



Reconciliation
A U S T R A L I A

THE STATE OF RECONCILIATION IN AUSTRALIA

OUR HISTORY, OUR STORY, OUR FUTURE

COUNCIL FOR ABORIGINAL RECONCILIATION

AUSTRALIAN DECLARATION TOWARDS RECONCILIATION

We, the peoples of Australia, of many origins as we are, make a commitment to go on together in a spirit of reconciliation.

We value the unique status of Aboriginal and Torres Strait Islander peoples as the original owners and custodians of lands and waters.

We recognise this land and its waters were settled as colonies without treaty or consent.

Reaffirming the human rights of all Australians, we respect and recognise continuing customary laws, beliefs and traditions.

Through understanding the spiritual relationship between the land and its first peoples, we share our future and live in harmony.

Our nation must have the courage to own the truth, to heal the wounds of its past so that we can move on together at peace with ourselves.

Reconciliation must live in the hearts and minds of all Australians. Many steps have been taken; many steps remain as we learn our shared histories.

As we walk the journey of healing, one part of the nation apologises and expresses its sorrow and sincere regret for the injustices of the past, so the other part accepts the apologies and forgives.

We desire a future where all Australians enjoy their rights, accept their responsibilities, and have the opportunity to achieve their full potential.

And so, we pledge ourselves to stop injustice, overcome disadvantage, and respect that Aboriginal and Torres Strait Islander peoples have the right to self-determination within the life of the nation.

Our hope is for a united Australia that respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice and equity for all.



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Reconciliation Australia's vision is for everyone to wake to a reconciled, just and equitable Australia. Our aim is to inspire and enable all Australians to contribute to reconciliation and break down stereotypes and discrimination.

We will know we have achieved our vision when Aboriginal and Torres Strait Islander histories, cultures and rights are a proud part of Australia's everyday life.

THE STATE OF RECONCILIATION IN AUSTRALIA

FOREWORD – PATRICK DODSON

Chairperson Council for Aboriginal Reconciliation 1991–1998
Co-Chairperson Referendum Council on Constitutional Recognition
of Aboriginal and Torres Strait Islander people

This State of Reconciliation in Australia report, celebrating a quarter of a century of formal reconciliation and the work of the Council for Aboriginal Reconciliation, is timely. At a time when the Australian people are considering changes to incorporate Indigenous people in the nation's Constitution, this Report makes an important contribution to the national conversation about modern Australia's potential to reconcile fundamental and unresolved wounds that diminish Australia's collective sense of nationhood.

The Report weaves 25 years of modern Australian history into a compelling narrative and injects sharp and insightful commentary and analysis about how far we have come as a nation, and the continued challenges that we face on the reconciliation journey. The Report brings the state of reconciliation into sharp focus—achievements, challenges, disappointments and work that must continue. Disturbingly, the Report reveals the schism between Indigenous and non-Indigenous Australia's understanding and perspectives of how our nation's history has shaped the contemporary circumstances of Indigenous communities, and their relationship with the Australian State. There is a discernible lack of appreciation by settler Australia about the grievances and sense of historical injustice that Indigenous people feel. This must be addressed for Australia to be reconciled.

Bridging that schism is the reconciliation movement's greatest challenge. Part of that challenge is defining the concept itself—reconciliation has come to mean different things to different people. This lack of clarity and lack of national unified purpose has been embedded in the reconciliation journey throughout Australia's history. If this journey was easy, reconciliation would not have promoted a political movement. There are powerful forces within Australia that do not agree that our nation needs to be reconciled. There are those who say that attention on past injustice encourages historic wounds to fester, creating a culture of victimhood; and that modern Australia has no responsibility for past government policies and practices.

These are formidable forces within the fabric of Australian society and they have led the work of reconciliation onto the battlefields of Australian politics. That famous handshake 25 years ago by the then Minister for Indigenous Affairs and his Opposition counterpart, symbolising a bipartisan commitment to the statutory Aboriginal reconciliation process, became tarnished by a political battle over the very matters that the process sought to address. The recognition of native title by the Australian High Court in 1992, and its accompanying extinguishment of the insidious terra nullius doctrine, and the Australian Human Rights Commission's 1997 report into the Stolen Generations, presented urgent legal and moral challenges to the Australian nation. The statutory reconciliation process provided a potential framework to accommodate these nationhood fractures into a broader national settlement, treaty or compact. These matters helped turn the work of the Council for Aboriginal Reconciliation into a people's movement, culminating in hundreds of thousands of Australians walking across famous, and not so famous, bridges in cities and towns throughout Australia in symbolic acts of commitment for a reconciled nation.

But, these matters also provoked a political backlash where reconciliation was redefined by those with political power to mean improved services and economic participation for Indigenous people—reconciliation on settler Australia's terms. Ideological battles ensued; where reconciliation provided a backdrop in a contrived culture war; where the collective rights of Indigenous people were pitted against the rights and responsibilities of individuals; and where Indigenous traditional rights were framed as symbolic aspirations, as opposed to the practical outcomes of public investment in education, employment and housing. Cries for a national apology to the Stolen Generations became a divisive political issue, and when it finally came, it was greeted with a sense of national acclamation, but also an edge of political partisan advantage.

Reconciliation must transcend Australian political theatre and promote a sense of national unity. All Australians should feel, as a nation, connected to the tens of thousands of years of human occupation of the Australian continent and surrounding Islands. Reconciliation Australia has produced a highly relevant report, exploring the state of reconciliation at a critical point in Australia's history. The Report is robust, and while it does not shirk from the challenges facing Australian reconciliation, it provides ample evidence of significant achievements and widespread community goodwill over the past 25 years—a necessary platform from which to imagine a reconciled nation in the future.

A handwritten signature in black ink, appearing to read "Paul H. Dodson". The signature is fluid and cursive, with a large initial "P" and "D".

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ACRONYMS

ABS	Australian Bureau of Statistics
AHRC	Australian Human Rights Commission
AIC	Australian Institute of Criminology
AIHW	Australian Institute of Health and Welfare
APS	Australian Public Service
ARB	Australian Reconciliation Barometer
ATSIC	Aboriginal and Torres Strait Islander Commission
BCA	Business Council of Australia
CAR	Council for Aboriginal Reconciliation
COAG	Council of Australian Governments
IAS	Indigenous Advancement Strategy
ILC	Indigenous Land Corporation
NNTT	National Native Title Tribunal
NAIDOC	National Aborigines and Islanders Day Observance Committee
PC	Productivity Commission
RAP	Reconciliation Action Plan
RCIADIC	Royal Commission into Aboriginal Deaths in Custody
RDA	<i>Racial Discrimination Act 1975 (Cth)</i>
SCRGSP	Steering Committee for the Review of Government Service Provision
WRB	Workplace RAP Barometer

THE STATE OF RECONCILIATION IN AUSTRALIA

OUR HISTORY, OUR STORY, OUR FUTURE

EXECUTIVE SUMMARY

Twenty-five years after the establishment of the Council for Aboriginal Reconciliation (CAR), this report examines the state of reconciliation in Australia today. The report uses a five dimensional framework of reconciliation to measure and analyse Australia's progress over this time and set out a roadmap for a reconciled Australia. The intention is to spark a renewed national conversation about how, over the next 25 years, we can move towards becoming a reconciled, just and equitable Australia.

MEASURING RECONCILIATION IN AUSTRALIA

Australia has a long history of reconciliation and countless people—Aboriginal, Torres Strait Islander and non-Indigenous—have dedicated their life's work to the reconciliation movement. As a result, many significant steps have been taken.

For Aboriginal and Torres Strait Islander peoples, Australia's colonial history is characterised by devastating land dispossession, violence, and overt and unapologetic racism. Over the last half-century, however, Australia has made some remarkable progress towards national reconciliation. This journey reminds us that reconciliation is a work in progress—generations of people have fought hard for meaningful change and future gains are likely to take just as long.

In the 25 years since CAR was established, the concept of reconciliation has taken a holistic approach that encompasses rights, as well as so-called symbolic and practical actions. Over this time, reconciliation has introduced a greater focus on the relationship between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians and opened up national debate on prejudice, discrimination and racism.

It has raised broader questions about our national identity and the place of Aboriginal and Torres Strait Islander histories, cultures and rights in our nation's story. Reconciliation can no longer be seen as a single issue or agenda and the contemporary definition of reconciliation must weave all of these threads together.

To develop a framework to measure Australia's progress towards reconciliation across these many dimensions, Reconciliation Australia undertook a review of reconciliation in Australia and internationally. As a result of this work, five critical dimensions that together represent a holistic and comprehensive picture of reconciliation were identified.

The five dimensions (Figure i) identified to measure reconciliation in Australia are:

- race relations
- equality and equity
- institutional integrity
- unity
- historical acceptance.

Figure i: The five interrelated dimensions of reconciliation



Using these five dimensions, we can get a clear picture of what is required to achieve reconciliation in Australia. Specifically, we will know Australia is reconciled when, and only when:

1. Positive two-way relationships built on trust and respect exist between Aboriginal and Torres Strait Islander and non-Indigenous Australians throughout society.
2. Aboriginal and Torres Strait Islander Australians participate equally and equitably in all areas of life—i.e. we have closed the gaps in life outcomes—and the distinctive individual and collective rights and cultures of Aboriginal and Torres Strait Islander peoples are universally recognised and respected, i.e. Aboriginal and Torres Strait Islander people are self-determining.
3. Our political, business and community institutions actively support all dimensions of reconciliation.
4. Aboriginal and Torres Strait Islander histories, cultures and rights are a valued and recognised part of a shared national identity and, as a result, there is national unity.
5. There is widespread acceptance of our nation's history and agreement that the wrongs of the past will never be repeated—i.e. there is truth, justice, healing and historical acceptance.

These five dimensions do not exist in isolation. They are interrelated and Australia can only achieve full reconciliation if we make progress in all five areas. For example, greater historical acceptance of the wrongs done to Aboriginal and Torres Strait Islander Australians can lead to improved race relations, which in turn leads to greater equality and equity. The nation's progress towards reconciliation is only as strong as the least advanced dimension.

THE STATE OF RECONCILIATION TODAY

Race relations

At the heart of reconciliation is the relationship between the broader Australian community and Aboriginal and Torres Strait Islander people. To achieve reconciliation, we need to develop strong relationships built on trust and respect, and that are free of racism.

The latest Australian Reconciliation Barometer (ARB) results show that while we still do not trust each other and Aboriginal and Torres Strait Islander people experience high levels of racism, there are positive signs of progress.

Almost all Australians believe the relationship between Aboriginal and Torres Strait Islander people and other Australians is important and that cultural diversity makes us stronger. However, because personal interactions between Aboriginal and Torres Strait Islander people and other Australians are limited, there is scope to increase our exposure to each other and improve understanding and acceptance. While it may not be possible to create direct person-to-person interaction for all Australians, there are many ways to learn more about each other. The media, schools and workplaces all play a critical role in this.

The latest ARB results show that Aboriginal and Torres Strait Islander people still experience frequent and damaging racism, and the fight to end racism across society must clearly continue.

Key findings—Race relations

1. Almost all Australians (86 per cent) believe the relationship between Aboriginal and Torres Strait Islander people and other Australians is important.
2. Many Australians (64 per cent) agree that cultural diversity makes us stronger, but some of us (35 per cent) still believe Australia is a racist country.
3. The level of contact and interaction between Aboriginal and Torres Strait Islander people and other Australians is low. Only 30 per cent of the general community socialise with Aboriginal and Torres Strait Islander people.
4. Trust between Aboriginal and Torres Strait Islander people and non-Indigenous Australians is low. Only 26 per cent of the general population believe trust towards Aboriginal and Torres Strait Islander people is high.
5. Aboriginal and Torres Strait Islander people still experience high levels of racial prejudice and discrimination. Thirty-three per cent of Aboriginal and Torres Strait Islander people had experienced verbal racial abuse in the six months before the survey.

Source: Australian Reconciliation Barometer 2014

Equality and equity

Reconciliation is more likely to progress when Aboriginal, Torres Strait Islander and non-Indigenous Australians participate equally and equitably in all areas of life. To make this happen, we have to close the gaps in life outcomes for Aboriginal and Torres Strait Islander peoples, and achieve universal recognition and respect for the distinctive collective rights and cultures of Aboriginal and Torres Strait Islander peoples.

For this report, equality is defined as:

Aboriginal and Torres Strait Islander peoples being in control of their life choices—enabling them to participate fully in the social, cultural and economic opportunities enjoyed by the wider Australian community.

Importantly, in this report, equity refers to:

The unique rights—both collective and individual—that Aboriginal and Torres Strait Islander Australians hold by virtue of being Indigenous, and Aboriginal and Torres Strait peoples' ability to freely exercise these rights.

In regards to equality, it is clear that large and unacceptable gaps between Aboriginal and Torres Strait Islander peoples and other Australians exist on all social, health, education and economic indicators. Reflecting the reality of the statistics, Aboriginal and Torres Strait Islander people are more likely to consider their living conditions worse than other peoples and are more likely to see barriers to employment and education.

Due largely to targeted government investment programs through the Council of Australian Governments' (COAG) *Closing the Gap on Indigenous Disadvantage framework*; health, education and economic outcomes for Aboriginal and Torres Strait Islander people have begun improving over recent years.

However, as equality stands today, it is clear Australia is falling far short of providing equal life opportunities for Aboriginal and Torres Strait Islander people. Many of these indicators will only improve with significant, long-term and targeted efforts in partnership with Aboriginal and Torres Strait Islander peoples.

When it comes to equity, the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration) is the most comprehensive international tool to advance the rights of Indigenous Peoples. While the majority of the world's states voted for the Declaration in the UN Assembly in 2007, Australia was one of four countries to vote against it. It was not until 2009 that Australia eventually endorsed the Declaration.

Since this time, the implementation of the Declaration has, at best, been mixed, indicating the value that the Australia Government places on the rights of Aboriginal and Torres Strait Islander peoples. This may also suggest that the Australian Government still views the document as aspirational rather than being one of a legally binding nature. Whilst existing legislation, such as the *Racial Discrimination Act 1975 (Cth)* (the RDA), provides some human rights protections for Aboriginal and Torres Strait Islander peoples, it does not afford protections to the same standards as those detailed in the Declaration.

In particular, there are a number of examples that suggest Australia does not recognise the Declaration as a document which sets the standards by which existing human rights obligations apply to Aboriginal and Torres Strait Islander peoples. Such standards include the right to participate in decision making, the right to be consulted prior to providing free and informed consent about laws and policies and the right to keep and strengthen relationships with lands, waters and other resources. There are numerous instances where these rights have not been upheld: the proposed closure of up to 150 remote Aboriginal communities in Western Australia in November 2014; the introduction of paperless arrest powers in Northern Territory in December 2014; and the defunding of the National Congress of Australia's First Peoples in 2014.

Furthermore, protections that do exist face ongoing threats. In 2007 the RDA was suspended to pave the way for the implementation of the Northern Territory Emergency Response intervention (the 'intervention'). Further, in 2014, the Australian Government proposed amending section 18 of the RDA which would, in turn, erode racial vilification laws and place greater value on the right to free speech at the expense of protections against racial discrimination. Therefore, Australia's efforts to implement the Declaration, across government, corporate and community sectors undoubtedly must improve. A National Implementation Strategy on the Declaration would be a way of achieving this.

Against this background, it is little surprise that Aboriginal and Torres Strait Islander people face an uphill battle to uphold their cultural and personal beliefs. Research shows a decline in language use and cultural event participation.

Key findings—Equality and equity

1. Aboriginal and Torres Strait Islander people enjoy less participation in, and access to, a range of life opportunities—significant disparities continue to exist in the key areas of employment, education and health.
2. Aboriginal and Torres Strait Islander people are more likely to consider their living conditions worse than other peoples and are more likely to see barriers to employment and education.
3. Aboriginal and Torres Strait Islander people have less enjoyment of their unique individual and collective rights as Indigenous peoples.
4. Aboriginal and Torres Strait Islander peoples feel less cultural security than other Australians.

