

AUSTRALIA DAY — DATE CHANGE

Motion

HON WILSON TUCKER (Mining and Pastoral) [1.10 pm]: I move —

That this house recognises that —

- (1) (a) Australians deserve a national holiday around which we can all rally and celebrate our positive achievements and experiences to date;
- (b) 26 January is not an appropriate date for that purpose because for many Indigenous Australians it marks the beginning of a period of immense loss and trauma at the hands of European settlers;
- (c) as Australia becomes more multicultural, issues of identity and belonging are becoming more important, and governments cannot afford to ignore them; and
- (2) expresses its support for a change to the date of Australia Day, and calls on the Premier to request that the commonwealth government makes this change.

I rise today to speak on the topic of Australia Day, specifically the date of 26 January, which Australia Day falls on and which coincides with the landing of the First Fleet at Sydney Cove in 1788.

I have decided to raise this now as it is in line with the values of the Daylight Saving Party, which is to promote a positive cultural shift in the date time of the state, but, more importantly, because I believe this conversation is long overdue in the WA Parliament and the people of Western Australia are open to having a conversation and ultimately supporting a change to a more inclusive date that all groups can rally behind.

I have intentionally tried to keep this motion as apolitical as possible so that we can have an open and honest debate with the knives put away. Hopefully, all members will support this motion today to recognise that 26 January is not an appropriate date for our national holiday and to signal to our federal colleagues, and the east coast, that here in WA, we want to be on the right side of history when it comes to Australia Day.

This situation is a real tragedy, President. I believe we should have a day on which all of us, regardless of race or heritage, can come together as Australians and celebrate our country, and our achievements. I am not alone in this belief, with a recent poll of 60 000 Australians showing majority support for this issue. That is an increase in support of 12 per cent since 2019, with the younger generation and women leading the charge. The poll shows that 65 per cent of Australians aged 18 to 24 years, and 71 per cent aged 25 to 29 years, as well as two-thirds of women, are in favour of the change.

By now we are all familiar with the history of the change the date movement and the opposition to the date of 26 January by Indigenous Australians. For today, I will share some observations, having lived in the United States and witnessed firsthand the rise of the Black Lives Matter movement, which was a result of a country not making adequate reparations to marginalised groups for the wrongs of the past.

Race relations in the US are terrible, and the divisions run deep. Protests, riots, and violent clashes between police and activists were a common occurrence last year. I am not sure whether members in this chamber are familiar with the history of the Capitol Hill Autonomous Zone in Seattle, or CHAZ. Capitol Hill is a suburb of Seattle, and last year a protest rally occurred there that continued for several weeks. It was sparked by the Black Lives Matter movement and the death of George Floyd. I do not oppose protests, as they are an effective way to introduce social change, but they can become dangerous when they are hijacked. CHAZ started off peacefully; Capitol Hill was a great place to hang out with friends, drink a beer and eat a hotdog. But the tension escalated when Trump declared the protest groups to be terrorists, and eventually CHAZ was hijacked by right-wing radicalised groups with a different agenda from promoting African American rights.

Returning to Australia recently, it was both fascinating and confronting to see how American movements have spread to our shores. The rise of BLM protests here in Perth and in other cities around this country is no trivial matter. In June last year, thousands of people flocked to a BLM protest in Langley Park, in defiance of COVID orders and the Premier's objections, to call for an end to systemic racism and Aboriginal deaths in custody. Just last month we saw protests outside a Perth court after the acquittal of a police officer for the fatal shooting of a Yamatji woman in Geraldton. I am certainly not here to reflect on the court's decision in that case, but I acknowledge the profound impact a fatal shooting can have on a small community, and my heart goes out to the family and friends of "JC".

Those protests were all too familiar. I am sure members will recall the Kalgoorlie protests in 2016 over the tragic death of a teenager. Those protests reached boiling point, and for a short time broke out into violence. In recent months we have seen Australian sportsmen and women kneeling at the beginning of sports games, emulating the act of protest popularised by American football players.

Hon Wilson Tucker; Hon Sue Ellery; Hon Tjorn Sibma; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Sophia Moermond; Hon Dr Steve Thomas

These incidents, in isolation, may be quickly forgotten by some, but the passion, anger and sorrow on display cannot be ignored. With few exceptions, these protests have been peaceful and civil, but we do not have to stretch our imagination to see what happens when tensions boil over in Australia. Recent events in Sydney and Melbourne have shown us what happens when large protests groups clash with police, and the outcome is violent and only further serves to divide us.

Just like in the United States, Australia has no shortage of opportunistic and toxic groups looking to exploit racial tensions in this country for their own gain. Before COVID became the focus of every news outlet in the country, there was a surge of extreme right-wing rallies in almost every major city. It did not take long for these rallies to attract counter protests, and inevitably violence broke out.

On the back of recent events in the US, 59 per cent of people in the recent 60 000-strong survey agreed that the Black Lives Matter movement, which gained renewed traction last year, was making an important contribution to conversations about racial injustice in Australia. Australia is not so far along as the United States, but we cannot keep our heads in the sand on this issue. To guard ourselves against the fracturing of our society along racial lines, and the tribalism that comes with it, we need something around which we can unify. We ignore these warning signs at our peril.

Australia Day can be a powerful symbol of national unity, but not when it is celebrated on a day that causes such anguish and sorrow for our First Nations people.

