

Mr Roger Cook; Ms Margaret Quirk; Acting Speaker; Mr Jan Norberger; Dr Tony Buti; Mr David Templeman;
Mr Ian Blayney; Mr Murray Cowper; Mrs Michelle Roberts; Mr Bill Johnston; Dr Kim Hames; Mr Terry
Redman; Mr Sean L'Estrange; Ms Rita Saffioti; Mr Dave Kelly; Mr Peter Abetz; Mr Brendon Grylls

CONSTITUTION AMENDMENT (RECOGNITION OF ABORIGINAL PEOPLE) BILL 2014

Second Reading

Resumed from 12 November.

MR R.H. COOK (Kwinana — Deputy Leader of the Opposition) [4.01 pm]: As I was saying prior to the disruption, this place has a history of predominantly white male members of Parliament passing laws relating to Aboriginal people. It is not a proud history. The member for Armadale went to some lengths to outline some of that history and the ways we in this place have treated Aboriginal people. By and large, that history was about white people sitting in this place making laws that impact Aboriginal people outside this place. For a lot of that time, they were not even voters; they were simply people who had laws done unto them. Prior to the break, I said that I hope we can break with that history on this occasion. As members of Parliament assembled in a modern, contemporary legislature, I hope that we can proceed in a much more contemporary, informed and progressive way. The Premier indicated that we will stick to our old habits of ensuring that Aboriginal people conform to our way of thinking, to our ways and to our legislation—our laws—and we will continue to impose these things on a people who, for almost the entire history of Western Australia, have been disenfranchised, ignored and persecuted. This is a unique opportunity for this chamber to recognise a piece of legislation that has been put forward by a member of Parliament who is in the unique position in Western Australia's history of being an Aboriginal MP. She has put forward a piece of legislation that is about the recognition of Aboriginal people as part of our great state. That is why what we are doing today is different.

The Premier said that he is not ready for this legislation. The member for Kingsley said that this has to be done properly. The Deputy Premier said that this legislation has to be bipartisan, which means that the government has to do it. This does not require governments to be ready. Governments are not required to introduce this legislation. This is not about government. This is not about someone's legislative agenda. This is not about the Premier, the Deputy Premier or me. This is about an Aboriginal member of Parliament seeking to have her people recognised in the Constitution of Western Australia. Whether our media releases are ready, the photo opportunities are lined up or the press conferences and media grabs are ready to go is irrelevant. This is an important, historic opportunity to acknowledge Aboriginal people in our constitutional documents and to follow the lead shown by an Aboriginal woman who passionately believes in this particular cause. This is not a time for us to equivocate and say, "Hang on, we want to do it in our time and in our way." This is not an opportunity for a predominantly white government to once again say, "This is what we will do to you in our time and in the manner that we prescribe." This is about Parliament acknowledging the strength and leadership shown by one woman—an MP who wants to see her people acknowledged in the Constitution of Western Australia.

The other utterly offensive comment made by the Premier is that the government is doing a deal with the Noongar people and therefore it cannot do other stuff. First of all, that is offensive because it says that this government is a one-trick pony; it is doing things with the Noongar people, therefore, with 160 000 public servants, it cannot possibly do anything that means something to Aboriginal people in other parts of the state. What a ridiculous argument! In addition to the fact that it is offensive in its narrow focus, it is patently untrue. While this government is negotiating with the Noongar people, it is also floating changes to the Aboriginal Heritage Act 1972—changes that are deeply offensive to every Aboriginal person in this state because it essentially writes Aboriginal people out of the very act that is intended to protect their cultural heritage. The Premier is wrong when he says that the government is doing this deal with the Noongar people and it cannot possibly vote on this legislation that has been brought to this place. In addition, at the same time as the Premier is saying that the government is too busy negotiating with the Noongar people, he is proposing to unilaterally shut down remote communities. The government wants to take away the right of people to live on country. In addition to the Premier saying that he cannot possibly do one thing because the government is doing a deal with the Noongar people, he is proposing these very substantial changes that are a front and centre attack on the rights of Aboriginal people. To say that the government is too busy doing the Noongar deal is completely untrue and disingenuous. Once again, we see these opportunities to wedge the community—to sow these little kernels of doubt that grow into trees of fear and ultimately express themselves in the form of anger and hatred, which we saw in the early days of the native title debates.

A number of members have said, "Why didn't you do this when you were in power?" There is a very good reason for that. The history of the Liberal Party when it comes to legislating for Aboriginal people takes us back to the previous century. The work that it did as a political party to undermine Aboriginal rights through the Court native title legislation is still fresh in people's minds. The stance that it took in the upper house at that time through the non-leadership shown by Hon Norman Moore indicated very clearly that the legislation would not be successful. We had to stay our ambitions for this sort of legislation at that time, knowing that the government would not let it through. Now we have another opportunity. It is not a Labor opportunity, a Liberal government

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opportunity or a National Party opportunity; it is an opportunity provided by a member of Parliament who passionately believes in the rights of her people and believes that those people, as the traditional owners of this country and this state, should be acknowledged in the Constitution of this state. It is very simple and straightforward. We have the opportunity to vote for this now, accepting its historical importance, or we can behave like selfish children and say that we want to do this on our own terms, that we do not want this to be a triumph for an Aboriginal member of Parliament and that we want this to be a triumph for the spin doctors of government. We can say that we do not want this to be a great achievement for a member of Parliament; we want to steal from her the symbolism of an Aboriginal member of Parliament bringing this piece of legislation into this house, and steal from her and her people the opportunity to do it for themselves rather than have white blokes do it for them. We want to steal that opportunity from her by saying, "Not now; it's not convenient."

The other issue that members opposite seem to be standing on is symbolism; this is not important because it is symbolic, as if symbolism is not a powerful tool for healing, acknowledging past wrongs and bringing our community together. We have just celebrated Remembrance Day, with a whole wealth, a tidal wave of symbolism, acknowledgements and gestures that do not mean anything in the scheme of things, but they mean a hell of a lot to those involved.

[Member's time extended.]

Mr R.H. COOK: Symbolism has a very important role to play in passing this legislation to demonstrate to the community, particularly the Aboriginal community, that we are happy for it to take its place and show leadership in the Parliament by bringing this forward. I refer to correspondence from the Yamatji Marlpa Aboriginal Corporation, which quotes Hon Nigel Scullion, speaking at a recent Nationals conference.

Point of Order

Ms M.M. QUIRK: Madam Acting Speaker, I am having trouble hearing the speaker because of the conversations on the other side of the chamber.

The ACTING SPEAKER (Ms J.M. Freeman): Thank you. The member for Kwinana has the call.

Debate Resumed

Mr R.H. COOK: Nigel Scullion, the federal Minister for Indigenous Affairs, said —

“... I didn't really think that the Apology we made in 2008 would matter.

I couldn't see the apology helping at all to close the vast gap on vital issues such as Indigenous life expectancy, remote children's education, housing, decent work for adults and community safety.

All the symbolic trumpeting was wonderful, but I could not see what difference it could make.

How wrong I was.

The changes to the way Aboriginal people as individuals and as communities saw themselves after that apology were extraordinary. Clearly, those who would diminish the importance of symbolism as something that doesn't have a role to play in practical outcomes are quite wrong.

Symbolic change must happen if practical changes are to succeed.”

The ACTING SPEAKER Member, just take a seat. I understand that there are some important negotiations going on, but if members want to just take them to the side, that would be great, thank you. Member, you have the floor.

Mr R.H. COOK: Symbolism has an important role to play. This is symbolic in its words. It is symbolic because it puts paid to past injustices, and recognises the position of Aboriginal people as traditional owners of this state. This is a step that every other state has already taken. It is not out there; we are not breaking new ground on this one. If we accept the proposal from the member for Kimberley, we will be playing catch-up with every other state, as we often do in this place. We will be catching up with every other state that has already done this act. This will be an important symbolic gesture by the Parliament of Western Australia, because it will acknowledge, once and for all, Aboriginal people as the original custodians of this country and the traditional owners.

This debate is also important because it considers a bill introduced by an Aboriginal member of Parliament. Unlike the case of every other piece of legislation that has been brought to this place, this is an Aboriginal member of Parliament, empowered by the people in her electorate, bringing forward legislation that will bring about this important change in our Constitution. Symbolically and practically, this legislation will empower a community that has thus far been left disenfranchised and voiceless. As I said earlier in my speech, this is not about the Premier or the Leader of the Opposition. It is not about the Liberal Party, the Labor Party or the

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National Party. This is about a piece of legislation brought forward by an Aboriginal member of Parliament. If it is inconvenient for members to have this legislation considered now, too bad. It is not about members opposite and it is not about us; it is about an important change to our constitutional document, brought forward by an Aboriginal person. We should be ashamed if we are to vote against it, and ashamed to continue the historic legacy of racist legislation that has passed through this place in the past. Let us do it right for a change.

MR J. NORBERGER (Joondalup) [4.16 pm]: I would like to add some brief comments on the Constitution Amendment (Recognition of Aboriginal People) Bill 2014. I thank the member for Kwinana for his contribution. I know that we started this discussion last week, and I have listened intently to members from both sides of the house speak about the importance of recognising the Aboriginal community in this way. I also congratulate the member for Kimberley for initiating this bill.

I want to briefly outline an aspect of this subject—that is, my own journey of learning more about Aboriginal culture. I am glad to see that it is being more prominently taught and discussed at schools these days. Certainly I have seen it being taught more in the schools in my electorate, and the awareness of the importance of Indigenous culture is becoming more prominent in our community in official ceremonies. In fact, just this morning I was at the official ribbon-cutting ceremony for the opening of the Joondalup Lakeside Shopping Centre extension, which included the Myer store, and we heard Professor Collard give a wonderful welcome to country. I have had the opportunity over the past couple of years to experience quite a number of welcomes to country. Each is diverse, unique and interesting. Every time I experience one, I learn a tiny little bit more about Indigenous culture. It is a vivid and amazing culture. I have much more to learn, but I am amazed about how much I have been able to pick up over the past couple of years.

We have heard, and I agree, that the absence of greater understanding and appreciation of this culture can lead to prejudices and stereotyping. The member for Kwinana is right in saying that it can even lead to fear and mistrust when we do not understand it. I think to a degree we have seen some of the media impact on public perception, which is not always helpful. Sometimes when we hear about some of the things that happen in the community, be they from a criminal point of view and whatnot, people can get the wrong perception that that is representative of the Aboriginal community in a broader sense—and of course we know that that is simply not the case.