Sources: *Overcoming Indigenous Disadvantage Report 2014*, *Australian Reconciliation Barometer 2014*, *Social Justice and Native Title Report 2015*, *Social Justice and Native Title Report 2014*, *AIATSIS 2005*.

Institutional integrity

Institutional integrity refers to the extent to which our political and business institutions, and community and social sectors actively support reconciliation.

On the national political scale, reconciliation has broad multi-partisan support and, superficially, political support appears to be at an all-time high. Closer examination however, especially of successive governments' support for CAR's recommendations, shows a more complex picture.

In its final report to the Australian Parliament, CAR made six recommendations that supported its *Roadmap for Reconciliation* and the *Declaration Towards Reconciliation*. These recommendations covered creating a framework to overcome Indigenous disadvantage; reforming the Constitution to recognise Aboriginal and Torres Strait Islander peoples, and removing section 25 of the Constitution, which allows states to stop people from voting based on race; continuing to pursue reconciliation; and negotiating an agreement or treaty.

Of CAR's recommendations, the greatest progress has been made on overcoming disadvantage, mainly through work on COAG's *Closing the Gap on Indigenous Disadvantage* framework. Important steps towards a referendum to recognise Aboriginal and Torres Strait Islander peoples have been made since CAR's recommendations and we are closer than ever to recognising Aboriginal and Torres Strait Islander peoples in the Australian Constitution and removing racial discrimination from our founding document.

Progress on CAR's other recommendations is mixed. To continue working towards reconciliation, Reconciliation Australia was established in late 2000 and has been funded ever since. However, funding for state and territory reconciliation councils has fallen far short of what was envisaged.

CAR also called on all governments to formally support and enshrine in legislation its reconciliation documents, and to negotiate an agreement or treaty between the Australian Parliament and Aboriginal and Torres Strait Islander peoples. To date, these two important recommendations have not been implemented.

Outside CAR's recommendations, at a federal level, the efforts of the Australian Public Service (APS) towards reconciliation in the areas of employment and procurement have been mixed. Overall, the percentage of Aboriginal and Torres Strait Islander peoples working in the APS has remained between 2.3–2.5 per cent. In addition, the Australian Government has acknowledged that its agencies have performed poorly in the field of procurement from Aboriginal and Torres Strait Islander businesses. Recent Australian Government targets on employment and procurement provide optimism that these efforts may improve.

Since 2010, the Steering Committee for the Review of Government Service Provision (SCRGSP) has released biennial reports on State, Territory and Federal Governments' expenditure on all government services for Aboriginal and Torres Strait Islander people. The Indigenous Expenditure reports show a complex story behind government spending. While all governments have increased their total Indigenous spending in real terms year-on-year since 2008–09, the latest report shows that spending on Indigenous-specific services has fallen.

Many recent reviews have suggested that unsatisfactory progress on *Closing the Gap on Indigenous Disadvantage* has been due not to the quantum of expenditure, but rather the way it has been allocated and delivered. This criticism was the catalyst for reforms under the Indigenous Advancement Strategy (IAS) in 2014. However, rather than the ambitious IAS reforms resolving many of the issues they were meant to address, early indications are that they were too much, too soon, and have left a trail of anxiety and uncertainty for many service providers.

While various governments' efforts on the policy front are mixed, broader support for reconciliation in the business and community sectors has grown significantly over the last 10 years. This is best shown through the growth of Reconciliation Australia's Reconciliation Action Plan (RAP) program. The RAP program started with eight organisations in 2006 and today more than 650 organisations have developed a RAP, with another 500 developing a plan. The corporate sector has been a strong supporter of the RAP program and corporate engagement is further demonstrated by the many corporate heavyweights who actively participate in the Business Council of Australia's (BCA's) Indigenous Network. More than 200 organisations from the not-for-profit and community sectors have a RAP and national sporting bodies and clubs also show strong support for reconciliation.

In addition to driving engagement with reconciliation, evidence shows the RAP program is creating opportunities in employment, education and business for Aboriginal and Torres Strait Islander people, and creating positive attitudes and behaviours among the three million people working in organisations with a RAP.

Despite this progress by our national institutions, the ARB results show that the majority of respondents feel all sectors should do more to improve education, employment and health outcomes for Aboriginal and Torres Strait Islander people.

This analysis of institutional integrity does not include how our institutional systems, such as health, justice and education, are actively supporting reconciliation. Progress in this area will need to be explored in the future.

Key findings—Institutional integrity

1. Broad multi-partisan political support for reconciliation exists but successive governments' implementation of CAR's recommendations has been mixed.
2. All Australian Governments' total Aboriginal and Torres Strait Islander expenditure has increased but funding for Aboriginal and Torres Strait Islander specific services has decreased.
3. Business and community support for reconciliation is increasing.
4. RAPs are driving social change and improving economic opportunities for Aboriginal and Torres Strait Islander Australians.
5. Most Australians believe that political, business and community institutions should do more to advance reconciliation.

Sources: Australian Reconciliation Barometer 2014, Indigenous Expenditure Report 2014, Reconciliation Action Plan 2014 data, Workplace RAP Barometer (WRB) 2014

Unity

In a reconciled Australia, national unity means Aboriginal and Torres Strait Islander rights, histories and cultures are valued and recognised as part of a shared national identity. Aboriginal and Torres Strait Islander cultures are the oldest living cultures in the world. Reconciliation involves all Australians valuing and recognising the rich and diverse Aboriginal and Torres Strait Islander cultures that have existed in our nation since time immemorial and continue to this day.

Measures of national unity show there is much goodwill for reconciliation. Most Australians believe that Aboriginal and Torres Strait Islander cultures are important to Australia's national identity. Importantly, most Australians believe we can become united and that Aboriginal and Torres Strait Islander peoples hold a unique place as the First Australians. Our pride in Aboriginal and Torres Strait Islander cultures is slowly increasing and we believe it is important to learn more.

Where we hit a stumbling block is turning this goodwill into action and positive change. For example, while we think it is important to know more, most Australians rate their knowledge of Aboriginal and Torres Strait Islander cultures and histories as low. Many Australians want to contribute to reconciliation, but only a small number know how they can contribute. Organisations like Reconciliation Australia and other reconciliation groups have a role in educating all Australians about reconciliation and how they can contribute. Clearly, we have more work to do.

Many Australians see the Apology delivered by Prime Minister Kevin Rudd in 2008 as an important milestone to improving our relationship—indeed, it was the high point on Australia's reconciliation journey over the last 15 years. Australians are now better placed than ever before for another long-sought reconciliation milestone—constitutional recognition of Aboriginal and Torres Strait Islander peoples. All Australians can contribute to reconciliation by supporting a referendum to meaningfully and substantially recognise Aboriginal and Torres Strait Islander peoples in the Constitution and ensure it is unlawful to adversely discriminate on the grounds of race. While we still have some steps to go before a referendum, all Australians have a role to play by learning more and talking to people from all walks of life. To get this right, we must listen to Aboriginal and Torres Strait Islander people, develop a proposal that has their support and make a positive contribution to a national conversation.

Key findings—Unity

1. Many Australians (65 per cent) believe it is possible for Australia to be united.
2. Most Australians (72 per cent) believe Aboriginal and Torres Strait Islander cultures are important to Australia's national identity and agree that Aboriginal and Torres Strait Islander peoples hold a unique place as the First Australians (71 per cent).
3. Pride in Aboriginal and Torres Strait Islander cultures is increasing.
4. Australians' knowledge of Aboriginal and Torres Strait Islander histories and cultures is limited (only 30 per cent are knowledgeable) but most Australians (83 per cent) believe it is important to know more and strongly support Aboriginal and Torres Strait Islander histories being a compulsory part of the school curriculum.
5. Some Australians (44 per cent) want to support reconciliation but most don't know how (76 per cent). When people participate in reconciliation activities, their knowledge improves and their views on the relationship change significantly.
6. Some Australians (49 per cent) believe the Apology has improved our relationship but many Australians strongly support new actions to unify Australia, including recognising Aboriginal and Torres Strait Islander peoples in the Constitution.

Source: Australian Reconciliation Barometer 2014

Historical acceptance

We cannot change the past but we can learn from it. We can make amends and we can ensure mistakes are never repeated. Our nation's past is reflected in the present and unless we can heal historical wounds, they will continue to play out in our country's future. Reconciliation can only truly evolve when the Australian community and our major institutions acknowledge and repair the wrongs of the past, understand their effects—and make sure that these wrongs, or similarly damaging actions, are not occurring today and are never repeated in the future.

The actions classified in this report as 'historical acceptance' refer to all Australians understanding and accepting past laws, practices and policies that have deeply affected the lives of Aboriginal and Torres Strait Islander peoples. Historical acceptance is about understanding the immediate and devastating impact of these actions and the intergenerational trauma they caused, including their effect on the lives of many Aboriginal and Torres Strait Islander Australians today. Fundamentally, historical acceptance is about telling the truth to achieve justice and healing.

Australia's colonial history is characterised by the dispossession and intentional marginalisation of Aboriginal and Torres Strait Islander peoples. This dispossession and marginalisation has occurred broadly through a history of conflict and massacres, as well as active policies to segregate and assimilate Aboriginal and Torres Strait Islander peoples and cultures. Many actions of the past were aimed at taking away the rights of Aboriginal and Torres Strait Islander peoples.

A detailed examination of Australian history and its past and current impact on Aboriginal and Torres Strait Islander peoples is beyond the scope of this report. As such, the report focuses on four key areas that have a well-established evidence base (often gathered through national inquiries) and reliable data to measure progress. The specific wrongs examined are:

- land dispossession
- forced removal of Aboriginal and Torres Strait Islander children from their families
- failure to pay Aboriginal and Torres Strait Islander workers' wages
- incarceration and Aboriginal deaths in custody.

Findings show that Australia's lack of historical acceptance is a potential barrier to reconciliation. Until we accept our past, make amends for injustices and pledge to ensure that these wrongs are never repeated, Australia will not achieve true reconciliation.

Our most urgent task is to ensure that wrongs are not repeated. Evidence shows that rates of imprisonment of Aboriginal and Torres Strait Islander peoples are at an all-time high, and the rate of Aboriginal and Torres Strait Islander children in out-of-home care has tripled since the *Bringing them home* report was delivered. These complex social problems are symptomatic of intergenerational trauma and deeply entrenched systemic issues. To achieve lasting change, we must treat both the symptoms and the causes. This involves working in partnership with Aboriginal and Torres Strait Islander people to invest in holistic early intervention and prevention strategies.

Understanding of the past varies in the broader Australian community, but there is a prevailing sense that Aboriginal and Torres Strait Islander people are responsible for their own disadvantage. This presents an opportunity to raise awareness and better educate people about the negative effects of colonisation, systemic racism and exclusion.

There is a continued perception by Aboriginal and Torres Strait Islander people that past wrongs have not been righted. This is a major barrier to reconciliation. The data supports this perception and shows that efforts to repair past wrongs have been slow, piecemeal, largely ignored, or are getting worse. For example, native title has been slow to take effect, although we are starting to see significant results through agreement-making; state governments' efforts to address stolen wages have been piecemeal; the recommendations of the *Bringing them home* report were largely ignored; and incarceration rates are higher than at the time of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC).

Despite these sporadic efforts, there are positive signs that Australia is examining the injustices of the past. In 2015 the Queensland Government announced a stolen wages reparations scheme; the New South Wales Government launched an inquiry into reparations for the Stolen Generations; the South Australian Government announced an \$11 million Stolen Generations reparation fund; and the Western Australian Government signed a landmark native title agreement with the Noongar people of south-west Australia. These are positive signs of reparation that need to be replicated across the nation.

Key findings—Historical acceptance

1. Most Australians (94 per cent) agree that wrongs towards Aboriginal and Torres Strait Islander peoples occurred as a result of European settlement.
2. Many Australians accept facts about past injustices but are unsure of the details. However, it is widely agreed (85 per cent) that it is important for all Australians to learn more about past issues.
3. Australians are divided on the nature and extent of the effect of past wrongs on the lives of Aboriginal and Torres Strait Islander peoples today. Between 50 per cent and 60 per cent of the general community agree that past race-based policies have created today's disadvantage.
4. Australians have widely varying views on forgiveness and moving on, and progress on repairing the wrongs of the past has been mixed.
5. Australia is repeating some of the wrongs of the past and urgent, well-considered action is needed to reduce the rates of Aboriginal and Torres Strait Islander children in out-of-home care and the rates of Aboriginal and Torres Strait Islander people in prison.

Sources: *Australian Reconciliation Barometer 2014*, *Australian Institute of Health and Welfare 2015*, *Australian Bureau of Statistics 2015*, *Australian Institute of Criminology 2011*.

TOWARDS A RECONCILED AUSTRALIA

The key findings of this report show that Australia has developed a strong foundation for reconciliation and significant steps have been made over the last 25 years. However, to achieve Reconciliation Australia's vision of a reconciled, just and equitable Australia much unfinished business remains. Drawing on the key findings, this section highlights the critical areas Reconciliation Australia believes require the greatest attention in the future.

DIMENSION	AREA FOR ACTION
Race relations	Overcome racism
Equality and equity	Renew focus on closing the gap
	Recognise and respect the cultures and collective rights of First Australians
Institutional integrity	Capitalise on the RAP program
	Improve the governance of government
Unity	Achieve a process to recognise Aboriginal and Torres Strait Islander peoples and unite all Australians
Historical acceptance	Acknowledge our past through truth, justice and healing

These key points for action are posed as a conversation starter to map out the next 25 years of Australia's reconciliation journey. Many conversations remain ahead of us but, until we achieve reconciliation, Australia will fall short of reaching our full potential as a nation and of truly "recognising the gift of one another's presence".ⁱ

1. Overcome racism

Key actions

- Federal, State and Territory governments maintain strong and effective legal protections against racial discrimination through the current *Racial Discrimination Act 1975* (Cth) (RDA) and state-based legislations.
- All sectors of the Australian community—governments, business, the education, health, sports, recreation and arts sectors—show a zero tolerance approach to racism, prejudice and discrimination.
- All sectors of the Australian community increase their support for public anti-racism campaigns and resources, such as *Racism. It stops with me*.

2. Renew focus on Closing the Gap by all Australian governments

Key actions

- All Australian governments recommit to the *Closing the Gap on Indigenous Disadvantage* framework, including renewing investments and agreements to meet the *Closing the Gap* targets in consultation with Aboriginal and Torres Strait Islander organisations.
- All Australian governments agree to include justice targets in the *Closing the Gap* framework as called for by the National Justice Coalition.
- All Australian governments commit to appropriate resourcing of Aboriginal and Torres Strait Islander organisations.
- All future policy and strategic planning is done in genuine partnership with Aboriginal and Torres Strait Islander peoples and their representative bodies.

3. Recognise and respect the cultures and collective rights of First Australians

Key actions

- The Australian Government works with Aboriginal and Torres Strait Islander peoples to develop a national strategy to implement the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration). Such a plan must outline actions to embed the Declaration in activities by all sectors of society—governments, civil society, the private sector, and by Aboriginal and Torres Strait Islander communities.
- The Australian Government supports and maintains a national, independent and representative voice for Aboriginal and Torres Strait Islander peoples and national sector peak bodies that represent Aboriginal professionals and community services.
- All sections of the community take action to increase understanding and respect for Aboriginal and Torres Strait Islander peoples and cultures.

4. Capitalise on the positive social change generated through the RAP program

Key actions

- Reconciliation Australia expands the impact and reach of the RAP program.
- The corporate sector and all Australian governments increase their support and engagement with the RAP program.
- All RAP partners increase their RAP commitments and actions to provide positive and sustainable opportunities for Aboriginal and Torres Strait Islander people, communities and organisations.

5. Improve the governance of government

Key actions

- Government approaches to policy and program development in Aboriginal and Torres Strait Islander affairs are based on the following principles:
 - good governance within government
 - respectful and sustained engagement with Aboriginal and Torres Strait Islander peoples, their representative bodies and community organisations
 - local and holistic approaches
 - long-term approaches supported by sustained and adequate funding
 - evidence-based policies.