As a Parliament, I believe we can walk and chew gum at the same time. Powerful symbolic changes that have a real impact on our culture are not contingent on other policy shifts. I believe changing the date, and closing the gap, go hand in hand. It is important to keep these issues of social change alive by having open conversations and putting pressure on Canberra to take action.

I hope all members will join me today in supporting this motion and advancing the conversation that this country wants to have on changing the date for our national holiday. Thank you.

HON SUE ELLERY (South Metropolitan — Leader of the House) [1.17 pm]: I indicate from the outset that the government will not support this motion—right debate, wrong place! I want to canvass some of the reasons. It is an issue, as the honourable member has pointed out, that many people have very strong feelings about. I was genuinely interested to hear the honourable member's unique perspective from having been in the United States as the Black Lives Matter movement emerged in response to some truly appalling circumstances that we watched from afar. It was interesting to hear that, and I can see how observing that and living in that environment has influenced the honourable member's views on this as well. It is clear, as the honourable member pointed out, that more and more Australians are having an honest conversation about these matters, and more and more people are acknowledging that, for many Indigenous people, 26 January is not a day of celebration. The state government recognises that as well.

We, as a nation, need to reconcile our history—the good and the bad. As a nation, we need to find a way to recognise the arrival of Europeans and the impact that has had on us as a nation, and we need to recognise what happened immediately those Europeans arrived here. We also need to recognise the fabulous, beautiful, living culture that still exists today of Indigenous Australians.

The motion asks us to direct our attention to changing the date of a national public holiday—Australia Day. That is a federal issue. National public holidays are set by the federal government. Right debate, wrong place. It is not a question that this Parliament or the state government can resolve. It is something that we should be talking about as a community and working with the rest of Australia on. If I may be so bold, a more practical way of achieving that outcome, I would have thought, rather than having a debate in here, would be for the member to arrange to meet his local federal member of Parliament, Melissa Price, and ask her what her position is on this and meet with his local federal senators and ask them what their position is on this. In the next few months we will head into a federal election campaign. I encourage the member to campaign on this issue in his electorate during the election campaign.

Members who were in the previous Parliament might remember that a similar motion was moved in the second half of last year by former member for South Metropolitan Region Hon Aaron Stonehouse. The irony of where Aaron Stonehouse works now is not lost on me. That motion asked the house to agree to the exact opposite of what this motion is asking us to do. I made some comments at the time, which I think are still relevant, that whichever side of the argument or debate someone falls on, a better approach to this debate might be how we can decide on a way forward and what the process should be. As I have said, I think the answer is that we need the federal government to lead the way. It is its decision to make. If it did it properly, it would meaningfully and deeply engage with Indigenous people. That is not a mark of the current federal government, but that is what it needs to do to get this right. It is not for the state government to decide on or to answer this question. There is an argument about whether it should be decided by politicians at all until and unless they have genuinely and deeply engaged with Indigenous people. It is a national issue and it is for the national government to decide, and the debate is to occur in the broader community. Spending our time on it in here will not change a thing.

What the state government can do, though, is focus on what we are constitutionally responsible for, which is the delivery of services. We can seriously invest resources in and work on the programs that address closing the gap in the areas

Hon Wilson Tucker; Hon Sue Ellery; Hon Tjorn Sibma; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Sophia Moermond; Hon Dr Steve Thomas

in which we provide service delivery, be it health, education or law and order—those things that impact on the daily lives of Aboriginal people in Western Australia. That is something that this Parliament should spend two hours debating. We could achieve real outcomes by doing that. They are the levers that the state government can pull. This state government is committed to empowering and working in partnership with Aboriginal Western Australians to close the gap on all those areas, including cultural heritage, which we will be debating soon enough, and on health, education, and economic and social wellbeing outcomes. A key element of what the state government is doing is the recently released *The Aboriginal empowerment strategy*, which is truth-telling that ensures that the experiences of Aboriginal people are properly recognised and understood. One example is the Wadjemup project, a partnership between the WA government and Aboriginal people to acknowledge the cultural value of Wadjemup, or, as we know it, Rottnest Island, for the Whadjuk Noongar people, and also the island's history of Aboriginal incarceration, segregation, death and forced labour from 1838 all the way through to 1931. Other examples include the State Library's Storylines program and the excellent work of the Aboriginal history unit, which connect Aboriginal people to information and materials about their history. They are the things that the state government can and should be doing and which this state government is doing.

Beyond that, there are all the measures in Closing the Gap. In my portfolio are a range of programs about Indigenous young people in schools, whether it is programs for young Indigenous women or men. It is probably one of the areas in which we can have a strong influence on the next generation of Aboriginal leaders. We have committed \$374 million in the recent state budget to ensure positive outcomes for Aboriginal people and communities across the three areas of building strong communities, improving health and wellbeing, and social and economic opportunities. My experience and my personal commitment to lifting standards and closing the gap is to Indigenous women. If we have strong Indigenous women, we will have strong Indigenous families. If we have strong Indigenous families, we will have strong Indigenous communities. If we have strong Indigenous communities, we will have a strong community, full stop. I try to focus my work and my influence, to the extent that I have any, on areas in which I can effect real change. I cannot effect real change as the Minister for Education and Training or the Leader of the Legislative Council in Western Australia on what the date is for a national public holiday. I cannot influence that. I can participate in the debate outside of here, but I cannot make that happen. What I can make happen is a real impact on how education and training is delivered to Indigenous people. I think that if we spent two hours on a Wednesday afternoon debating those things, we would be more likely to have an impact on Western Australia's Indigenous people than debating setting a national public holiday that we are not able to make a decision on. There are real changes, whether it is around the Aboriginal procurement policy, the fantastic Aboriginal ranger program, programs to address the appalling over-representation of Aboriginal and Torres Strait Islander people in the justice system or working in partnership with Aboriginal people and organisations to help address the over-representation of Aboriginal children in care. They are the things that the state government can influence.