I can say that when I was growing up in the northern suburbs, I was not exposed in any great detail to Indigenous culture. I was not born in Australia; I think the members of this chamber know that. I was born in Germany. I came over to Australia as a migrant to this country at the age of seven years and I grew up in the northern suburbs right up until the age of 20, at which point I joined the Royal Australian Air Force. However, I will say that I think it is sad that during that time there was not a huge emphasis on understanding or learning more about Aboriginal heritage in our schools; so I, in essence, grew up reasonably ignorant of it. I look back at that now and I consider it a shame and a loss to my own education. I will say that my knowledge of and real appreciation for Indigenous culture and heritage grew during my career directly prior to entering Parliament. Members of the chamber know that for just under six years prior to becoming the member for Joondalup, I was the general manager of a mining training and recruitment company based at Joondalup. We employed a wide variety of staff and quite a number of staff we employed were Indigenous, and those who were non-Indigenous had great knowledge and experience with Indigenous culture. The company that I was managing held a number of contracts working with Indigenous communities, not only here in the south west with the Noongar community, but also up in the Pilbara with the Martu and Kariyarra peoples. It was through these contracts that part of the jobs we had was to improve Indigenous employment in the mining and construction sector, so we ran a number of traineeships. I have to say that it is one thing running a company and looking after the financials and whatnot, but it does not make people an expert in everything their company does. However, going along and being involved with some of these contracts, and obviously relying on my own experienced staff, over the years I picked up an amazing amount of knowledge.

I do not claim to be an expert—far from it—but I really grew to deeply appreciate the depth and richness in the variety of communities that make up our Aboriginal communities in Western Australia. It was my first introduction to the National Aboriginal Islander Day Observance Committee—NAIDOC—celebrations. It is quite sad that I was already well into my 30s before I experienced my first NAIDOC celebration. Since then I have had the opportunity most years to be part of NAIDOC celebrations in one way, shape or form. They can be vibrant and they can be challenging, because they remind us of what has happened in the past that we know we are not proud of nowadays, but they can also be inspiring in regard to knowing what we can achieve in the future.

I made some amazing friends and met some amazing people from the Indigenous community in that time before I became a member of Parliament. Simplistic as it might sound, this comes back to some of the misconceptions,

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preconceptions and prejudices that can happen in the community. They have the same dreams, hopes and ambitions as we do. In fact, some of the hardest working and dedicated staff members I had working for me were from Indigenous backgrounds, and happened to be predominantly from the Noongar community. I believe that it is vastly important that the younger Indigenous people—the generation that is coming up now—have the opportunity and are encouraged to embrace their culture, as they have every reason to be proud of their culture. Actually, I see that as the real challenge for us. Obviously, if recognising Indigenous communities in our Constitution goes even part way towards achieving that, then already we would have achieved a lot. However, the younger generations need to realise that they have a lot to be proud of. I am really glad to see that a lot of the elders are working very hard to preserve their languages and cultural traditions. Having had a chance to see some of the Indigenous dance troupes and the young men performing the traditional dance routines was fantastic, and if that keeps them connected to their culture, we would have already achieved a lot.

I just want to briefly add that I think it is great that we are having this discussion. I understand that there are some concerns in regard to the particular wording and whatnot, which obviously goes beyond my expertise. However, I want to say thank you to the member for Kimberley, who is an amazing lady and obviously a valued member of this place, for getting this discussion started and I look forward to the time when we are successful in achieving the outcome that we are hoping to achieve here.

MS M.M. QUIRK (Girrawheen) [4.24 pm]: On this occasion I should acknowledge the Whadjuk people, the traditional owners of the land where we are gathered today. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

I intend to make only a brief speech, as I know that members are anxious to vote on this issue. I congratulate the member for Kimberley for introducing the Constitution Amendment (Recognition of Aboriginal People) Bill 2014. It is well overdue. This bill will be put in the most prominent place of the Western Australian Constitution: an amendment to the preamble. I will read out part of the member's proposed preamble —

And whereas the Houses of the Parliament resolve to acknowledge the Aboriginal peoples as the First Peoples of Western Australia and traditional custodians of the land, the said Parliament seeks to effect a reconciliation with the Aboriginal peoples of Western Australia:

I cannot see how there can be any objection to this. This is not more and it is a great deal less than has been done to recognise first peoples from New Zealand to Denmark and from Bolivia to Canada. The timorous and unfounded objections that such a change would have unintended consequences is uncannily reminiscent of an episode of *Yes Minister* when the minister was instructed in the ways in which the bureaucracy obstructed a proposal. The first response was —

The administration is in its early months and there's an awful lot to do at once.

The second —

Something ought to be done but is this the right way to achieve it?

The third —

The idea is good but the time is not ripe.

And finally —

The proposal has run into technical, logistic and legal difficulties which are being sorted out.

That was certainly the checklist that the Premier was working from last week, and I thought I should remind members of its origin. Leadership is about courage, and the government's response to date has been shameful and lacking that courage.

In the context of the federal Constitution, the Expert Panel on Constitutional Recognition of Aboriginal and Torres Strait Islander peoples in September 2011 set out in a discussion paper what should be done to the federal Constitution to enshrine recognition of Aboriginal people within the federal Constitution. The discussions in that paper are just as relevant to amending the state Constitution. The panel consulted a number of people about whether inclusion of this recognition in the preamble as opposed to the substantive body of the Constitution was to be preferred.

Some people reacted that the preamble could be regarded as tokenistic or as merely symbolic. We have heard from the member for Kwinana, however, that symbolism is very important. The people who had that attitude argued for change to the substantive Constitution itself; however, others thought that recognition within the preamble itself was a good idea. Someone noted to the panel that there is a genuine importance in a symbolic preamble. Others talked about the fact that at the beginning of any important gathering we have a Welcome to

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Country ceremony, and that in the same way at the commencement of the Constitution reference should be made in the preamble itself, and that it is the rightful place for it. Another comment was that a preamble would be telling people before they read on that people want to say something, that custodianship is an important word to include in a preamble, and that ownership is one thing but custodianship is a responsibility to look after it.

Another comment was that from an Aboriginal perspective, it needs to tell a story at the front, in the preamble. Others have remarked that it sets the tone for understanding, and it is nice to have that as a beginning, because a preamble influences the way we might see our future and our country.

What this preamble does is turn “them” into “us” and “they” into “we”, across the width and breadth of this state. That is a powerful transformation. We will not let “us” be tried in the courts without access to an interpreter. We will not permit “us” to be imprisoned at unacceptably high levels. We will ensure that “we” have the same life expectancy and infant mortality rate.

Point of Order

Dr A.D. BUTI: Madam Acting Speaker, this is an incredibly important debate, and I think the member for Girrawheen is making a useful contribution, but I am really battling to hear her because of the amount of chatting that is occurring in this chamber at the moment.

The ACTING SPEAKER (Ms J.M. Freeman): Thank you, member for Armadale. The member for Girrawheen has the floor. If members must have conversations, please take them outside.

Debate Resumed

Ms M.M. QUIRK: Thank you very much, Madam Acting Speaker.

We will not permit “us” to be hounded out of our communities. “We” will not tolerate racism and discrimination. “We” will be proud of our cultural identity and our diversity.

I conclude with some words from Paul Keating’s famous Redfern speech. The member for Kimberley also quoted from that speech, but I want to quote from another section —

It begins, I think, with that act of recognition — recognition that it was we who did the dispossessing. We took the traditional lands and smashed the traditional way of life. We brought the diseases and the alcohol. We committed the murders. We took the children from their mothers. We practised discrimination and exclusion. It was our ignorance and our prejudice and our failure to imagine these things being done to us.

With some noble exceptions, we failed to make the most basic human response and enter into their hearts and minds.

We failed to ask—how would I feel if this was done to me? As a consequence, we failed to see that what we were doing degraded us all.

I commend the bill to the house.

MR D.A. TEMPLEMAN (Mandurah) [4.31 pm]: I am pleased to contribute to the debate on the Constitution Amendment (Recognition of Aboriginal People) Bill 2014. If the Indigenous people of Western Australia knew what was going on now, they would be disgusted. Quite frankly, this bill was introduced by the member for Kimberley, Josie Farrer, an Aboriginal Western Australian from the Kimberley region. I want to tell members very clearly that the member for Kimberley, in one of her first conversations with me as a new member in this place, highlighted a number of things about how she saw the world and this state, and how she saw the Parliament and her role as a member of this place. One of the key issues that she raised was the fact that Indigenous Western Australians are not recognised in the Western Australian Constitution. She discussed that with a range of colleagues and a range of people who she trusts and has faith in, and said to the Leader of the Opposition that she would like to bring to this place a bill that would formally recognise Western Australian Indigenous people in the Constitution—something that has been denied to them since that Constitution was conceived and written. That is what the member for Kimberley brought to this place, and that is what she discussed with a number of her colleagues and people who she trusts who are not members of Parliament.

She introduced that bill, and in her second reading speech she called on the Premier of Western Australia and the Leader of the Opposition to be bold. She called on all members of this Parliament to be bold and not be afraid. That is what she said in her second reading speech. This bill was introduced into this place nearly six months ago, and most members of this place heard that bill read into this place. That includes members on the other side and members of the National Party. Most of them were here. She called on all members of this place to be bold

Extract from Hansard

[ASSEMBLY — Wednesday, 19 November 2014]

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Mr Roger Cook; Ms Margaret Quirk; Acting Speaker; Mr Jan Norberger; Dr Tony Buti; Mr David Templeman; Mr Ian Blayney; Mr Murray Cowper; Mrs Michelle Roberts; Mr Bill Johnston; Dr Kim Hames; Mr Terry Redman; Mr Sean L'Estrange; Ms Rita Saffioti; Mr Dave Kelly; Mr Peter Abetz; Mr Brendon Grylls

and to work together to achieve something that should have been done a long time ago. However, the bill then lay on the table of the house for a number of months.

