mad at him for passing away because he did it while I was overseas. He caused no small stir among his family. The hospital did not tell his family that he had passed away because on his hospital form he named me next of kin, and the family could not do anything until the hospital contacted Ian Britza before they could tell the family that he had passed away. I know that Joe and I shared many, many things. It was Joe who really cemented the relationship between the member for Kimberley and me. We began a relationship that as far as I am concerned is very tender even today. The one thing we used to talk about a lot was the football. My greatest football hero still today is Syd Jackson who, of course, played for East Perth. I hate to admit that he was transferred to Carlton Football Club, which, of course, I barrack for, but I do not make that too public these days! I just sent an email last week to Carlton Football Club as I want to meet Syd Jackson before he passes away because he not only is my hero, but also stands out in the community in the most outstanding way. So, that came about and I suddenly realised, my goodness, this is a very tender time.

All I want to say today is that the Aboriginal people have every right to believe that they have a right to be recognised. I like the comment that the member for Mandurah made just a few moments ago: this is simply the right thing to do.

I just want to close by saying to the member for Kimberley: well done! Thank you for persevering. Thank you for bringing this bill before us, no matter what had to take place for it to be adjusted and all the rest of the stuff that goes in politically. It was the right thing to do. I want to honour you and say thank you, and I believe that your people all around Australia, Western Australia especially, have every right to honour you and thank you for bringing this up and putting this in our Constitution. Thank you.

MS L.L. BAKER (Maylands) [5.17 pm]: I rise to speak on the Constitution Amendment (Recognition of Aboriginal People) Bill 2015 and take this opportunity to speak before the house on a historic occasion. I want to very much echo the calls from all our colleagues on all sides of the house and all sides of politics, and I hope on all sides of the community, in thanking my friend and colleague the member for Kimberley for the work that she has done pioneering this bill, and to thank the member for Victoria Park for all the work that he has done along the pathway to this historic occasion.

It was very interesting for me to listen to the debates in the chamber tonight and to read and research this topic so that I could speak tonight. A lot of the historical references I heard in the chamber used language that we would never use today and were given in a different cultural context. Times have changed. We speak differently. We have a different notion of what is socially acceptable. I thought I would take my short time in this chamber to speak on this subject to allow people to think forward a bit so that when this *Hansard* is read in 50, 80 or 100 years, I will have put on the record some information that has very recently come across my desk. It is from the Western Australia Commissioner for Children and Young People, who has just finished an extensive piece of research and consulted with over a thousand Aboriginal children and young people in Western Australia. She did that last year and has just released a couple of reports. It is a great pleasure to put on the public record some of the views of the children from this day and age in Western Australia. I hope that when people look back at this decision and read *Hansard*, they will think about what is happening with the Aboriginal children and young people at that time.

In this report by the commissioner, she has discussed lots of stories from young people and I want to read a couple of the comments to start my short contribution. Jay, who is 17 years old and lives in Caversham, states —

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I am Koori, born in Perth. I have always lived in the Midland area within the Noongar community with my mum, brother and sister. If I didn't have my mum, I don't think I would be the same person. She has been my mother and father. She has always provided for us even though it hasn't been that easy for her. She has given up her whole life for us kids ...

...

School is important; it prepares you to take on responsibility when you get older. It prepares you for the outside world because things aren't always going to go your way. It's good to find people who believe in you at school. I think if they believe in you, then maybe we should start believing too ...

Other things worry me too like what if the world keeps going the way it is and no one is prepared to make change and be nicer to each other.

...

... I grew up in a life where drugs, alcohol and bad influences were all around me. I'm not saying my life was wrecked but it could have been easy for me to give up and just copy those people.

I figured out that it was up to me. In fact, my greatest personal achievement is that I decided to be different. Reconnecting with my Noongar culture let me find out who I was again and made me proud. It was the change in my life that I needed.

What a remarkable young man at 17 years of age to make those observations about his life. What a wonderful opportunity we have that these kinds of thoughts have been committed into this report. I might read another story later on.

We know that Aboriginal people's culture has been passed down from generation to generation over thousands and thousands of years. It is grounded in tradition, but, like all cultures, it is dynamic. Thank goodness it is dynamic, because what a journey the Aboriginal culture has been on in the past 200-odd years. What a strong people to have survived the many changes that have been inflicted upon this culture over the past 200 years. Far from signifying the end of culture or the end of tradition, the adaptations bring new vitality to Aboriginal culture, and that is what we look forward to. Nurturing a strong sense of identity and pride in Aboriginal children and young people plays a great role in developing positive health and wellbeing and keeping the culture strong.

I will read a very brief quote from a 10-year-old Noongar, Martu, Yamatji and Wongi boy in Perth. He states —

Our culture is so good because it's the oldest one in the whole world. It is important to me to hang on to the information because I don't want us to lose our culture, that's when we lose our way.

That is a beautiful statement from a lovely boy.

We know that keeping the strength of culture is absolutely vital and that bringing our first nation's people along with us on that journey is also vital. There are many stories that I can tell. I have listened to many members tell stories about their friendships and personal interactions with Aboriginal people. I want to mention one friend of mine who is with us tonight. I knew Jim when he had black hair, so it has been quite a while—and he had quite a bit of it back then! Jim Morrison is in the public gallery tonight with many of his colleagues. I pay tribute to Jim. I have known him for many years. I first met him when I had a big problem. I was put in to direct a government department and there was an Aboriginal component in that big government department and it was not going quite as well for the community as we wanted it to. Jim came in and worked very closely with me and all my colleagues in that area to fix the problems. He was remarkable, so I swore I would never let him go after that—and I have been stalking him ever since! He has been many things in his career. He has been the president of Pride WA. I think that was three or four years ago, but it may be longer. He is a remarkable human being with a beautiful family and some lovely children. He is an iconic Aboriginal elder in our community and someone I am proud to call a friend.

