



**PRIME MINISTER**

**SPEECH BY THE PRIME MINISTER, THE HON P J KEATING MP  
RECEIPT OF SUBMISSION FROM THE COUNCIL FOR ABORIGINAL  
RECONCILIATION, MURAL HALL, PARLIAMENT HOUSE, CANBERRA  
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I am very pleased to be able to receive this today. I thought it was important when we were negotiating, and I use the word negotiating, with the Aboriginal community over the Native Title legislation that in terms of the social justice response to the High Court decision, that there was a process of adequate consultation with Aboriginal communities around this country and that no one group or one self-appointed group was sought to or seen to represent their views or their interests and the extensive process of consultation which has followed in the Report going forward by the Council for Aboriginal Reconciliation I think does justice to that wish that there was to be a widespread consultation and that this document truly represented the views of, the representative views of, a majority of Aboriginal people. I'm sure this it adequately does.

And it is true, as Ian Viner said in his introduction, this Report is passed on today by Patrick Dodson to me representing the Government on the day after this historic decision again by the High Court confirming a constitutional basis of the Commonwealth Parliament's Native Title legislation. This is, I think, an important milestone in the struggle for legitimate rights for Aboriginal Australians.

I think that in the time since I first spoke to the Reconciliation Council three years ago, just after I became Prime Minister, I said that I thought we ought to get on and get some results. And that the best way of providing or meeting some genuine aspiration for a reconciliation was on the basis of the fair-mindedness of the Australian community, that if they see some practical things happening, some results happening, and they think they're rational, they will support it. I have always believed this is a most conscientious community in a most conscientious electorate. And that you can as a Government or as any group go to them, talk to them, appeal to them, reason with them and they will listen to you. But they're looking for tangible results. In that sense there is something solid about them which goes past any

perceived notions of difficulty, whether it be in the economic or the social field or whether it be in terms of relations with our indigenous community.

Now, as a consequence of that I made clear then at that meeting that this would be the intention of the Government I was privileged to lead. And at the so-called Redfern Speech in Redfern Park at the end of 1992, I made clear again that the Government would be seeking to make, first of all to acknowledge, and I think it is very important that as Head of Government I acknowledged in a very public way, the wrongs done during the period of European settlement to our indigenes and said that reparations need to be made including of course giving expression to the notion that there was title and prior ownership of the land to that of European settlement.

Now, I believe that that Redfern Speech and the results which have flowed from them - Mabo, the Native Title legislation and now the Land Fund - are results for which I think Australians have felt good about and I think it has reduced rancour and it has reduced racism. Because rather than it just being a skittish debate that never seems to go anywhere, all of a sudden there are tangible milestones where people understand that something good has been done and something just has been done and that the community has been able to reflect upon it and believe in it and feel good about.

So, I think by these results, we have actually reduced any propensity not to recognise the rights of indigenous peoples and it has reduced what most of us in this room would call racism in Australia. Now this is a good thing and it has come as the Reconciliation Council was given a nigh on impossible task to simply, through the fact that it was a representative body sought to by its work and by its deeds and by its expressions, preach the gospel of reconciliation with practical results. It was too big a task without some help and I think the help needed to come by the Government and the Parliament taking its responsibilities onwards to do these things.

So I think results are the key words, not pap and nonsense. And if there is one thing about this debate that I reflect upon, it is that there is no place for bleeding hearts in it. You know if the Aboriginal community, every time they see somebody with a bleeding heart, they ought to say thank you but just please move to the side. It's because of that sort of attitude that it has taken so long to get this far and it is why now, I think, we have got to continue in the way we are going.

Now Pat (Dodson) talked about a policy based on rights not welfare and I concur in that and we have got to establish what those rights are but of course we have made some very important headway in that principal right which, of course, is the right to land and the moral strength of the inherent right.

Whether the Native Title Act applies in only a limited way to those who can still establish a limited connection with the land is so or otherwise, its force is that it is an inherent right. That it has quality about it far above a statute right. But with the Land Fund, where people have been dispossessed of the

land, the Land Fund gives them the capacity and we know in this country essentially Australia, particularly in areas where Aboriginal people are still living a traditional lifestyle, or are still able to live a traditional lifestyle, or live particularly remote from the urban areas, Australia's a patchwork quilt of pastoral leases and where it's not pastoral leases of freehold title.

The Land Fund allows the purchase of those titles and it means that with the inherent right coming from the Native Title legislation and the right to purchase coming under the Land Fund, the satisfaction of Aboriginal and Torres Strait Islander people being able to get access, get themselves access to land, becomes, I think, the significant issue of empowerment that Pat Dodson spoke about a few moments ago. Because we understand that there can never be justice for Aboriginal people while they live on the margins of the cities, or they live congregated in former mission stations around the country or areas we call Aboriginal communities. They have to, I believe, have that access to land.

Now, I'm very pleased about the fact that we've got a lot of bipartisanship in this from people who have always had their heart in the right place with Aboriginal people; Ian Viner is one and I'm glad to see him in this capacity today, and he refers to our period in public life in the past on opposite sides of the house, and Fred Chaney who has taken a role with the Native Title Tribunal. These are good people and they are after good things. But, we have to be vigilant about this matter because Richard Court has made clear yesterday that even after the knock out decision - seven to nothing - of the High Court, he is going to fight the matter politically.