The Premier, in his pathetic address last week, raised a raft of pathetic stalling tactics—stalling tactics that simply demonstrate that he has been caught out. Not only that, the Premier politicised this issue by saying that this is something that the government will consider next year. What a lot of rot! If members on the other side of this place had any gumption and any pride, they would stand up against that idiot who now is the Premier. Stand up against him! But none of them will. They are gutless! That is because behind the scenes, in the corridors behind this place, all sorts of scheming is going on to try to save face for that man who calls himself the Premier of Western Australia. Members of the Liberal Party are letting that happen, and, I am afraid to say it, but it seems that might be the case also for the National Party members in this place. It disappoints me to say that. It is disgraceful.

The member for Kimberley and the member for Victoria Park—two Indigenous members of this Parliament, one of whom is the second only female Aboriginal person to be elected to this place—were supposed to be here this afternoon for this debate. But they have over the last four days been visiting remote communities in the Kimberley region, talking about what the Premier wants to do to a number of those communities in closing them down, without any consultation. But they have been stuck in Kununurra since this morning, because they could not get out by plane. That is why they are not here today. Members on the government side are now trying, because of the obstinacy and pig-headedness of their Premier, to wallpaper over the significance of what the member for Kimberley is trying to do, for no reason other than pure politics. They want this to be their bill. They want it to be their government that introduces it. That is what this is all about. The government has been caught out. The government had six months to do this, and now suddenly there is every reason under the sun why we should not do this.

Members opposite should look inside their own souls, for goodness sake. Some of them are religious people and talk about how they are Christians and how important it is that we follow ethical considerations. I urge members opposite to reach inside their hearts and recognise that this is a time when they should stand aside from that man whom they call the “great Premier”—as some of them have used consistently in their speeches. Stand aside from him! Get out from behind his shadow! Get out from behind his impotence! Stand there as a person who believes that now is the time to recognise Indigenous Western Australians by supporting this bill. Why will members opposite not do that? Do not let the Premier shade this! It is all about him. This bill is not about him. This bill has nothing to do with him. It has everything to do with Indigenous Western Australians. It has everything to do with fairness. That is what it is about.

If any government members have any genuine fairness in them, they will support this bill and let it go to a vote today, not do background deals to defer it until next year. We know what will happen. The Premier will get his fingers all over it, and trumpet it as a wonderful, wonderful achievement of his government. That is because he has been caught out. There will be a few petty, patronising words about the member for Kimberley, but he will trumpet it as his. Stand up against him. The public does not like him; they do not like him. Some government members have been proud or courageous enough to admit that. The Premier is pulling the wool over government members' eyes time and again, and this is a classic example. He could show —

Mr J.R. Quigley: Excuse me, member, the member for Hillarys knows.

Mr D.A. TEMPLEMAN: As I said, there are few who have been courageous enough to stand up, and the member for Hillarys is one of them. This is the time to stand up and say, “This bill is the right thing to do.” As the Leader of the Opposition highlighted in his contribution to the second reading debate, the legal issues have been referred to the State Solicitor's Office for sanction. The Leader of the Opposition read the advice he had received from State Solicitor. Government members are simply roadblocking an important piece of legislation that they know in their hearts is right—but they are falling in behind the Premier, who has decided that he does not want this legislation to come out under the member for Kimberley's name. This bill was conceived by the member for Kimberley. This bill was introduced by the member for Kimberley. This debate is credit to the member for Kimberley, and this chamber should vote unanimously to support the member for Kimberley's bill that amends our Constitution. It is an amendment to the preamble. The preamble of anything usually refers to the values and aspirations of an organisation or particular grouping. For us, it is the preamble to the state's Constitution. All the member for Kimberley is doing is amending it to recognise Western Australia's Indigenous people as the first Australians in this state.

Deals have been done and words have been thrown at us. This bill was proudly brought to this place by the member for Kimberley and proudly argued for by an Aboriginal Western Australian woman from the Kimberley. Government members know that it is right and fair, but they are going to allow one person's politics—the

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Premier of Western Australia—to politicise, sully and pollute the intention of the legislation that the member for Kimberley has brought to this place. I said to the Leader of the National Party, “This is your chance. You’re not going against your cabinet colleagues; you are simply saying this is right.” I know the Leader of the National Party knows that it is right, and he wants to support it. Do not be railroaded by the Premier. For goodness sake; in just over two years’ time the National Party will be fighting three-cornered contests in the regional areas and the gloves will be off. The Leader of the National Party should not allow the Premier to interfere with what he knows is right. I know he knows it is right. There is absolutely no reason this bill cannot pass this place today, and go to the other place to be analysed probably early next year. The Liberal backbenchers who do not have the courage, as have the members for Hillarys and Morley, to say that things are not right and speak about them, now is their time. For goodness sake; the Premier is not even here. What is a better time to do it? What better time to do it than when the emperor is away. Do the right thing and support the member for Kimberley’s bill. Government members should demonstrate to the people of Western Australia that they know about fairness and vote for this bill tonight. It deserves to be voted on tonight. It is a bill that has absolute fairness and equity, and it will be against government members if they do not support it tonight.

MR I.C. BLAYNEY (Geraldton) [4.45 pm]: I will briefly speak on the Constitution Amendment (Recognition of Aboriginal People) Bill 2014. As the member for Geraldton, I represent some 3 500 Aboriginal people in this place. My electorate is part of Yamatji country, which roughly covers Carnarvon, Meekatharra and Jurien Bay. All up, there are about 5 600 Yamatji people in Western Australia. I would like to recognise a number of local institutions that are leaders in their areas in Western Australia. Radio Mama is a popular radio station that is listened to by many people across the midwest. I recently wrote to the Prime Minister asking him to ensure that federal funding would be maintained for Radio Mama. I would put the Geraldton Regional Aboriginal Medical Service up against any regional Aboriginal medical service in Australia. The Midwest Football Academy contains about 10 per cent of the total number of Clontarf students nationally who complete year 12.

Several members interjected.

The ACTING SPEAKER: Members, the member for Geraldton has the floor.

Ms S.F. McGurk interjected.

The ACTING SPEAKER: Member for Fremantle!

Mr I.C. BLAYNEY: Over 40 Aboriginal students completed year 12 at Geraldton Secondary College last year, which is probably the state or even a national record. Rangeway Primary School, which is my old school, has a student cohort that is over 60 per cent Aboriginal.

Ms S.F. McGurk interjected.

Mr I.C. BLAYNEY: I always listen to the member for Fremantle without interruption.

The ACTING SPEAKER: Member for Geraldton, I am on my feet. Member for Fremantle, please allow the member for Geraldton to address the house. Thank you.

Mr I.C. BLAYNEY: I was shocked to see in the National Assessment Program — Literacy and Numeracy data that the schools that Rangeway Primary School matches are Meekatharra, Wiluna, Fitzroy Crossing and South Hedland. They are places we would all automatically accept have a large amount of Aboriginal disadvantage.

Point of Order

Dr A.D. BUTI: The point of order is on a matter of relevance. I have great respect for the member for Geraldton, and normally I would not do this, but this is an incredibly important bill and I just do not think that his contribution outlining various services provided by Aboriginal corporations in his electorate, although important, at this stage, with limited time, should continue in that vein.

The ACTING SPEAKER (Ms J.M. Freeman): There is no point of order.

Debate Resumed

Several members interjected.

The ACTING SPEAKER: Members! The member for Geraldton has the floor.

Mr I.C. BLAYNEY: Thank you, Madam Acting Speaker.

We also have a family and child centre opening fairly soon, and I expect that, once again, that will make a big difference to my community. I am very glad to see it happen.

Mr Roger Cook; Ms Margaret Quirk; Acting Speaker; Mr Jan Norberger; Dr Tony Buti; Mr David Templeman;
Mr Ian Blayney; Mr Murray Cowper; Mrs Michelle Roberts; Mr Bill Johnston; Dr Kim Hames; Mr Terry
Redman; Mr Sean L'Estrange; Ms Rita Saffioti; Mr Dave Kelly; Mr Peter Abetz; Mr Brendon Grylls

Several members interjected.

The ACTING SPEAKER: Members, I will start calling people. It is an emotive debate, but please allow members to speak. If they are on their feet, let them speak.

Mr I.C. BLAYNEY: It is interesting that a main feature of NAIDOC Week in Geraldton was a special service for returned Aboriginal servicemen.

I must say that I suddenly saw Aboriginal people with new eyes when one of my nieces had an Aboriginal partner. They have given me two great-nephews, who are lovely kids. It suddenly occurred to me that as they walk through life, they will be seen differently from what would have been the case if her partner had been European. That was quite profound and greatly affected the way that I see my constituents.

I was born in the area and I went to school in the area. I have worked in the area all my life and I have lived alongside of and worked with Aboriginal people all my life, so I have a right to have an opinion and to express it in this place. However, I understand that what some people might see as simple words in a Constitution may not mean very much to a lot of people, but I accept that to many Aboriginal people it will mean a lot.

I support the intention of this bill because I would like to see Aboriginal people recognised in our Constitution as the first people on this land. However, this bill needs to be discussed in the community more than it has been up until now.

Several members interjected.

The ACTING SPEAKER: Member for Butler, I call you for the second time. Member for Fremantle, I call you for the first time.

Mr J.R. Quigley interjected.

The ACTING SPEAKER: Member for Butler, I call you for the third time.

Mr I.C. BLAYNEY: We need to take this bill away to have a look at it and then bring it back. We may have to fine-tune it but it is important that we get this right. It has been pointed out that the absolute —

Several members interjected.

The ACTING SPEAKER: Member for Maylands, I call you for the first time. Member for Butler, you are on three calls; please allow the member for Geraldton to be heard.

Mr I.C. BLAYNEY: It has been pointed out by Tony Abbott that it is important to get the wording right in the federal amendment to the Constitution, which is understandable because we have to vote on it, and if the federal referendum is voted down, it is a serious issue. Although we do not face the same issue here because we can vote on and change our Constitution, I still do not think it would be a good thing to pass something that has not been raised in people's consciousness right throughout the state community. This bill needs to be taken out to the community to be discussed and explained, and that is why I am not supporting this bill today.

