

FEDERAL ELECTION KIT 2004

ANTaR's Purpose:

To generate in Australia a moral and legal recognition of and respect for the distinctive status of Indigenous Australians as First Peoples. Recognition of Indigenous Australians' rights, which include self-determination, their relationships to land and the maintenance and growth of their cultures, is essential to creating a just and fair society for all Australians.

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INTRODUCTION

This kit is provided to ANTaR members and supporters to assist in considering Indigenous affairs issues during the 2004 Election Campaign.

The kit contains information about Indigenous issues and the policies and track records of the major parties, together with resource material covering electoral and Parliamentary information, and lobbying activities, which your local reconciliation group can use during the election campaign period.

The kit also includes a list of Indigenous candidates for the election. Please check to see whether there is an Indigenous candidate in your electorate or state/territory and give them any assistance you can.

Some of the material listed in the kit is available for downloading and copying from website URLs and is not included in hard copy form. If you require any of this information and lack access to the internet, please contact the ANTaR National Office and we can arrange to fax or mail it to you.

Notes to Users:

- Material in this kit is available for copying from ANTaR's website <http://www.antar.org.au>
- Some documents are indicated as links to other websites.
- To make use of some of these internet resources, you will need a fairly fast connection and/or a capability to download and store PDF files.
- If you encounter difficulties in using the kit, please contact your local ANTaR office for assistance.

David Cooper
National Coordinator

CONTENTS

Party Policies & Indigenous Affairs Records

- The Howard Government's Record on Indigenous Affairs
- Report Card 2004: Indigenous Affairs Records and Policy Priorities of Major Parties
Includes a list of key current Indigenous issues

Suggested Election Activities

- 1. Encourage voting "below the line" in the Senate**
2. Sit Down At My Table: Connecting Candidates with Grassroots
3. Lobbying candidates, politicians and political parties
4. Use the media

Voting 'below the line' flyer templates

Electoral & Parliamentary Information

- Indigenous Candidates
- 2004 Electoral Pendulum: **the balance of seats, tabulated**
- Principal Spokespeople on Indigenous affairs
- Party Websites
- Who's Who in Parliament
- Electorate Maps
- Australian Electoral Commission
- Candidates for the 2004 Elections

Lobbying Information & Resources

- Website links & contact information for ANTaRs and other useful organisations
- Advice on how to lobby a sitting member or candidate
- Using the media
 - General points
 - Using Talkback radio
 - How to write a news release
 - Writing a "Letter to the Editor"

THE HOWARD GOVERNMENT'S RECORD ON INDIGENOUS AFFAIRS 1996–2004

When the Howard Government was elected in 1996, the Reconciliation process was at its mid-way point, historic Native Title legislation had been enacted and the Stolen Generations inquiry was under way. The Howard Government's first term was one in which the rights and self-determination of Indigenous people became increasingly undermined.

On election night 1998, after the outcry over the Government's discriminatory treatment of native title in 1997-98, the Prime Minister promised to make Reconciliation a priority for the Government's second term. Instead, public perception is that the Government has pushed reconciliation from the national agenda. Meanwhile, the 2003 Social Justice Report from the Aboriginal and Torres Strait Islander Social Justice Commissioner, Dr Bill Jonas, contains clear evidence of the deteriorating situation of Indigenous people in all key areas, including life expectancy.

The Coalition should be challenged on its record after eight years in government, in particular its abandonment of the principle of elected national Indigenous representation, its rejection of any engagement with rights-based (and so-called 'symbolic') issues, and its poor progress in addressing socioeconomic disadvantage.

The 2004 Federal budget contained \$87 million in increased funding allocations for Indigenous Affairs, including an extra \$40 million over four years to improve access to primary health care services. However, \$10 million a year is grossly inadequate considering the AMA has recently estimated that Indigenous health is under-funded by \$425 million a year!

The following provides a summary of some of the main aspects of the Howard Government's record over the past eight years.

Reconciliation

In December 2000 the Council for Aboriginal Reconciliation (CAR) presented its final recommendations to the Government after a decade-long formal process. At Corroboree 2000 and events like the Sydney Harbour Bridge walk and other similar 'bridge walks' around Australia, 1 million Australians turned out to show their support.

CAR's recommendations included special legislation to unite all Australians and to establish a negotiation process to reach an agreement, or treaty, to deal with the 'unfinished business' of Reconciliation, and four strategies for future progress,

- to sustain the Reconciliation process,
- recognise Aboriginal and Torres Strait Islander rights,
- overcome disadvantage and
- develop economic independence.

In response, the Government has

- rejected most of the Council's recommendations,
- refused to consider the draft legislation recommended by CAR,
- ignored CAR's strategies.

Moreover, its approach has been divisive, seeking to portray a false dichotomy between 'practical' and 'symbolic' (rights) issues in an attempt to undermine Indigenous aspirations to gain recognition and protection of their rights and identity as Indigenous peoples.

Instead of providing national leadership and adequate support to continue the Reconciliation process, the Howard Government has withdrawn a formal Commonwealth role. Its recent allocation of \$15 million

over four years to Reconciliation Australia, a private foundation set up to replace the Council for Aboriginal Reconciliation, is an inadequate response to an issue of major national significance.

The Abolition of ATSIC (and Self-determination)

The Howard Government ignored the findings of its own review of ATSIC and instead announced in April its intention to abolish ATSIC, return all funding and programs to mainstream departments, and to reduce Indigenous involvement to an appointed, advisory body. The move removes independent Indigenous involvement in decision-making affecting their lives – the very basis of self-determination – and breaches Australia's international obligations.

As ANTaR National President, Phil Glendenning, said at the time, *"The decision ... would be a massive backward step. Today marks a return to the dead hand of paternalism under which Indigenous disadvantage and marginalisation has flourished ... It has been widely acknowledged that ATSIC required reform, however the Government's own review process did not recommend abolishing Indigenous representation."*

ANTaR Indigenous Reference Group member, Olga Havnen, has suggested that: *"The beat up on ATSIC continues to be a convenient scapegoat and a sideshow! Essentially it has never had responsibility for the key areas of health, education, housing etc. and it is high time the Commonwealth government agencies/departments and the state and territory governments were held to account. Strategic frameworks for health and housing have already been developed - what is lacking is the commitment of the resources to do something about the crisis."*

In effect, with breathtaking hypocrisy and deceitfulness the Government has sheeted blame for its own failure at addressing Indigenous disadvantage onto ATSIC and then used this as the justification for abandoning independent Indigenous representation.