I want to finish my very short contribution by putting on the public record another set of comments from Brayden, who is a 17-year-old Carnarvon lad. He states —

I'm from the Yamatji and Yinggarda people. I'd like to learn more about our languages and spiritual ways, and where our people used to go, like the old places and sites. My dad knows a bit about my culture but my uncles, they know a lot more. I just haven't always got time to see them because they work.

...

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When I first started Clontarf I kept getting in trouble, like missing the camps and stuff. I felt pretty left out though so decided I didn't want to be in trouble anymore. It's more fun doing the right thing. It means I can get more involved, and not only help others but improve myself. Getting better makes you feel good. Like now I've been given an opportunity to do an apprenticeship with Rio Tinto. I'm so proud of that.

...

I think a lot of young kids drink too much and do drugs and choose to live with each other at a young age instead of concentrating on school and work. Maybe they think another chance will come by. I think you should take all the opportunities and support you can. I say just ignore the people that are giving you a hard time, stick with your family and trust your teachers.

Don't lose faith in yourself because you make your own destiny.

What a statement from a 17-year-old! Are we not privileged to be part of history tonight? Before I sit down, I thank the wonderful member for Kimberley and all those members in the house who have helped us on this journey to get to this point.

MR P.B. WATSON (Albany) [5.27 pm]: It is with great pleasure that I talk tonight about the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. I have been a member of this Parliament for 15 years now and this is the most important piece of legislation that I have had the pleasure to be involved with. It was remarkable to hear Josie's story today. I thought I had had a pretty chequered life. It was not a hard life. I thought my life was a little colourful. We heard what the member for Kimberley has gone through over a period of time with 15 children. I have had heaps of trouble with three! I must admit that my children are beautiful. Josie is a legend in Australia to have taken on other people's children. She is a role model for so many people in bringing this legislation to Parliament today. I say to my friend the member for Victoria Park that I do not know how hard it was to be an Aboriginal person 20 or 30 years ago.

I was born in Melbourne. I was on Air Force bases all over the eastern states and there were never any Aboriginal kids at my school. Even when I came to Western Australia, we lived in Subiaco and there was none there. I remember when I got on the plane to go to the Olympics, there were three seats across the plane and I was in the middle and on my left-hand side was this Graeco-Roman wrestler who was about 25 stone and took up half of the seat. On the other side was a little guy called Joey Donovan. He was the Australian representative in the light-flyweight division. He must have been about four foot six and weighed about three pounds two ounces. I said, "This is the Olympians' plane, what are you doing on here?" He said, "I'm going"; he had the blazer on. He told me the story of how he became an Olympian. He was a wild young boy, and someone got him into a gym one day and he managed to become an Olympian. I am not sure how he got on over there, but I remember hearing his story that night. In those days it used to take a long time to get to a place like Mexico—I think we were 20 hours on the plane or something—and he kept telling me his story. He wanted to know my story, but my story sounded pretty average. I had most things, I was encouraged by people and I was looked after all the time, but he did not have his mum and dad; he was taken away when he was little. I was thinking how lucky I was, but this tough little guy was the best in Australia and he was going to the Olympics. He made an impression on me that has stayed with me until today. People like Josie and Ben—the members for Kimberley and Victoria Park—are true Australian heroes. I am so proud they are my colleagues, and I am so proud to be part of this Parliament in which they are involved. We are all Australians.

It is funny, I was talking to my wife before I came into this place and she said asked what I would be talking on today. I told her we would be debating a bill to recognise Aboriginal people in the Constitution. She thought they were mentioned in the Constitution anyway; so many people do not know that it has never happened. It is a travesty that it has taken all this time although we have had Aboriginal soldiers from Albany, from my electorate, from all over Western Australia and Australia going away to wars. They were never recognised when they came back, but I must admit the National Anzac Centre has a section on Indigenous soldiers.

Many Noongars in my electorate are great contributors to our community in not only the arts but also health, education and especially sport. I have coached a lot of young Noongar boys at basketball. They do not like my umpiring, but they like it when I coach, and they always let me know. It is great to be the member for Albany and have young Noongar boys coming up and saying, "G'day, Watto." That is the sort of thing that we want as members of Parliament. These young Indigenous or Noongar boys think: That guy is human; I can be like him one day."

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I love going out to the schools. We now have year 7s in high school, and at the last year 6 assembly before they left, one of these little Noongar boys—he was probably only about so big and had little skinny legs—came up to me and I said, “How’re you going to go at high school?” He said, “Bring it on. Bring it on.” That is the sort of attitude they have, and these young boys have to have role models. We are lucky in Albany at the moment because Rio Tinto has an Indigenous program that takes young boys and flies them directly up north to the mines. They are role models on a smaller scale; they go away up north, make a bit of money and coming back and being role models in the community so that the young people have someone to follow.

I think that having the Indigenous flag at the front of Parliament is a great idea, and also there should be a welcome to country. Another thing that has always worried me, especially when we go to something like the Olympics, is that we see all the other countries in their national uniforms. I cannot see why we cannot take some of the Indigenous culture and make it Australia’s culture. It has always bugged me when I have been to a Polish function that they have all their Polish dress on, and when I go to the Turkish ball —

Ms M.M. Quirk: You’re the whirling dervish, are you?

Mr P.B. WATSON: No. I think we should be bringing the Aboriginal culture into our national dress because they were the first people here.

Someone was talking before about not knowing where their relatives come from or what they did and how far back they go. Josie tells me she has a grandson called Watson. I do not know where my early family went to, but Josie said he is a very good runner! I do not know whether it is going back through the history or not, but I hope to go up and see him in a couple of weeks—not to check whether he is my relative, but to try to encourage him to follow on with his running. If he has his grandma’s aggression—I should not say aggression —

Ms M.J. Davies: Determination.

Mr P.B. WATSON: Determination! I am sure he will do well.