MR M.J. COWPER (Murray–Wellington) [4.52 pm]: I would like to make some contribution to this debate on the Constitution Amendment (Recognition of Aboriginal People) Bill 2014. I was very interested to listen with great intent to my friend the member for Kimberley, who is also a former neighbour of mine, and who brought this private members' bill to the house. I have been discussing quietly with the member the process of this legislation before the house and how it should be given due consideration by members. In doing so, I would first like to acknowledge her as a leader of her community and a Gidja woman in Halls Creek. For those who do not know, there are five groups in Halls Creek. Jaru is the actual homeland in and around Halls Creek, and Gidja is situated to the north-west. Other famous Gidja people were Ernie Bridge and Gilbert McAdam—for those who follow the football. The other skin groups in and around Halls Creek are the Warlpiri, the Kokatja and the Pintubi people. Although they are different skins, they still have a hierarchy and the member for Kimberley is known to many as "mum". With respect I call her "aunty" inasmuch as I am a brother to a Pintubi man named Nanala. Although Nanala is Pintubi, he refers to Josie as mum. By association, that therefore makes me in the culture a relative of the member for Kimberley, albeit that my actual skin group was bestowed upon me honourably by the Nyul Nyuls, which is in the West Kimberley.

When I first went to the Kimberley, I was the youngest police officer north of the twenty-sixth parallel in 1981 and I did not know very much about the Aboriginal culture and heritage in Australia or in Western Australia in particular. Apart from the half a dozen Noongar students whom I went to school with and played football with, I really did not know much about the culture of the people. Therefore, I embarked upon a very interesting and, thankfully, very memorable journey into the nature and culture of the various groups that

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[ASSEMBLY — Wednesday, 19 November 2014]

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Mr Roger Cook; Ms Margaret Quirk; Acting Speaker; Mr Jan Norberger; Dr Tony Buti; Mr David Templeman; Mr Ian Blayney; Mr Murray Cowper; Mrs Michelle Roberts; Mr Bill Johnston; Dr Kim Hames; Mr Terry Redman; Mr Sean L'Estrange; Ms Rita Saffioti; Mr Dave Kelly; Mr Peter Abetz; Mr Brendon Grylls

exist in the Kimberley. For those members who do not know, in the south west there are predominantly the Noongar people, and they have subgroups such as the Yuats around Moora and the people around Perth, and then down towards my neck of the woods we find the Pinjarup people. The elder there is called Uncle Harry Nannup, and I wish to acknowledge him as my elder in the river country. When I first went to the Kimberley, it became apparent to me that there is a vast difference in the various skin groups and cultures within the Aboriginal people of Australia, and within Western Australia alone there are many different types. Initially, I was very fortunate to be ingratiated in and accepted as a pretty naive, young policeman to various cultures that we do not speak about. I have been very fortunate to have been taken to men's country, to which I will make no more reference other than to say that it is culturally sensitive.

In the course of my two years in Broome, I engaged with a number of our police aides from Nyul Nyul, the Bardi people from One Arm Point and the Karadjari people from La Grange, which is now referred to as Bidadanga. La Grange is one of the biggest communities in Western Australia. These various communities have developed with the various skin groups walking in from various parts to populate these settlements.

Later on I went from Broome to Fitzroy Crossing, where I came across a different culture yet again. For those members who do not know, the birthplace of the Aboriginal culture is Tunnel Creek. It is represented by the figure we saw at the opening of the Sydney Olympics that showed how the people spread across the land. While I was at Fitzroy Crossing, I went to places such as Noonkanbah and Looma and on the edges of the desert country and also those a bit further to the north. When I went to Halls Creek for five years, I was immersed in this wonderful culture and although it was in many respects fairly simplistic, it also had a fair bit of complexity to it and a lot of politics was involved. Trying to negotiate with the various skin groups and those who mixed with some groups and not others was very interesting. That is where I first came across Robert Nanala. Nanala, as a young man, was very fit and strong but, unfortunately, the drink got hold of him and he found himself on the wrong side of the law on a number of occasions. On one occasion, I had good cause to try to track him down and I was able to do so by applying what I had learnt about to where he might be. I managed to find him on one particular day and rather than try to grapple with him and wrestle him to the ground, which would have been a challenge, I decided to sit and talk with him from a distance. He realised that it was not my intention to cause him harm, but rather to get him to see reason and accept the situation. From that time on we had a great friendship. Whenever I speak with the member for Kimberley, I ask her to give some regard to Nanala. I have not forgotten him, and, likewise, she has passed messages back to me.

An unfortunate thing that occurred when I was in Halls Creek related to two stockmen who went missing. They were only young men, Amos and Annetts. They went missing from Sturt Creek station, Flora Valley station and Nicholson station, which was owned by a company from the east coast of Australia. In the course of the next three months looking for these two young men, who inevitably were found perished in the Great Sandy Desert south of White Hills, in the middle of nowhere, I had cause to go to a lot of communities in the outer lying areas. During that time I attempted to communicate —

The ACTING SPEAKER: Member, can you make sure that Hansard can hear. I am not sure whether it is because of your height or something you are doing with the microphone, but keep speaking into it.

Mr M.J. COWPER: I got to go to a number of different communities, including Ringer Soak, Chinaman's Garden, Kalkaringi, Lajamanu, Yuendumu, Papunya, Balgo, White Hills, Billiluna and Mullen, to name a few. I traversed great distances. It was a very hot time of the year. It was November, leading up to Christmas, when they went missing. To try to make sure that we covered the ground, we often called in and spoke to very senior people within those communities. In sitting down with them to discuss country, they saw me as a fairly novice type, but I think they appreciated my attempts to work on a level that they would accept. A number of different protocols are to be observed when dealing with the senior people. I must say that that was a very rewarding time personally, notwithstanding the fact that it was approaching 50 degrees Celsius at the time.

The ACTING SPEAKER: Members, can you keep the chatter down, please.

Mr M.J. COWPER: When we were trying to find these two missing stockmen, we came across some evidence of people operating about 300 kilometres south of Balgo. For people who have never been to that part of the world, it is in the middle of absolutely nowhere. The only thing that exists out there is old seismic tracks. It is part of the Canning Basin. We now know that a lot of gas is out there. A crisscross labyrinth of tracks was built. It can be seen from the air when flying over the country. Back then, there were people living the traditional way. When I spoke with the member for Kimberley, she confirmed that they still exist and are still living a traditional lifestyle. I hope that remains the case and we leave them well alone. They can choose to continue in that vein.

Mr Roger Cook; Ms Margaret Quirk; Acting Speaker; Mr Jan Norberger; Dr Tony Buti; Mr David Templeman;
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They come into communities about once a year to buy various commodities and then go their own way. Good wishes to them for maintaining that lifestyle.

After 12 years of being immersed in that culture, I moved from the Kimberley down to Denmark on the south coast, which was in total contrast with the Kimberley. Denmark, in the Noongar language, is winnaitch country. It means taboo, or “a place where we don't stay after dark”. That was evidenced during some of the football games in Denmark. The crew from Mt Barker would come through and, before sunset, they would leave town. With the exception of one lady who was a resident in Denmark, no Aboriginal people were living in Denmark at the time. Coming back to the south west and taking up my position as the officer in charge of the police station at Australind, and living in Brunswick Junction, reacquainted me with the Noongar people. I am very proud and privileged to represent the Banjara people in particular, and others who live further south in and around Brunswick Junction.

Although this is only anecdotal or from a layman's perspective, the amount of culture that is being lost in the Noongar nation is alarming compared with what is happening in the Pilbara and in the Kimberley. That has most likely been caused by a greater interaction with the European lifestyle than is perhaps the case in some of the more remote areas of the north and the lands. I understand the importance of the urgency that the Aboriginal people see in having some recognition in the Constitution. It perplexes me a little that in 2004, when this bill was first proposed, it was not introduced. I heard the explanation last week that the reason it was not put forward was that the Labor Party did not have the numbers in the upper house. I heard some good debate from some opposition members, particularly the member for Victoria Park. I was enthralled with his speech on this bill—not so with some of the others. I have spoken quietly to the member for Kimberley. I said that I will walk with her on this journey to get this legislation across —

Several members interjected.

The ACTING SPEAKER: Members!

Ms R. Saffioti interjected.

The ACTING SPEAKER: Member for West Swan, I call you to order for the second time. Member for Fremantle, I call you for the second time. Members, would you please let the member on his feet complete his speech.

Mr M.J. COWPER: I found some comments from the opposition side interesting. I will touch upon those. If all of us in this place were genuine in promoting this legislation, this should have been done many moons ago. All of a sudden the opposition sees this as an urgent matter. I recognise the importance of it. When a person comes to this place, particularly in opposition, they are entitled to introduce a private member's bill, as I did. It kicks the ball into play. It ensures that a matter is before the house so that it can be debated. I have certainly seen that from members on both sides. Members who are new to this place may not know that I introduced a bill in this place trying to deliver workers' compensation to police officers. The member for Eyre, who was sitting next to me at the time, listened to me for some time going on about the fact that police officers did not receive workers' compensation. At the time, a lot of people were a bit perplexed that police officers were not covered by workers' compensation. I introduced a bill to the house, and it was debated. The member for Midland spoke, as did a number of other members in this place. The former member for Yokine, as a former police officer, got up and spoke. He said that although he supported the legislation in principle, it was flawed and needed further work. All of a sudden I hear the same echo in this chamber about this matter. I introduced another piece of legislation to this house —

Several members interjected.

The ACTING SPEAKER: Member for Warnbro and member for West Swan, please; the member for Murray–Wellington has only four minutes left.

Mr M.J. COWPER: Another piece of legislation that I brought to this place related to the safety of children. It was a bill that would have required seatbelts on school buses. I was the shadow Minister for Road Safety and the then police minister, the member for Midland who sits opposite, said in the media that she would not support seatbelts on school buses. That was on a Friday. On the Saturday, the former member for Armadale, Hon Alannah MacTiernan —

[Member's time extended.]

Point of Order

Mrs M.H. ROBERTS: Not only is this member not telling the truth about these matters, they have nothing to do with the recognition of Aboriginal —

Mr Roger Cook; Ms Margaret Quirk; Acting Speaker; Mr Jan Norberger; Dr Tony Buti; Mr David Templeman;
Mr Ian Blayney; Mr Murray Cowper; Mrs Michelle Roberts; Mr Bill Johnston; Dr Kim Hames; Mr Terry
Redman; Mr Sean L'Estrange; Ms Rita Saffioti; Mr Dave Kelly; Mr Peter Abetz; Mr Brendon Grylls

Several members interjected.

The ACTING SPEAKER (Ms L.L. Baker): Members! You will not make decisions on behalf of the Acting Speaker. I am quite capable of calling whether that is a point of order. It is not a point of order.