Indigenous people have comprehensively rejected the Government's proposed return to paternalism. The Labor Opposition has provided a clear alternative to the Howard Government's policies by pledging to replace ATSIC with a new Indigenous elected body with decision-making emphasis at a regional level, and to retain self-determination as the basis of Commonwealth policy in Indigenous affairs. The other major non-Government parties also oppose the Government's proposals (see the Report Card below). Currently the Senate is conducting an inquiry on the Government's bill to abolish ATSIC and return to mainstream service-delivery. (ANTaR has lodged a submission with the Inquiry - see information on our website: www.antar.org.au.)

"Practical reconciliation" and Indigenous Disadvantage

With or without an Indigenous elected national body, Commonwealth and State governments will continue to carry heavy responsibilities for service delivery to Indigenous people. The Productivity Commission has said that monitoring governments and making them accountable for their performance in Indigenous Affairs is a first order issue. It becomes even more important with the Howard Government's insistence on further "mainstreaming" of government services.

In 1996, one of the Howard Government's first actions was to cut funding to Indigenous Affairs by \$470 million. Some of this funding has been restored, but despite adopting an approach it calls 'practical reconciliation', the Government has failed to make an impact on Indigenous disadvantage.

'Practical reconciliation' is basically a welfare approach, aimed at 'fixing' disadvantage largely through existing mainstream programs. It's an old approach that has been tried and failed:

- There is inadequate additional funding to cover the extent of need.
- There is no appropriate accountability process for the performance of governments and their agencies in the provision of Indigenous services.

- It doesn't take a partnership approach with Indigenous people or respect Indigenous priorities and special needs – it takes a paternalistic 'we know best' attitude.

An equally serious concern is that 'practical reconciliation' undermines Indigenous aspirations for self determination and protection of their rights and identity as Indigenous peoples. The Government's actions over ATSIC amplifies such concern.

'Practical reconciliation' ignores the experience gained over the past decade by bodies such as the Council for Aboriginal Reconciliation, the Human Rights and Equal Opportunity Commission (HREOC), the Productivity Commission, the Commonwealth Grants Commission and ATSIC.

Recent data and research clearly show that the government's 'practical reconciliation' policies have been a disaster for Australia's Indigenous people. The quality of life for many Indigenous Australians is getting worse. Indigenous people are severely disadvantaged on all social indicators including health, housing, education and employment.

"...there is no evidence that the Howard governments have delivered better outcomes for Indigenous Australians than their predecessors."

Altman & Hunter, 2003. Centre for Aboriginal Economic Policy Research, Australian National University

"...it is...not possible to foresee a time when a continuation of the current approach ['practical' reconciliation] will result in significant improvements in the lives of Indigenous Australians."

Dr Bill Jonas, Social Justice Report 2003.

Examples of such disadvantage include:

Life expectancy:	20 years shorter than for non-Indigenous Australians and the gap is widening.
Infant mortality:	3 times higher than for non-Indigenous Australians
Diabetes:	Death rate 8 times higher
Heart disease:	3 times higher
Respiratory:	9-11 times higher
Health spending:	Commonwealth spending 26% less per capita for Indigenous Australians.
Unemployment:	23% in 2002. (compared with 6% for non-Indigenous Australians – the lowest since the 1960s).
Education:	Fewer than 36% of Indigenous youth completed all secondary schooling compared with 73% of all Australian youth in 1998.
Housing:	Only 30% of Indigenous families are buying their home compared to 70% of non-Indigenous families. \$3 billion is needed for the back-log in community housing and infrastructure essential to improve Aboriginal health in remote and rural Australia

After 8 years of 'practical reconciliation' a person from Nigeria or Bangladesh can expect to live about ten years longer than an Indigenous Australian. In Canada, New Zealand and the U.S., however, governments have all managed to significantly reduce the life expectancy gap between their Indigenous and non-Indigenous peoples. But not in Australia. In quality of life terms, UN data rates the life of Australian Aborigines as the second worst on the planet.

Native Title

The *Native Title Act 1993* was passed in response to the *Mabo* decision of the High Court in 1992, after extensive negotiation with Indigenous representatives.

The Howard Government came to power in 1996, at the time of the High Court's *Wik* decision which established that native title could potentially coexist with leaseholders' rights on some leasehold lands, including pastoral lands.

The new Howard Government triggered an alarmist and divisive debate over the *Wik* decision and refused to negotiate with Indigenous representatives. Indigenous representatives had sought to put forward constructive proposals based on the coexistence of Indigenous and non-Indigenous interests and recognising the rights of all parties.

The Government instead introduced the 1998 Amendments (based on Howard's 10 Point Plan), significantly increasing the extinguishment of native title and winding back of Indigenous rights applicable under the *Native Title Act*, while enhancing the rights of other landholders, governments and developers.

The Australian Law Reform Commission and other bodies, such as the United Nations Committee for the Elimination of Racial Discrimination (CERD), found the amendments racially discriminatory and in breach of Australia's international obligations. The Government rejected the Committees' findings.

Native Title Representative Bodies (which have responsibility under the *Native Title Act* to represent the Native Title claimants) have been faced with ever-increasing demands on their limited resources as a result of the Native Title amendments. These bodies are seriously under-funded. The result has been extinguishment by default, as NTRBs find they are unable to properly respond to land applications with Native Title implications.

HREOC

The Howard Government has repeatedly tried to abolish the position of the Aboriginal and Torres Strait Islander Social Justice Commissioner within the Human Rights and Equal Opportunity Commission (HREOC). The Commissioner performs an essential role, releasing comprehensive, independent reports on Social Justice and Native Title each year.

Following strong support for the retention of the position, the Government was forced recently to appoint a new Social Justice Commissioner.

However, in practice the Government has ignored the Commissioner's reports. The Minister for Indigenous Affairs has not responded to the 2001, 2002 and 2003 Reports and the Government has generally ignored the Commissioner's recommendations.