There are so many of these talented young boys. When I was on the Education and Health Standing Committee we went up north and I saw a lot of young kids up there. When we were in government I looked at regional sport and went up to the regional areas and saw all these young people with tremendous ability, but they just do not have that little bit of push to get them going because there is no-one there to do it for them. We have to get them into sport, get their health right, get them on a set path and get them an education. That is what we have to do. What we are doing today is great, but there is a lot more to be done. We cannot just walk out of this place today and say Aboriginal people are recognised in the Constitution; we have to find ways to fix things up north. I was really impressed with the member for Geraldton’s speech today. We have to get people to do it. We have great people in Albany; I could probably name nine or 10 families who have contributed really well or tremendously to our community. There are others who will try to put them down, and people on both sides of the community have tried to pull them down because they are trying to do something. These people have that extra strength and they say, “What I am doing is right, and no-one is going to stop me.” In our community, if anything goes wrong, everyone says it is the Aboriginal kids. I can tell members, through sport and everything like that, that it is not only the Aboriginal kids, it is the wadjela kids, too. I have been involved in sport for a long time in Albany, and I look at the family side of the Aboriginal community. When the young kids play sport and when I have coached, the wadjelas, or white people, in town drop their kids off and leave them there; the Noongar families come along to encourage their kids. I am proud to stand here today. I am proud of the Noongar community in Albany and I am proud of Benny and Josie. I could not be more proud to be standing here today representing everybody in Albany, but especially the Noongar community. It is a great step, but we cannot stop here.

MR M.P. MURRAY (Collie–Preston) [5.38 pm]: I was very distracted by the Whip telling me to stand up!

Firstly, I acknowledge the traditional owners of the land. Being a little older than most, but not everyone, in this house, I have seen quite some changes and quite some issues that have confronted Aboriginal people over many years. One has stuck with me from when I was about eight or nine years of age. I used to travel round with dad and we would go to the football on Sundays in the West Arthur region, which is upper great southern, and we would go out to Wagin. The Wagin community toilets had a sign that read “whites only”. That has stuck in my mind forever and a day since I was a young bloke. We had to ask our parents where the Aboriginal people went to the toilet. I believe now, when I look at the answers we got as eight or nine-year-olds, we were confronting our parents about why this was happening. They always gave us some mumbo jumbo, and we shut up and went back to sleep in the back of the car. But from that day on, I thought, “Well, that’s unfair.” It established some markers in my life to think that people were not even allowed to go to a public toilet because of their colour. It is absolutely appalling to think that that has been a part of my lifetime. That is one issue that really stuck in my mind.

Extract from Hansard

[ASSEMBLY — Wednesday, 19 August 2015]

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The others were about when we would drive around in the upper great southern and any of those areas out there. Most of the towns out from Collie—Darkan, Wagin and Narrogin—had camps on the outskirts of the town, which were called the Aboriginal camps—camps, not houses. It was very rare in those times that an Aboriginal person could get a state house and, if they did, it was generally complained about by the neighbours and pressure was put on that family right from day one. I have seen over the years a few families succeed and push their way through. Certainly, two of them were the Mears and Khan families in Collie. They pushed their way through by doing really hard work, such as shearing and root picking—those sorts of things that were done at the time. They were able to establish themselves through hard work—not through education, but by menial tasks with hard work and proving themselves the hard way. Did their kids go to school? Too right they did. Did the kids get jobs because their dad had put that standard there? Too right they did. Still, I am really proud to see where a lot of those people have gone and how they got there. Often there were no free kicks for those people. Any one of the few people in here who have seen what shearing is like in January—when no-one else wanted to do it, they were picking up jobs in those sheds around the Christmas period—will know it is really tough work.

I grew up 70 kilometres out of Collie, in a place called Duranillin. I looked up what the name of the town actually meant. Unfortunately, there is no rhyme or reason or for why it is called Duranillin, so I will not be able to give members that history lesson. We had a small school of 15 kids, most of them Aboriginal. Some of them I still call my friends today. What a fun life we had. It was a crossover between cultures. Most of the other kids were migrant kids—the railway line was the main employer out there. We did things such as find yams, look for fox dens and go out in the bush and set up rabbit traps; all those sorts of things were cross-cultural things. There were no colours involved. It did not matter what you looked like, but, by geez, could we swear in many languages! We could really get stuck into it. We certainly had our share of fights. When I look back and think about the times I went to my grandmother’s farm, it was around the same time when I was at that school. She would tell me stories and point out where the Aboriginal camp on their farm used to be. There were people who would work for tea, sugar and flour—no wages. That is, again, when I was in the eight to 10-year-old age group. I used to go out there and give my grandfather a hand with drafting and chasing sheep, and being a general rouseabout. For the Easter break, I used to get a pound. I would bet any money that for the work those Aboriginal people did in a full week, none would have got that. They would have got their tea and sugar and been sent back into the camp that was down at the bottom of the farm.

My grandmother told me many stories about how there would be a knock on the door in the middle of the night, and it would be someone who had come up from the camp and my grandmother would play midwife for the families when they were having children. There were a couple of big wandoos down there, and a bit of a humpy over the top of a few sticks, and she helped those people in that way. But they were still treated as second-class citizens. It does not matter what anyone says; they were treated as second class, because they were willing to work and they were not paid. When they wanted a bit of help, was it always there? No. Could they get a ride to town? No. The attitude was, “No, we’re not having those people in our car” and that was it. Now and again, they would get a ride on the back of a truck, and that was on all-gravel roads. Anyone who wanted to sit in the back of an old five-tonne truck in those days had to be really desperate to get to town.

That was what the life and culture was like that Aboriginal people had to come through. As I moved on in life, and got around and played football with a lot of those kids and saw the exceptional skills they had, I saw a few come through. Another person who comes to mind is Avon Bennell, who was an exceptional sportsman. I believe he went on to become a teacher. I have tried to track him down over the years and not been able to find him. I believe he became a teacher out in the great southern somewhere. Those sorts of people stick in my mind, and I realise how hard it would have been at that time to be of that descent and become a teacher—really tough. I remember the teacher at our school really encouraging him, because that is what he had wanted to be since he was that high, and the teacher used to take him to special classes and those sorts of things. As I say, as we moved along the way and we had the camps on the outskirts of town, people started to realise that that could not go on and it had to change. The resistance to moving those people into proper housing and sanitation was huge. I do not care what anyone says, state housing would not pick them up until there was intervention. The intervention came from Parliament to say that Housing had to do it. That is why I am proud to be standing here today to say that we have moved another step—not a huge step, but another one.