Mrs M.H. ROBERTS: Further to my point of order, Madam Acting Speaker, I did not actually have the opportunity of completing my point of order when people on the other side of the house were disorderly and did not hear my point of order in silence. I note that none of them has been called to order for their interjections while you were on your feet, Madam Acting Speaker. The fact of the matter is that this is a debate about the recognition of Aboriginal people in the Constitution. We have heard nothing but filibustering off the topic and what the member on his feet is now saying is not even true.

The ACTING SPEAKER: Member for Midland, I take the issue of relevance you are raising and I ask the member to please be relevant to this particular bill.

Debate Resumed

Mr M.J. COWPER: Certainly, Madam Acting Speaker. The point of relevance that I will speak to —

Dr A.D. Buti interjected.

The ACTING SPEAKER: Member for Armadale!

Several members interjected.

The ACTING SPEAKER: Member for Wanneroo, I call you —

Dr A.D. Buti interjected.

The ACTING SPEAKER: Member for Armadale, do you want to leave the chamber? That is enough, both of you. Member for Wanneroo, I have called you yet again. Member for Murray–Wellington, would you please get to your feet and direct your comments to me.

Mr M.J. COWPER: I am attempting to do that, Madam Acting Speaker; thank you for your protection.

The point of relevance I am making is that the member for Kimberley has brought a bill into this place and I say good on her. I think what she is doing is honourable and she said a number of great things, but she has to understand that there is a process that goes on in this place and it has precedence in the experiences I have just been talking about. I go back to the bill relating to the safety of children on school buses. On the Saturday, Hon Alannah MacTiernan said that the government would not support it and then on the Sunday —

Dr A.D. Buti interjected.

The ACTING SPEAKER: Member for Armadale!

Several members interjected.

The ACTING SPEAKER: Member for Armadale, I have called you for the second time.

Mr M.J. COWPER: Thank you, Madam Acting Speaker —

Withdrawal of Remark

Mr W.J. JOHNSTON: A Liberal member called out, “What a grub.” I demand that the member withdraw. I demand that the member show his honesty and withdraw.

The ACTING SPEAKER (Ms L.L. Baker): Member for Cannington, I am on my feet. I am sorry; there has been so much yelling in the chamber—I am doing most of it. I did not actually hear anyone say something like that. Please, member for Murray–Wellington, take to your feet and let us continue this debate.

Mr W.J. JOHNSTON: Point of order —

The ACTING SPEAKER: There is no point of order if you are going to go back to that same issue.

Mr W.J. JOHNSTON: You have not heard my point of order.

The ACTING SPEAKER: Member, thank you.

Debate Resumed

Mr M.J. COWPER: Thank you, Madam Acting Speaker. On the Sunday, the then Premier of the state, Hon Geoff Gallop, announced that there would be —

Mr W.J. Johnston interjected.

Mr Roger Cook; Ms Margaret Quirk; Acting Speaker; Mr Jan Norberger; Dr Tony Buti; Mr David Templeman;
Mr Ian Blayney; Mr Murray Cowper; Mrs Michelle Roberts; Mr Bill Johnston; Dr Kim Hames; Mr Terry
Redman; Mr Sean L'Estrange; Ms Rita Saffioti; Mr Dave Kelly; Mr Peter Abetz; Mr Brendon Grylls

The ACTING SPEAKER: Member for Cannington, I call you for the third time.

Mr M.J. COWPER: On the Sunday, the then Premier announced that there would be seatbelts on school buses. The point I am trying to make is that there are ways in which we can draw members into a debate and get an outcome. The point is that if this was, as was mentioned by some members on the other side —

Point of Order

Mrs M.H. ROBERTS: I have two points of order. One is that I understood that the member for Cannington had been called to order only once previously, so I would ask if you could check that, Madam Acting Speaker.

The ACTING SPEAKER: Certainly.

Mrs M.H. ROBERTS: The second point of order is that I understand that on two occasions you advised the member on his feet to be relevant and he has completely disobeyed your ruling, so I wonder whether you will call him to order for that.

Dr K.D. HAMES: Further to that point of order, the member quite clearly explained the relevance and I do not think he is disobeying your instructions, Madam Acting Speaker.

Several members interjected.

The ACTING SPEAKER: Members!

Ms R. Saffioti interjected.

The ACTING SPEAKER: Member for West Swan, thank you! There is no point of order. Member for Murray–Wellington, would you please continue.

Debate Resumed

Mr M.J. COWPER: That being the case, there is a way in which this place operates and members, whomever they might be, whether or not they be in government, can bring in a private member's bill, as is their right. I commend the member for Kimberley, and I am sure we will see this come to a resolution for which she will get great recognition as a proud Gidja woman—someone I have huge respect for—and the outcome will be to the betterment of all Western Australians.

The other thing I would like to talk about in relation to this bill is the people in my electorate whom I represent on this issue and who are not to be forgotten. A number of very good programs exist in my electorate and we do not have to go terribly much further than Fairbridge. One of the things I am most proud of about the short time I was a minister was the fact that I was able to put some funds from the corrective services and the training portfolios into the Fairbridge Bindjareb project. For those who do not know what it is, young Indigenous people in Karnet Prison Farm are taken to Fairbridge. It is a wonderful project taking young men from Karnet Prison Farm and, in conjunction with industry, giving them back some pride. I would also like to make mention of my good friend Terry Koodah Cornwall. Koodah is the cultural adviser at Fairbridge. He refers to me as his brother. He is going about reigniting the fire in the belly of people who have fallen foul of the law, trying to get them to have some respect for themselves before, obviously, they can have any future going forward. The results that we have seen are nothing short of astounding. Members in this place may not be aware that this program was listed as a finalist training program in Australia. Great work has been done in places such as Fairbridge and in and around my community. There is the new Murray Districts Aboriginal Association centre. I would like to recognise the Kearing family in particular, Mark Salmon and his partner, Kerry-Anne Kearing, and the rest of the wonderful people down there.

There is a lot to look forward to. I look forward to this matter coming back before the house and us all agreeing that the Indigenous people of this country need to be properly recognised in an appropriate manner. I hope that the member for Kimberley has an opportunity to listen to the words I have said, because I say them with great respect.

MR D.T. REDMAN (Warren–Blackwood — Leader of the National Party) [5.17 pm]: I want to make a contribution to the debate on the Constitution Amendment (Recognition of Aboriginal People) Bill 2014 and to make some comments about what I have tried to achieve with the Premier and the Leader of the Opposition in respect to getting a way to progress this bill through both places. Before I do, I want to reflect, as I guess we all have done, on my experiences with Aboriginal people, as those experiences mould our views and influence decisions we make going forward. Just before I get onto that, I was really intrigued by a comment my daughter made recently. She has just had a baby, but that is already on the public record, and she lives in Jurien Bay with her husband, Blair. She is a teacher. She reflected to me recently that she undertook some professional development here in Perth as part of the teaching program she does at Jurien Bay. She said that she went into

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a forum about Indigenous people, Aboriginal matters, reconciliation and all those things. The first question the group was asked was: “How many of you have been in contact with or met an Aboriginal person?” She was floored. She asked why the hell someone would ask a question like that. She was really surprised to find that only a very small percentage of the people in the room had actually met an Aboriginal person. That shocked her. Because of the places we have lived as a family, we have Aboriginal friends. We have been to many communities that have reasonably significant Aboriginal populations. It is interesting that a lot of people in our community have not met or known an Aboriginal person. Therefore, in some cases they will probably form views that are not based on their own experiences, links or contacts with the culture.

I will now move on and talk about what has formed some of my views. My dad was a school principal when I was a child. Although he started teaching down in Cranbrook, he worked in a number of schools in regional Western Australia. As a kid, I think I went to about seven different schools. One of the schools that he was principal at was Camballin, which is south east of Derby. It is on the Liveringa pastoral lease on a pastoral station up there. He was the principal of that school from 1968 to 1969. Being born in 1963, I was about five and six years old; in fact, I did my first year of school at Camballin Primary School. I was very young but that was probably the first occasion that I had significant contact with the Aboriginal culture. In fact, I was probably one of about three whitefellas in the school. I think there were only 13 or 14 kids. On a daily basis, the Aboriginal community lived just alongside Liveringa. The community is now called Looma but it was not there at the time. They used to go to school in Camballin in the back of a ute. I had a lot of friends there. One of the fellows—he was a young leader in the school—was named Gerard Killer. Gerard was a tall fellow. He was very good at sport. We all looked up to him. He really looked after us. He kept an eye on the rest of the kids in the school. When we went to sports days and so on, he was the one who could run the fastest and jump the highest. We were always aspirational to Gerard’s skills and abilities. There was a significant population of Aboriginal kids in the school. We were significantly exposed to that culture and befriended those people.

I remember Gerard Killer’s dad by the name of Killer. He was the community leader. It is now the Looma community but it was the Aboriginal community next door to Liveringa. I remember him taking my dad, me and my little brother to see some paintings on Mt Anderson, which is a neighbouring station to Liveringa. It is in what they call the Grant Range. I remember him sitting on a rock cross-legged talking to my dad about the paintings in caves in that area. That etched a fair bit into a young kid’s mind, as members would appreciate. My dad still has a Super 8 movie of that visit and of Gerard’s dad, Killer, on this occasion and on a couple of other occasions when he showed us how to make fire with firesticks and so on. That was really significant to a young child.

Since then I have had the chance to take my wife and some of my family—in fact, my daughter, Alysha—back to Looma. We stayed at Camballin and went out to Looma. We caught up with Gerard. I had not seen him for 45 years—a significant amount of time. I also caught up with David Killer, his brother. Then there was the Nagooda family. There was Johnny and Alf Nagooda—two boys who went to the school. I saw both Gerard’s children and his grandchildren. I did not have grandchildren at the time. They were fantastic people. It was great to take my family back to meet these people I went to school with. That was also significant. My mum and dad were there at the time. My dad took some blown-up A3 photos of Gerard when he was a boy at the school and showed his children. They had never seen a picture of their dad as a child in a school. Having grandchildren, they could look at their dad in a picture that was taken back in 1968 or 1969. We had a lot of experiences that moulded our thinking around the Aboriginal culture—how rich it is and how long and rich the history of Aboriginal culture is.