Aboriginal Legal Services

The Federal Government plans to "mainstream" Aboriginal and Torres Strait Islander Legal Services by calling for tenders to provide legal services for Indigenous people, have had to be wound back following serious criticism of the effects of the proposed tender documents. This included breaching the *Racial Discrimination ACT 1975*, and omitting key priorities, such as reducing Indigenous incarceration and the need for culturally-sensitive delivery of services.

The Government back down does not end the issue as there is no guarantee that current Indigenous Legal Services will not be disadvantaged or overlooked during the tendering process.

Stolen Generations

The *Bringing Them Home Report* of 1997 focused national attention on the devastating impact of past Government policies to remove Aboriginal and Torres Strait Islander children from their families. The report made extensive recommendations such as programs to enable removed children to locate and re-unite with their families, the provision of counselling services, the issuing of a national apology to those affected by the policies, and the provision of compensation measures.

In response, the Howard Government:

- refused to offer a formal apology, claiming an apology would imply guilt on the part of people who were not responsible and would leave the Government open to compensation claims
- offered a package of \$63 million over four years for counselling, family services and 'link up' assistance (to date only a small amount of this money has been spent).
- spent an estimated \$11 million to oppose just two 'Stolen Generation' cases in the courts (the Gunner-Cubillo and Williams cases)
- questioned whether there was a 'Stolen Generation'.

These responses have politicised and trivialised the trauma suffered by those affected by removal policies.

In contrast, the Canadian Government made a formal national apology and committed \$600 million to native communities for counselling, healing centres, language training and economic development in response to similar findings in the report of Canada's Royal Commission on Aboriginal Peoples.

Stolen Wages

Between the years of 1900 and 1970, wages and other entitlements earned by Indigenous Australians were placed in trust accounts administered by state and commonwealth authorities. Much of these funds "disappeared", diverted to government programs or otherwise misappropriated by government agents.

In Queensland it is estimated that over \$500million is owed to Aboriginal workers. In NSW a similarly large amount is estimated to be owed. Both the Queensland and NSW Governments have commenced schemes to compensate Aboriginal people for their losses.

Although similar practices occurred throughout Australia other governments have been slow to respond to the issue. The Prime Minister has sought to distance the Federal Government from any responsibility even though it administered the Northern Territory during the period in question.

Treaty

Recommendation 6 of CAR's final report in 2000 states: *"That the Commonwealth Parliament enact legislation (for which the Council has provided a draft in this Report) to put in place a process which will unite all Australians by way of an agreement or treaty through which unresolved issues of reconciliation can be resolved."*

This was accompanied by calls from many Indigenous leaders for a treaty process, and the establishment of an Indigenous steering committee (the National Treaty Support Group) to coordinate a consultation and education program within Indigenous communities about a treaty.

The Howard Government has rejected the idea of a treaty or agreements process out of hand and has refused to facilitate community education and measured national debate on the issue.

Some useful references:

- *Social Justice Report 2003*, Dr Bill Jonas, Aboriginal and Torres Strait Islander Social Justice Commissioner, HREOC. http://www.hreoc.gov.au/social_justice/sj_reports.html#2003
- *Monitoring Practical Reconciliation: Evidence from the Reconciliation Decade 1991-2001*. JC Altman & BA Hunter, 2003. Centre for Aboriginal Economic Policy Research, ANU. http://www.anu.edu.au/caepr/Publications/DP/2003_DP254.pdf
- *Reconciliation: Off-Track*. 2003. Report of the Senate Legal & Constitutional References Committee. http://www.aph.gov.au/senate/committee/legcon_ctte/reconciliation/report/report.pdf

- ANTaR website: www.antar.org.au, has extensive information and links on Indigenous justice issues, including reconciliation, Indigenous health and disadvantage, native title, rights, etc.

2004 ELECTION REPORT CARD:

POLITICAL PARTIES' RECORD AND POLICY PRIORITIES ON INDIGENOUS AFFAIRS

This Report Card is provided to assist ANTaR members and supporters in considering Indigenous affairs issues in the lead-up to the 2004 Federal Election.

The Table below is a summary of the Indigenous Affairs policy responses of the major parties. It was compiled by Australians for Native Title & Reconciliation (ANTaR) based on responses to standard questions sent to the primary spokesperson for Indigenous Affairs with each major party: Senator Amanda Vanstone (Liberal/National), Senator Kerry O'Brien (ALP), Senator Aden Ridgeway (Democrats) and Senator Kerry Nettle (Greens). Their responses to each question have been added to, where appropriate, from each party's respective policies on Indigenous Affairs, as published on their party websites.

Recommendation on voting:

ANTaR does not endorse any political party but believes the serious issues and uncertainty facing Indigenous Australians at this time require us to take a strong stand in relation to voting in the 2004 Federal Election based on the research and analysis presented in ANTaR's 2004 Election Kit (available online at www.antar.org.au).

Over the past eight years ANTaR has been consistently critical of the Howard Government's record (see Howard Government's Record in Indigenous Affairs 1996-2004, in this Kit) and is deeply concerned about current proposals to scrap Indigenous representation and return to mainstream service delivery. The 2004 Election Report Card shows other major parties are strongly opposed to the Coalition's approach of abandoning an independent Indigenous voice, as are Indigenous people, indicating we are at a critical crossroad in national Indigenous affairs policy.

ANTaR therefore recommends **YOU SHOULD NOT VOTE FOR COALITION CANDIDATES** but direct your vote elsewhere if you are concerned about Indigenous justice and reconciliation. This Report Card will assist you in considering the alternatives.

For further information contact ANTaR by telephone on (02) 9555 6138, by email to antar@antar.org.au or visit our website: www.antar.org.au.