I also attended some Aboriginal war grave dedications throughout Katanning, Collie and Bunbury and saw the emotion that was there. I can feel that emotion even now. When they were killed in action or in training, they would be brought back and buried, but they did not get the same recognition as an ordinary Australian soldier. They were treated differently. It did not matter whether they were shoulder to shoulder in the trenches—whatever people like to say—but when they came back, they were not recognised as such. During the dedications when the whole family was there, some people would tell stories about how they never even knew

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their dad, and others who were a bit closer were able to meet the family because of this dedication. It was just tremendous. The emotion, as I say, was just out of this world. A lovely plaque gets put on the Aboriginal war graves, exactly as they should have been on the day they came back from their service. I know it has been said many times, but the same people were made to stand outside the pub while their mates went inside the pub. There are many stories about how fights started because mates were mates—it did not matter about the colour—and their mates would knock the pub down if they were not let in. Those sorts of things are all steps in the right direction. They are little steps when people started to acknowledge that there was a race out there that was no different from any other race. It is something that I think the rest of the world, at this stage, could look at to see how we are moving, even if it is very slowly.

The other thing that was in my area was the Roelands Mission, where many people from the stolen generations were put, although I did not realise it at the time. Some of the kids we played football with were in the Roelands Mission at the same time. Yes, we were brought up to believe that everything was rosy and going well and people were getting educated. There was some of that, but there were some awful stories to go with it. The other problem with the Roelands Mission was that when people had done their time there, they were virtually put out on the street. We would see groups of Aboriginal girls and boys and would ask, “Where have you been?” They would reply, “School’s finished at Roelands Mission; we’re out.” We would ask them what they were going to do and they would say, “I’m going to try to find mum; I’m going to try to find dad.” They were just turfed out and left to find their own way. There was no bus ticket; there was nothing. They were just put out on the street. Of course, out of that came dissention and many other things that happened, and then out came the alcohol problem. At the time, it was not drugs as such, but they would start to drink and then people would say, “Look at them. They’re alcoholics; they’ve been drinking”, without having any understanding of how they were turfed out onto the street and made to fend for themselves. Again, this is another move forward, and it is great to see that the Roelands Mission has now been restored and is still getting more work. Aboriginal people are being trained, and some of those people who grew up in the Roelands Mission are now living in the village and mentoring and teaching the young kids who come through. It is really special to see those young people experience that with their mentors.

Another issue about the recognition of Aboriginal people in the Constitution is that over the years many other areas have gone forward with such an acknowledgement without us. I am referring to welcome to country ceremonies and many other acknowledgements of our Aboriginal cultures, yet the Parliament has been the last to act. It is a blight on us that we have been so slow to move, despite there having been numerous events and opportunities to recognise our Aboriginal culture. It is pleasing to be part of debate on this bill.

I will talk about one other thing—the member for Kimberley. The first time I met Josie Farrer was in Kununurra and we had a great night out. I recognised a woman with presence. This was before her preselection. We attended a dinner with my wife and Josie’s daughter, and we had a great night. The presence of the woman is something that I acknowledge now and that I recognised then. When the member for Kimberley spoke, people listened, and that has not changed. I watch this house when the member for Kimberley gets up to speak and there is quiet. People do not interject; they do not keep talking. The role that Josie has taken on as a leader has been well used, accepted and recognised by this house and her people.

I will say that in her household in the next couple of days, it will be an extremely special time. In saying that, what the member for Kimberley has succeeded in doing in this place is special in not only the Kimberley, but also the south west. Aboriginal people have come up to me asking when this recognition of Aboriginal people will happen. It is now happening, and I take my hat off to the member for Kimberley for the work she has done. But I also remember that there was resistance in this house, and we had to work through it to make sure this bill came through without any dissension, because if there was major dissension, it would have been a waste of time. It would have been a waste of time for the government side and the opposition side. Members would have said, “I did not vote for that”, or, “I did not mean that.” They would have done all those nasty things that we do as politicians.

In this case, I would like to take the liberty and, on behalf of the south west Noongar and other Aboriginal groups, thank the member for Kimberley for pushing this bill forward, and I thank all the people who helped her. I say: well done! Let us get it done.

MR C.J. TALLENTIRE (Gosnells) [5.52 pm]: It is an honour to speak tonight on the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. I begin by acknowledging the Whadjuk people, the members of the Noongar nation and also to acknowledge that we are here thanks to the great efforts of the member for Kimberley and the member for Victoria Park, as well and the work of the committee that was able to bring together this bipartisan position that we have before the house tonight. I have no doubt that our Aboriginal

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heritage is one of the defining features of our nation and our state. It is recognised internationally. People internationally speak with great enthusiasm and great interest about our Aboriginal culture and our Aboriginal people, and then they just push a little bit further and ask what state Aboriginal people are in in Western Australia today. Sometimes that is a very difficult question to answer; in fact, it is always a difficult question to answer. On the one hand, we are so privileged to have here in Western Australia the oldest living culture, yet we have to face the reality that in so many ways it is a culture that we have badly neglected. When we look at various indicators, whether it is life expectancy, child mortality or a whole host of other indicators, we see that Aboriginal people in Western Australia have been struggling.

That tragic neglect is observed around the world. We like to think that when we travel overseas, we are a respected and liked people, but our treatment of Aboriginal people shows us in a poor light. We have to acknowledge that it is damaging to our international reputation and is something that we have to solve on not only those grounds, but also on the grounds that it is the right thing to do. In acknowledging Aboriginal people in our Constitution we are taking a small symbolic step forward in rectifying things. I know sometimes when that question arises in international forums, people are inclined to say that the situation has come about because of an unfortunate sequence of historic events and, yes, there were events such as the separation of young children from their parents and they are still suffering the consequences. That is true, and there is that historical situation that causes the multigenerational damage. We have to learn from it as well. We have to realise the damage that has been caused and acknowledge it. We must not go into a state of denial about this.

