

## AUSTRALIANS FOR NATIVE TITLE & RECONCILIATION (ANTaR)



# FEDERAL ELECTION KIT 2001

### Australians for Native Title & Reconciliation (ANTaR)

#### ***Statement of 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.*

**[www.antar.org.au](http://www.antar.org.au)**

# INTRODUCTION

This kit is provided to ANTaR members and supporters to assist in considering Indigenous affairs issues during the 2001 Election Campaign. The kit contains information about Indigenous affairs 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 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.

**Note 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 **Internet (Web) URLs** (indicated by <http://www.etc>). (To make use of some of the Internet resources shown, 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

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# **INFORMATION ON PARTY POLICIES / INDIGENOUS AFFAIRS RECORD**

# A SORRY TALE – THE HOWARD GOVERNMENT’S RECORD IN ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS 1996 – 2001

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 underway. On election night 1998, after the outcry over the Government’s treatment of native title in 1997-98 under Howard’s ‘10-Point Plan’, the Prime Minister promised to make Reconciliation a priority for the Government’s second term. Did John Howard keep his promise? How does the Government’s record stand up after five years in office?

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

## Reconciliation

In December 2000 the Council for Aboriginal Reconciliation (CAR) presented its final recommendations to the Government, after a formal process lasting 10 years and the most comprehensive community consultation ever conducted in Australia. At Corroborree 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 recommended 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 the future,

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

### *The Government’s response*

Instead of providing leadership and support to continue the Reconciliation process, the Howard Government has reduced its support for Reconciliation and has left it up to ordinary Australians and businesses to provide funding so the process can continue. The Government has

- failed to provide a formal Government response to the Council’s recommendations
- virtually ignored most of the Council’s recommendations
- reduced funding for Reconciliation
- provided only one-off seed funding for Reconciliation Australia, the body that has replaced CAR
- refused to consider the draft legislation recommended by CAR
- ignored CAR’s strategies

## Indigenous Disadvantage

The quality of life for many Indigenous Australians is getting **worse**, not getting better. Indigenous people are severely disadvantaged on all social indicators such as health, housing, education and employment. Examples of such disadvantage include:

**Life expectancy** – 20 years shorter than for non-Indigenous Australians!

**Infant mortality** – 3 times higher than for non-Indigenous Australians

**Diabetes** – 2-4 times higher

**Blindness** – 10 times higher

**Unemployment** – 23% compared with 7.3% for non-Indigenous Australians. If CDEP (Indigenous work-for-the-dole) schemes are included, Indigenous unemployment is around 50%.

**Education** – Only 32% of Indigenous youth completed all secondary schooling compared with 73% of all Australian youth in 1998.

**Housing** – only 31% of Indigenous families are buying their home compared to 70% of non-Indigenous families. \$3 billion is needed for community housing and infrastructure which is essential to improve Aboriginal health in remote and rural Australia

In 1996, one of the Howard Government's first actions was to cut funding to Aboriginal Affairs by \$400 million. Some of this funding has been restored, but despite adopting an approach it calls "Practical Reconciliation", the Government has not made any real inroads into Indigenous disadvantage.

Government expenditure for Indigenous health is only 8 cents per dollar more than for non-Indigenous programs, despite the terrible health statistics.

The statistics for Indigenous people in Australia are getting worse, and in some areas compare badly to countries such as Canada, the US and New Zealand, which have taken a rights-based approach to tackling these problems.

## Native Title

The *Native Title Act 1993* was passed in response to the historic *Mabo* decision of the High Court in 1992, after extensive negotiation with Indigenous representatives. In an important test case, the High Court made a further decision in December 1996 in the *Wik* case, which found native title could co-exist with pastoralists' rights on pastoral leasehold land. The then recently-elected Howard Government, which had already planned to amend the *Native Title Act*, made the *Wik* decision an excuse for sweeping amendments.

Indigenous representatives formed the National Indigenous Working Group on Native Title (NIWG) and put forward constructive proposals based on the coexistence of Indigenous and non-Indigenous interests and recognising the rights of all parties.

In contrast, the Howard Government triggered off an alarmist and divisive debate which lasted for 18 months and has had lasting negative results for Indigenous people.