6. Achieve a process to recognise Aboriginal and Torres Strait Islander peoples and unite all Australians

Key actions

- The Australian Government continues consulting with the Australian people and, in particular, Aboriginal and Torres Strait Islander people, to develop a model to meaningfully and substantially recognise Aboriginal and Torres Strait Islander peoples in the Constitution and remove racial discrimination from our founding document. Reconciliation Australia believes the model must:
 - contain a statement of recognition
 - remove outdated references to race, in particular section 25
 - include racial non-discrimination
 - be based on the recommendations of the Expert Panel on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples
 - be supported by Aboriginal and Torres Strait Islander peoples.
- The Australian Government continues to support broader public education for a referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution.
- All Australian governments and the corporate sector increase and expand agreement-making practices with Aboriginal and Torres Strait Islander peoples across the country in ways that empower pathways to self-determination for Indigenous Australians.
- Dialogue needs to continue with all sectors of the Australian community to discuss the unresolved issues of sovereignty, treaty and agreement-making in order to progress these important matters.

7. Acknowledge our past through truth, justice and healing

Key actions

- All sections of the community take action to increase their knowledge and understanding of the wrongs of the past and of Aboriginal and Torres Strait Islander histories and cultures.
- The education system must maintain and strengthen its focus on Aboriginal and Torres Strait Islander histories and cultures.
- Research and develop a truth and justice process for Australia.
- All governments take a new and more comprehensive response to the *Bringing them home* and Royal Commission into Aboriginal Deaths in Custody reports.
- All Australian governments take urgent and well-considered action to avoid repeating the wrongs of the past, including tackling the growing number of Aboriginal and Torres Strait Islander adults in prison and the number of children in out-of-home care.

SUSTAINING AND BUILDING THE RECONCILIATION PROCESS

This report has highlighted the bright spots in our nation's reconciliation journey. The goodwill and sense that we do want to be united, coupled with the practical measures being taken in workplaces, are a strong foundation for accelerating our efforts.

However, if we are to be a reconciled nation, we must make significant progress against all dimensions of reconciliation. As long as Aboriginal and Torres Strait Islander peoples do not enjoy the same opportunities as non-Indigenous Australians, we cannot say we are reconciled. As long as prejudice and racism exist, we cannot say we are reconciled. As long as past wrongs are repeated, we cannot say we are reconciled.

The findings throughout this report show that Australia has developed a foundation for reconciliation. But that foundation is uneven across the five key dimensions of reconciliation. It needs to be strengthened and built upon if Aboriginal and Torres Strait Islander and non-Indigenous Australians are to truly achieve reconciliation.

In its final report to Parliament, CAR outlined a raft of actions to sustain the formal reconciliation process. On the whole, these actions are highly relevant 15 years later. CAR acknowledged that the formal reconciliation process had helped bring all Australians together, and asked all levels of government, non-government organisations, businesses, peak bodies, communities and individuals to commit to sustaining the reconciliation process.

All Australians have a role in creating a reconciled, just and equitable Australia and reconciliation clearly remains everybody's business—political leaders and governments of all levels and leanings; the corporate and not-for-profit sectors; schools and tertiary institutions; faith groups; philanthropists; the media; Aboriginal and Torres Strait Islander peoples; and members of the public all have a role to play.

There is also a clear and critical role for specialist organisations to guide these various parties through their journey towards reconciliation and ensure that our combined efforts are not just well intentioned, but effective. This is the role of Reconciliation Australia, state reconciliation councils, local reconciliation groups and organisations, such as ANTaR.

A strong and cohesive network of reconciliation groups is vital to achieving a reconciled Australia. This group of organisations must be adequately resourced and supported by Federal, State, Territory and local governments, and where possible, non-government partners. On the whole, it must receive significantly more support than it currently does.

Despite the challenges, there is an underlying desire for a more unified nation. This presents a pivotal opportunity to work together for reconciliation. As a nation, we must focus on the things that unite us so that we can redress the things that still divide us. We must continue to harness the goodwill and aspirations of the Australian people and continue the national conversation for the next 25 years to achieve a reconciled, just and equitable Australia.



THE STATE OF RECONCILIATION IN AUSTRALIA

OUR HISTORY, OUR STORY, OUR FUTURE

INTRODUCTION

In December 2000, following a decade of work, the Council for Aboriginal Reconciliation (CAR) delivered its final report to the Australian Parliament. The report included a comprehensive account of CAR's work and the state of reconciliation in Australia. CAR concluded that there had been significant achievements but as its work ended, it noted that "full reconciliation between Aboriginal and Torres Strait Islander peoples and the wider Australian community remains to be accomplished." The report set out CAR's documents for reconciliation, including the *Roadmap for Reconciliation* and the *Australian Declaration Towards Reconciliation* and recommended establishing Reconciliation Australia to provide national leadership and focus for reconciliation.

As we approach CAR's 25th anniversary, this report examines Australia's progress towards reconciliation. This report uses a five-dimensional framework of reconciliation to measure and analyse the state of reconciliation today. The report also looks to Australia's future reconciliation journey and is intended to spark a renewed national conversation about how we can move towards a reconciled Australia over the next 25 years.

STRUCTURE OF THE REPORT

This report is divided into four sections:

- *Measuring reconciliation in Australia* looks back on the evolution of reconciliation and explains the five-dimensional framework used to measure progress towards reconciliation.
- *Reconciliation today* is a snapshot of where we currently stand in our efforts to achieve a reconciled Australia. This section details the findings from national-level data on a range of socio-economic, attitudinal and cultural measures to illustrate the state of play for each of the five dimensions of reconciliation.
- *Towards a reconciled Australia* draws on the key findings in this report to highlight the areas that Reconciliation Australia believes need the greatest attention in the future, if we are to achieve a just, equitable and reconciled Australia.
- *Sustaining and building the reconciliation movement* summarises the key conclusions in this report and provides practical steps to continue the national conversation on reconciliation for the next 25 years.

The following appendices support the report:

- *Appendix A* illustrates the conceptual framework used to measure reconciliation in Australia and its research and development.
- *Appendix B* details data sources.
- *Appendix C* lists references.

1. MEASURING RECONCILIATION IN AUSTRALIA

Australia has a long history of reconciliation and countless people—Aboriginal, Torres Strait Islander, and non-Indigenous—have dedicated their life’s work to the reconciliation movement. As a result, many significant steps have been taken on the road to reconciliation (Figure 1).

For Aboriginal and Torres Strait Islander peoples, Australia’s colonial history is characterised by devastating land dispossession, violence, and overt and unapologetic racism. Over the last half-century, however, Australia has made some remarkable progress towards national reconciliation. This journey reminds us that reconciliation is a work in progress—generations of people have fought hard for meaningful change and future gains are likely to take just as long.

Figure 1: Key events in Australia’s reconciliation history

1932	William Cooper establishes the Australian Aborigines’ League. During the 1930s, Mr Cooper and other leaders of the Aborigines Progressive Association gathered 1,814 signatures on a petition calling on Prime Minister Joseph Lyons and King George VI to intervene “for the preservation of our race from extinction and to grant representation to our race in the Federal Parliament”.
1938	The Aborigines Progressive Association and the Australian Aborigines’ League declare 26 January a day of mourning for Aboriginal people.
1963	Yolngu leaders present the Yirrkala bark petitions to the Australian Parliament, protesting against the seizure of more than 300 square kilometres of Aboriginal land in Arnhem Land for mining.
1965	University of Sydney students, including Charlie Perkins, launch the Freedom Rides, travelling around NSW by bus to draw attention to discrimination against Aboriginal people.
1966	Aboriginal stockmen and their families stage the Wave Hill station ‘walk-off’ to protest against poor working conditions. The Gurindji peoples’ struggle later develops into Australia’s first successful Aboriginal land claim.
1967	In a national referendum, 90.77 per cent of Australians vote ‘yes’ to give the Commonwealth Government the power to legislate for Aboriginal people and to include Aboriginal people in the Census.
1971	The Gove land rights case, while denying recognition of native title, sets the intellectual framework for recognising land rights. Neville Thomas Bonner becomes the first Aboriginal parliamentarian following his election as Senator for Queensland.
1972	The Aboriginal Tent Embassy is established. The Department of Aboriginal Affairs is established.
1973	The Woodward Royal Commission into Aboriginal Land Rights is established, paving the way for the Aboriginal Land Rights Act in the Northern Territory.
1975	Australian Parliament passes the <i>Racial Discrimination Act 1975 (Cth) (RDA)</i> .
1976	Australian Parliament passes the <i>Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)</i> , leading to the establishment of land rights legislation in most Australian states in the 1970s and 1980s.
1988	The Barunga Statement calling for self-management and land rights is presented to Prime Minister Bob Hawke, who indicates his support for a treaty.

1990	The Australian Government establishes the Aboriginal and Torres Strait Islander Commission (ATSIC). Dr Lowitja O'Donoghue AC, CBE, DSG is the first chairperson.
1991	The report of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) is tabled. The Council for Aboriginal Reconciliation (CAR) is established. Professor Patrick Dodson is appointed inaugural chairperson.
1992	The High Court recognises native title in the landmark case <i>Mabo v Queensland (No. 2) (1992)</i> . Prime Minister Paul Keating delivers the 'Redfern Speech' recognising the history of dispossession, violence and forced removal of Aboriginal children. The Aboriginal and Torres Strait Islander Social Justice Commissioner position is created. Professor Mick Dodson AM is appointed to the position.
1993	Australian Parliament passes the <i>Native Title Act 1993 (Cth)</i> . The first Week of Prayer for Reconciliation is held, which later becomes National Reconciliation Week.
1995	The Australian Government officially recognises the Aboriginal and Torres Strait Islander flags.
1996	The first National Reconciliation Week is celebrated. The full High Court hands down its decision in <i>Wik Peoples v Queensland</i> (the 'Wik decision'), in which it determines that pastoral leases do not extinguish native title.
1997	The National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families releases the <i>Bringing them home</i> report. The Australian Reconciliation Convention is held in Melbourne.
1998	The <i>Native Title Act 1993 (Cth)</i> is amended based on Prime Minister John Howard's 10-point plan.
2000	The CAR delivers its final report to Prime Minister John Howard and the Australian Parliament at Corroboree 2000. Bridge walks are held across Australia. Reconciliation Australia is established.
2004	ATSIC is abolished.
2006	The <i>Close the Gap</i> campaign for Indigenous health equality is developed following the release of the <i>Social Justice Report 2005</i> . Reconciliation Australia's Reconciliation Action Plan (RAP) program begins.
2007	The Northern Territory Emergency Response begins. The Council of Australian Governments (COAG) commits to 'closing the gap' in life expectancy between Indigenous and non-Indigenous Australians.
2008	Prime Minister Kevin Rudd delivers the Apology to the Stolen Generations. COAG commits \$4.6 billion towards <i>Closing the Gap on Indigenous Disadvantage</i> for projects in health, housing, early childhood development, economic participation and remote service delivery.
2009	Australia indicates its support for the United Nations Declaration on the Rights of Indigenous Peoples.
2010	The National Congress of Australia's First Peoples is established.
2011	The Expert Panel on Constitutional Recognition of Aboriginal and Torres Strait Islander peoples leads wide-ranging public consultations and delivers its findings in January 2012.
2012	The campaign to recognise Aboriginal and Torres Strait Islander peoples in the Constitution begins.
2013	The Australian Parliament passes the <i>Aboriginal and Torres Strait Islander Peoples Recognition Act 2013 (Cth)</i> to maintain momentum towards a referendum.

Since the social upheavals of the 1960s and the landmark 1967 referendum on giving the Federal Government the power to legislate for Aboriginal and Torres Strait Islander peoples and to include them in the Census, the nation has become increasingly aware of the need for reconciliation with Aboriginal and Torres Strait Islander peoples. The 1970s through to the early 1990s saw a focus on self-determination, rights and the need for an elected body to represent Aboriginal and Torres Strait Islander Australians. The land rights movement developed in this period, leading to the passing of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) and the subsequent establishment of land rights legislation in most Australian states in the 1970s and 1980s.

In the 1980s and 1990s, the Australian Government launched the ground-breaking Royal Commission into Aboriginal Deaths in Custody (RCIADIC) and the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, which produced the *Bringing them home* report. Against this backdrop, perhaps two of the most significant reconciliation milestones occurred—the 1992 High Court ‘Mabo’ decision on 3 June, and the resulting *Native Title Act 1993* (Cth). These significant milestones debunked the myth of *terra nullius* (land belonging to no-one) and recognised native title in Australian law.

In 1991, recommendations in the Royal Commission’s report on Aboriginal deaths in custody led to the establishment of the Council for Aboriginal Reconciliation (CAR). Throughout the 1990s CAR led wide-ranging public consultations, which culminated in reconciliation bridge walks across the country in 2000. CAR delivered its final report and recommendations for reconciliation to the Australian Parliament in 2000, however, the implementation of these recommendations by successive governments has been mixed. Beginning in the late 1990s and carrying through to the first decade of the new millennium, the Federal Government introduced the concept of ‘symbolic’ vs ‘practical’ reconciliation and shifted the emphasis towards using mainstream (non-Indigenous) services to address social and economic disadvantage for Aboriginal and Torres Strait Islander peoples.

In the last 25 years, the concept of reconciliation has taken a holistic approach that encompasses rights, as well as so-called symbolic and practical actions. Over this time reconciliation has introduced a greater focus on the relationship between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians and opened up national debate on prejudice, discrimination and racism. It has raised broader questions about our national identity and the place of Aboriginal and Torres Strait Islander histories, cultures and rights in our nation’s story. Reconciliation can no longer be seen as a single issue or agenda and the contemporary definition of reconciliation must weave all of these threads together.

To develop a framework to measure Australia’s progress towards reconciliation across these many dimensions, Reconciliation Australia undertook a review of reconciliation in Australia and internationally. As a result of this work, five critical dimensions that together represent a holistic and comprehensive picture of reconciliation were identified.

The five dimensions (Figure 2) identified to measure reconciliation in Australia are:

- race relations
- equality and equity
- institutional integrity
- unity
- historical acceptance.

Figure 2: The five interrelated dimensions of reconciliation



Using these five dimensions, we can get a clear picture of what is required to achieve reconciliation in Australia. Specifically, we will know Australia is reconciled when and only when:

1. Positive two-way relationships built on trust and respect exist between Aboriginal and Torres Strait Islander and non-Indigenous Australians throughout society.
2. Aboriginal and Torres Strait Islander Australians participate equally and equitably in all areas of life—i.e. we have closed the gaps in life outcomes—and the distinctive individual and collective rights and cultures of Aboriginal and Torres Strait Islander peoples are universally recognised and respected, i.e. Aboriginal and Torres Strait Islander people are self-determining.
3. Our political, business and community institutions actively support all dimensions of reconciliation.
4. Aboriginal and Torres Strait Islander histories, cultures and rights are a valued and recognised part of a shared national identity, and, as a result, there is national unity.
5. There is widespread acceptance of our nation's history and agreement that the wrongs of the past will never be repeated—i.e. there is truth, justice, healing and historical acceptance.

These five dimensions do not exist in isolation. They are interrelated and Australia can only achieve reconciliation if progress is made in all five areas. For example, greater historical acceptance of the wrongs done to Aboriginal and Torres Strait Islander Australians can lead to improved race relations, which in turn leads to greater equality and equity. The nation's progress towards reconciliation is only as strong as the least advanced dimension.

The key measures for each dimension are designed to be dynamic; they will change and evolve with Australia's understanding of reconciliation. As new data becomes available, it will be necessary to review the key measures and the data used.

DATA SOURCES

Both new and existing data are used throughout this report to paint a full picture of reconciliation today—according to the five dimensions.

Reconciliation Australia commissions two regular research surveys—the Australian Reconciliation Barometer (ARB) and the Workplace RAP [Reconciliation Action Plan] Barometer (WRB).

This report includes data from the 2014 ARB and WRB. Previous ARB surveys were conducted in 2008, 2010 and 2012, and the first WRB was conducted in 2012. The ARB and WRB are biennial research surveys on attitudes towards reconciliation. The ARB survey respondents are from the general population and Aboriginal and Torres Strait Islander communities and the WRB survey respondents are from organisations with a RAP.