I know there are good Welcomes to Country and not so good Welcomes to Country. I will make that point right up-front. When we have a good Welcome to Country, particularly when someone plays the didgeridoo, it is not hard to take our mind back to the strong historical culture that Aboriginal people have and their connection to the land and all those things that are really important to them. On a recent occasion, a particularly good Welcome to Country occurred at the opening of the community resource centre in Greenbushes. Josh was the fellow who did it. He played the didgeridoo. I made the point in my address that we were sitting in a pretty old building—something that probably has heritage significance for Greenbushes but absolutely pales into insignificance compared with the heritage and the richness of the Indigenous culture, which, as we know, goes back tens of thousands of years. I guess it is those things that mould our thinking and give us an appreciation of the strength of the culture and the critical importance of Aboriginal people taking pride of place in our history.

Hence, the bill that the member for Kimberley has introduced is really important. We all know that they are words and that actions are more important than words. Our actions and the things that we do are significant. What we do, what we say, how we say it, the decisions we make, the resources that we as government ministers deploy and the strategies and policy settings that we put in place are really important. Words are also really

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important because they set up the foundation to ensure that we strengthen our community's commitment to make the right decisions to support the Aboriginal culture going forward. Hence, a genuine recognition is really important. The bill that has been introduced in this place and the importance of recognising Aboriginal people in our Constitution is a genuine recognition of a very significant culture that has been here for a long time—well before European settlement—and in my view needs to be recognised. That is certainly the very strong position of the National Party.

We are amending the Constitution, and that is significant. Constitutional amendments are significant. It is not something that we want to get wrong. When the National Party discussed this bill on Tuesday—we went through all the issues around the bill and how we should treat it—we sought a briefing from the Department of the Attorney General and also Peter Conran to talk through —

Several members interjected.

Mr D.T. REDMAN: Please let me finish my conversation. Two people provided a briefing on a number of issues in the bill that were raised. There were mixed views in our party room about the substance of whether what was raised was significant enough to be a fatal flaw in the bill or whether there needed to be amendments, changes or clauses that would give an assurance for a bill to get through Parliament and finish up being an amendment to the Constitution, which is really significant. I guess the two really strong points that came from discussions following that was that our party room fundamentally wants to ensure that a bill survives and gets through Parliament and makes a difference. I say that up-front. It is fantastic that the member for Kimberley has triggered that. She has the National Party's full support to ensure that we have a bill that goes through both places and gets into our Constitution to make change. It is also significant that she be recognised for that. Those two points are a given.

We discussed how we should treat this bill. There were views about whether there were fatal flaws in the bills that were put up. There were views about whether clauses should be consistent with what other states have done. There were views about whether the strength of the second reading was considered in other matters and whether that is significant. There was a range of things that we as members of Parliament were ill-equipped to comment on or decide whether they were right or wrong to get this legislation through. To help take the politics out of this —

Mr P.T. Miles interjected.

The ACTING SPEAKER: Member for Wanneroo, that is enough. Please, Leader of the National Party, would you continue the debate.

Mr D.T. REDMAN: We sought to use the parliamentary process, which has been in place for a long time, as a strategy to try to get resolution on those things that our party room felt ill-equipped to either accept or deny—views that were put to us about the bill. We felt it was fundamental to ensure that whatever bill is put up, it has to get through both houses and survive and go on to receive royal assent. With that, I approached the Premier yesterday before question time and sought his support to either refer the bill to a parliamentary committee or to have a bipartisan select committee consider the bill, its language and all the things that are issues to us, with the support of advisers and legal counsel, to ensure that the bill contained a set of words that worked and would have the support of both houses of Parliament. That is the position I took, and the Premier supported the view and said it had merit. Then there were discussions about the nature of that committee, what it might look like, and so on. It has now been resolved that the notion of having a select committee has the Premier's support. I also talked to the Leader of the Opposition during a division yesterday, saying that our party room supports the notion of having a parliamentary committee look at this. I sought the support of the Leader of the Opposition, saying that ensuring something that survives and passes through Parliament is fundamental to our issues. I said that we would dearly like the support of the opposition for a parliamentary committee to analyse the bill and arrive at a set of words that will ensure that the bill goes through Parliament. To the credit of the Leader of the Opposition, he said that he would consider that. I had a talk to him this morning on the phone, and he gave broad support for that idea. I then had some discussions with the Deputy Premier to try to work through a strategy to use the Parliament of Western Australia, the highest authority, to support the objective of the member for Kimberley—that is, to get a bill through this house for legislation to recognise Aboriginal people in the Constitution.

Then there were some discussions, and the Deputy Premier made contact, and it was suggested that we adjourn debate today and bring on an agreed, bipartisan motion next week. The motion would be prepared by the government, but we would be looking for bipartisanship. The motion would propose that a joint house committee be established to prepare the wording required for the legislation. The motion will contain the terms of reference and membership mix for the committee. The other thing I talked to the Premier about was that

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normally committees of Parliament are not able to access State Solicitor's Office advice, so there was a recognition that legal counsel would be needed to go through these processes. It was proposed that the Attorney General chair the committee and that the member for Kimberley be the deputy chair. It was agreed that the member for Kimberley would be recognised during the second reading as the original proponent.

Several members interjected.

Mr D.T. REDMAN: I will come back to that point.

She would be recognised as the proposer of the legislation, and the committee would be required to report in sufficient time to allow the government to introduce legislation during the first session of 2015. It has that level of priority.

Right now, my reading is that there is a difference of views between the opposition and the government, particularly about the point of recognition of the member for Kimberley for originating the bill.

Mr P. Papalia: It's her bill, not the Premier's.

Mr D.T. REDMAN: The point I am making —

Several members interjected.

The ACTING SPEAKER: Member for Wanneroo, I have called you for the third time. That is enough. Member for Kwinana, I have called you for the first time; member for Warnbro for the second time. We are nearly through this very emotional debate. Please continue.

Mr D.T. REDMAN: The objective of using this strategy is to get the outcome that the member for Kimberley wants to achieve—a bill that goes through Parliament. There was enough concern around our party room table that we needed to get the advice that we needed independently to ensure —

Mr P. Papalia: What deal did you do? What did you have to promise?

Mr D.T. REDMAN: I have done no deals, other than —

Several members interjected.

The ACTING SPEAKER: Member for North West Central!

Several members interjected.

The ACTING SPEAKER: Member for Kwinana, I call you for the second time. There are people in this house who want to speak.

Mr R.H. Cook: What about the member for North West Central?

The ACTING SPEAKER: I have said something to the member for North West Central. I am calling you.

Mr D.T. REDMAN: I talked to the Premier before he went over east, and I have talked to the Leader of the Opposition. I had conversations about how we might get to a point at which a set of words can be put together that has the support of this house and the other place to ensure that legislation will go through this Parliament and achieves the objectives the member for Kimberley is trying to achieve. The very strong view put by my National Party colleagues was that they did not want this bill to trip over for any number of reasons.

Mr D.J. Kelly interjected.

The ACTING SPEAKER: Member for Bassendean!

Mr D.T. REDMAN: I talked to the member for Kimberley the other night. She stays in accommodation very close to where I stay when I am in Perth. I told the member that if her bill went to a vote in the second reading, I would support it, because that would put on the public record where I stand on this issue. I have issues with the interrogation needed to ensure that all the words have the level of rigour to ensure that the legislation will get through this place and will sit on our Constitution for hundreds of years.

Several members interjected.

Mr D.T. REDMAN: I have a real struggle with the opposition's argument here.

Several members interjected.

Withdrawal of Remark

Mr S.K. L'ESTRANGE: I am finding it difficult to hear the member.

The ACTING SPEAKER (Ms L.L. Baker): Thank you; I quite agree.

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Ms R. SAFFIOTI: The member for Southern River clearly called the member for Warnbro corrupt.

The ACTING SPEAKER: Member, did you —

Several members interjected.

The ACTING SPEAKER: Member for West Swan, thank you.

Several members interjected.

Mr D.J. KELLY: I certainly saw the member for Southern River look to the member for Warnbro and call him corrupt—not once, but twice.

Ms R. Saffioti interjected.

The ACTING SPEAKER: Member for West Swan, if you want to stay in the house, when I am on my feet you will shut up and not scream at people across the house; thank you.

Dr A.D. Buti interjected.

The ACTING SPEAKER: Member for Armadale, you are on three calls.

Dr A.D. Buti: Three?

The ACTING SPEAKER: Member for Armadale, you are on two—but you are on three if you keep calling out. Member for Bassendean, I did not hear the word “corrupt”, but I am asking the member for Southern River, if he used words that were inappropriate, to withdraw them.

Mr P. ABETZ: I used the words, “We’re not corrupt like you”, referring to the whole Labor side, not to any individual. I withdraw if that is wrong.

The ACTING SPEAKER: Thank you, I think that would be a good, wise decision under the circumstances.

Debate Resumed

[Member’s time extended.]

Mr D.T. REDMAN: This is a very important issue. When making adjustments to the Constitution, we want to make sure that they are right. They will be there for a long, long time, and with the structure of voting through the different parties in the two houses, it is really important that this bill gets through and survives. With the support of my colleagues, I have endeavoured to put up a process that allows a parliamentary process to be used as a strategy to achieve that end, and to give confidence on all sides in a bill that has the words that will get it through both houses of Parliament. I hope it gets support from both the Premier and the Leader of the Opposition. I hope that the motion can be worded up for next week for debate around some of the nuances, the terms of reference and all things that will give all sides confidence in a process that has the integrity to achieve that end. From the National Party’s perspective, we will do everything we possibly can to ensure that a bill goes through both houses of Parliament allowing recognition of Aboriginal people in the Constitution. All credit goes to the member for Kimberley for triggering this issue. She is a fantastic lady, and credit to her for doing it.

MRS M.H. ROBERTS (Midland) [5.39 pm]: Firstly, I would like to put on record at the second reading stage my fulsome and wholehearted support for the Constitution Amendment (Recognition of Aboriginal People) Bill 2014 moved by the member for Kimberley, and I congratulate her for bringing this bill to the house. It is a most important bill, and it is so very fitting that a Gidja woman elected to represent the Kimberley, an electorate that has more Aboriginal people than any other electorate in this state, should bring forward a motion of this nature.