The Government refused to negotiate with Indigenous representatives and instead announced **Howard's 10 Point Plan**. It allowed for **extinguishment of native title** and the winding back of Indigenous rights 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 to be racially discriminatory and in breach of Australia's international obligations. The Government rejected the Committees' findings outright.

The amendments were passed in 1998. They were universally opposed by Indigenous leaders and by many fair-minded non-Indigenous Australians. ANTaR's *Sea of Hands* grew directly out of widespread public opposition and gained hundreds of thousands of supporters.



The racially discriminatory elements of the amendments still remain and the Federal Government has no plans to remove them.

All sides acknowledge that further procedural amendments are now needed, however the Government has again introduced a raft of amendments without consultation with Indigenous groups. Indigenous representatives and the Opposition parties oppose these amendments.

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 1998 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.

## 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'

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.

The Howard Government's reaction to the 'Bringing them Home Report' has caused community division and wasted an important opportunity to make a simple but important reconciliation gesture.

The Labor Party and the Democrats have expressed support for a Reparations Tribunal but the Government has remained resolutely opposed to the idea.

## 'Practical Reconciliation'

The Howard Government rejects the right of Indigenous people to self-determination.

The Federal Government's main policy is 'Practical Reconciliation' – addressing the "severe socio-economic disadvantage suffered by Indigenous people through improved outcomes in health, housing, education and employment".

'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.

- Indigenous people access mainstream programs at a much lower rate than other Australians (*Commonwealth Grants Commission*, 2001)
- There appears to be little if any additional funding – just the same programs with different names
- The Government's policy is piecemeal – there's no integrated program for sustainable improvement.
- There are new accountability standards for Indigenous programs, but there is no Indigenous input and involvement in setting the standards.
- It doesn't take a partnership approach with Indigenous people or respect Indigenous priorities – it takes a paternalistic 'we know best' attitude.

Another serious concern is that 'Practical Reconciliation' is framed *in opposition* to Indigenous objectives, such as protection of rights and negotiated approaches to finding solutions, which are dismissed as 'symbolic'. This is divisive, and implies that Indigenous people who are fighting for recognition of their rights are ignoring their own community's 'practical' needs.

This approach goes against the recommendations of all the inquiries and reports of the past decade by bodies such as the Council for Aboriginal Reconciliation, the Human Rights and Equal Opportunity Commission and ATSIC, which all recommend a rights-based approach to tackling Indigenous disadvantage.

The Government's attitude to issues like native title and the Stolen Generations shows it doesn't recognise that the systematic denial of the rights of Indigenous peoples' is the cause of the serious problems faced by Indigenous people today.

Sir Ronald Wilson, a co-author of *Bringing Them Home*, wrote that the Government's commitment to addressing disadvantage does *no more than concede what was recognised by the referendum thirty years ago: that Aborigines are Australians after all and therefore entitled to the welfare services of health, housing, education and employment, these being basic services to which all Australians are entitled. They are things which other Australians take for granted.*" (*Sydney Morning Herald*, 9 January 1998).

A further measure of the failure of the Howard Government's approach to Indigenous disadvantage comes from a recent joint statement by nearly 60 Community Service Organisations, including the Australian Council of Social Services (ACOSS), the Salvation Army, the Australian Medical Association and the Smith Family. The statement called for government action on disadvantage based on the recognition of Indigenous rights, engaging in formal negotiations with Indigenous people to develop a national framework for overcoming Indigenous disadvantage, initiating a process towards an agreement or treaty, and working with Indigenous people to develop genuine work, training and investment opportunities (the statement can be found on the ACOSS website at: <http://www.acoss.org.au/media/2001/mr1014.htm>).

## Treaty

Recommendation 6 of CAR's final report requests: "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 has been 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, and to conduct an Indigenous plebiscite on the issue in 2002. Indigenous endorsement via a plebiscite will initiate an historic formal campaign for treaty talks.

At the request of Indigenous leaders, ANTaR and many local reconciliation groups have been conducting a parallel community education campaign amongst the non-Indigenous community.

The Howard Government has taken an oppositional approach, rejecting the idea of a treaty out of hand and refusing to facilitate community education and measured national debate on the issue.