2004 ELECTION REPORT CARD: POLITICAL PARTIES' RECORD AND POLICY PRIORITIES ON INDIGENOUS AFFAIRS

ISSUE	LIBERAL / NATIONAL *	LABOR	DEMOCRATS	GREENS
1. Reconciliation c. Do you / Does your party fully support the final Recommendations of the Council for Aboriginal Reconciliation (CAR)?	The Government has rejected the majority of CAR's recommendations.	Yes – at its 2004 National Conference Labor resolved to implement the Final Recommendation of the CAR.	Yes – Private Member's Bill in Senate since 2001.	Yes.
d. Will you / your party enact legislation 'to put in place a process which will unite all Australians by way of an agreement, or treaty, through which unresolved issues of reconciliation can be resolved'? (CAR Final Rec. 6)	No. The Govt. has rejected the idea of a treaty or agreements process as "divisive and lacking the support of the general population".	At its 2004 National Conference Labor resolved to implement the Final Recommendations of the CAR. Labor will continue to pursue reconciliation with the aim of achieving a lasting settlement between Indigenous peoples and other Australians.	Yes – Private Member's Bill in Senate since 2001.	A constitutional agreement would be the most desirable way to advance justice for Indigenous people, including developing agreements or treaties.
e. Do you / Does your party undertake to conduct a public education process to inform the community as a whole on the proposal for a formal negotiation or treaty process?	No. The Govt. "is supportive of symbolic acts to encourage all Australians to embrace reconciliation" such as construction of a monument in Canberra and flying Indigenous flags at times of significance.	Labor will work to overcome the misunderstanding in the broader community as to the root causes of Indigenous Australians' disadvantage.	Committed to formal schooling, training of educational professionals and community awareness programs based on an honest and deep understanding of the truth of our shared history and mutual respect.	Recognise that the non-Indigenous population has much to learn from Indigenous people, about Indigenous people, our shared environment and about how this country was invaded and settled.
2. Self-determination a. Do you / Does your party recognise the right of Aboriginal peoples and Torres Strait Islanders to self-determination?	No. The Govt. is opposed to "self-determination" as it implies separate systems of government or laws within a nation.	Labor believes that Indigenous Australians must be able to exercise their right to self-determination within the Australian nation, and is committed to restoring the right and responsibility of Indigenous Australians to make decisions about their own future.	Yes	Indigenous self-determination and control over decisions that affect their well-being is essential.

ISSUE	LIBERAL / NATIONAL *	LABOR	DEMOCRATS	GREENS
b. Will you / your party undertake to facilitate, as a replacement for ATSIC, the development of a system in which Indigenous people have control over their own affairs and not just an advisory role?	No. The Govt. will establish a (Govt. appointed) "National Indigenous Council (NIC) ... to advise Government directly...The Govt would talk with and listen to other organisations and elected Indigenous people".	On 30 Mar 04 Labor released a statement committing to creation of a new Indigenous national and regional representative structure with key advisory, advocacy and accountability functions.	Believe in the necessity of nationally elected Indigenous representation, and for increased representation of Indigenous peoples in politics generally.	Recognise and support the establishment of appropriate Indigenous representative bodies, responsible for policy and policy implementation for Indigenous people.
3. Indigenous disadvantage a. Will your party undertake to provide adequate funding and resources to properly address Indigenous disadvantage, in particular in areas such as health, housing, education and employment opportunities, and community infrastructure?	Yes. <i>On the basis of need</i> [Govt.'s emphasis]. A key element of the Govt's 2001 election commitment was to improve Indigenous access to mainstream programs and services at State, Territory and Federal levels, particularly in urban and regional centres. [Note: see 2003 Social Justice Report for assessment of Govt's record]	Will act to redress Indigenous disadvantage wherever it exists.	Yes. The Democrats are committed to greater social justice measures ensuring the provision of basic citizenship rights that are required if Aboriginal and Torres Strait Islander Peoples are to enjoy the same living standard and opportunities as other Australians.	Committed to redressing discrimination and inequality across all aspects of Australian society. Indigenous people require, and are entitled to, culturally appropriate and fully resourced health facilities, housing, training and education as each community itself determines.
b. Will you / your party undertake to support the development of a Social Justice Package, which is the third (undelivered) component of the agreement between Indigenous representatives and the Commonwealth Government which resulted in the Native Title Act of 1993?	No. The Howard Govt. abandoned the Commonwealth's commitment to develop a Social Justice Package in 1996. The Govt's response states that "any reasonable expectations of the 1993 social justice package would in retrospect have been exceeded" by the Govt's policies and programs.	Labor is committed to delivering social justice for Indigenous Australians. See also Q.2. above.	Yes.	Support immediate implementation of a social justice package for Indigenous people, as committed to during negotiations for the Native Title Act 1993.
c. Will you / your party undertake to support specific measures such as an Indigenous 'estimates' process, to ensure that governments live up to their responsibilities?	No. The Govt. claims that the existing Senate Estimates process is adequate. The National Indigenous Council (see 2.b.) will advise the Government on priority areas and monitor performance in these areas.		Yes	Yes

ISSUE	LIBERAL / NATIONAL *	LABOR	DEMOCRATS	GREENS
4. Native Title	No. The Govt. states that a Parliamentary Committee 'majority' report in June 2000 "concluded that the amended Act is consistent with Australia's international obligations". [Note: the report's authors were all Government members. The non-Government members' report disagreed. Criticism of the amended Act by HREOC and the UN remains.]	Recognise Indigenous Australians' fundamental rights and entitlements as the original owners of this land. Currently scrutinising the native title system through the Senate Estimates process and an inquiry into operation of Native Title Representative Bodies. Education for all Australians about the significance and value of native title is essential to realising the benefits of native title for all Australians. Labor will implement substantial public education about Indigenous history, land claims and native title.	The Democrats support a native title regime that more effectively meets Indigenous aspirations for land justice and sustainable economic and social development. The Australian legal system should be modified to recognise and protect those aspects of Indigenous law and custom that will enhance the delivery of justice to Indigenous Australians. The next Federal Government must come back to the negotiating table on Native Title, to make the process more effective and efficient.	Will work with Indigenous peoples to effect changes to the Native Title Act 1993 in accordance with customary relationships between Indigenous people and the land, established international law and the recommendations of the United Nations. Recognise and accept the right of Indigenous people to retain, and benefit financially from, their intellectual property rights to traditional knowledge and the biodiversity of their own lands and waters. Reject the Native Title Amendment Act 1998 and recognise inalienable Aboriginal Title, which empowers peoples who have been denied their country and enables them to determine their own future, both culturally and economically.
a. Will your party undertake to amend the Native Title Act so as to remove racially discriminatory elements introduced by the amendments of 1998, which have been identified by the Human Rights and Equal Opportunity Commission (HREOC) and ATSIC?				
b. Will you / your party undertake to support restoration of 'right to negotiate' provisions equivalent to those in the Native Title Act 1992?	No. Govt response states that the 'right to negotiate' provisions "impeded resource and commercial development ... without giving Indigenous peoples substantial benefits in return."			
c. Will your party ensure increased and sufficient funding to support negotiation processes under the Native Title Act to expedite native title outcomes based on the principle of co-existence?	The native title system is monitored on an ongoing basis. In 2001-02 an additional \$86 million was allocated to the native title system over four years to create more substantive native title outcomes.			
d. Will your party increase funding to Native Title Representative Bodies to enable them to properly fulfil their statutory functions under the Native Title Act?	See 4.c. above. Funding levels are regularly reviewed.			
5. Stolen Generations	No. "The Government does not support a formal apology to the Indigenous people. Such an apology could imply that present generations are, in some way, responsible and accountable for the actions of earlier generations."	Federal Labor Leader Mark Latham has re-affirmed Labor's longstanding commitment to offer an apology to the Stolen Generations on behalf of the Australian people.	Yes	Reconciliation will never be achieved until we can say we are sorry and we act accordingly towards Australia's indigenous community for the wrongs that were done to them in the past, and which are still continuing.
a. If elected to government, does your party intend to offer an apology to the Stolen Generations on behalf of the nation or, if not elected, to support any proposals for an apology?				