I do not need to talk about the importance of this bill, because everybody in this house is paying some kind of lip service to how much they support Aboriginal recognition in our Constitution. The only problem is that people on the other side of the house do not want to vote on it. They do not want to put their money where their mouth is. They are using all kinds of sophistry and excuses to avoid supporting the member for Kimberley’s bill. The only people in this place who have said that they will support it are my colleagues in the Labor Party. National Party members have said that they support it. However, what we saw on display in this place today was, first, a delaying and stalling tactic; and, second, an exercise in undermining the member for Kimberley by white-anting her and her role in bringing the bill into this house. It was an exercise designed to take her place in history and replace it with that of the Premier of Western Australia and member for Cottesloe. It was designed to not allow the Gidja woman, who represents more Aboriginal people than any other person in this chamber, to sponsor the bill into this house. It is all about the Premier’s ego. People on the other side of the house have told me that they support the bill and the right of the member for Kimberley to bring it into this house. They think that it is right and proper. Guess what? It might just go a little way to redressing the shocking history for

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Aboriginal people in this state. It would redress a wrong to allow an Aboriginal woman to stand in this place and put that recognition into the Constitution. Be in no doubt, Madam Acting Speaker, this is a bill I feel very strongly about. I spoke to the Premier about this bill last week.

The ACTING SPEAKER: Excuse me, members! Members for Bassendean, Warnbro and Eyre, this is not a debate to be had across the chamber. There is a speaker on her feet. It is highly inappropriate for you to be talking at the back of the speaker. Please go ahead, member.

Mrs M.H. ROBERTS: Thank you, Madam Acting Speaker.

This is about the Premier's ego. This is about him being the big man. This is about him coming into this place and saying, "I changed the Constitution. I recognised Aboriginal people. It was me, the member for Cottesloe." This is about how the Premier perceives himself in history. It is no different from his big building projects or his other things: he wants to be the big man and he wants to assert himself and say, "I'm the Premier of Western Australia. I will introduce any changes to the Constitution, not some black woman from the Kimberley."

Several members interjected.

Withdrawal of Remark

The ACTING SPEAKER (Ms L.L. Baker): Member, you know that the protocol in this house is that if you are referring to members of Parliament, you refer to them by their correct title, so I think that is not appropriate. Would you like to say that again with the correct title for the member for Kimberley?

Mrs M.H. ROBERTS: Yes.

Debate Resumed

Mrs M.H. ROBERTS: The Premier does not want the member for Kimberley to introduce this bill. He has said that.

Point of Order

Mr S.K. L'ESTRANGE: I refer to standing order 92, which reads —

Imputations of improper motives and personal reflections —

The ACTING SPEAKER: I think we have just dealt with that, member.

Several members interjected.

Mrs M.H. Roberts: You are an idiot!

The ACTING SPEAKER: Enough! Just let the member get out what he is trying to say. What are you trying to say, member?

Mr S.K. L'ESTRANGE: I also believe someone just called me an idiot. I think that should be withdrawn.

The ACTING SPEAKER: Member, just stick to the point of order that you are trying to raise, would you, for the minute?

Several members interjected.

The ACTING SPEAKER: Members! Member for Willagee! Member for Bassendean, I can hear you from here. Stop it!

Mr S.K. L'ESTRANGE: I will read out the standing order, which states —

Imputations of improper motives and personal reflections on —

It refers to a number of people —

or members of the Assembly ... are disorderly ...

Mrs M.H. Roberts: So, what is it?

Mr S.K. L'ESTRANGE: The member was making imputations.

Mrs M.H. Roberts: About whom?

Mr S.K. L'ESTRANGE: Against the Premier's motives. I do not think that is appropriate.

Mr J.R. Quigley: You shouldn't listen to the mug in front of you!

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The ACTING SPEAKER: Excuse me, member for Butler, you are on three calls. If you stay in this house, you have not got much more rope; okay? There is no point of order; it is part of the debate. Continue. If it is inappropriate, I will stop it. Member for Midland, will you take the floor again, please.

Debate Resumed

Mr P.B. Watson interjected.

The ACTING SPEAKER: Member for Albany!

Mrs M.H. ROBERTS: What we are seeing today is an exercise in crude and base politics. This is about the Premier's —

Mr P.T. Miles interjected.

The ACTING SPEAKER: Member for Wanneroo!

Mrs M.H. ROBERTS: I am sorry, Madam Acting Speaker, are you wanting to call people to order or will I continue?

This is the worst exercise in crude and base politics that I have seen in this house. People opposite are saying that it is about the words and that we have to get the words right. They are saying that maybe the member for Kimberley's words are not fit for the Constitution, that maybe the State Solicitor has not designed them, that maybe they need improvement, and that maybe a couple of little tweaks need to be made. Guess what? I have been in this house long enough to know the processes involved. There is no reason why members opposite could not support this bill at the second reading stage and move amendments at the consideration in detail stage, as is normal. Given the timing that we now face, there is the recess between now and the resumption of Parliament in autumn. That would be ample time for a proper examination and for people opposite to suggest some amendments to the member for Kimberley and for her bill to be amended—even substantially amended, if need be—at the consideration in detail stage. There are plenty of government bills in which that has occurred.

A few other furbies are floating around. Some are that opposition private members' bills never get through this place, that it is unprecedented, that the opposition is never supported and that the Premier or a government minister sponsors every bill through this place. I am someone who actually knows differently. I know that that is rubbish! Most members sitting opposite should know too, as they may recall that just a few years ago in opposition I moved an amendment to the Equal Opportunity Act to provide for women to be able to breastfeed in public. The government's initial inclination was to not support that bill. To jog the memory of some members, I remind them that the then Greens member for Fremantle started crying because she did not like the Liberal Party attitude to that bill. The Liberal Party members had another meeting and another discussion and decided that it was a pretty simple amendment and that it probably was right. They probably did not want to offend all the women and mothers in this state so they decided to support it. The Liberal and National Parties supported my private member's bill in not only this house, but also the upper house. That bill is now law and the Equal Opportunity Act was amended. There is therefore no principle in this place that somehow those with the numbers are the only ones able to change the law.

That is not the only time that a private member's bill from the opposition has been supported in this place. I highlight it to members only as a recent example of that having occurred. I think it was right. I am the mother of three and I have dealt with those issues. I have had a baby since I have been in Parliament, as have some of my other colleagues, but we are still a rarity. I think it was appropriate that someone such as I should have brought forward that bill, and not the then Attorney General who probably, I assume, had no experience of these matters. Who more appropriate than the member for Kimberley to be sponsoring this amendment to the Constitution and to be presenting the second reading speech to the bill?

The Leader of the National Party said that he supports the member for Kimberley's bill, but members on the other side are filibustering and not allowing us to bring on the vote on the second reading. If we are given the opportunity to vote on the bill, therefore, National Party members will allegedly vote with us for it. The only thing is that they are assisting the government to not vote today. Members opposite have spoken and waxed lyrical about this but they had no intention of speaking until such time as they heard that we wanted to bring on the vote.

The ACTING SPEAKER: Member for North West Central, I call you for the first time. Member for Pilbara, I call you for the second time.

Mrs M.H. ROBERTS: Last week in this place, both publicly, and privately to me, the Premier said he was prepared to support the bill, on the basis that he brought in the bill next year, and that we agreed on the words. He said also that he would give due recognition to the member for Kimberley—that is, she would get a mention

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in his second reading speech—and this would be bipartisan. However, it can only be bipartisan, apparently, if the Premier is the sponsor of the bill. It is not bipartisan if the member for Kimberley is the sponsor of the bill. That is what we are really arguing about. The offer from the Premier last week was consultation and discussion about the words, and if we could agree on the words and get something that everyone was happy with, he would give the member for Kimberley a little pat on the back and say, “Well done; we would not be doing this if it was not for your role in initially introducing a bill.” I do not think that is very big of the Premier at all. If the Premier was really someone of substance, someone of decency and someone of magnanimity —

Dr A.D. Buti: If he was a statesman.

Mrs M.H. ROBERTS: Yes, if he was a statesman, he would say, “Are we not lucky in this Parliament that we have a Gidja woman who can move this significant amendment to our Constitution, and that we can right the wrongs of the past and redress the balance by having the member for Kimberley—an Aboriginal woman—sponsor this bill?”

That is where I take issue with the National Party on this bill. The Leader of the National Party has gone on record today to say that he told the member for Kimberley that he would support her bill and that he supports the recognition. But it seems that the Leader of the National Party is not willing to assist us in bringing on the vote. He has also come up with what he describes as some kind of advancement or compromise position. But let us analyse that, because, as I see it, he is not offering much more than what the Premier offered last week. It is effectively the same outcome. Rather than consultation across the chamber and agreement in an informal sense, he is proposing to set up a formal parliamentary committee to get the words right, and, at the end of that process, the Premier will bring the bill into this house, and he will just give the member for Kimberley a pat on the back and say, “Well done; you had a role in this.” What that exposes to me that this is not about the substance of the bill. The real excuse being used by members opposite is that we need to get this right, we need to get broad agreement on the words, and we need to get the State Solicitor’s Office involved. That is all important. That can happen. The real nub of the argument is about whose bill this is. This is the member for Kimberley’s bill. If the National Party wants to support the member for Kimberley, it will assist with that process.

Mr V.A. Catania interjected.

Mrs M.H. ROBERTS: I am not opposed to the committee process.

Several members interjected.

The ACTING SPEAKER: Member for North West Central, I call you again, for the second time. Member for Warnbro, I call you for the third time.

Mrs M.H. ROBERTS: I am not opposed to the committee process. What I object to is the white-anting of the member for Kimberley, in basically gazumping her and pulling her back and pushing the Premier forward so that he can be the big man.

Regardless of what the member for North West Central is saying, he could support this bill today. He could vote for this bill today. Even if we went through the committee process that the National Party appears to be offering, he could still at the end of that process say, “I think it’s right that the member for Kimberley introduces the bill and not the Premier.” But maybe the member for North West Central is the Premier’s lap dog—I do not know.