Someone recently referred to me as the mother of the house. I have been here for 20 years. If I may be so bold as to offer a piece of advice to a new player, who may be here for only a short time: use your time well, because it goes in a flash. Use your time well and focus your efforts on those things on which you as a member can influence change. I understand the member's motivation for moving the motion today—I do—and I heard it in the honourable member's contribution. I will end where I started: right debate, wrong place.

HON TJORN SIBMA (North Metropolitan) [1.27 pm]: I was listening intently to the contribution of Hon Wilson Tucker in support of the motion standing in his name and was taken with his passion for the issue. I was also taken with and convinced by the contribution just given to us by the Leader of the Government in the Legislative Council, because I think it is grounded in absolute common sense. I think pragmatism is important.

The reason that I have decided to speak on this issue is largely driven by a personal interest. This issue partly supervenes one of my shadow portfolio responsibilities, multicultural affairs and citizenship. I think this is an issue that we should talk about, although perhaps this is not the appropriate forum at the appropriate time. However, this conversation will inevitably end in a conclusion of some kind. The decision on the date of Australia Day will be resolved one way or another. I imagine that that will happen within the next decade. To some degree, I share the observation Hon Wilson Tucker made that the attitudes towards the date of Australia Day are grounded somewhat in demography. Certain ages and gender of people come to this issue with a certain perspective. I feel obliged to at least outline my perspective to the degree that this is in any way informative. I saw an interesting introduction to a small article that appeared in this morning's *The West Australian*. It dealt with this motion and foreshadowed its debate. It ran something along the lines of: politicians who oppose changing the date will soon be outed. There was no by-line. I do not know who was responsible for that.

Hon Sue Ellery: Interesting there was no by-line, didn't you think?

Hon TJORN SIBMA: Yes. I might use this opportunity to out myself as someone who at this stage is unconvinced about the argument. I will explain why that is in the terms of motion that the member put. I do not disagree that Australians deserve a national holiday around which we can all rally and celebrate our positive achievements. In fact, we have a range of dates on the national calendar that call upon to us commemorate and recognise significant

Hon Wilson Tucker; Hon Sue Ellery; Hon Tjorn Sibma; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Sophia Moermond; Hon Dr Steve Thomas

events in our national life, including Australia Day, Anzac Day and Remembrance Day. In Western Australia, we also celebrate WA Day, which was renamed by the previous Premier Colin Barnett from Foundation Day as a means, incidentally, to attempt to strip that day of its more establishment and empiric origins to make it more encompassing and more inclusive of a state with a more multicultural and diverse society.

My problem with the proposition of changing the date, aside from whether it affects any substantial material change in the lives of Aboriginal people in this state or this country, is that I think the concept of history it imposes is—I do not mean this to sound pejorative or in a personal way—a juvenile reckoning of history, because it categorises people into camps. In the broad historical sweep, someone can be only either a villain or a victim. Unfortunately, I think embedded in the motion, particularly as it is put in paragraph (b), is that European settlers and their successors are the villains in this piece and Aboriginal people are reduced to the point of victim. This is a peculiar but a now common view of history. It is how all historical issues are assessed. It is partly what is driving the platforming and the tearing down of statues and the like. I think that is an unprofitable way to go about building social cohesion. I suggest—I say this only from a personal perspective—that we should not run away from historically meaningful events. I suggest that there is potentially some value in retaining the day but recalibrating the way in which we mark it. I think that would provide an opportunity for a mature discourse, a conversation about coming to terms with the full sweep of our history and its consequences. It cannot be something rendered into either jingoistic triumphalism or a mournful, loathing twisted view of its successors and its crimes. Dispossession occurred, crimes occurred, murders occurred, but that is not all that happened. The risk in this debate is that we focus on considering history and historical life through one-dimensional lenses. We are reducing very complex dynamic phenomena to very simple digestible things, and I think our public life and discourse is degraded as a consequence of it.

As to paragraph (c), it is very interesting that the member should raise as one of the justifications that as Australia becomes more multicultural, issues of identity and belonging are becoming more important and governments cannot afford to ignore them. I agree with the sentiment, but it is meant with a slightly different intention when we consider the full sweep of the motion. I will speak to the multicultural dimension from a personal perspective and then from a more sort of professional perspective. Personally, we are largely here as the children, successors, of multicultural Australia. My father's lineage is from the Netherlands; my mother's is Scotch-Irish; my brother-in-law is a Noongar man; my wife's family is Lebanese; my nephew is Tamil Malay. My family, and indeed I imagine everyone's family here, represents the full multicultural kaleidoscope of modern Australia. We should cherish, protect, preserve and normalise that. It provides great vibrancy to the fabric of our cultural life. I do not necessarily think that that facet, that very laudable aspect of Australian life is analogous. Australian society has a different history and a different force than American history. I do not think the two are analogous.