This report also draws on and updates Reconciliation Australia's RAP impact measurement data. Reconciliation Australia began collecting this data in 2011 and we refresh it annually. It measures the collective impact of over 600 RAP organisations in key areas, including Aboriginal and Torres Strait Islander employment, education, training and procurement.

Reconciliation Australia uses the ARB, WRB and impact measurement data to show participation levels and attitudes towards reconciliation. The ARB's longitudinal data on individual attitudes and perceptions towards reconciliation is very useful for measuring change over time. No similar dataset exists in Australia.

Throughout the report, Reconciliation Australia's data is supported by data from many secondary sources, including the Australian Bureau of Statistics (ABS), Productivity Commission (PC), Australian Human Rights Commission (AHRC), Business Council of Australia (BCA), and State and Federal Governments.

Appendix B has a detailed description of the ARB, WRB and other data sources used in this report.

Reconciliation Australia worked with Inside Policy Pty Ltd to develop the reconciliation framework and analyse the data for this report. An expert working group of academics, reconciliation practitioners, and business and community leaders validated the planning behind the framework and data collection. Appendix A provides a detailed overview of the review and the framework development.

2. RECONCILIATION TODAY

2.1 KEY FINDINGS

It is clear that over the last 25 years, Australia has taken some significant steps towards national reconciliation. This section looks at the state of reconciliation today according to the five dimensions of reconciliation, which are:

- race relations
- equality and equity
- institutional integrity
- unity
- historical acceptance.

The key findings are drawn from the detailed findings for each dimension presented in section 2.2.

RACE RELATIONS

The relationship between the broader Australian community and Aboriginal and Torres Strait Islander people is at the heart of reconciliation. To achieve reconciliation, we need to develop strong relationships built on trust and respect, and that are free of racism. The latest Australian Reconciliation Barometer (ARB) results show that while we still do not trust each other, and Aboriginal and Torres Strait Islander people experience high levels of racism, there are positive signs of progress.

Almost all Australians believe the relationship between Aboriginal and Torres Strait Islander people and other Australians is important and that cultural diversity makes us stronger. However, because personal interactions between Aboriginal and Torres Strait Islander people and other Australians are limited, there is scope to increase our exposure to each other and improve understanding and acceptance. While it may not be possible to create person-to-person contact for all Australians, there are many ways we can learn more about each other. The media, schools and workplaces all play a critical role in doing this.

The latest ARB results show that Aboriginal and Torres Strait Islander people still experience frequent and damaging racism, and the fight to end racism across society must clearly continue.

Key findings—Race relations

1. Almost all Australians (86 per cent) believe the relationship between Aboriginal and Torres Strait Islander people and other Australians is important.
2. Many Australians (64 per cent) agree that cultural diversity makes us stronger, but some of us (35 per cent) still believe Australia is a racist country.
3. The level of contact and interaction between Aboriginal and Torres Strait Islander people and other Australians is low. Only 30 per cent of the general community socialise with Aboriginal and Torres Strait Islander people.
4. Trust between Aboriginal and Torres Strait Islander people and non-Indigenous Australians is low. Only 26 per cent of the general population believe trust towards Aboriginal and Torres Strait Islander people is high.
5. Aboriginal and Torres Strait Islander people still experience high levels of racial prejudice and discrimination. Thirty-three per cent of Aboriginal and Torres Strait Islander people had experienced verbal racial abuse in the six months before the survey.

Source: Australian Reconciliation Barometer (ARB) 2014

EQUALITY AND EQUITY

Reconciliation will be strengthened when Aboriginal, Torres Strait Islander and non-Indigenous Australians participate equally and equitably in all areas of life. To make this happen, we have to close the gaps in life outcomes between Aboriginal and Torres Strait Islander peoples and other Australians, and achieve universal recognition and respect for the distinctive collective rights and cultures of Aboriginal and Torres Strait Islander peoples.

For this report, equality is defined as:

Aboriginal and Torres Strait Islander peoples being in control of their life choices—enabling them to participate fully in the social, cultural and economic opportunities enjoyed by the wider Australian community.

Importantly, in this report, equity refers to:

The unique rights—both collective and individual—that Aboriginal and Torres Strait Islander peoples hold by virtue of being Indigenous, and Aboriginal and Torres Strait peoples' ability to freely exercise these rights.

In regards to equality, it is clear that large and unacceptable gaps between Aboriginal and Torres Strait Islander peoples and other Australians exist on all social, health, education and economic indicators. Reflecting the reality of the statistics, Aboriginal and Torres Strait Islander people are more likely to consider their living conditions worse than other peoples and are more likely to see barriers to employment and education.

Due largely to targeted government investment programs through the Council of Australian Governments' (COAG) *Closing the Gap on Indigenous Disadvantage* framework; health, education and economic outcomes for Aboriginal and Torres Strait Islander people have begun improving over recent years.

However, as equality stands today, it is clear Australia is falling far short of providing equal life opportunities for Aboriginal and Torres Strait Islander people. Many of these indicators will only improve with significant, long-term and targeted efforts in partnership with Aboriginal and Torres Strait Islander peoples.

When it comes to equity, the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration) is the most comprehensive international tool to advance the rights of Indigenous Peoples. While the majority of the world's states voted for the Declaration in the UN Assembly in 2007, Australia was one of four countries to vote against it. It was not until 2009 that Australia eventually endorsed the Declaration.

Since this time, the implementation of the Declaration has, at best, been mixed, indicating the value that the Australian Government places on the rights of Aboriginal and Torres Strait Islander peoples. This may also suggest that the Australian Government still views the document as aspirational rather than being one of a legally binding nature. Whilst existing legislation, such as the Racial Discrimination Act 1975 (Cth) (the RDA), provides some human rights protections for Aboriginal and Torres Strait Islander peoples, it does not afford protections to the same standards as those detailed in the Declaration.

In particular, there are a number of examples that suggest Australia does not recognise the Declaration as a document which sets the standards by which existing human rights obligations apply to Aboriginal and Torres Strait Islander peoples. Such standards include the right to participate in decision making, the right to be consulted prior to providing free and informed consent about laws and policies and the right to keep and strengthen relationships with lands, waters and other resources. There are numerous instances where these rights have not been upheld: the proposed closure of up to 150 remote Aboriginal communities in Western Australia in November 2014; the introduction of paperless arrest powers in Northern Territory in December 2014; and the defunding of the National Congress of Australia's First Peoples in 2014.

Furthermore, protections that do exist face ongoing threats. In 2007 the RDA was suspended to pave the way for the implementation of the Northern Territory Emergency Response intervention (the 'intervention'). Further, in 2014, the Australian Government proposed amending section 18 of the RDA which would, in turn, erode racial vilification laws and place greater value on the right to free speech at the expense of protections against racial discrimination. Therefore, Australia's efforts to implement the Declaration, across government, corporate and community sectors undoubtedly must improve. A National Implementation Strategy on the Declaration would be a way of achieving this.

Against this background, it is little surprise that Aboriginal and Torres Strait Islander people face an uphill battle to uphold their cultural and personal beliefs. Research shows a decline in language use and cultural event participation.

Key findings—Equality and equity

1. Aboriginal and Torres Strait Islander people enjoy less participation in, and access to, a range of life opportunities—significant disparities continue to exist in the key areas of employment, education and health.
2. Aboriginal and Torres Strait Islander people are more likely to consider their living conditions worse than other peoples and are more likely to see barriers to employment and education.
3. Aboriginal and Torres Strait Islander people have less enjoyment of their unique individual and collective rights as Indigenous peoples.
4. Aboriginal and Torres Strait Islander peoples feel less cultural security than other Australians.

Sources: *Overcoming Indigenous Disadvantage Report 2014*, *Australian Reconciliation Barometer 2014*, *Social Justice and Native Title Report 2015*, *Social Justice and Native Title Report 2014*, *AIATSIS 2005*.

INSTITUTIONAL INTEGRITY

Institutional integrity refers to the extent to which our political and business institutions, and community and social sectors actively support reconciliation.

On the national political scale, reconciliation has broad multi-partisan support and, superficially, political support appears to be at an all-time high. Closer examination however, especially of successive governments' support for CAR's recommendations, shows a more complex picture.

In its final report to the Australian Parliament, CAR made six recommendations that supported its *Roadmap for Reconciliation* and the *Declaration Towards Reconciliation*. These recommendations covered creating a framework to overcome Indigenous disadvantage; reforming the Constitution to recognise Aboriginal and Torres Strait Islander peoples, and removing section 25 of the Constitution, which allows states to stop people from voting based on race; continuing to pursue reconciliation; and negotiating an agreement or treaty.

Of CAR's recommendations, the greatest progress has been made on overcoming disadvantage, mainly through work on COAG's *Closing the Gap on Indigenous Disadvantage* framework. Important steps towards a referendum to recognise Aboriginal and Torres Strait Islander peoples have been made since CAR's recommendations and we are closer than ever to recognising Aboriginal and Torres Strait Islander peoples in the Australian Constitution and removing racial discrimination from our founding document.

Progress on CAR's other recommendations is mixed. To continue working towards reconciliation, Reconciliation Australia was established in late 2000 and has been funded ever since. However, funding for state and territory reconciliation councils has fallen far short of what was envisaged.

CAR also called on all governments to formally support its reconciliation documents, including the *Declaration Towards Reconciliation*, and to enshrine these in legislation. Along with the important recommendations to negotiate an agreement or treaty between the Australian Parliament and Aboriginal and Torres Strait Islander peoples, this has not happened.

Outside CAR's recommendations, at a federal level, the efforts of the Australian Public Service (APS) towards reconciliation in the areas of employment and procurement have been mixed. Overall, the percentage of Aboriginal and Torres Strait Islander people working in the APS has remained between 2.3–2.5 per cent. In addition, the Australian Government has acknowledged that its agencies have performed poorly in the field of procurement from Aboriginal and Torres Strait Islander businesses. Recent Australian Government targets on employment and procurement provide optimism that these efforts may improve.

Since 2010, the Steering Committee for the Review of Government Service Provision (SCRGSP) has released biennial reports on State, Territory and Federal Governments' expenditure on all government services for Aboriginal and Torres Strait Islander people. The Indigenous Expenditure reports show a complex story behind government spending. While all governments have increased their total Indigenous spending in real terms year-on-year since 2008–09, the latest report shows that spending on Indigenous-specific services has fallen.

Many recent reviews have suggested that unsatisfactory progress on *Closing the Gap on Indigenous Disadvantage* has been due not to the quantum of expenditure, but rather the way it has been allocated and delivered. This criticism was the catalyst for reforms under the Indigenous Advancement Strategy (IAS) in 2014. However, rather than the ambitious IAS reforms resolving many of the issues they were meant to address, early indications are that they were too much, too soon, and have left a trail of anxiety and uncertainty for many service providers.

While various governments' efforts on the policy front are mixed, broader support for reconciliation in the workplace in business and community sectors has grown significantly over the last 10 years. This is best shown through the growth of Reconciliation Australia's Reconciliation Action Plan (RAP) program. The RAP program started with eight organisations in 2006 and today more than 650 organisations have developed a RAP, with another 500 developing a plan. The corporate sector has been a strong supporter of the RAP program and corporate engagement is further demonstrated by the many corporate heavyweights who actively participate in the Business Council of Australia's (BCA) Indigenous Network.

More than 200 organisations from the not-for-profit and community sectors have a RAP and national sporting bodies and clubs also show strong support for reconciliation.

In addition to driving engagement with reconciliation, evidence shows the RAP program is creating opportunities in employment, education and business for Aboriginal and Torres Strait Islander people, and creating positive attitudes and behaviours among the three million people working in organisations with a RAP.

Despite this progress by our national institutions, the ARB results show that the majority of respondents feel that all sectors should do more to improve education, employment and health outcomes for Aboriginal and Torres Strait Islander peoples.

This analysis of institutional integrity does not include how our institutional systems, such as health, justice and education, are actively supporting reconciliation. Progress in this area will need to be explored in the future.

Key findings—Institutional integrity

1. Broad multi-partisan political support for reconciliation exists but successive governments' implementation of CAR's recommendations has been mixed.
2. All Australian Governments' total Aboriginal and Torres Strait Islander expenditure has increased but funding for Aboriginal and Torres Strait Islander specific services has decreased.
3. Business and community support for reconciliation is increasing.
4. RAPs are driving social change and improving economic opportunities for Aboriginal and Torres Strait Islander Australians.
5. Most Australians believe that political, business and community institutions should do more to advance reconciliation.

Sources: Australian Reconciliation Barometer 2014, Indigenous Expenditure Report 2014, Reconciliation Action Plan 2014 data, Workplace RAP Barometer (WRB) 2014

UNITY

In a reconciled Australia, national unity means Aboriginal and Torres Strait Islander rights, histories and cultures are valued and recognised as part of a shared national identity. Aboriginal and Torres Strait Islander cultures are the oldest living cultures in the world. Reconciliation involves all Australians valuing and recognising the rich and diverse Aboriginal and Torres Strait Islander cultures that have existed in our nation since time immemorial and continue to this day.

Measures of national unity show there is much goodwill for reconciliation. Most Australians believe that Aboriginal and Torres Strait Islander cultures are important to Australia's national identity. Importantly, most Australians believe we can become united and that Aboriginal and Torres Strait Islander peoples hold a unique place as the First Australians. Our pride in Aboriginal and Torres Strait Islander cultures is slowly increasing and we believe it is important to learn more.

Where we hit a stumbling block is turning this goodwill into action and positive change. For example, while we think it is important to know more, most Australians rate their knowledge of Aboriginal and Torres Strait Islander cultures and histories as low. Many Australians want to contribute to reconciliation, but only a small number know how they can contribute. Organisations like Reconciliation Australia and other reconciliation groups have a role in educating all Australians about reconciliation and how they can contribute. Clearly, we have more work to do.

Many Australians see the Apology delivered by Prime Minister Kevin Rudd in 2008 as an important milestone to improving our relationship—indeed, it was the high point on Australia's reconciliation journey over the last 15 years. Australians are now better placed than ever before for another long-sought reconciliation milestone—constitutional recognition of Aboriginal and Torres Strait Islander peoples. All Australians can contribute to reconciliation by supporting a referendum to meaningfully and substantially recognise Aboriginal and Torres Strait Islander peoples in the Constitution and ensure it is unlawful to adversely discriminate on the grounds of race. While we still have some steps to go before a referendum, all Australians have a role to play by learning more and talking to people from all walks of life. To get this right, we must listen to Aboriginal and Torres Strait Islander people, develop a proposal that has their support and make a positive contribution to a national conversation.

Key findings—Unity

1. Many Australians (65 per cent) believe it is possible for Australia to be united.
2. Most Australians (72 per cent) believe Aboriginal and Torres Strait Islander cultures are important to Australia's national identity and agree that Aboriginal and Torres Strait Islander peoples hold a unique place as the First Australians (71 per cent).
3. Pride in Aboriginal and Torres Strait Islander cultures is increasing.
4. Australians' knowledge of Aboriginal and Torres Strait Islander histories and cultures is limited (only 30 per cent are knowledgeable) but most Australians (83 per cent) believe it is important to know more and strongly support Aboriginal and Torres Strait Islander histories being a compulsory part of the school curriculum.
5. Some Australians (44 per cent) want to support reconciliation but most don't know how (76 per cent). When people participate in reconciliation activities, their knowledge improves and their views on the relationship change significantly.
6. Some Australians (49 per cent) believe the Apology has improved our relationship but many Australians strongly support new actions to unify Australia, including recognising Aboriginal and Torres Strait Islander peoples in the Constitution.

HISTORICAL ACCEPTANCE

We cannot change the past but we can learn from it. We can make amends and we can ensure mistakes are never repeated. Our nation's past is reflected in the present and unless we can heal historical wounds, they will continue to play out in our country's future. Reconciliation can only truly evolve when the Australian community and our major institutions acknowledge and repair the wrongs of the past, understand their effects—and make sure that these wrongs, or similarly damaging actions, are not occurring today and are never repeated into the future.