I was disappointed that John Howard said today '... the decision confirms a significant shift of power to the Federal Government on matters previously within the direct authority of the states ...' This is not a States/Commonwealth matter. It is a matter about our indigenous community and it is very clear that the community of Australia wanted the Federal parliament to have this authority in indigenous affairs with the carriage of the referendum in 1967. There is always this discussion about the rights of the States. It is because this Government believes the States have prerogatives in land management and have the capacity to manage land, given they have the records and the data base and the systems that we have under the Native Title legislation giving them the right to establish their own tribunals. They just have to be consistent with the Native Title Act and then it is theirs. There is no dispute about this. There is no reasonable dispute about this.

But, I will tell you this. Beware of the whispered word 'workable', because this is now the pass word of the die-hards. Not procedural because I get asked about Justice French saying 'look, there is this procedure and that procedure' and, of course, the Judge sitting atop of this tribunal is able to recommend to the Government that this procedure or that procedure be dealt with, but procedure is one thing, 'workable' is a word that goes to the structure of the Bill. So, when Richard Court talks about workable, he means a change to the structure. He doesn't mean a Western Australian tribunal set

up under a Western Australian act of Parliament consistent with a Commonwealth law, he means something else.

Now, when John Howard said today, I notice The Age said 'Howard softens line on Mabo' by referring to '... he won't repeal the Act ...' he says, but he wants to make it 'workable'. Workable. Just like the Land Fund. He said he would pass it but when he got to government he would amend it to make it, of course, workable.

I just say this, that there has been great milestones made here and this has to be a bipartisan matter between those who believe in justice for Aboriginal and Torres Strait Islander people, that is historic justice and future justice - historic justice and future justice - and let's be clear about what we have in front of us and the results we have and let's go on and not brook any opposition to the structure of these historic pieces of legislation on some prejudicial basis that black people shouldn't have title to land. That they should have only minimum statutory rights and that the whole notion and the continent where they were possessed of it or had associations with it, they had the title to it before European settlement is to be put to one side and they get just minimum rights under statute as proposed in the Western Australian Act.

Now that, we are not having a bar of and I think we have got to press on and make sure the country understands the difference between procedural change and procedural improvement and as I say the whispered word 'workable' because workable means burrowing in to overturn progress and to put these things down.

Let me say something about Aboriginal health and other issues of welfare which, amongst other things, are included in this Report. I think that as with all intractable problems it will be dealt with by taking it piece at a time. There is no big ticket, magical solution, we are not going to get a large Australian consulting organisation or a major international firm and let them a contract to repair the lifestyles and living conditions of Aboriginal people, it can't be done. I was in Hopevale as you may know a couple of weeks ago in Queensland, Cape York, what struck me about that was that the Cape York Health Council came into being in recognition of the fact that there won't be improvements in the health of Aboriginal people unless the Aboriginal people themselves are committed to the improvements and are part of the solution. It is another form of empowerment and I think that is right and I think we have now got to do practical things to make that work. For instance, Aboriginal people in these parts of the country don't have Medicare cards, completely unsustainable. They have a right to go to a GP and be treated, but you know in these places there are no GPs. There are partly no GPs because there are no cards, there is no booty and there are no pharmacies so there are no pharmaceuticals. But then we all know there is no point in pharmaceuticals and drugs if, in fact, we have still got 15 people living in a house with a transmission of diseases or inadequate sewerage or if there is an acute problem that there is no air strip to land on for a doctor to give help.

So, these are things that we have got to do, but we must bring the States into this and local government because this is a tripartite thing. The Commonwealth whatever it wants to do doesn't build arterial roads in remote places. It doesn't build municipal roads. And we have to work with the States to make sure that roads go to Aboriginal communities, that we actually encourage out stations and we find that when people move on out stations their morale improves, their state of mind improves, their health improves which only proves a point - the more we move back, the more closer we get to the natural order of things the better.

These are all things that I think we can do and the same with things like sewerage, but you know this to be true, if there is a sub division on the outskirts of Canberra the first thing that will go out there is a road and the second thing will be the sewerage line and the water supply. This is not true of Aboriginal people because the States have not done it and when ATSIC has got the funding they have said it is all over to you, you got the lot and, of course, it can't do it. So it has to be a tripartite arrangement and something we go at and perhaps we start trying to prioritise the areas that need help rapidly and start doing it, again, with results. So people say 'well, there is something happening here and it is good.'

So, the land matters as we know because the titles matter and then, I think, we move on these other problems but let's not be starry eyed or dewy eyed about it, let's get out there and do it. That is what it means and I think that is what this Report is about, but there is hope in this Report. There wouldn't have been three years ago, this could not have been produced three years ago because I don't think the back drop existed within the Australian community. To receive such a report, it could be produced but would it have meant anything? One wonders, but I think it means something now.

So, I am quite bullish about the prospects of us being able to deliver justice, that we can think about social justice in response to the High Court decision in harmony with the decisions that have been taken in respect of land and that we can produce results that, I think, all Australians can feel proud of. The extensive consultation has meant something, that it has come together under the stewardship and leadership of the Council for Aboriginal Reconciliation, that it has substance and it has meaning, I am delighted to receive it on behalf of the Government and we now think about how we respond to it, it won't all be done obviously quickly, it won't be done as a package - all of it - but like this intractable problem of 200 years in the making we will hop into it with substantial fervour to try to see that justice is done, as I say future justice and not just historic justice.

Thank you very much for the Report.