I say this, of course, in a more professional sense. Attending citizenship ceremonies, even to the degree of performing a very meagre function, shaking somebody's hand, congratulating them on their journey to citizenship, providing the kids with a koala or a plant or wattle, or whatever, is a very significant part of informing these people's stories. Citizenship is prized. One of the most joyous large-scale occasions is attending one of the citizenship ceremonies that occurs on Australia Day. In recent years, at least in the northern suburbs, particularly insofar as the City of Wanneroo and the City of Joondalup are concerned, there was somewhat of an arms race pre-COVID about who could have the biggest and best Australia Day citizenship ceremony. I do not think I have any great answers to the question that the member rightfully raises about how we should commemorate and acknowledge our history and how we renew the bonds of fellowship so that we can ensure a cohesive and healthy community. I think part of the answer might be in what I witnessed at those Australia Day citizenship ceremonies, however. I would not be the only person who has seen people who come to Australia to refresh and formalise their commitment to a new country, and choose to do it on Australia Day.

My recommendation, if it ever gets to a point, would be to retain the day but utilise this spirit—harness this sentiment that I have seen expressed—and give life to it via these great citizenship ceremonies, and perhaps that is the way forward. That way we do not run from our history, we embrace it, but we also focus ourselves on the future. I think that might be the way to go.

HON DR BRAD PETTITT (South Metropolitan) [1.37 pm]: I rise in support of the motion before us today. I congratulate Hon Wilson Tucker for bringing it forward. It is the right debate and the right place for us to have these discussions because we are able to show leadership here and we can influence change. This is, of course, an issue that I have been intimately involved with over the last half decade or so and one that I have thought about a lot. I have come to some really interesting conclusions. I think probably a story worth telling members is around why the City of Fremantle was one of the first local governments in Australia to change the date. Interestingly, the story started on 26 January in 2016. As Hon Tjorn Sibma described, I was at one of the quite nice events where we were all enjoying Australia Day. It was quite inclusive and we had a welcome to country from one of our local elders and some dancers and music from some Aboriginal groups followed by a citizenship ceremony.

Extract from Hansard

[COUNCIL — Wednesday, 17 November 2021]

p5506c-5514a

Hon Wilson Tucker; Hon Sue Ellery; Hon Tjorn Sibma; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Sophia Moermond; Hon Dr Steve Thomas

At the end of it, I was speaking to the elder about it and said what a nice day it was and he said, “It might be a nice day for you, but this is not a nice day for us.” I said, “What do you mean?” He said, “This is not a nice day for us. We come along here because we want to support what you do and be included, but we could celebrate being part of this nation on another day, on a day that is really inclusive for us.” That got me thinking. The City of Fremantle approached the broader group of elders in our community. I will be honest; I had never given this a second thought. I had always assumed that what we did in Fremantle was inclusive, good and culturally appropriate. We had a conversation and asked, “How can we make Australia Day, 26 January, better?” To be honest, I was a bit surprised by the response, which was, “The best way you can make it better is by doing something on another day so we can celebrate like everybody else.” Although that was not a unanimous response from First Nations people in our community, it was overwhelming. That was the genesis for our decision to stop celebrating on 26 January and to hold an event that has become known as “One Day”. I like the name “One Day” because it is literally one day on which we all come together as one. That day can be any day except 26 January. It has been held on 27 January, 28 January and a variety of other dates depending on what has been most appropriate. There is no specific day on which that celebration happens. I must say that they have been some of the most special events and they have shown me what Australia Day could and should look like, which is inclusive. I still remember the first event we had. I was at the concert on the Esplanade and I felt an extraordinary sense and I remember thinking, “Oh, my goodness!” There were about 15 000 people there but I had never been at an event at which there were so many Aboriginal families and so many people. I thought, “Where were these people before?” I realised that for the first time, Aboriginal people had come along because they felt that they could be part of the event. They were not sidelined because of the culturally inappropriate date of 26 January on which there exists a survival day corner whilst everyone else watches the fireworks and celebrates. This is a true event because it brings everybody together. It was extremely special. This goes well beyond symbolism.

In response to the comments of the Leader of the House, Hon Sue Ellery, I think we can do both. We can do the practical stuff around closing the gap in health care and closing the gap in the many ways that we need to do so whilst doing these important things because they matter to Aboriginal people, to reconciliation and how we move forward.

The idea that we all celebrate Australia Day on 26 January, which is a public holiday, is very recent. The year 1994 was the first year that we decided as a nation that we would have a national holiday on 26 January. It is not an ancient tradition that we need to hold sacrosanct. It is extremely recent and has been built on in recent times, so let us not pretend that it is an ancient holiday that defines us as a nation. In fact, I remember as a kid when we celebrated Australia Day with fireworks on different days depending on when the Monday fell. Interestingly, perhaps the solution is in largely going back to that.