The actions classified in this report as 'historical acceptance' refer to all Australians understanding and accepting past laws, practices and policies that have deeply affected the lives of Aboriginal and Torres Strait Islander peoples. Historical acceptance is about understanding the immediate and devastating impact of these actions and the intergenerational trauma they caused, including their effect on the lives of many Aboriginal and Torres Strait Islander Australians today. Fundamentally, historical acceptance is about telling the truth to achieve justice and healing.

Australia's colonial history is characterised by the dispossession and intentional marginalisation of Aboriginal and Torres Strait Islander peoples. This dispossession and marginalisation has occurred broadly through a history of conflict and massacres, as well as active policies to segregate and assimilate Aboriginal and Torres Strait Islander peoples and cultures. Many actions of the past were aimed at taking away the rights of Aboriginal and Torres Strait Islander peoples.

A detailed examination of Australian history and its past and current impact on Aboriginal and Torres Strait Islander peoples is beyond the scope of this report. As such, the report focuses on four key areas that have a well-established evidence base (often gathered through national inquiries) and reliable data to measure progress. The specific wrongs examined are:

- land dispossession
- forced removal of Aboriginal and Torres Strait Islander children from their families
- failure to pay Aboriginal and Torres Strait Islander workers' wages
- incarceration and Aboriginal deaths in custody.

Findings show that Australia's lack of historical acceptance is a potential barrier to reconciliation. Until we accept our past, make amends for injustices and pledge to ensure that these wrongs are never repeated, Australia will not achieve true reconciliation.

Our most urgent task is to ensure that wrongs are not repeated. Evidence shows that rates of imprisonment of Aboriginal and Torres Strait Islander peoples are at an all-time high, and the rate of Aboriginal and Torres Strait Islander children in out-of-home care has tripled since the *Bringing them home* report was delivered. These complex social problems are symptomatic of intergenerational trauma and deeply entrenched systemic issues. To achieve lasting change, we must treat both the symptoms and the causes. This involves working in partnership with Aboriginal and Torres Strait Islander people to invest in holistic early intervention and prevention strategies.

Understanding of the past varies in the broader Australian community, but there is a prevailing sense that Aboriginal and Torres Strait Islander people are responsible for their own disadvantage. This presents an opportunity to raise awareness and better educate people about the negative effects of colonisation, systemic racism and exclusion.

There is a continued perception by Aboriginal and Torres Strait Islander people that past wrongs have not been righted. This is a major barrier to reconciliation. The data supports this perception and shows that efforts to repair past wrongs have been slow, piecemeal, largely ignored or are getting worse. For example, native title has been slow to take effect, although we are starting to see significant results through agreement-making; state governments' efforts to address stolen wages have been piecemeal; the recommendations of the *Bringing them home* report were largely ignored; and incarceration rates are higher than at the time of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC).

Despite these sporadic efforts, there are positive signs that Australia is still examining the injustices of the past. In 2015 the Queensland Government announced a stolen wages reparations scheme; the New South Wales Government launched an inquiry into reparations for the Stolen Generations; the South Australian Government announced an \$11 million Stolen Generations reparation fund; and the Western Australian Government signed a landmark native title agreement with the Noongar people of south-west Australia. These are positive signs of reparation that need to be replicated across the nation.

Key findings—Historical acceptance

1. Most Australians (94 per cent) agree that wrongs towards Aboriginal and Torres Strait Islander peoples occurred as a result of European settlement.
2. Many Australians accept facts about past injustices but are unsure of the details. However, it is widely agreed (85 per cent) that it is important for all Australians to learn more about past issues.
3. Australians are divided on the nature and extent of the effect of past wrongs on the lives of Aboriginal and Torres Strait Islander peoples today. Between 49 per cent and 58 per cent of the general community agree that past race-based policies have created today's disadvantage.
4. Australians have widely varying views on forgiveness and moving on, and progress on repairing the wrongs of the past has been mixed.
5. Australia is repeating some of the wrongs of the past and urgent, well-considered action is needed to reduce the rates of Aboriginal and Torres Strait Islander children in out-of-home care and the rates of Aboriginal and Torres Strait Islander people in prison.

Sources: *Australian Reconciliation Barometer 2014*, *Australian Institute of Health and Welfare 2015*, *Australian Bureau of Statistics 2015*, *Australian Institute of Criminology 2011*.

2.2 DETAILED FINDINGS

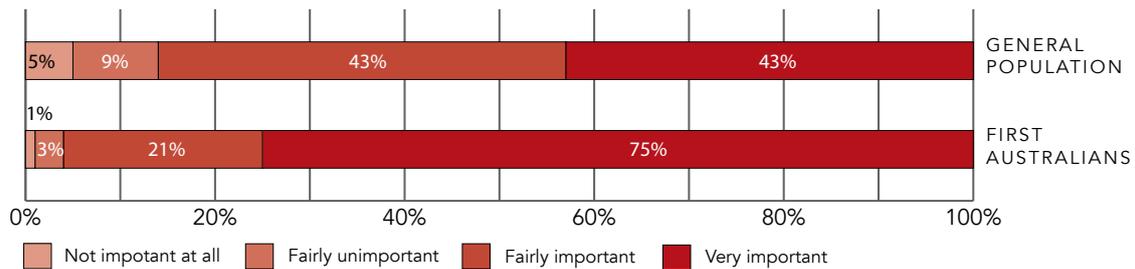
2.2.1 RACE RELATIONS

DEFINITION:	Race relations refers to the understanding and acceptance all Australians show towards Aboriginal and Torres Strait Islander and non-Indigenous cultures, rights and experiences resulting in stronger relationships, across all areas of life. In particular, race relations looks at the levels of understanding and acceptance of Aboriginal and Torres Strait Islander cultures, the levels of trust and the levels of prejudice within Australia.
HYPOTHESIS:	Reconciliation is more likely to progress when positive two-way relationships built on trust and respect exist between Aboriginal and Torres Strait Islander peoples and other Australians in all parts of society.
KEY QUESTIONS:	MEASURES:
1. How important is the relationship between Aboriginal and Torres Strait Islander peoples and other Australians?	<ul style="list-style-type: none"> • Perceived importance of the relationship
2. What is the level of understanding and acceptance of different cultures among all Australians?	<ul style="list-style-type: none"> • Individual perceptions of different cultures • Level of contact with other cultural groups
3. How much trust is there between Australians from different cultural backgrounds?	<ul style="list-style-type: none"> • Perceived levels of trust between Aboriginal and Torres Strait Islander peoples and other Australians • Perceived levels of trust of individuals and authority figures
4. How much racism and prejudice exists in Australia?	<ul style="list-style-type: none"> • Perceived levels of racism • Perceived levels of prejudice • Lived experience of prejudice • Change in number of race complaints lodged
DATA SOURCES:	<ul style="list-style-type: none"> • Annual Report – Australian Human Rights Commission complaints data 1995–2013 • Australian Reconciliation Barometer (ARB) 2014 • Social Cohesion Survey 2007–14 • Victorians’ attitudes to race and cultural diversity 2014 survey • Workplace RAP Barometer (WRB) 2014
KEY FINDINGS:	<ol style="list-style-type: none"> 1. Almost all Australians (86 per cent) believe the relationship between Aboriginal and Torres Strait Islander peoples and other Australians is important. 2. Many Australians agree that cultural diversity makes us stronger, but some of us (35 per cent) still believe Australia is a racist country. 3. The level of contact and interaction between Aboriginal and Torres Strait Islander people and other Australians is low. Only 26 per cent of the general population believe trust towards Aboriginal and Torres Strait Islander people is high. 4. Trust between Aboriginal and Torres Strait Islander people and non-Indigenous Australians is low. Only 26 per cent of the general population believe trust towards Aboriginal and Torres Strait Islander people is high. 5. Aboriginal and Torres Strait Islander people still experience high levels of racial prejudice and discrimination. Thirty-three per cent of Aboriginal and Torres Strait Islander people had experienced verbal racial abuse in the six months before the survey.

1. Almost all Australians believe the relationship between Aboriginal and Torres Strait Islander peoples and other Australians is important.

According to the 2014 ARB, 86 per cent of the general community believe that the relationship between Aboriginal and Torres Strait Islander peoples and other Australians is important, with almost half (43 per cent) seeing it as very important. Not surprisingly, this figure is considerably higher for Aboriginal and Torres Strait Islander respondents, with 96 per cent believing the relationship is important (Figure 3).

Figure 3: Views on the importance of the relationship between Aboriginal and Torres Strait Islander peoples and other Australians



Source: ARB 2014, Question 4: "How important is the relationship between Aboriginal and Torres Strait Islander people and other Australians for Australia as a nation?"

2. Many Australians agree that cultural diversity makes us stronger, but some of us still believe Australia is a racist country.

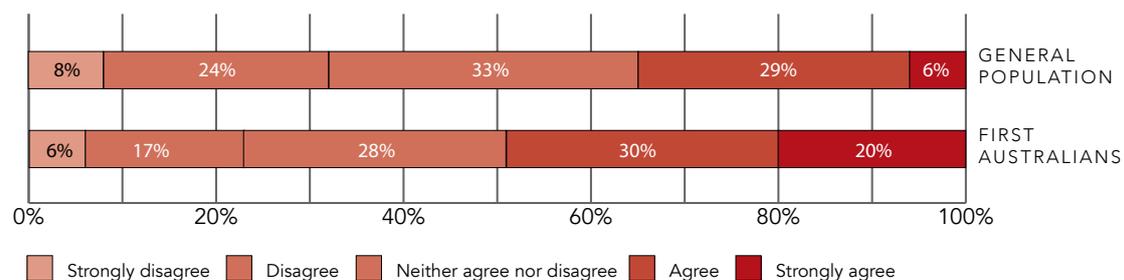
The 2014 ARB results show that 64 per cent of the general community feel that Australia is better off because we have many different races and cultures. However, a small proportion agree that they find it difficult to understand the customs and ways of other races (21 per cent) and that other races and cultures are harmful to theirs (15 per cent).

Fewer Aboriginal and Torres Strait Islander respondents agree that Australia is better off with many different races and cultures (59 per cent) and a much larger number feel that other races and cultures are harmful to theirs (31 per cent).¹

Views vary considerably on whether Australia is a racist country. The general community is split evenly with around one-third (35 per cent) agreeing that Australia is a racist country, one-third sitting on the fence (33 per cent) and one-third disagreeing (32 per cent). Aboriginal and Torres Strait Islander people are far more likely to agree that Australia is a racist country (50 per cent), although 23 per cent disagree (Figure 4).

While around one-third of the population believes Australia is a racist country, the 2014 and 2015 *Mapping Social Cohesion* reports noted that respondents made very little mention of either racism or Indigenous issues when asked what the most important problem Australia is facing today.²

Figure 4: Is Australia a racist country?



Source: ARB 2014, Question 8: "Indicate your level of agreement with the statement that Australia is a racist country"

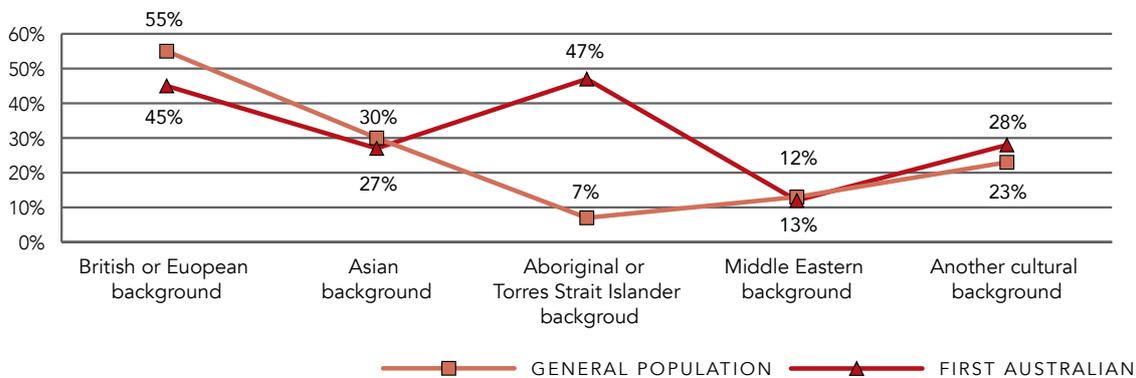
1 ARB 2014, Questions 6 and 7: level of agreement with a range of statements.
 2 Markus, Professor A, *Mapping Social Cohesion: The Scanlon Foundation Surveys 2014*, 2014 available at <http://scanlonfoundation.org.au/wp-content/uploads/2014/10/2014-Mapping-Social-Cohesion-Report.pdf>; and Markus, Professor A, *Mapping Social Cohesion: The Scanlon Foundation Surveys 2015*, 2015 available at <http://scanlonfoundation.org.au/wp-content/uploads/2015/10/2015-Mapping-Social-Cohesion-Report.pdf>

3. The level of contact and interaction between Aboriginal and Torres Strait Islander people and other Australians is low.

When it comes to socialising, very few people in the broader Australian community have regular social interactions with Aboriginal and Torres Strait Islander peoples. Indeed, only 30 per cent of the general population socialise frequently (7 per cent) or occasionally (23 per cent) with Aboriginal and Torres Strait Islander peoples, and 25 per cent of the general community report that they have no social interactions at all with Aboriginal and Torres Strait Islander peoples.³

Compared to other cultural groups, the general public is least likely to socialise with Aboriginal and Torres Strait Islander peoples than with any other cultural group (Figure 5). Conversely, Aboriginal and Torres Strait Islander people are just as likely to socialise frequently with people of British or European backgrounds as with their own people.

Figure 5: Level of frequent contact between people of different racial backgrounds



Source: ARB 2014, Question 3: "In a typical week, at work or otherwise, how often do you socialise with people from the following different cultural groups (including your own)?"

People working in RAP organisations reported much higher levels of social interaction with Aboriginal and Torres Strait Islander people, with 46 per cent reporting frequent contact, compared to 30 per cent in the general community.

4. Trust between Aboriginal and Torres Strait Islander people and non-Indigenous Australians is low.

In 2014, 26 per cent of the general community believed that non-Indigenous Australians felt a high degree of trust for Aboriginal and Torres Strait Islander people. Conversely, 39 per cent of Aboriginal and Torres Strait Islander people believed that their people felt a high degree of trust for non-Indigenous Australians. While perceived levels of trust between Aboriginal and Torres Strait Islander Australians and non-Indigenous Australians remain relatively low, they have increased since the 2012 ARB (Figure 6).

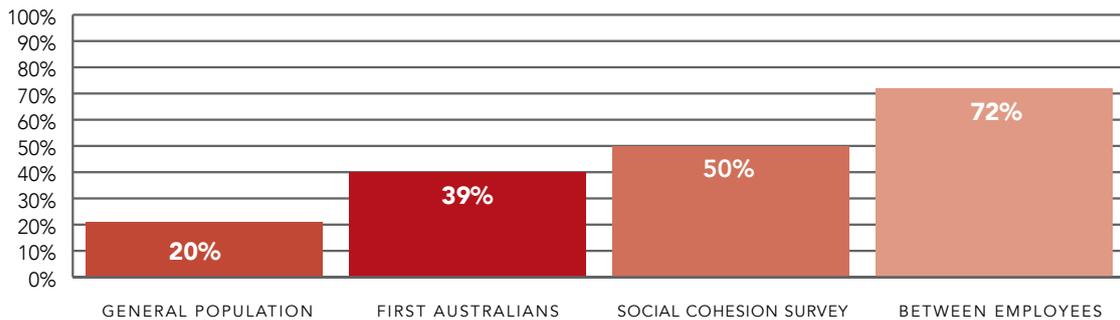
Figure 6: Increase in the perceived level of trust between 2012 and 2014

	2012 ARB	2014 ARB
Proportion of non-Indigenous Australians who believe the level of trust Aboriginal and Torres Strait Islander people have for other Australians is high	11 per cent	20 per cent
Proportion of Aboriginal and Torres Strait Islander Australians who believe the level of trust Aboriginal and Torres Strait Islander people have for other Australians is high	15 per cent	39 per cent
Proportion of non-Indigenous Australians who believe the level of trust non-Indigenous people have for Aboriginal and Torres Strait Islander people is high	13 per cent	26 per cent
Proportion of Aboriginal and Torres Strait Islander Australians who believe the level of trust non-Indigenous people have for Aboriginal and Torres Strait Islander people is high	5 per cent	34 per cent

3 ARB Question 3: Frequency of socialising per week.

It is interesting to compare these levels of trust to other similar measures available (Figure 7). As a point of comparison, the Scanlon Foundation's *Mapping Social Cohesion* reports found that over seven surveys, between 45 per cent and 55 per cent of people agreed with the statement that "most people can be trusted".⁴ In contrast, 72 per cent of employees in RAP organisations believe a high degree of trust exists between Aboriginal and Torres Strait Islander and non-Indigenous staff in their organisation.