ISSUE	LIBERAL / NATIONAL *	LABOR	DEMOCRATS	GREENS
b. Do you / Does your party support the recommendations of the <i>Bringing Them Home</i> Report?	In part. The Govt.'s response "concentrated on...family reunion ...health and parenting services... access to records and culture and language maintenance programs." The Govt. rejected many of the Report's recommendations.	The ALP recognises the need for a comprehensive Commonwealth response.	Yes	Will implement the <i>Bringing Them Home</i> Report with the inclusion of points to cover land, culture, laws, customs and spiritual beliefs.
c. Do you / Does your party support the establishment of a Reparations Tribunal to provide a mechanism for compensating Indigenous Australians who suffered from the policies of forced removal from their families?	No. The Government considers that there is no equitable way to financially compensate people affected by the removal policies.		Yes, The Democrats advocate for full and just reparations for Stolen Generations' members.	Yes
6. Stolen Wages Will you / your party support all efforts to make reparation to Indigenous people whose wages or entitlements were never paid to them?	The States and Territories are addressing the question of "stolen wages". The Govt does not have any knowledge that the Commonwealth ever acted in breach of its legal obligations toward Indigenous people.	A Federal Labor Government will work cooperatively with the States on the matter of stolen wages. Labor welcomes the recent formation of a panel by the NSW Labor Government to establish a regime to deal with claims for stolen wages.	Yes, There must be a fair and just process for the honourable resolution of this issue of historical injustice which still affects Indigenous people today.	Will establish a truth, reconciliation and justice program to provide an apology, compensation, rehabilitation and restitution to Indigenous people.
7. Indigenous heritage a. Do you / Does your party support access to Commonwealth heritage legislation as a 'last resort' option in all cases where State regimes fail to protect Indigenous heritage?	The Govt. has not amended Commonwealth Indigenous heritage legislation after seven years in office. However, the Aboriginal & Torres Strait Islander Heritage Protection Bill is soon to be reintroduced into Parliament, providing for Indigenous people to seek protection of their heritage as a 'last resort' option where they believe that State/Territory regimes have failed to protect it.	Labor supports a strong and effective regime for the protection of Indigenous heritage. Full details of Indigenous policy will be released during the election campaign.	Yes to all questions.	Will work with Indigenous communities to remove from relevant legislation provisions that provide for artefacts to be legally destroyed. Will put the Aboriginal and Torres Strait Islander Land Fund into the hands of Indigenous communities with assistance to ensure effective management and accountability to Indigenous people.

ISSUE	LIBERAL / NATIONAL *	LABOR	DEMOCRATS	GREENS
b. Do you / does your party support the provision of strong minimum standards for state/territory heritage regimes (as recommended by the Evatt Report)?	The Government supports provision of strong minimum standards for State/Territory Indigenous heritage regimes and has been engaged in discussion with Indigenous people to develop those standards.	See above	Yes to all questions	See above
c. Do you / Does your party support the provision of Indigenous involvement in decision-making at all levels in heritage protection?	The Government recognises that Indigenous people are the primary source of information about the significance of their cultural heritage and its management.			
d. Do you / Does your party support provision for an independent Indigenous-controlled heritage body at the Commonwealth level?	No. The Govt's replacement of the current Act will establish the statutory position of Director of Indigenous Heritage Protection and an Indigenous Heritage Advisory Committee.			

SUGGESTED ELECTION ACTIVITIES

1. Encourage voting "below the line" in the Senate

A way you can support individual Indigenous candidates and other candidates whom we know support justice for Indigenous people is to encourage people to vote "below the line" on the Senate Ballot paper.

The problem: Enormous Senate ballot papers in the past have intimidated electors into voting above the line by a simple number 1 in the box along side one Party or Group. This ties that vote to all the candidates in that Party or Group in the order they appear on the ballot paper and also to the preferences that that Party or Group has registered with the Australian Electoral Commission before the election.

The solution: Vote "below the line". To vote below the line, the elector has simply to number all the candidates in any order that they wish. It does take more time in the polling booth and enough care to ensure that no number is repeated and that no candidate is left without a number against their name.

Research the candidates: To vote below the line effectively, you should carry out research before the election to check the credentials of individual candidates and parties. It would be important to go into the polling booth with a clear idea about which candidates will receive the first six votes as this is the number to be elected in each State. Major parties have not completed the endorsement of candidates for the Senate. Now is the time to contact State party offices or current Senators and ask if they intend to include Indigenous candidates on their Senate teams.

Letterbox your local area: A good way to encourage voting 'below the line' is to letterbox your local area with a leaflet explaining the advantages of voting 'below the line' and including information on Indigenous or other preferred candidates.

ANTaR has produced flyer templates, shown on the following pages. You can also download these from our website. (Note: NSW has been used as an example. You will need to edit for other states and territories). If you are an ANTaR group, the version with the ANTaR logo can be used. Other groups please use the generic version and add your organisation's logo and comments as indicated. Make sure details of the persons authorising and printing the flyer are included at the bottom as shown, as this is required under the Commonwealth Electoral Act (see Electoral and Parliamentary Information).

Below we list currently available information on Indigenous Senate candidates. This information will be updated regularly. We suggest that you also check out other Senate candidates in your State to see which have strong support for Indigenous justice.