### Some useful articles:

*Indigenous Disadvantage: Australia's Human Rights Crisis*, Dr Bill Jonas, Aboriginal and Torres Strait Islander Social Justice Commissioner. <http://www.antar.org.au/disadvantage.htm>

*A Practical Critique of Practical Reconciliation*, Greg Crough. <http://www.antar.org.au/issues>

*Treaty Talks: the role of ANTaR and the people's movement in supporting Indigenous calls for a treaty process*, Dr David Cooper <http://www.antar.org.au/issues>

*Achieving Justice for Indigenous Australians* – Joint Statement by the Community Service Sector <http://www.acoss.org.au/media/2001/mr1014.htm>



# ELECTION 2001: SUMMARY OF THE INDIGENOUS AFFAIRS RECORD AND POLICY PRIORITIES OF THE MAJOR PARTIES\*

ISSUE	RECORD / POLICY OF MAJOR PARTIES			
	LIBERAL/NATIONAL	LABOR	DEMOCRATS	GREENS
<b>RECONCILIATION</b>				
- Stated commitment to Reconciliation	-yes	-yes	-yes	-yes
- Formal Govt. response to Council for Aboriginal Reconciliation (CAR) Final Recommendations, Dec 2000	-no	-n/a	-n/a	-n/a
- Commitment to CAR Final Recommendations:				
(a) Declaration Towards Reconciliation	-PM Howard opposed reference to an apology and to 'self-determination'	-yes	-yes	-yes
(b) Roadmap for Reconciliation (Sustaining the reconciliation process strategy; Recognising A & TSI rights strategy; Overcoming Disadvantage strategy; Economic independence strategy).	-Supports 'practical' measures, but not symbolic or rights-based measures	-yes, broadly	-yes	-yes
(c) Commitments sought from The Council of Australian Governments (COAG) (Rec. 1)	-yes	-yes	-yes	-yes
(d) Referendum for constitutional change to recognise A & TSI peoples in the Preamble; and removal of s25 (Rec. 3)	-no	?	-yes	-yes
(e) Measures for continuing and sustaining the Reconciliation process (Rec. 4)	-general support	-yes	-yes	-yes
(f) An agreement or treaty process to deal with unfinished business (Recs 5 & 6)	-no	-Support contingent on ATSIC Indigenous consultative process <sup>1</sup>	-yes	-yes
(g) Enact framework legislation to give effect to strategies, including for a Treaty process	-no	-as above	-yes	-yes
- Government funding for post-CAR Reconciliation process	-no	-n/a	-n/a	-n/a
	-Significantly reduced overall; Seed funding provided for Reconciliation Australia (body replacing CAR)			
<b>TREATY</b>				
- Support for an agreements or treaty process (CAR Recs 5 & 6)	-no	-Support contingent on ATSIC Indigenous consultative process <sup>1</sup>	-yes	-yes
- Support for national debate about an agreements or treaty process	-no	-yes	-yes	-yes
- Will support outcome of a future Indigenous plebiscite on the issue of a treaty	?	-yes	-yes	-yes
<b>NATIVE TITLE</b>				
- Supported discriminatory 1998 Native Title Act Amendments (10-Point Plan)	-yes	-no	-no	-no
- Support review of amended NTA to remove discriminatory elements	-no	-yes	-yes	-yes
- Policy of negotiating Native Title legislation with Indigenous stakeholders on the basis of 'informed consent'	-no	-yes	-yes	-yes
- Support for Indigenous Land Use Agreements (ILUAs)	-yes	-yes	-yes	-yes
- Ensure 'right to negotiate' provisions equivalent to original 1992 <i>Native Title Act</i>	-no	-yes	-yes	-yes
- Ensure adequate resources for Indigenous Native Title Representative Bodies (NTRBs) to prevent 'back door' extinguishment of native title.	-Govt's 1998 Amendments increased burden on NTRB resources, but no plans to increase NTRB funding to adequate levels.	-yes	-yes	-yes