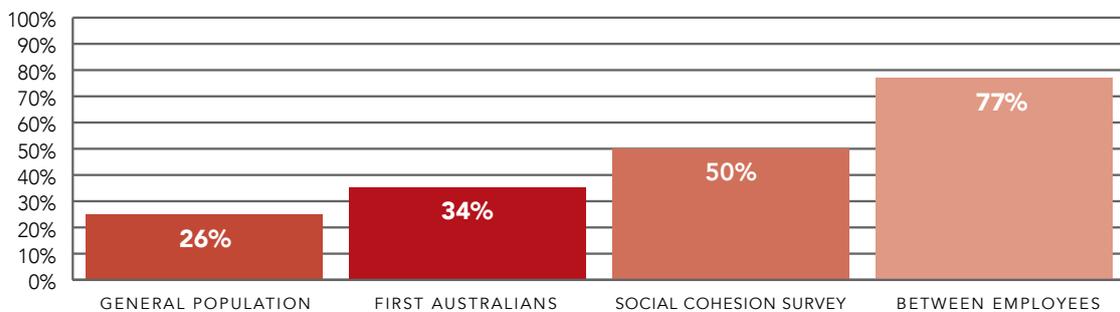
Figure 7: Proportion of respondents who believe the level of trust Aboriginal and Torres Strait Islander people have for other Australians is high



Source: 2014 Mapping Social Cohesion Survey; ARB 2014, Question 5; and Workplace RAP Barometer (WRB), Question 23 ("Between Employees" from WRB respondent group): "How would you describe the level of trust between the following groups of people?"

When the question is flipped to examine trust that non-Indigenous Australians have for Aboriginal and Torres Strait Islander people, the results are very similar (Figure 8).

Figure 8: Proportion of respondents who believe the level of trust non-Indigenous Australians have for Aboriginal and Torres Strait Islander people is high



Source: 2014 Mapping Social Cohesion Survey, ARB 2014 Question 5 and WRB Question 23: "How would you describe the level of trust between the following groups of people?"

⁴ Markus, Professor A, *Mapping Social Cohesion: The Scanlon Foundation Surveys 2014*, 2014 available at <http://scanlonfoundation.org.au/wp-content/uploads/2014/10/2014-Mapping-Social-Cohesion-Report.pdf>; and Markus, Professor A, *Mapping Social Cohesion: The Scanlon Foundation Surveys 2015*, 2015 available at <http://scanlonfoundation.org.au/wp-content/uploads/2015/10/2015-Mapping-Social-Cohesion-Report.pdf>

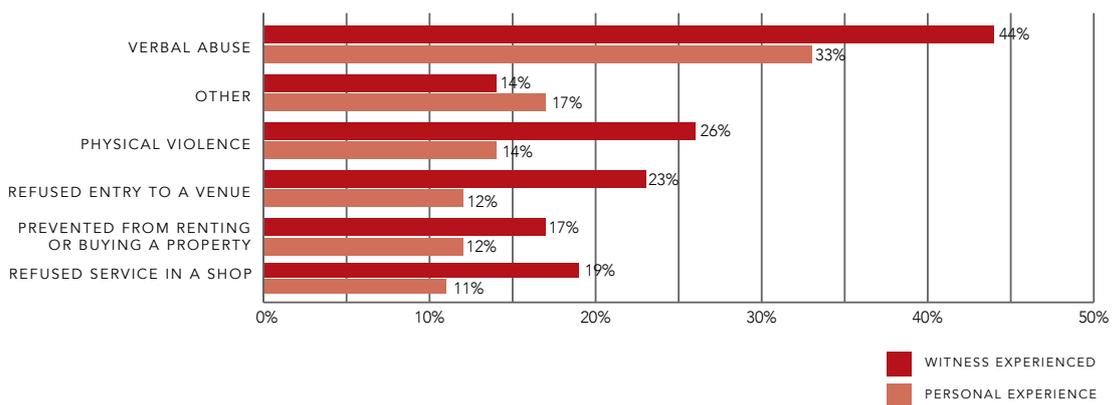
5. Aboriginal and Torres Strait Islander people still experience high levels of racial prejudice and discrimination.

Results from the ARB clearly show that Aboriginal and Torres Strait Islander peoples are subject to unacceptably high rates of racial prejudice and discrimination.

Thirty-three per cent of Aboriginal and Torres Strait Islander respondents to the 2014 ARB had experienced racial verbal abuse in the six months prior to the survey, while 44 per cent witnessed racial verbal abuse (Figure 9). Twenty-six per cent of Aboriginal and Torres Strait Islander respondents had witnessed racially motivated physical violence during this time. In addition, 12 per cent were refused entry to a venue or prevented from buying or renting a property and 11 per cent were refused service in a shop based on their race.

In all cases, Aboriginal and Torres Strait Islander respondents reported personal experience of racial prejudice far greater than members of the general community. Aboriginal and Torres Strait Islander people were two and a half times more likely to have experienced verbal abuse in the six months prior to the survey (33 per cent), than the general community (13 per cent), and were also significantly more likely to have experienced at least one form of prejudice, based on their race.

Figure 9: Aboriginal and Torres Strait Islander experience of racial prejudice in the six months prior to the survey



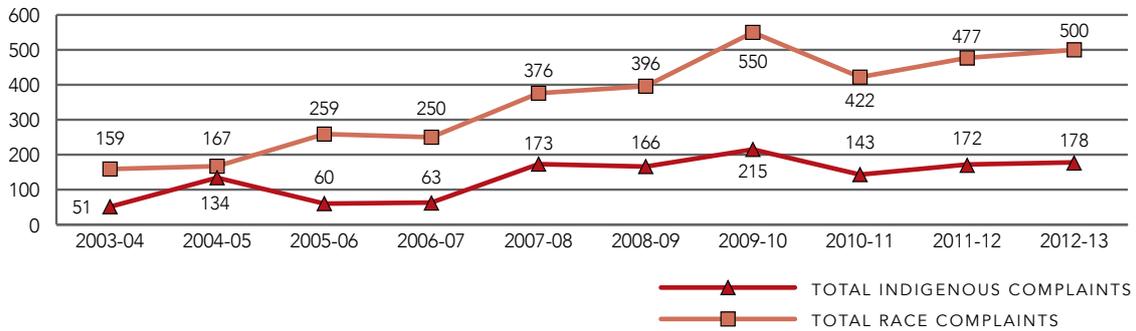
Source: ARB 2014, Question 12: "In the past six months, have you personally experienced any of the following forms of prejudice on the basis of your race?", and Question 13: "In the past six months, have you seen someone else experience any of the following forms of prejudice on the basis of their race?"

Aboriginal and Torres Strait Islander people also reported high levels of racial discrimination across a range of common social settings. Thirty-three per cent had experienced racial discrimination from police, with 16 per cent saying this had occurred in the previous year. Twenty-seven per cent had experienced racial discrimination from school teachers and/or principals and 28 per cent had been discriminated against by employers, while 25 per cent reported being discriminated against by real estate agents and medical practitioners.⁵

The Australian Human Rights Commission (AHRC) complaint data from 2003–04 to 2012–13 shows the number of race complaints lodged under the *Racial Discrimination Act 1975* (Cth) increased in absolute terms and as a proportion of all complaints received. Complaints were most likely to relate to the provision of goods and services, employment and racial hatred (Figure 10).

5 ARB, 2014, Question 14: "Have you or members of your family felt racially discriminated against by any of the following groups?"

Figure 10: Race-based complaints to the AHRC



Source: AHRC, complaints statistics 2003–04 to 2012–13

Forty-five per cent of ARB respondents from the general community and 62 per cent of Aboriginal and Torres Strait Islander respondents believed that the level of prejudice between non-Indigenous Australians and Aboriginal and Torres Strait Islander people is high.

Employees in RAP organisations report far lower levels of perceived prejudice in their workplaces. Just five per cent of WRB respondents (i.e. RAP employees) believe that prejudice between non-Indigenous Australians and Aboriginal and Torres Strait Islander peoples in their organisation is high.

2.2.2 EQUALITY AND EQUITY

Equality refers to Aboriginal and Torres Strait Islander peoples being in control of their life choices—enabling full participation in the social, cultural and economic opportunities enjoyed by the wider Australian community.

DEFINITION: Equity refers to the unique rights—both collective and individual—that Aboriginal and Torres Strait Islander Australians hold by virtue of being Indigenous, and Indigenous peoples’ ability to freely exercise these rights. These rights, including self-determination, are outlined in the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration).

HYPOTHESIS: Reconciliation is more likely to progress when Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians participate equally and equitably in all areas of life—that is, we have closed the gaps in life outcomes, such as health, education and employment, between Aboriginal and Torres Strait Islander peoples and non-Indigenous people, and the distinctive collective rights and cultures of First Australians are universally recognised and respected.

KEY QUESTIONS:

INDICATORS:

- | | |
|---|--|
| 1. To what extent is there equality between Aboriginal and Torres Strait Islander people and non-Indigenous Australians in their participation in, and achievement of, outcomes in employment, education, health and housing? | <ul style="list-style-type: none"> • Participation and outcomes in employment, education, health and housing • Perception of own circumstances |
| 2. To what extent do Aboriginal and Torres Strait Islander people feel their culture is secure? | <ul style="list-style-type: none"> • Perceived level of cultural security in different contexts • Rates of participation in language and cultural activities |
| 3. To what extent does Australia support the United Nations Declaration on the Rights of Indigenous Peoples | <ul style="list-style-type: none"> • Adoption and implementation of the United Nations Declaration on the Rights of Indigenous Peoples in Australia |

DATA SOURCES:

- Australian Human Rights Commission
- Australian Reconciliation Barometer (ARB) 2014
- *Overcoming Indigenous Disadvantage* report 2014
- Workplace RAP Barometer (WRB) 2014

KEY FINDINGS:

1. Aboriginal and Torres Strait Islander peoples enjoy less participation in, and access to, a range of life opportunities—significant disparities continue to exist in the key areas of employment, education and health.
2. Aboriginal and Torres Strait Islander people are more likely to consider their living conditions worse than other peoples and are more likely to see barriers to employment and education.
3. Aboriginal and Torres Strait Islander people have less enjoyment of their unique individual and collective rights as Indigenous peoples.
4. Aboriginal and Torres Strait Islander peoples feel less cultural security than other Australians.

1. Aboriginal and Torres Strait Islander peoples enjoy less participation in, and access to, a range of life opportunities—significant disparities continue to exist in the key areas of employment, education and health.

In April 2002, the Council of Australian Governments (COAG) commissioned the Productivity Commission (PC) to report regularly on the key indicators of Indigenous disadvantage. Using the Steering Committee for the Review of Government Service Provision (SCRGSP), it released the sixth *Overcoming Indigenous Disadvantage* report in 2014, which contains the most comprehensive update yet on the wellbeing of Aboriginal and Torres Strait Islander peoples.

The 2014 report found that, nationally:

- economic outcomes for Aboriginal and Torres Strait Islander Australians have improved over the longer term with lower unemployment, higher average incomes and increased home ownership (up from 22 per cent in 1994 to 30 per cent in 2012–13). Typically, however, these improvements have slowed down in recent years
- between 2005–07 and 2010–12, the gap in life expectancy between Aboriginal and Torres Strait Islander men and non-Indigenous men narrowed from 11.4 years to 10.6 years; and the gap for women narrowed from 9.6 years to 9.5 years
- progress against specific health indicators has been mixed. Mortality rates for Aboriginal and Torres Strait Islander children have fallen significantly, but little progress has been made in the areas of mental health, chronic disease, and disability and hospitalisation rates for self-harm are increasing
- high school completion rates have improved significantly (59 per cent in 2012–13 compared with 45 per cent in 2008) and the number of people working towards post-secondary qualifications has also risen (43 per cent in 2012–13 compared with 26 per cent in 2002). But there has been virtually no change in literacy and numeracy results at school, and rates in some regions and schools for these key indicators are deteriorating
- imprisonment of Aboriginal and Torres Strait Islander Australians is increasing at an alarming rate (up 57 per cent from 2000 to 2013) and the rate of juvenile detention remains very high, at around 24 times the rate for non-Indigenous youth
- access to basic utilities in 'discrete Indigenous communities' has declined across the country, with the proportion of Aboriginal and Torres Strait Islander households living in houses of an acceptable standard declining from 83 per cent in 2008 to 78 per cent in 2012–13.

In short, it is clear that large and unacceptable gaps exist between Aboriginal and Torres Strait Islander peoples and other Australians for all key social, health, education and economic indicators.

It is important to note, however, that these are national outcomes and often mask significant variability within the Aboriginal and Torres Strait Islander community. For example, the key indicators outlined above are typically far worse for Aboriginal and Torres Strait Islander people living in remote and very remote regions than for those living in urban locations.

A comprehensive snapshot of progress towards the COAG targets and headline indicators from the 2014 *Overcoming Indigenous Disadvantage* report is provided in Figure 11.