In response to the point that this is the right debate but the wrong place, I want to push back against that and say that this is the right place because we are a place of influence. Local governments across the country from Flinders Bay to Fremantle to Yarra to Darebin to Byron Bay have changed the date on which they celebrate being Australian. If we as a state step up and say that we also think now is the time to do this, we will have an influence. The truth of the matter is that the idea of us all celebrating on 26 January is unravelling and it is unravelling to the point that it will never be brought back as a coherent date—that has been lost. In fact, my sense of it being lost was when after many years of running a campaign against moving the date, *The West Australian* literally flipped its decision in 2020, and it did so again this year. I congratulate it for that. It listened to the evidence and to what Aboriginal people were saying. There is a sense that this is becoming mainstream. The idea about changing the date is not some left-wing progressive idea anymore; it is a much more mainstream idea and that is why we as important leaders should step up and say that it is time that we did this. The motion is absolutely right in saying that it is time that we step up and ask the government to progress this issue. I appreciate that we might not get much movement out of the Morrison government, but us stepping up and putting the issue on the table will see it progressed. I do not think this needs to be a part of culture wars—the idea of a villain or a victor. This is about reconciliation and bringing people back together. It is also about leadership in this space.

Turning to the question about citizenship ceremonies—yes, people want to have them on Australia Day, but they do not care whether Australia Day is on 26 January. They would love to do it on Australia Day on 1 February or 8 May if that is what it ends up being. They want to be part of a nation in which we all celebrate together and, at the heart of this issue, 26 January can never be that date.

I want to finish with the words of Karla Hart, an Aboriginal Noongar person who is an award-winning filmmaker and actor in our community. Last year, she wrote a special op-ed on this very issue of changing the date in *The West Australian*. She states —

This date is a small thing compared to a treaty, stopping deaths in custody, racism, our incarceration rate, our high suicide rates, about more importance nationally on our languages and closing the gap in education and health but it is a step towards building a relationship with each other.

Extract from *Hansard*

[COUNCIL — Wednesday, 17 November 2021]

p5506c-5514a

Hon Wilson Tucker; Hon Sue Ellery; Hon Tjorn Sibma; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Sophia Moermond; Hon Dr Steve Thomas

I have never felt patriotic on Australia Day. The only time I felt happy celebrating and for the first time realised what it felt like was when Fremantle changed their date and had their first One Day. It was euphoric and so new to me. It's just a date but it's a step towards the truth, towards acknowledging there was people here first and towards making things right.

HON DR BRIAN WALKER (East Metropolitan) [1.46 pm]: I rise also to support this motion. I heard the words of the Leader of the House, which I also support, I must say, because the practicality of change is at the federal level, but what I heard here just now from Hon Dr Brad Pettitt is entirely correct; our job here is to provide leadership and if we can provide leadership for not just people but in leading the conversation, which is not being heard in Canberra, it would certainly be a good job well done.

When I speak with Indigenous peoples and tell them that I know a little bit about how they feel, they look at me and think, “How can he know that?” The day of 16 April 1746 was a day when the Scottish forces were defeated at Culloden, thus starting the mass murder of Scots.

Hon Colin de Grussa: Are you still protesting the outcome?

Hon Dr BRIAN WALKER: Absolutely.

The forced removal of Scots from their homes and the diaspora in Canada started with the eviction of people from their tenanted lands. Their rights were removed. Even today, we find that the English—not all, but some—refer to Scots in a certain manner. For example, I have been called a “sweaty sock”, which is another way of saying a jock or a Scot. It was not until the 1960s that the Gaelic language was not beaten out of children in playgrounds in the highlands—physically beaten out. It was not the language spoken by educated people. It was a language that had been there for thousands of years—poetry of utter beauty—but it was almost exterminated by people who came from abroad and exterminated the culture and the people of the land they occupied. We do not speak about that much—well, yes, we do—and it is not true of all the English. It is a system that was perpetuated throughout all the colonies and lands when the invaders came, and here was no different.

I vividly recall setting foot on Australian soil for the first time as a 10-year-old when I was brought here from Malaysia for my schooling—a country where my ancestors settled and took over, or removed, if you like, the cultural traditions. They have now been reclaimed, of course, by the Malays, but it irrevocably altered their society. I moved to a country that, I remember, in the 1960s still had the White Australia policy. The few Indigenous people I came across were very much on the sidelines of society—detested, abused and certainly not respected at all. They had no right to vote. I had no idea about that, because as part of the conquering nation, it was entirely natural and normal for that to be the case. How would I, a ten-year-old boy, know any different? People have been raised and educated for generations to be racist.

We can now sit back and take a look at this with our own eyes and say: this is wrong. Whatever form discrimination takes, it is wrong. Are we going to discriminate against people who are less strong, who are weaklings, who are not as good as us on the footy oval? Are we going to discriminate against people who hold different views? We have recently had a situation in which people who have been vaccinated have been sidelined. What about people who come from abroad and look different? It was not so long ago that my wife would have been abused for her skin colour, and my children would have been called “half-breeds”, and cast out from society. Is it any wonder, then, that there is anger amongst the Indigenous population that their culture has been vandalised? The Juukan Gorge caves were recently destroyed without a second thought; it was only when the financial penalties came in that people thought, “Maybe we ought to have done things differently.” The abuse is ongoing.

I agree with Hon Tjorn Sibma that perhaps changing the date is not so very important, although it probably is; what should change is the thought processes. It does not really make a difference what date we celebrate; any date would be fine, living in a fine country. I want to say, this is the best country in the world. I have lived in many countries but I consider Australia to be my home. It is the best country I have lived in. I can find other areas of beauty, true, and other areas of cultural significance; but Australia is our home. It is a place we can value and a place where people can come in, as Hon Tjorn Sibma said. Unlike the melting pot of the United States, where everyone is supposed to be the same, we have here a variety of cultures that build a tapestry of beauty that we should celebrate every day we live here. The people with whom we live, with different languages, cultures, food and expressions, are our people, and this is our land.