2. Sit Down At My Table: Connecting Candidates with Grassroots

ANTaR has developed an election activity for local reconciliation/community groups, involving hosting a dinner at someone's house involving candidates and selected Indigenous and non-Indigenous invitees. Details are available on our website at www.antar.org.au

3. Lobbying candidates, politicians and political parties

Engaging with candidates and politicians in the lead up to an election provides many opportunities to raise Indigenous issues. The following section provides information on lobbying.

4. Use the media

The media is a key resource in raising Indigenous issues and engaging candidates and parties in the lead-up to an election. Help and suggestions regarding working with the media is provided in the following section.



Voting "below the line" in the Senate

MaMake your vote count for Indigenous Australians

Problem

Enormous Senate ballot papers in the past have intimidated electors into voting by placing a simple number "1" in the box along side one Party or Group. This ties that vote to all the candidates in that Party or Group in the order they appear on the ballot paper and also to the preferences that that Party or Group has registered with the Australian Electoral Commission before the election.



A way you can support individual Indigenous candidates and other candidates whom we know support justice for Indigenous people is to vote "below the line" on the Senate Ballot paper.



Solution

Vote "below the line" for the Senate. To vote below the line, the elector has simply to number all the candidates in any order that they wish. It does take more time in the polling booth and enough care to ensure that no number is repeated and that no candidate is left without a number against their name.



Indigenous Senate Candidates NSW

Aden Ridgeway

- Currently the only Indigenous person in the Federal Parliament
- Aden is on the Democrats NSW Senate ticket.
- Aden is a member of ANTaR's Indigenous Reference Group.
- Aden website: www.adenridgeway.com/

There are currently no other Indigenous candidates for the Senate in NSW.

We suggest that you also check out other Senate candidates to see which have strong support for Indigenous justice.



Research the candidates

To vote below the line effectively, you should carry out research before the election to check the credentials of individual candidates and parties.

Go to the polling booth with a clear idea of the candidates to receive your first six votes as this is the number to be elected in each state.

The major parties have not completed the endorsement of all candidates for the Senate.

In the box to the left we list currently available information on Indigenous Senate candidates. Look for updates on ANTaR's website.

ANTaR's 2004 Election Kit and Report Card

ANTaR has produced a 2004 Election Kit and Report Card on the Indigenous policies of the major parties.

ANTaR does not endorse any political party but believes the serious issues and uncertainty facing Indigenous Australians at this time demand that we take a strong stand in relation to voting in the 2004 Federal Election based on the research and analysis presented in the 2004 Election Kit. Over the past eight years ANTaR has been consistently critical of the Howard Government and is deeply concerned about current proposals to scrap Indigenous representation and return to mainstream service delivery. The 2004 Election Report Card shows other major parties are strongly opposed to the Coalition's approach of abandoning an independent Indigenous voice, as are Indigenous people, indicating we are at a critical crossroad in national Indigenous affairs policy.

ANTaR recommends YOU SHOULD NOT VOTE FOR COALITION CANDIDATES but direct your vote elsewhere if you are concerned about Indigenous justice and reconciliation.

The ANTaR Election Kit will help you consider the alternatives. It is available online at www.antar.org.au.

Voting "below the line" in the Senate

Make your vote count for Indigenous Australians

YOUR LOGO HERE

Problem

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Indigenous Senate Candidates

[LIST INDIGENOUS CANDIDATES FROM YOUR STATE HERE – REFER P18 OR WEBSITE]

We suggest that you also check out other Senate candidates to see which have strong support for Indigenous justice.

Research the candidates

To vote below the line effectively, you should carry out research before the election to check the credentials of individual candidates and parties.

Go to the polling booth with a clear idea of the candidates to receive your first six votes as this is the number to be elected in each state.

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Your organisation's comments here ...

Authorised by [INSERT NAME AND STREET ADDRESS]. Printed by [INSERT NAME AND STREET ADDRESS]

ELECTORAL & PARLIAMENTARY INFORMATION

Indigenous Candidates for Election 2004

Below are Indigenous candidates standing for the Senate and House of Representatives in the coming election. This list will not be confirmed until nominations close, some time after the announcement of the election's date. Visit www.antar.org.au for updated information on candidates.

When you're considering voting, please check if there are any Indigenous candidates in your electorate or standing for the Senate in your State or Territory. Encourage voting 'below the line' for Indigenous candidates in the Senate (see under Suggested Election Activities, above).

And if you feel inclined, contact them and offer your help - they'll need all they can get!

Senate

Aden Ridgeway	Democrats	NSW
Richard Frankland	Your Voice	VIC
Sam Watson	Socialist Alliance	QLD
Janeen Bulsey	Democrats	NT
Wayne Connop	ALP	NT

House of Representatives

Michael Anderson	Greens	Gwydir (NSW)
Scott Kneebone	Democrats	Batman (VIC)
Haydn Fletcher	Democrats	Isaacs (VIC)
Richard Hoolihan	Democrats	Herbert (QLD)
Bob Muir	Greens	Capricornia (QLD)
Matt Rigney	Greens	Barker (SA)
Kado Muir	Greens	Kalgoorlie (WA)
Maisie Austin	Country Liberal Party	Lingiari (NT)

2004 Electoral Pendulum

The electoral pendulum is useful for checking the balance of seats and the margin by which each seat is currently held. To see a table showing the percentage of votes that will effect a loss or win of a seat go to:

<http://www.aph.gov.au/library/pubs/rn/2003-04/04rn35.htm>

Principal Spokespeople on Indigenous Affairs

- John Howard (PM)
- Amanda Vanstone (Minister for Immigration and Multicultural and Indigenous Affairs and Minister assisting the Prime Minister on Reconciliation)
- Christine Gallus (Parliamentary secretary [deputy] to the Minister)
- Mark Latham (Opposition Leader)
- Kerry O'Brien (Shadow Minister for Reconciliation and Indigenous Affairs)
- Aden Ridgeway (Democrats Spokesperson, Reconciliation)

- Bob Brown (Parliamentary Leader, Australian Greens).
 - Kerry Nettle (Australian Greens)
- (for contact details see below)

You could also consider lobbying other portfolios such as Health, about the crisis and inequality in Indigenous health or Finance, about the huge public health care and unemployment payments costs to taxpayers related to inadequate health and education services for Indigenous peoples.