I note that other members quoted the historian Henry Reynolds about the history, particularly in the nineteenth century, when there were frontier wars and Aboriginal people were subject to great violence because of British colonisation. In fact, Henry Reynolds pointed out that there was not debate about whether or not there was violence; the debate in the nineteenth century was whether it was morally wrong to have violence present on our frontiers. That was where the debate was: it was a question of the inevitability of violence. Reynolds says that we have got that in our history. We know that today we love to talk about other wars as being defining parts of our character. We, of course, have our Anzac heritage and we point to events in other wars as being part of our national character. But Reynolds says we should as well—as hard as it is—accept another aspect of our character that is also rooted in conflict. That is something we need to be aware of. It is a difficult thing, because there are some shameful events in our history, but if we do not face up to them, we are not being honest with ourselves and that is not good for our national character. It is damaging to our national character. We can look at other nations around the world that have had to face up to their tragic recent history. I refer to the German people and the way they have faced events that have happened in the last 100 years that their forebears have been involved in. How they deal with that shows that it is actually possible to use those tragic and shameful events as a means of building character, a means of defining what we stand for now. What was in the past is in the past and we cannot change it, as tragic and shameful as it is. We have to move on and be made stronger by an acknowledgement of what is in the past.

I have heard members speak about such things as the flying foam massacre that happened up at what we call today the Burrup Peninsula; I think Murujuga is its correct name. The fact is, right or wrong at the time in the eyes of those involved, the police did not even head out with handcuffs; they went to resolve the situation armed with guns and with one aim in mind. That kind of tragedy is something that we have to be aware of.

There has been a lot of talk about the events in Pinjarra and the events that surround Governor Stirling's travels in the Pinjarra region. There is indeed a debate about whether or not there was a massacre in Pinjarra. I think it is clear that there was, and we have to be aware of that. On the one hand, we hold Governor Stirling as someone who was integral to the founding of this state—there are so many places in WA that are named after Stirling that we could assume that he was a person without blame, a person who had made nothing but a positive contribution to the history of our state—but we have to be honest. When information comes forward about tragic, indeed shameful, events we have to be honest about them and not deny that they occurred. We have to be aware of them, learn from them and use them to inform our character to make us stronger.

The Constitution Amendment (Recognition of Aboriginal People) Bill 2015 is something that all of us in this place have worked hard towards, and it is something that at long last acknowledges Aboriginal people as the first people of this state. That is something we can be proud of. It is long overdue and it is something that we have to have in our Constitution. It is absolutely essential. It will be interesting to see how the rest of the state—our constituents—react as they become aware that our Constitution has been changed. I think we all have a duty to go out into our electorates and inform our voters so that they understand what we have done as members of Parliament, to show them that we play a leadership role and that we as their representatives are not afraid to take on that leadership role. It is interesting to compare this legislation with amendments to the federal Constitution.

Extract from Hansard

[ASSEMBLY — Wednesday, 19 August 2015]

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Mr Peter Tinley; Mr Ian Blayney; Mr Bill Johnston; Mr Murray Cowper; Mr Fran Logan; Ms Mia Davies; Mr Dave Kelly; Mr John McGrath; Mrs Michelle Roberts; Ms Janine Freeman; Mr David Templeman; Ms Margaret Quirk; Mr Ian Britza; Ms Lisa Baker; Mr Peter Watson; Mr Mick Murray; Mr Chris Tallentire; Mr Terry Waldron; Mr John Castrilli; Mr Paul Papalia; Mrs Liza Harvey; Ms Josie Farrer

The federal Constitution must be amended by holding a referendum, yet the Western Australian Constitution can be changed by an act of Parliament. Our system is different from the federal system. The relationship between the population and elected representatives in WA is shown in a different light from that in the federal situation. We have to step up and show ourselves as leaders—as explainers. I know that we in the political world sometimes talk about selling ideas to people, but I do not like that expression. This is a fine example of how members of Parliament need to be explainers—educators, perhaps. We have to encourage people to have confidence in our constitutional arrangements, believe in them, appreciate them and enjoy them; enjoy what we have done here, respect it and appreciate it. This bill may be only a symbolic step forward, but it is nevertheless a vital step forward and it will stand Western Australia in good stead for many years to come. Indeed, it will stand us in good stead in the eyes of the international community. They will recognise that Western Australians are aware of their history and its blemishes, and that they do not shy away from them. It will show them that Western Australians embrace diversity and are especially respectful of their first people—the Aboriginal people. That should be the defining character of our state. I would be surprised if people overseas, say someone in Europe or North America, were to identify the Eagles or the Dockers as the most unique thing about Western Australia. As proud as we might be of our various sporting stars and teams, our Aboriginal heritage and our natural heritage makes Western Australia unique in the eyes of the global community. Therefore, it is absolutely vital that we take this step forward and make sure Aboriginal people are properly recognised in our Constitution, and that is why I am particularly proud to speak on this bill tonight.

There are some wonderful young Aboriginal people in my electorate. I think of those associated with the Langford Aboriginal Association. I see young people going through the various high schools of Southern River College, Thornlie Senior High School and Yule Brook College. It is inspiring to see the Aboriginal leaders of tomorrow going through the education system that we are responsible for. So often we have debates about funding arrangements and the policies that are overarching in our education system, but we can be proud that young people coming through that system are getting the benefit of that education. Sometimes it is difficult for them and we have to recognise the circumstances that often severely challenge them in their education. However, we also know that if we nurture them, assist them and encourage them, they can be magnificent leaders in the future.