Figure 11: Closing the Gap targets and headline indicators - status and trends as reported in the 2014 *Overcoming Indigenous Disadvantage* report

CLOSING THE GAP TARGETS

Target or indicator	Non-Indigenous – status	Indigenous – status	Gap	Trend
Closing the Indigenous life expectancy gap within a generation (by 2031)	Males: 79.7 years Females: 83.1 years (2010-2012 data)	Males: 69.1 years Females: 73.7 years (2010-2012 data)	Males: 10.6 years Females: 9.5 years (2010-2012 data)	Showing progress
Halving the gap in mortality rates for children under five within a decade (by 2018)	Child mortality (0-4 yrs) rate: 79.2 deaths per 100,000 population Infant mortality (less than 1 yr) rate: 3.3 deaths per 1,000 live births (2012 data)	Child mortality (0-4 yrs) rate: 146 deaths per 100,000 population Infant mortality (less than 1 yr) rate: 5 deaths per 1,000 live births (2012 data)	66.8 deaths per 100,000 population 1.7 deaths per 1,000 live births (2012 data)	Showing progress
Ensuring all Indigenous four year olds in remote communities have access to quality early childhood education within five years (by 2013)	For children in the year before full time schooling: Enrolled in preschool: 91% Attending preschool: 89% (2013 data)	For children in the year before full time schooling: Enrolled in preschool: 74% Attending preschool: 70% (2013 data)	Enrollment: 17% Attendance: 19% (2013 data)	Results are unclear
Halving the gap for students in reading, writing and numeracy within a decade (by 2018)	Proportion of Year 3 students achieving at or above the National Minimum Standard (NMS) Reading: 96.2% Writing: 96% Numeracy: 96.6% (2013 data)	Proportion of Year 3 students achieving at or above the NMS Reading: 81.5% Writing: 78.9% Numeracy: 81.6% (2013 data)	Year 3 Reading 14.7% Year 3 Writing 17.1% Year 3 Numeracy 15% (2013 data)	No significant change
	Across all subjects and year levels, the proportion of Aboriginal and Torres Strait Islander students achieving national minimum standards was lower than the proportion of non-Indigenous students, and declined as remoteness increased.			
Halving the gap for Indigenous 20-24 year olds in year 12 or equivalent attainment rates by 2020	Proportion of 20-24 year olds completing year 12 or above: 86.1% (2011-2013 data)	Proportion of 20-24 year olds completing year 12 or above: 58.5% (2011-2013 data)	27.6% (2011-2013 data)	Showing progress
Halving the gap in employment outcomes within a decade (by 2018)	Percentage of 15-64 year olds employed: 76.6% Unemployment rate for 15-64 year olds: 4.2% (2011-2012 data)	Percentage of 15-64 year olds employed: 47.5% Unemployment rate for 15-64 year olds: 20.9% (2012-13 data)	Not comparable but appears to be widening	Results are unclear

HEADLINE INDICATORS

Target or indicator	Non-Indigenous – status	Indigenous – status	Gap	Trend
Post-secondary education— participation and attainment	Percentage of 20-64 year olds with Cert III or above, or studying: 66.6% (2012-2013 data)	Percentage of 20-64 year olds with Cert III or above, or studying: 42.6% (2012-2013 data)	24% (2012-2013 data)	Showing progress
Disability and chronic disease	Rate of disability: 13.8% (NB: This figure is an approximate calculation based on data available in OID 2014 report)	Rate of disability: 23.4% (2012 data)	1.7 times (2012 data)	No significant change
Household and individual income	Median real equivalised gross weekly household (EGWH) income: \$869 (2011–2013 data)	Median real equivalised gross weekly household (EGWH) income: \$465 (2011–2013 data)	\$404 (2011–2013 data)	Showing progress
Substantiated child abuse and neglect	Substantiation rate for children aged 0-17 years: 5.7 per 1,000 children	Substantiation rate for children aged 0-17 years: 37.9 per 1,000 children	32.2 per 1,000 children	Results are unclear
	Rate for children aged 0–17 years on care and protection orders: 5.7 per 1,000 children (2012-2013 data)	Rate for children aged 0–17 years on care and protection orders: 49.3 per 1,000 children (2012-2013 data)	43.6 per 1,000 children (2012-2013 data)	
Family and community violence	Percentage of population reported being a victim of physical or threatened violence: 12.8% (2008 data)	Percentage of population reported being a victim of physical or threatened violence: 23% (2008 data)	1.8 times (2008 data)	No significant change
Imprisonment and juvenile detention	Age standardised imprisonment rate for adults: 144 per 100,000 adults (2014 ABS data)	Age standardised imprisonment rate for adults: 1,857.2 per 100,000 adults (2014 ABS data)	Adult imprisonment: 13 times (2014 ABS data)	The main measure has shown regress
	Daily average detention rate for youth: 15.4 per 100,000 10–17 year olds (2013 data)	Daily average detention rate for youth: 364.8 per 100,000 10–17 year olds. (2013 data)	Juvenile detention: 24 times (2013 data)	

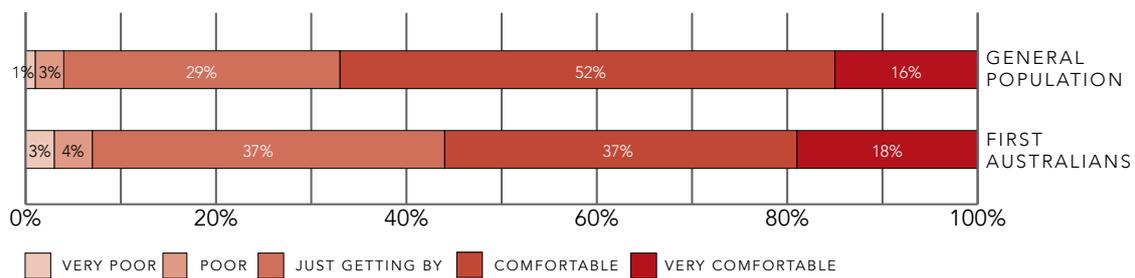
Figure 11 clearly illustrates the complex task of ‘closing the gap’ and improving the wellbeing of Aboriginal and Torres Strait Islander Australians. As the PC’s report notes, disadvantage has multiple interconnected causes, all of which must be addressed if equality is to be achieved.

Many health, education and economic outcomes are improving, but several areas of great concern remain, in particular mental health, self-harm and imprisonment.

2. Aboriginal and Torres Strait Islander people are more likely to consider their living conditions worse than other peoples and are more likely to see barriers to employment and education.

Fifty-five per cent of Aboriginal and Torres Strait Islander respondents in the 2014 ARB described their current living conditions as either comfortable or very comfortable compared to 68 per cent of the general community. Thirty-seven per cent of Aboriginal and Torres Strait Islander respondents stated that they are 'just getting by' and 7 per cent described their current conditions as poor or very poor, compared to 29 per cent and 4 per cent of the general community (Figure 12).

Figure 12: Perception of current living conditions

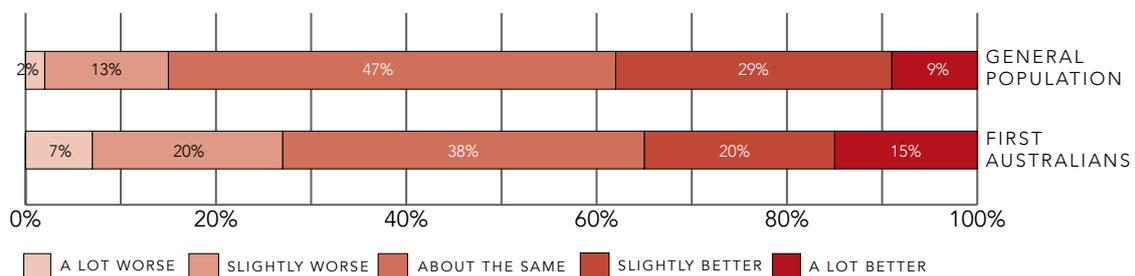


Source: ARB 2014, Question 27: "How would you describe your living conditions?"

When comparing their living conditions to that of others, 38 per cent of the general population believe their living conditions to be better than the majority of Australians (Figure 13). A similar proportion of Aboriginal and Torres Strait Islander people (35 per cent) believe this to be the case. Interestingly, a higher proportion of Aboriginal and Torres Strait Islander people (15 per cent) than the general community (9 per cent) believe their living conditions to be a lot better than the majority of Australians.

However, 27 per cent of Aboriginal and Torres Strait Islander respondents believe their living conditions are worse than the majority of people in Australia, compared to 15 per cent of the general community (Figure 13).

Figure 13: Perception of living conditions compared to the rest of Australia



Source: ARB 2014, Question 28: "How do you feel your living conditions compare with the majority of people in Australia?"

Aboriginal and Torres Strait Islander people are also more likely than the general community to see barriers to employment and education. For instance, Aboriginal and Torres Strait Islander people are more likely to feel that employers in Australia do not follow equal opportunity laws and practices (35 per cent), compared to the general community (24 per cent).

Similarly, Aboriginal and Torres Strait Islander respondents more widely disagree (47 per cent) than the general community (39 per cent) that the education system prepares children well for employment.⁶

⁶ ARB 2014, Question 30: Level of agreement with "The Australian education system prepares children well to find a job" and "Employers in Australia follow the Equal Opportunity laws".

3. Aboriginal and Torres Strait Islander people have less enjoyment of their unique individual and collective rights as Indigenous peoples.

The United Nations Declaration on the Rights of Indigenous Peoples (the Declaration) is the most comprehensive international instrument advancing Indigenous peoples' collective and individual rights. Four main principles underpin the 46 articles in the Declaration:

- self-determination
- participation in decision making, underpinned by free, prior and informed consent and good faith
- respect for and protection of culture, free from forced assimilation or removal
- equality and non-discrimination.

The United Nations General Assembly adopted the Declaration on 13 September 2007. The majority of member states voted in favour of the Declaration, with the exception of four countries, including Australia.

The Australian Government voted to adopt the Declaration without reservation on 3 April 2009. However, as Aboriginal and Torres Strait Islander Social Justice Commissioner, Mick Gooda, points out:

*"The adoption of the Declaration is one thing. Now we face the challenge of real implementation. By implementation, I mean making both the intent and spirit of the Declaration real to Aboriginal and Torres Strait Islander peoples... It was the governments of the world that affirmed that the rights in the Declaration are a road map towards a reconciled nation."*⁷

Put simply, the Declaration should be the basis of all the work that government does with Aboriginal and Torres Strait Islander peoples. On this measure, it is clear that progress in implementing the Declaration has been mixed at best.

Governments from both sides of politics have cautiously indicated support for the Declaration in the six years since 2009. At the United Nations Permanent Forum on Indigenous Issues in 2014, the current Australian Government identified the steps taken to implement the Declaration. However, the Declaration was not included in the definition of human rights in the *Human Rights (Parliamentary Scrutiny) Act 2011 (Cth)*, and even more significantly, no effort has been made to enact the Declaration into domestic legislation.

A number of recent events also cast doubt over government support for many of the Declaration's key articles.

Funding for the National Congress of Australia's First Peoples (the Congress) was cut in the 2014–15 federal Budget, affecting the Congress's ability to effectively represent Aboriginal and Torres Strait Islander peoples and to participate in decision-making.

Around this time, the Australian Government proposed amending Section 18 of the RDA to broaden the defence available to a person who is alleged to have committed an unlawful act; this change would erode racial vilification laws and place greater value on the right to free speech at the expense of protections against racial discrimination. While the Australian Government backed away from these proposed changes (largely due to overwhelming public criticism), it is unclear whether they are completely off the table.

In December 2014, the Northern Territory Government introduced 'paperless arrest' powers which allow police to detain a person, without a warrant, for suspected minor offences. These laws have been criticised for their disproportionate impact on Aboriginal and Torres Strait Islander people and their potential to entrench existing disadvantage.

Finally, the Western Australian Government's announcement in November 2014 that it planned to close up to 150 small, remote Aboriginal communities in the state is perhaps the clearest indication yet that Aboriginal and Torres Strait Islander peoples still face assimilation, and their right to practice their culture remains under significant threat.

Viewed together, these major policy initiatives show that Aboriginal and Torres Strait Islander Australians don't enjoy their unique individual and collective rights as Indigenous peoples, as called for in the Declaration.

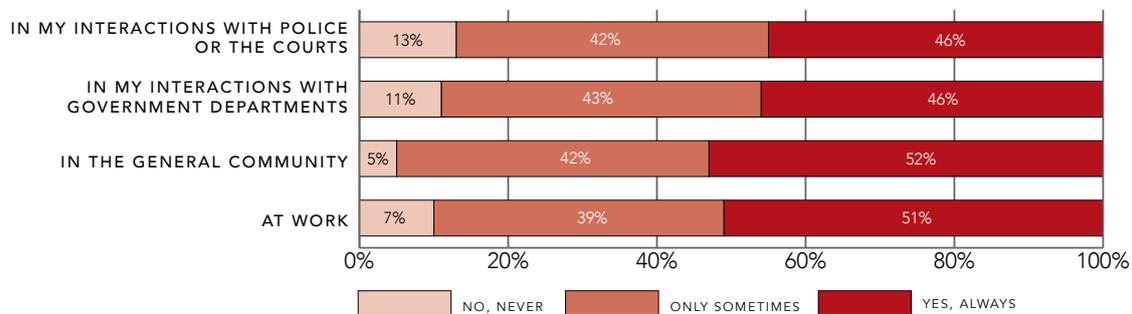
⁷ Australian Human Rights Commission, *Community Guide to the UN Declaration on the Rights of Indigenous Peoples*, 2010.

4. Aboriginal and Torres Strait Islander peoples feel less cultural security than other Australians.

Against this background, it is little surprise that Aboriginal and Torres Strait Islander people are less likely than other Australians to feel that they can uphold their cultural and personal beliefs. Figures 14 and 15 show the cultural security Aboriginal and Torres Strait Islander peoples and members of the general community feel in different social settings.

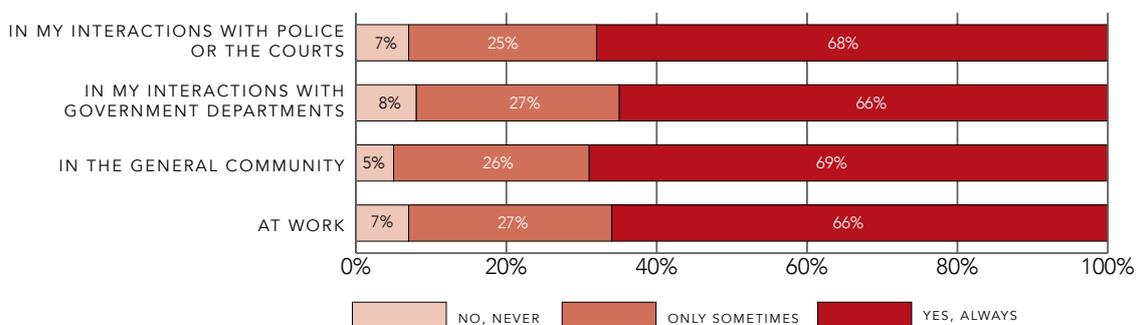
The results show a significant gap in most settings, with around two-thirds (66–69 per cent) of the general community feeling they can always be true to their beliefs, compared with around half (46–52 per cent) of Aboriginal and Torres Strait Islander respondents. Around one in 10 Aboriginal and Torres Strait Islander people (5–13 per cent) feel they can never be true to their culture in their interactions with the police and courts, government departments, or at work, compared with 5–8 per cent of the general community.

Figure 14: Extent you can be true to your cultural beliefs—Aboriginal and Torres Strait Islander respondents



Source: ARB 2014, Question 32: “Do you feel you can be true to your culture or personal beliefs in the following contexts?”

Figure 15: Extent you can be true to your cultural beliefs—general community



Source: ARB 2014, Question 32: “Do you feel you can be true to your culture or personal beliefs in the following contexts?”

No single indicator shows the extent to which Aboriginal and Torres Strait Islander people engage with and practice their traditional cultures and spiritual beliefs. For many this is a deeply personal experience, and for some it is embedded in all aspects of everyday life.

It is apparent, however, that the number of Aboriginal and Torres Strait Islander languages spoken is declining. At colonisation, it was estimated that 250 languages were spoken, compared with 145 in 2005 and 120 in 2012. It is estimated that only 13 to 18 of these languages remain strong, meaning they are spoken by all generations.⁸ For many years Aboriginal and Torres Strait Islander peoples were physically punished or deprived of food and benefits if they spoke in their own languages, which deeply affected language use over the last 200 years.⁹ In addition, the number of Aboriginal and Torres Strait Islander adults who recognise their traditional homelands has fallen from 71 per cent in 1994 to 68 per cent in 2012–13. It is worth noting, however, that this number fell to as low as 60 per cent in 2004–05, before recovering.¹⁰

8 Steering Committee for the Review of Government Service Provision (SCRGSP) *Overcoming Indigenous Disadvantage: Key Indicators 2014*, 2014 Productivity Commission, Canberra
 9 Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), *National Indigenous Languages Survey Report 2005*, 2005, available at <http://arts.gov.au/sites/default/files/pdfs/nils-report-2005.pdf>
 10 Steering Committee for the Review of Government Service Provision (SCRGSP) *Overcoming Indigenous Disadvantage: Key Indicators 2014*, 2014 Productivity Commission, Canberra

2.2.3 INSTITUTIONAL INTEGRITY

DEFINITION: Institutional integrity refers to the extent to which the nation’s political, business and community structures actively support reconciliation.

HYPOTHESIS: Reconciliation is more likely to progress when government, community and business leaders and institutions actively support reconciliation.

KEY QUESTIONS:

INDICATORS:

1. How much political support is given to reconciliation?	<ul style="list-style-type: none"> • Existence of policies that support reconciliation, and Aboriginal and Torres Strait Islander affairs • Nature of those policies • Status of actions supporting CAR’s recommendations
2. How much funding does the government provide to programs to redress Indigenous disadvantage and increase reconciliation?	<ul style="list-style-type: none"> • Level of government funding for programs to enhance reconciliation and increase Aboriginal and Torres Strait Islander wellbeing • Per capita expenditure • Changes in Budget measures
3. How much support does the government, community and business sectors give to reconciliation?	<ul style="list-style-type: none"> • Number of organisations that have a RAP by sector • Perceived institutional support for reconciliation
4. What is the impact of institutional efforts to support reconciliation?	<ul style="list-style-type: none"> • Results achieved • Perceived impact of RAPs.