ISSUE	LIBERAL/NATIONAL	LABOR	DEMOCRATS	GREENS
<b>STOLEN GENERATIONS</b> -General response to the <i>Bringing Them Home Report</i> -Formal apology on behalf of the nation -Family reunion and counselling -Reparations Tribunal  -Test cases for compensation by members of the stolen generations (Gunner-Cubillo; Williams) -Senate Committee Inquiry in 2000 into effectiveness of Govt response to the <i>Bringing Them Home Report</i>	-Qualified support (see below) -no -yes -no  -Govt spent \$12m opposing the cases  -Govt submission questions numbers of children affected and validity of the term 'stolen generations'	-Broad support -yes -yes -Possibly. Propose a national conference to determine response. -Govt should have provided alternative mechanism (see above) -	-Broad support -yes -yes -yes  -Support tribunal (see above) -	-Broad support -yes -yes -yes  -Support tribunal (see above) -
<b>INDIGENOUS DISADVANTAGE</b> -Recognition of connection between disadvantage and rights issues  -Spending required to address Indigenous disadvantage  -Support for Indigenous self-determination -Recognise the Aboriginal & Torres Strait Islander Commission (ATSIC) as peak Indigenous advisory body -Commonwealth Grants Commission's 2001 report criticises levels of Indigenous access to mainstream services and recommends increased Indigenous control over funding	-Supports 'practical' measures, but not symbolic or rights-based measures -Cut Indigenous affairs funding by \$400 million in 1996 -no -Govt scaled back funding levels and role of ATSIC; bypassed ATSIC's advisory role. -Govt criticised draft report and delayed release of the final report until forced by a Freedom of Information (FOI) application	-yes  -Increase required  -yes -yes  -Supports Commission's findings	-yes  -Increase required  -yes -yes  -Supports Commission's findings	-yes  -Increase required  -yes -yes  -Supports Commission's findings
<b>HERITAGE PROTECTION</b> -Access to Commonwealth Act as a 'last resort' option in all cases -Include strong minimum standards for state/territory regimes (as recommended by Evatt Report) -Provision for Indigenous involvement in decision-making at all levels -Provision for an independent Indigenous-controlled heritage body at the Commonwealth level	-no -no  -no -no	-yes -yes  -yes -maybe	-yes -yes  -yes -yes	-yes -yes  -yes -yes
<b>MANDATORY SENTENCING</b> -Oppose all mandatory sentencing policies -Oppose mandatory sentencing of juveniles -Support Commonwealth legislation to override state/territory mandatory sentencing laws	-no ? -no	no yes yes, in relation to juveniles	yes yes yes	yes yes yes

\* Compiled by Australians for Native Title & Reconciliation (ANTaR) based on available information from public sources and provided to assist ANTaR members and supporters in considering Indigenous affairs issues during the 2001 Federal Election.

1 ATSIC is currently coordinating a consultation and education process within the Indigenous community on the issues of a treaty process. An Indigenous plebiscite on the issue is planned for 2002.

# **ANTaR LOBBYING & RESOURCE INFORMATION**

# WEBSITE LINKS & CONTACT INFORMATION FOR ANTARS AND OTHER USEFUL ORGANISATIONS

## ANTaR (Australians for Native Title & Reconciliation)

National	02-95556138	<a href="http://www.antar.org.au">http://www.antar.org.au</a>
ANTaR NSW	02-95556138	
ANTaR QLD	07-38449800	<a href="http://www.dovenetq.net.au/community/ANTaR">http://www.dovenetq.net.au/community/ANTaR</a>
ANTaR ACT	02-62574472	<a href="http://www.antar.org.au/state/act">http://www.antar.org.au/state/act</a>
ANTaR VIC	03-94193613	
ANTaR SA	08-82271070	
ANTaR WA	08-99645647	
ANTaR NT	08-89466545	
Reconciliation	02-97641330	<a href="http://www.reconciliation.org.au">http://www.reconciliation.org.au</a>

### Some useful documents on ANTaR's website:

*Indigenous Disadvantage: Australia's Human Rights Crisis*, Dr Bill Jonas, Aboriginal and Torres Strait Islander Social Justice Commissioner. <http://www.antar.org.au/disadvantage.htm>

*A Practical Critique of Practical Reconciliation*, Greg Crough. <http://www.antar.org.au/issues>

*Treaty Talks: the role of ANTaR and the people's movement in supporting Indigenous calls for a treaty process*, Dr David Cooper <http://www.antar.org.au/issues>