We can learn such a lot from the Indigenous people, who host us—although we fail to admit that. For example, we could learn from the Indigenous people how to manage bushfires and the environment and how to live better in a peaceful society by looking at the examples they could set us. We certainly need to work towards some idea of understanding different cultures living together in harmony.

Some members may be aware of the Baha’i Faith, which tells us that this is one world and we are but one people in that world. There is no such thing as a foreigner; we are all brothers and sisters, mothers and fathers, sons and

Hon Wilson Tucker; Hon Sue Ellery; Hon Tjorn Sibma; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Sophia Moermond; Hon Dr Steve Thomas

daughters. We are related to each other; these are our people. We should do anything we can as leaders to bring us forward in harmony, using that very misunderstood word, love; not carnal love or temporary love, but the love of all that is nature. If we can bring that into our lives, we might, as leaders, suggest that a change would be appropriate. Perhaps we can progress that movement here, as leaders in society, that maybe a change of date could mean a change in thought processes, leading to better harmony, understanding and tolerance—not just in the context of Australia, but exporting that through into the areas where such thoughts are foreign, allowing the world to come together as one. Why would we not want to lead that movement?

I commend this motion. I appreciate that it is not going to happen, but I commend heartily to all of us that we develop this thought further, bring it out to the population and take it beyond our borders and be seen as the leaders we should be. Let us foster harmony and peace for all peoples.

HON SOPHIA MOERMOND (South West) [1.54 pm]: I rise to speak in support of this motion, and I thank my colleague Hon Wilson Tucker for bringing it forward. I also acknowledge that this is a federal government issue, and appreciate the considered contributions from my other colleagues.

Although I agree that 26 January is not ideal, I see that a schism has been created recently in our society. Through the actions of the federal government, various state governments, happily sensationalised by sections of the media, a schism has been created to break the Australian spirit, with the result that no matter what day is chosen, the original intent of unification will be lost. Many people have contacted me to speak about their distress at how easy it has been for their human rights to be violated and how easy it has been for their voices to be silenced, drowned out and ridiculed, with many feeling so defeated that the desire to participate in our society has been extinguished at the soul level. This concerns me greatly, and saddens me greatly as well. “Australians all let us rejoice, for we are young and free.” That has been actively made a lie recently, and I am so incredibly sad about that. The people of Australia deserve better.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [1.56 pm]: I would like to put the official opposition position on the motion before us today. Unfortunately, the opposition is not in a position to support the motion. I appreciate and congratulate all those who have contributed to the debate on the sensitivity in which they conducted themselves; I think that has been very positive. Probably the most disturbing thing for me about this debate is how often I am going to be agreeing with the Leader of the House—a habit that I try not to get into too often, but one that I will probably fall into a little today! My apologies to the various other members of the house; there will be a degree of bilateral agreement today!

I turn firstly to some of the comments that have been made by the various speakers before me, particularly those of Hon Dr Brad Pettitt. As I am sure members know, 26 January 1788 was the date on which Captain Arthur Phillip arrived at Sydney Cove with the First Fleet—11 convict ships from Great Britain—and hoisted the British flag. That is why 26 January was chosen as the date of Australia Day. One might argue that that is east coast-centric, because post-Indigenous migration there were many other European landings on the Australian continent; obviously, the Dutch came to present day Western Australia more than 200 years earlier. However, that is the date that was picked.

Hon Dr Brad Pettitt referred to the fact that it has been a public holiday only since 1994, and that is true in that it has been an annual public holiday only since that date, but its history goes back significantly further. That is only part of the story. In 1804 the *Sydney Gazette* first referred to Foundation Day. Of course, in 1804 Australia was not a Federation or a commonwealth; this was the first colony. In 1804, not that long after the First Fleet arrived in 1788, we had the first references to Foundation Day—I believe “First Landing Day” was an alternative title—in New South Wales. The first 26 January public holiday was in 1818, to observe the anniversary of the original Foundation Day. That is a fair while ago, well over a century, so there is some history of Australians, mostly focused in New South Wales, celebrating this day as a holiday. It was in the 1930s, 80 years ago, that the campaign first started for an Australia Day. Various dates were looked at. At this stage, Foundation Day in New South Wales in particular was still a regular day. It was a regular celebration, but it was not a regular public holiday. As Hon Dr Brad Pettitt said, it was in 1994, after some great and long discussions on this, that the date was decided to be an official public holiday, designated as Australia Day. There is a pretty long history here. That is not to say that I agree that this is the best date on which we could possibly celebrate our nationhood, but it is the date that has been celebrated the most consistently over time, and that is probably why many Australians are wedded to that particular day.

I took, I guess, a little exception to paragraph (1)(c) of the motion before the house, which states —

as Australia becomes more multicultural, issues of identity and belonging are becoming more important ...

I may disagree with my good friend Hon Tjorn Sibma on this because I think issues of identity and belonging have been critically important for a very long time. It is not limited to new arrivals or migrants; in fact, some of the fiercest debates I engage in over issues of traditionalism are with an older generation of people who probably are of the more traditional kind of Anglo-Saxon immigrant sources. I think that issues of Australian identity have been very important for a very long time. That does not mean we have necessarily got it right, and I think it fluctuates

Hon Wilson Tucker; Hon Sue Ellery; Hon Tjorn Sibma; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Sophia Moermond; Hon Dr Steve Thomas

somewhat, but it is certainly the case that there are many passionate people of all ages who have held those opinions for a long time, so I am not convinced that this is something newly invented.