Who's Who in Parliament

- House of Representatives <http://www.aph.gov.au/members/index>
- The Senate <http://www.aph.gov.au/senate/senators/index>

The Ministry and Shadow Ministry, as well as an alphabetical list of all Members can be found at the about websites.

Note:

From the House of Reps site you can print Members' names and postal addresses onto sticky labels for letter campaigns.

Party Websites

- Federal Liberal Party <http://www.liberal.org.au>
- Federal National Party <http://www.nationalparty.org>
- Federal Australian Labor Party <http://www.alp.org.au>
- Australian Democrats <http://www.democrats.org.au>
- Australian Greens <http://www.greens.org.au>

Electorate Maps

For maps of all electorates, see <http://www.aph.gov.au/house/members/pics/electrts>. Electoral maps are also available from your nearest Australian Electoral Commission (AEC) office.

Australian Electoral Commission

<http://www.aec.gov.au>

Information on electoral advertising: http://www.aec.gov.au/_content/How/backgrounders/12/index.htm

Candidates for the 2004 Elections

A complete lists of candidates will not be available until the close of nominations, after the announcement of an election date. Lists should then be available from then from your nearest Australian Electoral Commission (AEC) office or from <http://www.aec.gov.au>.

Lists of pre-selected candidates for the major parties are available from the head office of the relevant party in your State or Territory, or try the party websites (above).

ANTaR also provides updated information on Indigenous candidates on our website: www.antar.org.au.

LOBBYING INFORMATION & RESOURCES

Website Links & Contact Information

ANTaR Branches

ANTaR National	02 9555 6138	ANTaR VIC	03 9419 3613
ANTaR NSW	02 9555 6138	ANTaR SA	08 8227 1070
ANTaR QLD	07 3844 9800	ANTaR WA	08 9371 7116
ANTaR ACT	02 6262 7017	ANTaR NT	08 8999 2845

www.antar.org.au

Other Useful Contacts

- Reconciliation Australia
<http://www.reconciliation.org.au>
(includes link to former Council for Aboriginal Reconciliation website)
- HREOC: Human Rights & Equal Opportunity Commission
<http://www.hreoc.gov.au>
Click on *Aboriginal & Torres Strait Islander Social Justice* on HREOC home page.
Provides links to Social Justice Reports and Native Title Reports, Stolen Generations, Royal Commission into Aboriginal Deaths in Custody and many other useful links.
- Royal Commission into Aboriginal Deaths in Custody
<http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/rciadic>
- Draft Declaration on the Rights of Indigenous Peoples
<http://www.usask.ca/nativelaw/ddir.html>, also at <http://www1.umn.edu/humanrts/instree/declra.htm>
- Journey of Healing
<http://www.alphalink.com.au/%7Erez/Journey/>
- Australian Indigenous Health InfoNet
<http://www.healthinfonet.ecu.edu.au>
- NSW Council for Reconciliation
<http://www.nswrecon.com>

HOW TO LOBBY A PARLIAMENTARIAN

Why lobby?

Lobbying is merely the process of conveying community concerns to the politicians who represent us.

An effective lobbying process is fundamental to a democratic society since it is how the will of the people can influence political decision making.

So how do you go about it?

Where to start?

There are two main ways of lobbying parliamentarians:

- meet them face to face
- write letters

Face to Face Meetings

It is important to be informed about the person with whom you are to meet, including the parliamentarian's name, political party and electorate, and what their margin was at the last election.

Most MPs have electorate offices in their constituencies. Addresses and phone numbers are in the White Pages telephone book in the Commonwealth Government section, under "Commonwealth Parliament Offices". You can also find MPs phone numbers and address at:

- <http://www.aph.gov.au/house/members/index.htm>
- <http://www.aph.gov.au/Senate/index.htm>

Making an Appointment

Usually a phone call to the electorate office will be all that's required, but you may be asked to put your request in writing. A short letter outlining who you are and what you want to talk about is all that is needed. If necessary follow this letter with a phone call. Be sure to make an appointment as far ahead as possible – politicians have many demands on their time.

Your phone call may also give you an opportunity to make contact with the MP's staff. Speak to them about the issues and leave material with them. Staff are important in reporting back the mood of the electorate. Suggest that you may be prepared to get a speaker for their next local party meeting.

Know your Subject

Know what you're talking about. You don't need to be an expert – most politicians aren't, but you do need to be prepared for the sort of questions they are likely to ask. (Knowing what party they are from and what "faction" they are in, helps you predict the views they are likely to hold.)

Take with you a briefing paper or information sheet*. It is a useful way of maintaining a focus during the meeting. It serves as a reminder to you as to the points you wish to cover and it serves to remind the MP after you have gone just what was discussed and what action your group wants of him/her. (*Use this kit when preparing your briefing; ANTaR may also have publications that you can take along.)

Be Familiar with the Political Process

Make sure you also understand enough about the political system and process not to make mistakes as your MP may pounce on these to undermine what you are saying.

Familiarise yourself with what the Government is saying, and what the Opposition is saying on particular aspects of Reconciliation. This will suggest what strategy and arguments you might use to

exert influence. Your strategy when talking to an MP in the House of Representatives may vary from your strategy when talking to a Senator.

Organise your Delegation

If the parliamentarian is in the House of Representatives make sure either you or someone with you is from the MP's electorate.

Try to find somebody who is a member of their party who will come with you. Three is an ideal number for a delegation. Having others to share the discussion as well as to take notes can be invaluable.

The Meeting

Find out the parliamentarian's views on the issue you intend to raise. This is important.

Don't speak for too long. Remember, you are aiming to open up a dialogue and get them to do something about your concerns.

Listen to what they say and be prepared to start from their position. Do not display any surprise or antagonism to possible racist comments.

Give them good political, including economic, reasons why they should be prepared to take a stand.

Remember, they like voter numbers, so be familiar with any useful polls (e.g., "40 per cent of people who rang in said they were confused about Reconciliation").

Remember you are talking with a politician and his/her personal beliefs may conflict with what their Party expects and/or what they think voters want, so they may agree but do nothing to support you.

If you are asked a question which you cannot answer, say you don't know and arrange to get back to them with an answer.