## ATSIC (Aboriginal and Torres Strait Islander Commission) [http://www.atsic.gov.au/default\\_ie.asp](http://www.atsic.gov.au/default_ie.asp)

click on 'issues' on home page for Land & Native Title Rights, Indigenous Rights, Law & Justice, Disadvantage

**Report: *A Just and Sustainable Australia*** by The Australian Collaboration is available on ATSIC home page ([www.atsic.gov.au](http://www.atsic.gov.au))

(The Australian Collaboration is: ATSIC, Australian Council of Social Services (ACOSS), the National Council of Churches of Australia (NCCA), the Federation of Ethnic Communities Council (FECCA) the Australian Conservation Foundation (ACF), the Australian Consumers Association (ACA), the Australian Council for Overseas Aid (ACFOA).

## Reconciliation Australia

<http://www.austlii.edu.au/au/orgs/car>

(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 Stolen Generations, Royal Commission into Aboriginal Deaths in Custody and other useful links

## HREOC Native Title Reports [http://www.hreoc.gov.au/social\\_justice/native\\_title](http://www.hreoc.gov.au/social_justice/native_title)



## Aboriginal Deaths in Custody

Indigenous Deaths in Custody

[http://www.hreoc.gov.au/social\\_justice/deaths\\_in\\_custody](http://www.hreoc.gov.au/social_justice/deaths_in_custody)

Royal Commission into Aboriginal Deaths in Custody

<http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/rciadic>

## International – Human Rights / Indigenous Rights

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>

## Stolen Generations:

Stolen Generations Report

[http://www.hreoc.gov.au/social\\_justice/stolen\\_children](http://www.hreoc.gov.au/social_justice/stolen_children)

Journey of Healing

<http://www.alphalink.com.au/%7Erez/Journey/>

## Health

Australian Indigenous Health *InfoNet*

<http://www.healthinonet.ecu.edu.au>

# QUESTIONS FOR CANDIDATES AND POLITICAL PARTIES

ANTaR has put the following list of questions on Indigenous issues to the major parties. Where available, answers have been used in the kit document: *Summary of the Indigenous affairs record and policy priorities of the major Parties*. If you are interested in lobbying your local candidates you may wish to use the questions as the basis for your community campaigning.

When framing your approach, please keep in mind the final recommendations of the Council for Aboriginal Reconciliation (CAR). These recommendations cover many of the issues covered in the questions, including a call for a process leading to an agreement or treaty. A copy of CAR's final recommendations is included as a separate document in this kit.

## Reconciliation

- 1a. Do you / does your party fully support the final recommendations of the Council for Aboriginal Reconciliation (CAR)?
- b. Does your party propose to implement all the recommendations of CAR?
- c. If your party does not intend to implement all the recommendations which ones will it support?

## Treaty

- 2a. Do you / does your party support a formal negotiation process between the Commonwealth and Indigenous Australians to deal with 'unfinished business'?
- b. 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?
- c. Will you / your party support the outcome of the proposed plebiscite of Indigenous Australians on the Treaty proposal?

## Stolen generations

- 3a. If elected to Government, do you / does your party intend to offer an apology to the Stolen Generations on behalf of the nation, or to support such an apology if your party would not govern in its own right?
- b. 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?

## Native Title

- 4a. Will you / will your party undertake to amend the *Native Title Act* so as to remove racially discriminatory elements of the Act as identified by the Human Rights and Equal Opportunity Commission (HREOC) and ATSIC?

- b. Will you / your party undertake to ensure the availability of 'right to negotiate' provisions equivalent to those in the original *Native Title Act 1992*?
- c. Will you / will your party undertake to ensure that increased and sufficient funding is available to support negotiation processes under the *Native Title Act* to expedite the achievement of native title outcomes based on the principle of co-existence?
- d. Will your party undertake to increase funding to Native Title Representative Bodies to enable them to properly fulfil their statutory functions under the *Native Title Act*?

### **Mandatory sentencing**

- 5a. Do you / your party oppose all mandatory sentencing policies?
- b. Do you / your party oppose mandatory sentencing policies for juveniles?
- c. Will your party undertake to introduce legislation to abolish 'mandatory sentencing'?