I took on board Hon Wilson Tucker's comments about his history in the United States, which I think were quite interesting. The US has a national day—Independence Day on 4 July—which, effectively, commemorates the congress of the north-eastern states of the US effectively declaring themselves independent from their colonial bosses in Britain, which was, effectively, a declaration of war, which got there not much later. That is not necessarily an all-embracing position to take for all those people who now call the US home, but I suspect it would be a pretty long-fought and bitter debate to change 4 July to an alternative date because it is not seen to be equally embracing of all people of all denominations, ethnicities and history. There is something of a comparison—that to some degree when a date is chosen, we make the best of that particular date.

In furious agreement with the Leader of the House, I think a far more productive debate would be about how we deal with Indigenous disadvantage in Australia. I know that the symbolism of changing the date is deemed to be very important in some areas, but I agree with the Leader of the House that we could spend our time on significantly more productive issues with which we have more direct authority as the Parliament in Western Australia. Undoubtedly, the Australia Day celebration is run at a federal level. It is an eastern states decision, if you like, based on the history of Sydney. That is what happens when we are 10 per cent of the population. It is very hard to suggest that something that occurred in Western Australia up around Shark Bay might, for example, be a better event. It is very difficult to change that debate, but we could be spending our time talking about the key issues that the Leader of the House raised. I absolutely agree with the Leader of the House that empowering Aboriginal women as part of finding solutions to Aboriginal disadvantage is critical. I think that was a very good contribution to make.

Where I will take an opportunity to disagree with the Leader of the House was the implication that the commonwealth government is not actively engaged in consultation with Indigenous communities. Hon Ken Wyatt, as the first, I think, Indigenous affairs or Aboriginal affairs minister—I am not sure precisely what his title is —

Hon Stephen Dawson: He is Minister for Indigenous Australians.

Hon Dr STEVE THOMAS: I thank the minister. Hon Ken Wyatt is the federal Minister for Indigenous Australians. I can tell members that he has spent an enormous amount of time in engaging in consultation with Aboriginal people. He is an Aboriginal man from Western Australia and he has put enormous effort into engaging with Aboriginal people in this state and promoting their welfare and benefit. I think we would struggle to find a lot of people who have put in an equivalent effort. He has not necessarily been rewarded for the extent of his effort, but he has certainly put in a huge effort to try to improve outcomes for Western Australia.

I agree with the Leader of the House that we should focus on education as a critical role going forward. That is absolutely true. That is the way we lift communities out of disadvantage and give them an equal opportunity to take advantage of all the opportunities that exist in a state like ours. The critical issues of education and housing in particular are absolutely vital. The other one, of course, is employment. A debate about how those three things are brought to bear would be really useful and healthy, and that is perhaps where we should be focused.

I am not convinced, as Hon Wilson Tucker said in his address, that Closing the Gap and changing the date go hand in hand. I think the problem is that that could be a remarkably dangerous position to take and a dangerous statement to make, because if, ultimately, the majority of Australians do not want to change that date, to some degree we will limit ourselves to the outcomes we might deliver to Aboriginal people and communities in terms of repairing that disadvantage. I would like us to focus very much on repairing the disadvantage rather than having a primary focus on shifting the date. I do not think it is necessarily a token debate, but I do not think it has the weight of substance that the rest of the debate might have, and might have had in the house.

I guess the other question we should ask ourselves is: if not 26 January, when? I guess we could select a completely random date, but I am not sure that that would fulfil the purpose that has been put forward. Indigenous Aboriginal history is so steeped in time that I am not sure that current calendars have a great significance in relation to selecting a date, and that therefore becomes problematic. If we look at significant events in Australian history, we might argue that Federation was probably the foundation of Australia as it exists, because members will be aware that before that we were, effectively, a group of disparate colonies. The only thing that was common before and after Federation was that Western Australians had a healthy distrust and disrespect of everybody in the eastern states. I do not think that changed significantly with Federation. I suspect it is probably still there. But Federation was probably the one unifying event that we could look at and go, "Perhaps that is an event that we might select." The problem is the enormous amount of debate around it, because Federation officially occurred on 1 January, which is already taken. Potentially, a lot of business leaders would suggest that dropping a public holiday might be a good idea because they will then not have to pay double time or time and a half, but I suspect if we suggest to Australians that we take away one of their public holidays because we want to have two on the same day, we might have an issue. Part of the problem is that if we do not choose that particular day, which day do we choose? That is the argument.

Hon Wilson Tucker; Hon Sue Ellery; Hon Tjorn Sibma; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Sophia Moermond; Hon Dr Steve Thomas

I do not have an absolute answer for that. It is hard to find an alternative day, a specific date, that has that level of historical significance. Therefore, if not the current Australia Day, when?