Ask them what they would be prepared to do. It is very important that you are able to draw a commitment from them that means you will have to get back in touch, and vice versa. Ask them what they would be prepared to do to take the issue further. Would they be prepared to:

- make a public statement
- talk to a Minister on your behalf, or write a letter raising your concerns
- talk to a fellow MP
- ask a question in Parliament
- table petitions
- raise the issue at a Party Meeting?

Regardless of the meeting's outcome, thank them again for the opportunity to meet them and to air your concerns.

After your Visit

Good follow up is essential.

1. Follow up

If you have promised further information, ensure that it gets there as soon as possible. Make sure the Parliamentarian honours any commitment to you. If you don't hear anything within a week or so, phone or write and persist until it's resolved.

Find out about the local newspapers and where their sympathies lie and, if they appear reasonable, suggest they may be interested in the story of your visit.

2. *Debrief*

Talk it over with your group. Discuss what worked, what didn't, and what could be done better.

3. *Communicate with ANTaR*

This is important so that the network knows who has been seen and what sort of response we're getting. This feedback is essential for a successful strategic campaign.

Writing to Parliamentarians

Although face-to-face meetings with Parliamentarians are usually the most effective way of influencing them, there can be little doubt that the number of individual letters/emails/faxes received on any issue is still a very real yardstick of the extent of public concern about that issue.

Your message must be clear and concise but also informative and persuasive. Some basics to keep in mind:

- Try to have your message typed but if that is not possible make sure your handwriting is legible.
- Put your name, address and telephone number on the message.
- Introduce yourself – who you are and why you are making contact. If your message is to your local Member say so.
- Refer to any recent news items, if possible, and then use the facts/issues and arguments as part of your briefing.
- Outline your concerns firmly and clearly but do not be abusive as such messages are easily dismissed as irrelevant by the Parliamentarian.
- Offer to provide further information. ANTaR can assist you with this.

It is important to ask your MP to do something about your concerns.

Know your Objectives

Be clear about what it is you are asking for.

Use this kit to help identify the areas you want to concentrate on and to draft a briefing document which clearly states your objectives.

USING THE MEDIA

The media can be an extremely helpful ally. A well-timed story on issues concerning Native Title, reconciliation, the Stolen Generations, or Indigenous disadvantage can have a significant impact in a political campaign. A well-written and researched story can gain community support - support which can be used to lobby politicians and candidates.

If your group is intending to make contact with the local media there are a few important points to remember.

1. Check first with your ANTaR State office or the ANTaR National Office about what information you want to send to the media. In any media campaign it is important to maintain consistency about what is being said, to which media and by whom. Please remember you can only speak on behalf of your own group, not for ANTaR as a whole.
2. Always provide a contact name and phone/fax/email details of a member of your group with whom the media can discuss the issues in your release.
3. For the names of local press and radio outlets, their addresses, phone/fax numbers and names/positions of staff, check the Margaret Gee *Media Guide* (which will be in the reference section of your local Council library). This guide is published annually and will give you lots of useful information.
4. Timing of your release is important and the *Media Guide* will give you publication deadlines for the media in which you are interested. If you find your local paper publishes on a Wednesday make sure your release gets there in plenty of time for the media to follow up with you before their deadline.
5. If you are targeting radio programs, check the Media Guide for the name of the show's producer and ring them to let them know you are sending a release – they may wish to do an on-air interview on the subject matter.
6. If you wish to do a news release to a number of media outlets, for a charge (around \$120) AAP Information Services' *Media Net* (phone 02 9322 8000) will distribute your release to those outlets you wish to target.

Using Talkback Radio

Talkback radio is big. Daytime radio shows with the biggest audiences are talkback. Evening shows with talkback segments rate highly. John Howard uses both the Alan Jones' and the John Laws' programs as major media outlets. It's vital that people with positive points of view on Indigenous affairs are heard on these programs. This is important work. Often callers will be very quick to criticise particular Indigenous events or policies – about which most callers will know nothing. It is vital that your supportive voice is heard.

If you go on such shows you'll only be given a very short time to talk so plan your points and plan for a few only. Use the ANTaR Election Kit to help generate what you want to say.

When you call talkback remember a couple of things:

- You are talking to one person; of course there is more than one person listening but each is an individual. Just imagine yourself talking to one person – not the whole of Australia.

How to Write a News Release

First, thoroughly familiarise yourself with the types and styles of stories that interest your chosen media outlets, or – in the case of radio – the types of programs they broadcast, before you start writing your news release.

These are basics for writing news releases:

- Write short sentences with plain words
- Write short paragraphs (no more than 30 words in each)
- Write always from a positive perspective, using positive words and phrases
- Indicate that your item is a "News Release" and date it clearly
- A good headline for your story can catch an editor's eye: short and snappy
- Your first paragraph is the most crucial one so it should contain the strongest points. When sub editors shorten a news story they usually cut from the bottom up so don't put essential information too far down your news release.
- Essential information includes what happened or will happen, where, why it has occurred or will occur, how, when and to whom. Your introductory paragraph might summarise this essential information and the remaining paragraphs expand on the details.
- Make sure that the contact person whose name and phone/fax/email details appears on the news release is familiar with the content, will be readily available (provide them with a mobile phone number if possible) and can answer questions.
- Use quotes where possible – journalists like snappy, original statements but make sure you attribute the statements to a particular person (yourself if necessary), or to ANTaR if appropriate (and you've got ANTaR's OK)
- Keep your news release to no more than one page, typed and double spaced.

Writing a "Letter to the Editor"

The most read part of any newspaper is the letters section. A letter to the editor is a good way for showing support for an indigenous issue or for raising a public debate. Politicians gauge support for an issue from the letters pages.

Some key points for getting your letter published:

- Keep it short and simple (no more than 250 words)
- If you can, relate it to a previous story, letter, editorial or feature which the paper published (make some imaginative links if necessary)
- Plan your first sentence carefully - if it is dull the editor may read no further; if it's catchy you're in with a chance
- A simple letter pattern is to state:
 - what you support or disagree with
 - what evidence or examples you can offer to support your view
 - what can be done about it
 (this is just to get started but don't confine yourself to this)

Make sure you sign and print your name and include your address and phone number so the Editor can verify the letter.

Generally only one letter in ten or more gets published. If yours doesn't make it the first time don't give up. Keep writing and eventually you'll end up in print.