### **Indigenous disadvantage**

- 6a. 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?
- b. Will you / your party undertake to address the findings of the recent Commonwealth Grants Commission report into Indigenous funding, including the recommendation for increased Indigenous control over funding?

### **Indigenous heritage**

- 7a. Do you / your party support access to Commonwealth heritage legislation as a 'last resort' option in all cases?
- b. Do you / your party support the provision of strong minimum standards for state/territory heritage regimes (as recommended by Evatt Report)?
- c. Do you / your party support the provision of Indigenous involvement in decision-making at all levels in heritage protection?
- d. Do you / your party support provision for an independent Indigenous-controlled heritage body at the Commonwealth level?

### **Self-determination**

- 7a. Do you / your party recognise the right of Aboriginal peoples and Torres Strait Islanders to self-determination?
- b. Do you / your party support the principle of negotiating with Indigenous stakeholders on the basis of 'informed consent' concerning legislation affecting their rights and interests?



# FINAL RECOMMENDATIONS OF THE COUNCIL FOR ABORIGINAL RECONCILIATION (CAR)

The following were presented as the final recommendations of the Council for Aboriginal Reconciliation in December 2000:

1. The Council of Australian Governments (COAG) agree to implement and monitor a national framework whereby all governments and the Aboriginal and Torres Strait Islander Commission (ATSIC) work to overcome Aboriginal and Torres Strait Islander peoples' disadvantage through setting program performance benchmarks that are measurable (including timelines), are agreed in partnership with Aboriginal and Torres Strait Islander peoples and communities, and are publicly reported.
2. All parliaments and local governments pass formal motions of support for the Australian Declaration Towards Reconciliation and the Roadmap for Reconciliation, enshrine their basic principles in appropriate legislation, and determine how their key recommendations can best be implemented in their jurisdictions.
3. The Commonwealth Parliament prepare legislation for a referendum which seeks to:
  - recognise Aboriginal and Torres Strait Islander peoples as the first peoples of Australia in a new preamble to the Constitution; and
  - remove section 25 of the Constitution and introduce a new section making it unlawful to adversely discriminate against any people on the grounds of race.
4. Recognising that the formal reconciliation process over the last decade has achieved much and has helped bring Australians together, all levels of government, non-government, business, peak bodies, communities and individuals commit themselves to continuing the process and sustaining it by:
  - affirming the Australian Declaration Towards Reconciliation and actioning the Roadmap for Reconciliation;
  - providing resources for reconciliation activities and involving Aboriginal and Torres Strait Islander peoples in their work;
  - undertaking educational and public-awareness activities to help improve understanding and relations between Aboriginal and Torres Strait Islander peoples and the wider community; and
  - supporting Reconciliation Australia, the foundation which has been established to maintain a national leadership focus for reconciliation, report on progress, provide information and raise funds to promote and support reconciliation.
5. Each government and parliament:
  - recognise that this land and its waters were settled as colonies without treaty or consent and that to advance reconciliation it would be most desirable if there were agreements or treaties; and
  - negotiate a process through which this might be achieved that protects the political, legal, cultural and economic position of Aboriginal and Torres Strait Islander peoples.

6 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.

# HOW TO LOBBY A PARLIAMENTARIAN

## Why lobby?

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

There are few instances in which our politicians have made strong decisions about Aboriginal and Torres Strait Islander rights, without some expression of public concern (on an issue) or some degree of public pressure being exerted. It is thus the will of the people which shifts 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".

## 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.)

## **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**

Be presentable and respect formalities. There is no point in jeopardising your case by your manner or dress.

Make sure everyone in your delegation knows where the parliamentarian's office is and meet outside fifteen minutes early.

Be articulate and concise. Don't get sidetracked.

Be friendly and polite. Find out the parliamentarian's views on the issue. 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 reasons why they should be prepared to take a stand.

Remember, they like 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.

Leave them a summary of your concerns.

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.

## **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 keep on until it's resolved.

### **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 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/facs/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/facs 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 his 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 criticize 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.

- Turn your own radio off when you are waiting to go on. When you can hear the program through the phone – and that will be well before you go to air – that's the time to switch your own radio off. You will hear what callers before you are saying through your phone so you won't miss out on anything by switching your own radio off. With it off, you won't get delayed feedback from your own radio once you're on air.
- Radio can be anonymous – one of its problems, as scurrilous things can be said, but useful if you're a reluctant speaker or shy.