The fact of the matter is that people are saying that this is about process, and the State Solicitor’s Office has not been involved, and whatever. I can tell members that the State Solicitor’s Office has been involved and has drafted versions of amendments to the state Constitution going back probably at least 10 years. Various governments, including our government, have had bills drafted. I think in 2007 or 2008—I cannot recall which year; I think it was 2008—I asked the State Solicitor’s Office to draft an amendment to the state Constitution that would recognise Aboriginal people. That was not something that came to fruition before government changed in September 2008, but it was certainly my intention to advance that cause back then. This is nothing new for the State Solicitor’s Office. I am sure there are a few dusty drafts in its office already. It is not complex. I think there are only a few minor issues with the bill. Those issues could be addressed certainly in the consideration in detail stage. The consideration in detail stage would not come on for debate until the autumn session of Parliament next year. February or March next year is probably the earliest opportunity at which this bill could be brought on for consideration in detail. That is what normally happens with bills. There is nothing that cannot be sorted out in the consideration in detail stage. The second reading is, as members know, just about whether members generally agree in principle with the bill. In the consideration in detail stage, sometimes there are no amendments and sometimes there are copious amendments. I have sat in this place and I have seen 100 government amendments for complex bills. This bill, by comparison, is relatively simple. If there is a need—I do not think it will be

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necessary—a number of paragraphs or slabs of text could be deleted and other slabs of text could be inserted in the bill.

This is just an excuse not to support the member for Kimberley's bill. Let us be in no doubt about what the real argument is here. It is not about whether we support the recognition of Aboriginal people in the Constitution. It is about what the Premier of this state wants. The Premier has told me to my face, "If this Parliament is going to do it, I will be the one sponsoring it. Take it or leave it. And if you want your member for Kimberley to be appropriately recognised, you will take it." The Premier said to me, "If you want her appropriately recognised for her role in this, take the deal that I am offering." I am very disappointed. I did not expect much better from those members of the Liberal Party who need to kowtow to the Premier and his ego, but I am disappointed in the National Party members, because although they are saying one thing, they are not delivering for the member for Kimberley.

I am very confident that, one way or another, Aboriginal people will be recognised in our state Constitution. For how much longer can we go on as a state without recognising Aboriginal people? All the other states have recognised Aboriginal people in their Constitution. It is an embarrassment that we have not done that. I say to any of the members opposite who intend to stand now and filibuster and not allow us to have a vote on this bill, "Shame on you, because this is just about crass, base politics. It is about removing the member for Kimberley from history and inserting the member for Cottesloe into history." That is all it is about.

I think I have covered the parliamentary process issues. There are no parliamentary process issues that necessitate this. In summary, firstly, private members' bills can, and do, go through this place, so any suggestion to the contrary is just wrong. Secondly, this bill could be amended at the consideration in detail stage, and that would be the right way to go. I think the National Party members know that that would be the better way to go, but they do not have the Premier's agreement for that. Thirdly, I do not think that it is the best way forward, but it is a positive way forward. We could have the committee suggested by the Leader of the National Party, but at the end of that process, we should hand the bill back to the member for Kimberley and say, "Thank you for bringing it forward. We weren't sure about the words, but the State Solicitor and everyone else has now ticked off on them. Here is your bill back, you introduce it, you get the credit and you have the place in history that our member for Kimberley, a strong Gidja woman, deserves."

MR B.J. GRYLLS (Pilbara) [5.59 pm]: For the entire history of this Parliament, there has never been any confidence that a bill to recognise Aboriginal people in the Constitution had the ability to pass. Here we are today, on the cusp of an arrangement that means, I would hope, by the first week of the new year's Parliament, we will have a bill that will pass the Legislative Assembly and the Legislative Council and lead to an amendment to the Constitution. That is a great thing. In 2014, for all the anger that has been exhibited in this chamber, this Parliament is on the cusp—probably far too late—of finally having a way that the Liberal, National and Labor Parties and the Independents can have the capacity to pass a bill recognising Aboriginal people in the Constitution, and that is a great thing. To members who go home all riled up and angry about this: we have actually made some progress. As the former Minister for Police just said, when the Labor Party was in government, it did not think it had the capacity to get this legislation through Parliament.

Mrs M.H. Roberts: That is not what I said.

Mr B.J. GRYLLS: It would have introduced the legislation, if it had had the capacity to do so, and now we do. I was one of the members in the Nationals party room who wanted to support Josie's Constitution Amendment (Recognition of Aboriginal People) Bill and amend it. That is what I wanted to do, but I am very grateful that the Leader of the National Party put forward a proposal, because had I voted to pass the member for Kimberley's bill, on what I know, that bill would have failed. The second reading of the member for Kimberley's bill was going to fail, because it did not have majority support of the lower house of Parliament. I do not want to have to vote.

Ms S.F. McGurk: It is a Nationals' decision.

Mr B.J. GRYLLS: It is not the Nationals' decision; it is not.

Ms S.F. McGurk interjected.

Mr B.J. GRYLLS: The member for Fremantle should count the numbers.

Several members interjected.

The ACTING SPEAKER (Mr N.W. Morton): Member for Fremantle! Member for Warnbro, I am on my feet. The member for Pilbara has the call. I sat here for two hours listening to interjections fly across this chamber. There is one hour to go, let us do it with some decorum.

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Mr B.J. GRYLLS: The Leader of the National Party has proposed a way that this Parliament can come up with a bipartisan bill, because all I have seen of what was meant to be a bipartisan bill is a slanging match across the chamber, and that has debased the reason behind the member for Kimberley introducing the legislation. The debasing debate across the chamber is probably why we do not have recognition of the first Western Australians in the Constitution, but that is how it has always been. Here we are now, with a proposal for a joint parliamentary committee, with members from both sides of Parliament, to agree on a form of words—maybe the form of words that the member for Kimberley put forward. The form of words that the member for Kimberley put forward does not have majority support for a vote tonight. I was not prepared to push my agenda of wanting that vote, because the bill would not have survived. In agreement with the Premier, the Leader of the National Party's proposal is a way to see Aboriginal people recognised in the Constitution that should be supported and celebrated. When some members of this chamber go back and read *Hansard*, they will see that this debate has become about who will be recognised for delivering the bill, as opposed to who is recognised in the Constitution. I want to see Aboriginal people recognised in the Constitution.

Several members interjected.

The ACTING SPEAKER: Member for Armadale, I call you to order for the third time. There are a number of members on three calls. I do not wish to eject members, but I will eject members who continue to interject on the member with the call.

Mr B.J. GRYLLS: We have made some progress, and the member for Kimberley should be congratulated for bringing this bill to the floor of Parliament. I acknowledge her and recognise that it is her bill. She will be recognised for that, and that is a good thing. I look forward to nominating from the National Party to join that committee, to help to get the form of words for recognition of Aboriginal people in the Constitution—to make that happen. That will be a good thing for the state and good recognition.

There are a couple of other issues occurring at the moment in the Indigenous affairs space, and I have a very strong interest in all of them. Tomorrow, I will present a petition to Parliament from the Indigenous leadership of the Pilbara voicing their concerns about amendments to the Aboriginal Heritage Act. I will ensure that their concerns about those changes are represented in this chamber. The member for Kimberley is not in the chamber at the moment due to the recent debate about the sustainability of remote Indigenous communities. That issue is right at the forefront of day-to-day politics in the Pilbara region, and it needs to be addressed and solved. It does not need to be talked about and used as a political football, but actually solved, because there are —

Several members interjected.

Mr B.J. GRYLLS: People do not need to go to remote communities to find communities that are not acceptable in Western Australia, in 2014; they only have to drive just out of Karratha. It is not acceptable for young Aboriginal people and their families to live in those circumstances, and we have to find a way to solve those problems. I hope that the debate that has been flagged around this issue will lead us to solving the problem.

I think, for the first time in history, there is bipartisan support. Twenty, 30 or 40 years ago, it probably would not have been true to suggest that the National Party would champion these issues in the Indigenous affairs space. I am very happy that our party now regularly talks about these issues, looks to find solutions and that we wish to be regarded as people who can participate in that debate. It annoys me that some members opposite still like to treat the Nationals as though it is 40 years ago, and it is not. The jibes across the chamber harking back to those unacceptable times do not carry any weight, are unacceptable, and if members opposite truly want an outcome rather than playing politics, they might stop throwing those jibes and start working, as we all should do, to get a better outcome for all Western Australians, including the first Western Australians. On so many measures, we cannot say that that is occurring. We cannot say it is occurring in health, education or life expectancy. Those are all things in which it does not occur. I welcome that this Parliament now spends a lot of time talking about these issues, and that we are trying to find solutions in those communities.

As I said at the beginning of this debate, we have finally found a way in which the majority of the Parliament of Western Australia can come up with a bill that will be supported by the Parliament and lead to recognition of Aboriginal people in the Constitution. Josie Farrer, the member for Kimberley, should be congratulated and celebrated for that, but so should all members of Parliament. Parliament is not about one person. One person in Parliament cannot achieve anything; there needs to be a majority in Parliament to achieve anything. It looks like we are now set on the path that, by very early in the new year of Parliament sitting, we will have a bill before Parliament, supported by all sides of Parliament, that can deliver just that outcome. Once the heat dies down out of the argument about who is more important to have done this, it is important that we get the bill passed. That is what the Leader of the National Party has put forward. The Leader of the National Party has put an enormous amount of effort into this. On Tuesday, in the party room, he had me yelling at him about how we should

Extract from *Hansard*

[ASSEMBLY — Wednesday, 19 November 2014]

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Mr Roger Cook; Ms Margaret Quirk; Acting Speaker; Mr Jan Norberger; Dr Tony Buti; Mr David Templeman;
Mr Ian Blayney; Mr Murray Cowper; Mrs Michelle Roberts; Mr Bill Johnston; Dr Kim Hames; Mr Terry
Redman; Mr Sean L'Estrange; Ms Rita Saffioti; Mr Dave Kelly; Mr Peter Abetz; Mr Brendon Grylls

proceed with this. He stared me down and said, “I will deliver you an outcome that gets Aboriginal people recognised in the Constitution, rather than you having your short-term position of being able to vote for Josie’s bill, but not seeing it passed.”

Mr M.P. Murray interjected.

The ACTING SPEAKER: Member for Collie–Preston!

Mr B.J. GRYLLS: I say to the Leader of the Nationals that although this is a debate for the Parliament, I want to personally recognise him for finding a way to make that happen. I know he wants to make sure that Josie Farrer, the member for Kimberley, is the one who is recognised for bringing this bill before the Parliament. If members opposite truly want to see Aboriginal people recognised in the Constitution, they will come up with a way to make that occur with the support of a majority of this Parliament. I suggest that the best way to achieve that is to support the plan put forward by the Leader of the National Party.

Debate adjourned, on motion by **Mr P. Papalia**.