I think again of my electorate and the Canning River that is a key part of it. It is impossible to look at the Canning River without thinking about its Aboriginal connection. We should do much more when it comes to naming places and we should consider using Aboriginal names. I understand that the Canning River really should be called Djarlgarro. What a fine name. What a great way to recognise the Aboriginal connection to the Canning River. I note—I know all colleagues are mindful of this—the changes to electoral boundaries and the discussion around the renaming of electorates. Many of us are disappointed about the choice of names that have been offered. There are some good names. My electorate may become the seat of Coombs. There is no doubt that Nugget Coombs was a fine man. He was an economic adviser to John Curtin and went on to become the first governor of the Reserve Bank, and during his career he was always a strong advocate for the rights of Aboriginal people. However, I wonder whether Nugget Coombs might have preferred that the electorate take an Aboriginal name. That is the question we should be asking. I know that the commissioners who are looking at the boundaries considered this. I do not know that they considered it enough, because they concluded that they did not have enough time to do the necessary liaison to rename the electorates with Aboriginal names. I think that is unfortunate. They should have done that even though it would have taken more time. Of course, we want to get the boundaries settled, and I understand that there are some strict time lines, but surely we could have used some of the existing well-known and respected names and had the necessary discussions to achieve a better suite of names than those currently proposed.

Much can be learned from Aboriginal people and Aboriginal culture. Another member commented on the six seasons that the Noongar people refer to. What a great way to connect with the weather cycle in Western Australia. I do not know whether other parts of the state have the same six seasons—I suspect not—but it is false to try to shoehorn things into the European four seasons. That connection with the six seasons the Noongar people speak about could connect us so much better to where we live.

I want to return to the wonderful rock art displays at the Murajuga, or the Burrup Peninsula. That is something we have a great connection with and an opportunity to admire.

Finally, I want to add my voice to the call for each day's sitting to begin with an acknowledgement of the traditional owners of the land we meet on and, indeed, perhaps the traditional owners of the land across the whole state we are here to represent. It is an absolute honour to be speaking to this bill. My thanks again to the member for Kimberley for her magnificent work in bringing the bill to us.

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MR T.K. WALDRON (Wagin) [6.10 pm]: I rise to make a very brief but very sincere contribution tonight on the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. I start by acknowledging all Aboriginal people across Western Australia. From the start, I strongly support this bill to recognise Aboriginal people in our Constitution. It is a momentous and memorable day. I congratulate all concerned. I congratulate the Joint Select Committee on Aboriginal Constitutional Recognition for its excellent work and both sides of the house. Some terrific speeches have been made today. As have others, I congratulate the member for Kimberley. I say to the member for Kimberley, well done for what she has done to get this bill to the house. She should feel very, very proud of herself. It was great to hear the story of her life today from the Leader of the Opposition. It was terrific. I am sure we all admire what she has done in her life and the introduction of this bill is very important.

I have my own little story: I was recently in Alice Springs where I went to look through the old prison there, where the Northern Territory Women's Hall of Fame is situated. When my wife and I walked through the door—bang, the first big photo that we saw in that hall of fame was a photo of the member for Kimberley. As the member knows, I could not help myself; I took some photos and brought them back for her. I felt very proud as a Western Australian to see her photograph and to know her. I am even prouder today for what she has done.

I was a country kid brought up with the local Noongar people, which a lot of the kids at school were. Through my sporting career I have had a lot to do with the Noongar people. When I managed the Western Australian National Country Football League, I visited communities in the north and remote communities. In my role as Minister for Sport and Recreation, and also as the minister with responsibility for liquor licensing, I visited a lot of those communities. I think I learned more from them than I gave. I learnt so much from those communities that they helped me understand better the Aboriginal culture. I know what this will mean to the Aboriginal people I have met over all those years. It will mean a heck of a lot to them.

We quite often forget the contribution of Aboriginal people over a long period. When I have read about our early explorers, I realise that none of them would have achieved what they did without the Aboriginal stockmen or the women who worked on the stations. Our artists and sportsmen and sportswomen also make a great contribution. The wonderful Aboriginal sportsmen and sportswomen embrace the sport we play. I acknowledge also carers, and I could go on and on. I want to acknowledge their contribution to our great country. Obviously, they were here for very much longer than before we ever came here.

Since I was a kid in the country, we have come a hell of a long way in our relationships and reconciliation with Aboriginal people. Kodja Place in my home town of Kojonup is a fantastic example of that. The Aboriginal people and the local white people, if you like, worked together in Kojonup to come to the finalisation of that wonderful centre. It acknowledges also our Italian community in that area. The process from planning to fruition and now the running of it is the best thing I have seen in my region for reconciliation. Those people there will be very proud of this event today.

As I said, we have certainly come a hell of a long way, and I am very proud of that, but we have a long way to go. What we have done here today will certainly go a long way towards that and it is a really important step as we go forward. Well done to everyone involved today.

MR G.M. CASTRILLI (Bunbury) [6.14 pm]: I also acknowledge the traditional custodians of the land on which we meet today. I pass my gratitude to all Aboriginal people throughout Western Australia. I say thanks very much to Josie for bringing this bill to Parliament. It is a historic day to be passing the Constitution Amendment (Recognition of Aboriginal People) Bill. In my earlier days, I spent time in places such as Pingelly, not far from Tuck's home ground, and in Bunbury. I have learnt a hell of a lot over the years as attitudes have changed. My attitude has certainly changed a fair bit as I have grown and learnt. I was mayor of Bunbury from 1997 for eight years and I had a fair bit to do with especially the Noongar people in that part of the world. There are some fantastic people down there. I could name a few, but I do not want to single out anyone. Some great Aboriginal artists and people work in the community trying to bring people together. Those people worked very closely with me trying to progress things. I have attended a fair few NAIDOC Weeks and Reconciliation Weeks and have spoken at some of those events. I do not profess to know exactly how Aboriginal people felt as they went through the experiences and hardships in their lives. However, I have a little bit of an inkling because growing up as a migrant kid in Australia in 1954, things were pretty tough. Although I do not profess to know exactly what the Aboriginal people went through, I can certainly relay a lot of the experiences that I went through. If my experiences were even half or a quarter of what they went through, I can empathise, with strong feelings, with how they felt in that time.