## 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
- Write short paragraphs (for radio 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
- 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 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/facs/email details appears on the news release is familiar with the content, will be readily available (provide them with a mobile phone?) 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)
- Try to 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.

# **ELECTORAL & PARLIAMENTARY INFORMATION**

# INDIGENOUS CANDIDATES FOR ELECTION 2001

Below are Indigenous candidates standing for the Senate and House of Representatives in the coming election. This list isn't confirmed because nominations don't close until Thursday 18 October.

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.

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

## SENATE

Warren Mundine	ALP	NSW
Sam Watson	Socialist Alliance	QLD
Yaluritja (Clarrie) Isaacs	Socialist Alliance	WA
June Mills	Socialist Alliance	NT
David Curtis	Democrats (No 1)	NT

## HOUSE OF REPRESENTATIVES

Scott Kneebone	Democrats	Batman (VIC)
Haydn Fletcher	Democrats	Isaacs (VIC)
Richard Hoolihan	Democrats	Herbert (QLD)
Matt Rigney	Greens	Barker (SA)
Maisie Austin	Independent	Solomon (NT)

## 2001 Electoral Pendulum

The electoral pendulum is useful for checking the balance of seats and the margin by which each seat is currently held.

- Commonwealth Parliamentary Library: Research Note No 5 (2000-01):  
**The 2000 Electoral Pendulum**. (hardcopy only; for electronic, see <http://www.aph.gov.au/library/pubs/rn/2000-01/01RN05.htm>) – the balance of seats, tabulated.
- The Australian Politics Resource **2001 Electoral Pendulum**  
(hardcopy only – for electronic copy, see <http://www.plato.itsc.adfa.edu.au/apr/98pendulum.html>). As above, another version.

## Principal spokespeople on Indigenous affairs (for contact details see below)

**John Howard** (PM)

**Phillip Ruddock** (Minister for Reconciliation and Aboriginal & Torres Strait Islander Affairs)

**Christine Gallus** (Parliamentary secretary [deputy] to the Minister)

**Kim Beazley** (Opposition Leader)

**Bob McMullan** (ALP Spokesperson, Reconciliation and Aboriginal & Torres Strait Islander Affairs)

**Meg Lees** (Democrats Spokesperson, Aboriginal & Torres Strait Islander Affairs)

**Aden Ridgeway** (Democrats Spokesperson, Reconciliation)

**Bob Brown** (Parliamentary Leader, Australian Greens).

## Who's who in Parliament (incl. contact details)

House of Representatives

(<http://www.aph.gov.au/members/index>)

The Senate

(<http://www.aph.gov.au/senate/senators/index>)

**NOTE:** from the House of Reps site you can print MHR's 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

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



## Australian Electoral Commission: Assistance to Candidates (and others!)

Outline of contents of **Candidate's Handbook**

[hardcopy only; see whole at [http://www.aec.gov.au/results/1998/candidates\\_handbook](http://www.aec.gov.au/results/1998/candidates_handbook)]

Outline of contents of **Electoral Pocketbook 1999**

[hardcopy only; see whole at [http://www.aec.gov.au/pubs/pocket\\_book99/main.htm](http://www.aec.gov.au/pubs/pocket_book99/main.htm)]

Extract from Candidate's Handbook: **Electoral Offences** (includes polling booth regulations)

[hardcopy only; for electronic version see:

[http://www.aec.gov.au/results/1998/candidates\\_handbook/offences.htm](http://www.aec.gov.au/results/1998/candidates_handbook/offences.htm)]

**AEC Electoral Backgrounder No 3: Misleading and deceptive electoral advertising: 'Unofficial' How-To-Vote cards.**

[hardcopy only; for electronic, see [http://www.aec.gov.au/pubs/backgrounders/vol\\_3/main.htm](http://www.aec.gov.au/pubs/backgrounders/vol_3/main.htm)]

## Complete lists of candidates for the 2001 elections

Will not be available until the close of nominations on Thursday 18th October. Lists should be available from then from your nearest Australian Electoral Commission (AEC) office.

## 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).