I agree wholeheartedly with the contribution from Hon Tjorn Sibma. From here the critical thing that I would like to see is us making the best of the date that is currently in use. Although there is some division, perhaps we should be focused on removing the division rather than changing the date—perhaps that should be our greatest focus. In my view, there is no issue in recognising what happened to Indigenous people, Aboriginal people, as a part of the Australia Day celebrations. It does not have to be all positive. Most life stories, whether they are of country or people, involve some degree of tragedy. In fact, I suspect that the best countries are a bit like the most developed people: they have to have experienced tragedy to be able to develop and grow to a point at which they can deliver their best, and that is absolutely the case in Australia. Therefore, if we are focused on whatever day Australia Day is, let us recognise those very negative things that occurred to Aboriginal people. There have been numerous apologies for that from various levels of politics and Parliaments. Let us embrace those. Let us embrace a sense of unity around that, and let us try to make the day that we currently have as positive an experience as we can. Understanding that some people are not going to accept that, if we as parliamentarians and as a Parliament lead by trying to make the best and most positive message that we can around the day that we currently have, we can deliver the best outcomes for the people of Western Australia.

It is unfortunate that the opposition cannot support the motion, particularly in its current form. I think we might have been able to look at perhaps changing it to a more appropriate form, but that is complicated and perhaps a little disrespectful to the member who moved motion. We fully take on board the intent of the member and his serious approach to the issue. The very sensitive and formal way that he has dealt with this is a credit to him. It has been a good debate. Many members have made very positive contributions, but the opposition is not in a position to support the motion as it currently stands.

The ACTING PRESIDENT (Hon Dr Sally Talbot): Hon Wilson Tucker in reply. Member, you have 15 minutes.

HON WILSON TUCKER (Mining and Pastoral) [2.13 pm] — in reply: I would like to thank all the members for their contributions today. I would like to acknowledge the contribution by Hon Dr Brad Pettitt, who has real-world experience on this issue. I believe the City of Fremantle's action at a local level is an example of taking a grassroots position on something that, despite being a federal issue, can signal to federal colleagues that we are ready for change.

Hon Dr Brian Walker and Hon Sophia Moermond shared personal experiences and real-world examples of racism and multiculturalism affecting not only Australia, but also other countries.

Hon Dr Steve Thomas, as always, gave an informative history lesson and spoke of the symbolism and historical importance of the date that we have in place right now—26 January. I agree with the comment that there are more pressing issues affecting Indigenous members of our community in Western Australia, and these comments were echoed by the Leader of the House. However, I think this is an appropriate forum to raise this issue. I do not suggest that we raise this issue weekly or even yearly, but spending two hours talking about a national holiday that marginalises the Indigenous population of Australia is entirely appropriate.

Hon Tjorn Sibma was very articulate, as always, in his defence of taking a more sober view of history, particularly in the way it implies how historical events may be viewed and reflected on. I would like to point out that my view of Australia Day as a day of sorrow is not exclusively my view. It is not a “Wilson Tucker thought bubble”. It is a view held by many Indigenous Australians.

I acknowledge and agree with the Leader of the House's comments that this is not a state Parliament issue. I understand that this is a federal issue. The leader's assertion that we cannot effect change from this chamber, I believe, is disappointing and it rings somewhat defeatist. On matters of cultural change, they can be effected no matter where that legislation or statutory power lies.

This motion was an opportunity for members of the WA Parliament to make their views known, and, as representatives of the Western Australian community, I think it is entirely appropriate for us to discuss the issue. Social change starts at the grassroots level and has a bottom-up approach. This motion was intentionally worded to be non-specific in terms of the actions that I was calling for. By virtue of representative democracy, if we all agree to this, it will send a powerful signal to Canberra that WA supports a change, and then the issue can actually be taken up in the appropriate place.

I am certainly under no illusions that we are going to solve the debate here today. I acknowledge the Leader of the House's comments that politicians should not be the ones to choose a day and I completely agree with that. However, I believe that, as politicians, it is our responsibility to raise these issues and propose steps forward. I appreciate the conversation and the feedback today. I will take the Leader of the House's advice on talking to federal colleagues about this issue as a step forward. It is disappointing that we could not have a wider debate and agree on this motion, but I am thankful for the contributions made by all the honourable members today.

Division

Extract from *Hansard*
[COUNCIL — Wednesday, 17 November 2021]
p5506c-5514a

Hon Wilson Tucker; Hon Sue Ellery; Hon Tjorn Sibma; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Sophia Moermond; Hon Dr Steve Thomas

Question put and a division taken, the Acting President (Hon Dr Sally Talbot) casting her vote with the noes, with the following result —

Ayes (4)

Hon Sophia Moermond

Hon Dr Brad Pettitt

Hon Wilson Tucker

Hon Dr Brian Walker (*Teller*)

Noes (29)

Hon Martin Aldridge
Hon Klara Andric
Hon Dan Caddy
Hon Sandra Carr
Hon Peter Collier
Hon Stephen Dawson
Hon Colin de Grussa
Hon Kate Doust

Hon Sue Ellery
Hon Donna Faragher
Hon Peter Foster
Hon Nick Goiran
Hon Lorna Harper
Hon James Hayward
Hon Jackie Jarvis
Hon Ayor Makur Chuot

Hon Steve Martin
Hon Kyle McGinn
Hon Shelley Payne
Hon Stephen Pratt
Hon Martin Pritchard
Hon Samantha Rowe
Hon Tjorn Sibma
Hon Matthew Swinbourn

Hon Dr Sally Talbot
Hon Dr Steve Thomas
Hon Neil Thomson
Hon Darren West
Hon Pierre Yang (*Teller*)

Question thus negatived.