It is our collective responsibility to bring this bill forward to educate. As the member for Gosnells said, it is about encouraging and supporting the Aboriginal community and trying to get that message through. As I said, it is our responsibility to try to make things better and provide better opportunities and encouragement to bring it to

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the fore and act as one community. Josie, I know time is getting on and a lot of words have been spoken today. I appreciate all the conversations we have had in this place today, and I agree with what was said in those conversations. It is fantastic that the bill has bipartisan support. I think it is a true indication of how we all feel. The member for Collie–Preston mentioned the South West Aboriginal Land and Sea Council, and if I could be so bold I would like to express gratitude to you on their behalf for what you have done today. Congratulations, thanks very much and I really appreciate what you have done.

MR P. PAPALIA (Warnbro) [6.17 pm]: It is my pleasure and honour to rise also to address the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. At the outset, I pay my respects to the traditional custodians of this land upon which we meet and acknowledge their elders past and present. Of course, like everyone else, I wish to pay my respects and give my thanks to the member for Kimberley for the manner in which she has pursued the introduction of this bill and its successful passage that I anticipate tonight. A number of wonderful speeches have been made from the heart reflecting upon what this legislation means to individuals and how they feel about the member for Kimberley and her bringing this bill to this place. All I can say is that this legislation is undeniably very overdue.

I acknowledge the presence in the public gallery of Hon John Cowdell, who I understand attempted to bring almost identical legislation to this Parliament in 1993. That has been acknowledged by others today. It is wonderful that he is able to be here tonight and to witness the bill finally pass through this place and be well on its way to passage through Parliament. It is, however, undeniably a terrible thing that it took so long. The only good thing—if there is a good thing—about the bill taking so long to pass through Parliament to get to this point of bipartisan support for it is that Josie Farrer, MLA is the person who introduced the bill. That, I think, is the only way we could possibly justify delaying this bill for that time. It is wonderful to see someone as appropriate as Josie Farrer as the person to introduce and be the undeniable owner of the bill, along with our other wonderful Aboriginal member of Parliament, Ben Wyatt. If there were to be any justification for a delay, that would just about make it.

All the speeches have been wonderful, and I acknowledge everyone for their contributions. However, a couple of speeches grabbed my attention. One in particular was the member for Armadale’s reflection upon the fact that this bill is important, it is a big step, it is valuable and it is a contribution. But there is so much more to be achieved in addressing Aboriginal disadvantage in Western Australia, and we should not lose sight of that. Like the member for Collie–Preston, I was a country boy and am of an age not quite as old as he is but not much younger. Growing up in country Western Australia, I knew that Aboriginal people were discriminated against. It was in my face. I have an enduring memory of driving with my father to one of those camps on the outskirts of town that Mick described, where Aboriginal people often lived in wrecked car bodies with no other shelter from the weather and were tolerated on farms in exchange for a bit of labour. I remember my father pulling the car over and greeting one of the Aboriginal men whom he knew and had played football with, and lending him his 0.22 rifle so that the man could go and shoot rabbits to feed his family.

Being a Burekup boy, I lived over the river from the Roelands mission, so children taken from their families were not some mystical thing that happened somewhere else or something I read about; I went to school with them on the bus. I am just an observer, but I find it offensive to hear people such as Andrew Bolt claim that there is no such thing as the stolen generations. It is an outrageous and offensive claim. It should be attacked and denied by everybody. It should be denied by all members of political parties because we have a leadership role and we are exercising it tonight. We should not allow those sorts of claims to go unchallenged. There are people who lived the stolen generations; there are people who still live the consequences of the stolen generations; and there are other people, like me, who did not have to live it but undeniably observed it.

I therefore thank the member for Armadale for reminding us of just how much there is to do if we are looking for somewhere to start and if we want to make a difference right now. Yes, education is valuable and it is incredibly important to get the kids into school. Yes, health is important and we need to bridge the gap on life expectancy. But I tell you what: in the last seven years Western Australia has locked up more black people than at any other time in history. There has been a massive surge in the incarceration of people in our prisons in Western Australia. Right now five prisons are designated Aboriginal prisons because the population in each is more than 95 per cent Aboriginal. If we are looking for somewhere to start, just ask whether they all need to be in prison. What we are doing is not working. There is an opportunity to make things better, and that is a pretty good place to start, in my opinion.

I want to conclude by once again acknowledging the incredible member for Kimberley. I, along with the member for Fremantle, was fortunate enough to go on a trip to the Kimberley with Josie, and I was unfortunate enough to

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be the other person in an interview with that other famous Gidja woman, Mary G. Because I was the bloke, of course I was the butt of all the jokes!

Ms S.F. McGurk: She flirted with you!

Mr P. PAPALIA: As she does!

In the course of the interview she asked us, “What does it mean to have Josie Farrer in Parliament with you?” As has been said by many other people during this debate—not wishing in any way to diminish the bipartisanship and support across the chamber for the motion on this bill and the sense of support that everyone has articulated—I said, “It made me proud to be a member of the Western Australian Labor Party. We haven’t always had a great history but we’ve got a pretty good history, going back to Noonkanbah and all the way since, of standing beside our Aboriginal brothers and sisters when they really needed us.” It reminded me of why I am so happy and proud to be in the Labor Party. When I look over there to my right and see the member for Kimberley, it does make me feel good.

MRS L.M. HARVEY (Scarborough — Minister for Police) [6.26 pm]: Mr Speaker, I am very well aware of the time but I want to stand and lend my support for this legislation, the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. It is a very proud day for everybody in this Parliament to be part of this momentous occasion in Western Australia. I believe we are the last state to take this step to recognise in our Constitution the Aboriginal people as the first peoples of Western Australia. Congratulations to Josie. I know that it has been a long road for her to bring this legislation into this place and I appreciate all the comments that members have made.

I would like to say, and it has been mentioned by many other members of this place, that although this is a symbolic piece of legislation, a symbolic piece of legislation is not necessarily lacking in meaning. However, it is incredibly important that we back it up with meaningful action. As Minister for Police in the government, I am well aware of the over-representation of Aboriginal people in the justice system. The Premier has made a commitment and we are taking steps to find opportunities to divert, particularly, Aboriginal youth away from criminal offending behaviour, and to try to address the causes that are leading to that offending. Indeed, our focus on our remote communities is part of that active plan. We are a long way from it being a perfect world. As Minister for Police, I know that we have issues with the way some police officers treat our Aboriginal people. Certainly, we could go a long way to improve the breadth, range and depth of cultural diversity training among members of our police force, and that is a program that the commissioner has embarked on through the academy.

I do not want to add too much to the debate today. I want to say that some amazing, positive things are happening out there in the Indigenous community. As Minister for Women’s Interests, I had the great privilege of attending a function with the Governor at Government House just two weeks ago. The function was put on by Leadership Western Australia. It runs a mentoring program in which prominent and successful Aboriginal women are taking on a mentor and support role to help bring younger Aboriginal women through the ranks into the corporate world and also into government; to assist them with education and career opportunities; and to ensure they get support and mentoring and have somebody to support them as they embark on their careers. It was an incredible privilege for me to be part of that function. Many amazing things are happening out there, and I hope that as a result of passing this legislation today, we can start to hear more about the amazing contributions that Aboriginal people have made to Western Australia, and particularly the contribution that people are making now. I acknowledge the contributions of the member for Kimberley and also the member for Victoria Park in bringing this legislation to this place. Indeed, it is a proud moment for me to be here as part of this Parliament and to witness this today.

MS J. FARRER (Kimberley) [6.30 pm] — in reply: First of all, I would like to acknowledge the Noongar people from the land we are sitting on tonight.

Mr Acting Speaker, I once again seek leave to pay my respects in my language, the Gidja language, which will contain nothing unparliamentary. I will then provide the house with an English translation.

The ACTING SPEAKER (Mr P. Abetz): Leave is granted.

Ms J. FARRER: Thank you.

[Words spoken in Gidja language —

Kilingen jarrak ngenen ngenengka, Noonga-m pe taam warringarrem-pe — ngarri / ngayen kulu kulu ngenan perrem purru marnum.

Ngayen ngarra ngenau Gidja-m warringarrem-pe jijiyilem-pe, ngali ngalem pe of Western Australia.]

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In English, I said —

I pay my respects to this land and to the Noongar people, the original inhabitants and traditional custodians of the land on which we meet today.

I also acknowledge my people, the Gidja tribe in the East Kimberley, and all the Aboriginal nations of Western Australia.

I will now conclude the debate on the second reading of the Constitution Amendment (Recognition of Aboriginal People) Bill 2015. I do not intend to speak for very long, as I am keen to progress this bill, and I hope its passage in the other place is successful and concludes quickly. However, I need to thank a number of people for their support, in particular my family; my people; my colleagues; our leader, Hon Mark McGowan; and the Premier, Hon Colin Barnett, who has supported this bill's passage. I would also like to acknowledge the members of the Joint Select Committee on Aboriginal Constitutional Recognition whom I worked with last year and this year, even through the rainy season: the chair, Hon Michael Mischin, member for North Metropolitan Region; Hon Jacqui Boydell, member for Mining and Pastoral Region; Mr Murray Cowper, member for Murray–Wellington; Wendy Duncan, MLA, member for Kalgoorlie; Hon Dr Sally Talbot, MLC, member for South West Region; and Mr Ben Wyatt, member for Victoria Park; and I was the deputy chair. I would also like to acknowledge the committee staff, Mr Tim Hughes, principal research officer, and Mr Adam Sharpe, specialist research consultant and barrister.

I have been overwhelmed by the support from so many different people all over the state, from Wyndham to Albany and everywhere in between. I am particularly pleased that, through the Joint Select Committee on Aboriginal Constitutional Recognition, members from both sides of this chamber have taken up my challenge to step forward with me and do what is right and just. I congratulate everyone in Parliament. My heartfelt thanks go to my Labor Party colleagues and all members in Parliament today. Their assistance and guidance through the parliamentary processes have made the passage of this bill possible. I also thank the Clerk and his staff for their assistance in making sure that the detail required by this house was all correct.

It is most appropriate and most important that I thank the people who made it possible for me to stand in this place, the people of the Kimberley. Without their endorsement as their elected representative in 2013 at the Kimberley Language Resource Centre annual general meeting, I would not have had the chance to introduce this bill to recognise Aboriginal people in our state's Constitution. I would also like to acknowledge Hon John Cowdell for his time in helping to get this bill passed. I would also like to acknowledge the people who worked on the "Bringing them home" report, and there are 10 of them in the public gallery. I also wish to acknowledge and make special mention of my dedicated staff: Mala, Leuwin and Kate, who work tirelessly and whose support is invaluable to me and the people of the Kimberley. I am confident that our colleagues in the Legislative Council will also look favourably on this bill and its significance and will give it due support.

Despite all our differences, I believe that Western Australian people—in fact, all Australian people—understand better than anyone the value of mutual recognition, acknowledgement and respect. Members heard my life story today from different members, but when I was growing up, I lived in the shadow of this policy that was implemented in 1889. My grandparents told me how people were treated back then, how we were treated when I came along and how I was treated as a child. This is an opportunity for all Western Australians and all members of Parliament to acknowledge what has happened in the past. However, we also need to stride forward. In my second reading speech, I called on members to grab this opportunity for us to stride into the future, not to shuffle forward with eyes closed to the truths of the past. I stated that this is the chance to come together as a Parliament and as a community in a sincere, mature and heartfelt spirit of reconciliation. I said earlier this year that true reconciliation means bold action, brave people and meaningful dialogue. I also challenged members to not be afraid and not be timid, just be magnificent. Today I thank all members for refusing to be timid and being magnificent in supporting this bill. I would like to thank everyone here today who is listening. It has been a truly wonderful day listening to all the stories from different members. I hope that, as a Parliament, we can all work together in the future for our Indigenous people and our country.

I now commend the bill to the house.

[Applause; members standing.]

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Extract from *Hansard*

[ASSEMBLY — Wednesday, 19 August 2015]

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Third Reading

Bill read a third time, on motion by **Ms J. Farrer**, and transmitted to the Council.

[Applause.]