DATA SOURCES:

- Australian Reconciliation Barometer (ARB) 2014
- Federal Budget measures 2013–14 and 2014–15
- Business Council of Australia 2014 Indigenous Engagement Survey Report
- 2014 Indigenous Expenditure Report
- RAP Impact Measurement 2015 data
- Various political party policy statements on Indigenous affairs in 2014
- Workplace RAP Barometer (WRB) 2014

KEY FINDINGS:

1. Broad multi-partisan political support for reconciliation exists but successive governments’ implementation of CAR’s recommendations has been mixed.
2. All Australian Governments’ total Aboriginal and Torres Strait Islander expenditure has increased but funding for Aboriginal and Torres Strait Islander specific services has decreased.
3. Business and community support for reconciliation is increasing.
4. RAPs are driving social change and improving economic opportunities for Aboriginal and Torres Strait Islander Australians.
5. Most Australians believe that political, business and community institutions should do more to advance reconciliation.

1. Broad multi-partisan political support for reconciliation exists but successive governments' implementation of CAR's recommendations has been mixed.

A scan of the current political landscape and of government action at federal, state and territory levels would suggest broad multi-partisan support for reconciliation.

At the federal level, Indigenous affairs is administered by the Department of the Prime Minister and Cabinet, with a Minister for Indigenous Affairs in Cabinet. All parties and governments across Australia have formal policies outlining their current and intended actions in relation to Aboriginal and Torres Strait Islander Australians; and, as outlined later in this section, government spending on Indigenous affairs is rising year-on-year.

Superficially, support for reconciliation appears to be at an all-time high. Closer examination, however, reveals a more complex picture of political engagement—particularly around implementing CAR's recommendations—and support by government departments and agencies.

Overall, progress against CAR's recommendations has been mixed. After extensive public consultations, CAR drew up two documents detailing its recommended path for reconciliation: the *Australian Declaration Towards Reconciliation* and the *Roadmap for Reconciliation*. At Corroboree 2000 on 27 May 2000, CAR presented these documents to Prime Minister John Howard and other national leaders. In December 2000, CAR handed down its final report to the government, highlighting the unfinished nature of the reconciliation process. This report made six clear recommendations to give effect to the *Roadmap for Reconciliation*. These recommendations were:

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.

Of these recommendations, it is clear that the greatest progress has been made on the first recommendation, mainly through the development of the COAG's *Overcoming Indigenous Disadvantage* framework and *Closing the Gap* policies. As will be outlined later in this section, government investment in this area is substantial and has grown year-on-year.

However, while the Federal Government's effort and investment in this key area cannot be questioned, the results will take time to show and long-term, sustainable funding is required.

In response to CAR's second recommendation, most governments affirm their general support for the reconciliation process, but they have not formally recognised the *Australian Declaration Towards Reconciliation* and the *Roadmap for Reconciliation*.

The government did not respond to CAR's third recommendation on constitutional reform until the 2007 federal election, where Prime Minister John Howard promised that if re-elected, he would hold a referendum to recognise the First Australians in the Constitution. Then opposition leader, Kevin Rudd pledged bipartisan support.

Since then, a number of important steps have been taken towards holding a referendum:

- In 2011, Prime Minister Julia Gillard appointed an Expert Panel to advise on a model and process. The panel consulted across Australia and reported in January 2012.
- In 2013, the Australian Parliament passed the *Aboriginal and Torres Strait Islander Peoples Recognition Act 2013* to maintain momentum towards a referendum
- In December 2013, the Australian Parliament appointed a Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples to take up where the Expert Panel left off.
- In March 2014, Minister for Indigenous Affairs Nigel Scullion appointed a review panel under the *Aboriginal and Torres Strait Islander Peoples Recognition Act 2013* to assess Australia's readiness to support a referendum to recognise Indigenous Australians in the Australian Constitution. The panel delivered its final report in September 2014.
- In June 2015, the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples delivered its final report.
- In December 2015, the Australian Government established the Referendum Council to oversee further community consultations.

Since 2013, the Australian Government has supported the *Recognise* campaign to raise awareness of the need to end the exclusion of Aboriginal and Torres Strait Islander peoples from the Constitution and to rid the document of racial discrimination. Crucially, multi-party support for Constitutional Recognition has been sustained throughout this period.

In relation to the CAR's fourth recommendation, Reconciliation Australia was established in 2000 and receives Federal Government funding. Since 2010, Reconciliation Australia's core annual funding of \$3.6 million has remained stagnant, and will not increase before 2017. This represents a decline in funding for Australia's largest reconciliation organisation of about 20 per cent in real terms over this period. In addition, state and territory government funding for reconciliation councils and local reconciliation groups is mixed, but has fallen far short of what was envisaged.

CAR's final two recommendations relate to developing a negotiated agreement or treaty between the Australian Parliament and Aboriginal and Torres Strait Islander peoples to resolve outstanding issues around reconciliation. All levels of government have failed to implement these recommendations.

Outside of the implementation of CAR's recommendations, broader support for reconciliation by government departments and agencies has been mixed. Among Australian Government agencies, the take-up of RAPs has been strong, with over 70 agencies developing a plan. The Western Australian and South Australian governments have also shown a solid commitment to the RAP program and account for the majority of the 100 state government agencies with RAPs. Local government commitment is growing—over 40 local governments have a RAP and another 70 are developing their first RAP.

Despite this, government agencies' performance on key RAP indicators has, on the whole, been average. In particular, the performance of the Australian Public Service (APS) in relation to Aboriginal and Torres Strait Islander employment and procurement from Aboriginal and Torres Strait Islander businesses has been inadequate, although it varies significantly between departments.

As part of COAG's *Closing the Gap* framework, the APS committed to an Aboriginal and Torres Strait Islander employment target of 2.7 per cent by 2015. In 2014, only 29 per cent of agencies reported having a formal Indigenous employment strategy and only 40 per cent of these made their strategy available on their website.¹¹ In 2010–14, employment rates for Aboriginal and Torres Strait Islander peoples in the APS have been between 2.3 per cent and 2.5 per cent.¹² In 2014, 3,843 Aboriginal and Torres Strait Islander people were employed in the APS, representing 2.4 per cent of the workforce.¹³

The Australian Public Service Commission also notes that the overall rate of Aboriginal and Torres Strait Islander employees leaving the APS has typically been higher than for non-Indigenous employees (at times, it has been double the rate), and that Aboriginal and Torres Strait Islander employees are leaving earlier in their careers. This trend has continued for some years and the retention of Aboriginal and Torres Strait Islander employees in the APS remains an issue.¹⁴

The Australian Government has openly acknowledged the poor performance of government agencies on procurement. In 2012–13, procurement from Aboriginal and Torres Strait Islander businesses by all Commonwealth agencies was estimated to be just \$6.2 million of the \$39 billion spent.¹⁵

Encouragingly, in March 2015, the Australian Government announced new targets of 3 per cent procurement from Aboriginal and Torres Strait Islander businesses by 2020 (estimated to amount to around \$135 million in annual contracts), and 3 per cent Aboriginal and Torres Strait Islander employment across the sector by 2018, which is estimated to be about 7,500 Aboriginal and Torres Strait Islander employees.¹⁶

11 Australian Public Service Commission, *State of Service Report 2013–14*, 2014 available at www.apsc.gov.au/_data/assets/pdf_file/0003/64362/SoSR-2013-14-web.pdf.

12 *ibid.*

13 *ibid.*

14 *ibid.*

15 Department of the Prime Minister and Cabinet, *The Forrest Review: Creating Parity*, Australian Government, 2014, p.184

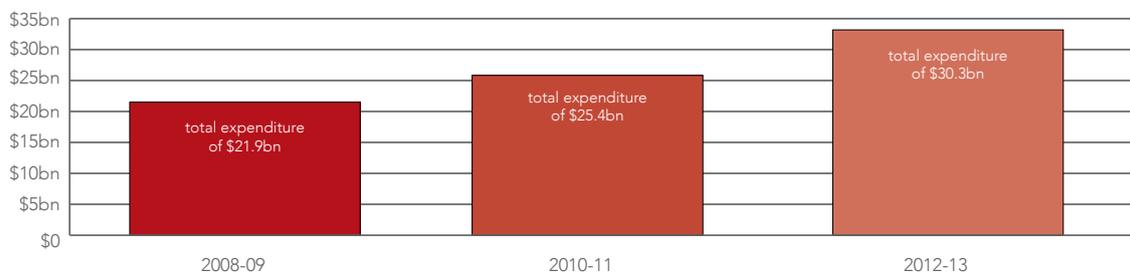
16 Commonwealth Government, Minister Nigel Scullion, *Commonwealth taking steps to increase Indigenous jobs*, media release, Canberra, 17 March 2015, available at <http://minister.indigenous.gov.au/media/2015-03-17/commonwealth-taking-steps-increase-indigenous-jobs>.

2. All Australian Governments' total Aboriginal and Torres Strait Islander expenditure has increased but funding for Aboriginal and Torres Strait Islander specific services has decreased.

All Australian governments' spending on Indigenous programs—both through mainstream and Indigenous-specific services—has been increasing in real terms year-on-year since 2008–09. In 2012–13, direct government spending on services for Aboriginal and Torres Strait Islander people was estimated to be \$30.3 billion, accounting for 6.1 per cent of total direct general government spending (Figure 16).¹⁷ Total direct government spending on services for Aboriginal and Torres Strait Islander people increased in real terms by \$5 billion (or 19.9 per cent) from 2008–09 to 2012–13, while spending on non-Indigenous people increased by 9 per cent.¹⁸ The largest increases in Indigenous expenditure were in:

- building safe and supportive communities
- encouraging healthy living
- supporting early childhood development, education and training.

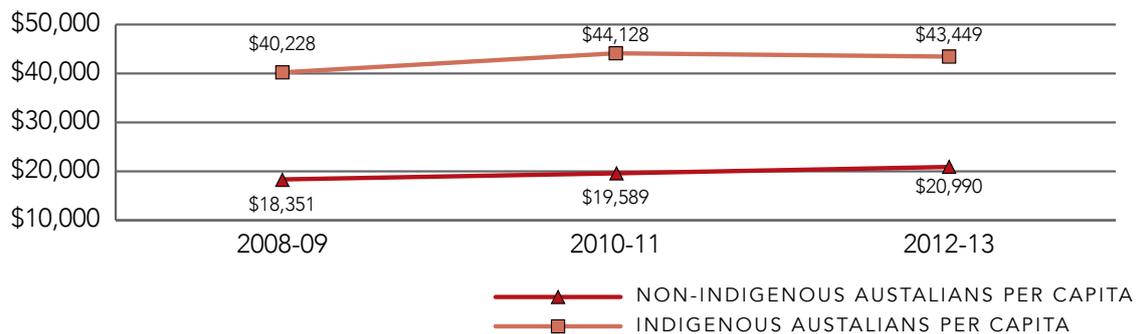
Figure 16: Total Government spending on Aboriginal and Torres Strait Islander people



Source: Productivity Commission, *Indigenous Expenditure Report, Steering Committee for the Review of Government Service Provision, 2010, 2012 and 2014*

On a per capita basis, government spending is considerably higher for Aboriginal and Torres Strait Islander Australians than for non-Indigenous Australians (Figure 17). Estimated spending per person in 2012–13 was \$43,449 for Aboriginal and Torres Strait Islander Australians, compared with \$20,990 for other Australians (a ratio of 2.08 to 1, which is an increase from a ratio of 1.93 to 1 in 2008–09).

Figure 17: Estimated per capita expenditure



Source: Productivity Commission, *Indigenous Expenditure Report, Steering Committee for the Review of Government Service Provision, 2010, 2012 and 2014*

17 Steering Committee for the Review of Government Service Provision (SCRGSP), *2014 Indigenous Expenditure Report*, Productivity Commission, Canberra, available at www.pc.gov.au/research/ongoing/indigenous-expenditure-report/indigenous-expenditure-report-2014#media-release.

18 *ibid.*

While spending on Aboriginal and Torres Strait Islander people has been increasing, it is important to note that the balance of funding for mainstream versus Indigenous-specific services has changed greatly between 2008–09 and 2012–13. While spending on mainstream programs has risen by \$5.1 billion since 2008, funding for Indigenous-specific services has fallen by \$100 million over this period. That is, spending on specific services for Indigenous people has fallen from 22.5 per cent of total government Indigenous spending to just 18.6 per cent.¹⁹

It is also important to note that the PC's *2014 Indigenous Expenditure Report* (the source of all data in this section) does not assess the effectiveness or efficiency of mainstream or Indigenous-specific program spending and notes the differences in Indigenous and non-Indigenous spending are due to complex reasons, such as Aboriginal and Torres Strait Islander peoples' greater intensity of service use and greater needs.²⁰

Many recent reviews have suggested that unsatisfactory progress on *Closing the Gap* has not been due to the amount of spending, but rather the way in which it has been allocated and delivered. This important point was highlighted in the 2010 *Department of Finance Strategic Review of Indigenous Expenditure* and has led to significant reforms of Australian Government services that culminated in the introduction of the Indigenous Advancement Strategy (IAS) in 2014.

Through the IAS, 150 Indigenous programs have been consolidated into five key areas and funding streams—jobs, land and economy; children and schooling; safety and wellbeing; culture and capability; and remote Australia strategies. The IAS has \$4.9 billion of funding over four years (Figure 18).

The IAS reforms have the potential to improve the effectiveness and efficiency of funding for Indigenous affairs. However, until now, the implementation and communication processes for the IAS have caused confusion and anxiety. The combined effect of announcing major reforms to Indigenous affairs funding structures with little detail, while also cutting \$534.4 million from Indigenous affairs in the 2014–15 Budget, caused concern. The subsequent IAS tendering process did little to relieve this uncertainty and anxiety. Not surprisingly, the IAS tendering process was referred to the Senate's Finance and Public Administration References Committee for inquiry in 2015.²¹

On 4 March 2015, the Australian Government announced the results of the first funding round under the IAS. This round included allocating almost \$860 million to 964 organisations to deliver 1,297 projects.²² In May 2015, the government announced that it had increased spending to \$1 billion to honour its commitment to provide longer funding agreements to front-line services.²³

The rapid transition to the IAS structure has left many previously funded organisations and programs without funding or uncertain of their future. Significantly, this includes the Indigenous Education Consultative Bodies (IECBs) in many states and territories, which previously received Federal Government funding and play a critical role advising governments and the Catholic and Independent education sectors on education policy for Aboriginal and Torres Strait Islander students.

19 Steering Committee for the Review of Government Service Provision (SCRGSP), 2014, *2014 Indigenous Expenditure Report*, Productivity Commission, Canberra, available at www.pc.gov.au/research/ongoing/indigenous-expenditure-report/indigenous-expenditure-report-2014#media-release.

20 *ibid.*

21 Senate Standing Committees on Finance and Public Administration, *Commonwealth Indigenous Advancement Strategy tendering process*, March 2015, available at www.aph.gov.au/Parliamentary_Business/Committees/Senate/Finance_and_Public_Administration/Commonwealth_Indigenous.

22 Commonwealth Government, Minister Nigel Scullion, *\$860 million investment through Indigenous Advancement Strategy Grants Round*, media release, Canberra, 4 March 2015, available at <http://minister.indigenous.gov.au/media/2015-03-04/860-million-investment-through-indigenous-advancement-strategy-grants-round>.

23 Commonwealth Government, Minister Nigel Scullion, *IAS grant round investment totals \$1 billion*, media release, Canberra, 27 May 2015, available at <http://minister.indigenous.gov.au/media/2015-05-27/ias-grant-round-investment-totals-1-billion>.

Overall, the IAS grant funding round has lacked transparency and the basis and evidence for funding decisions are unclear. Concerns have also been raised about the proportion of Aboriginal and Torres Strait Islander-controlled organisations recommended for funding under the IAS. According to the Minister for Indigenous Affairs, 46 per cent of organisations funded under the IAS are Indigenous, and they receive 54 per cent of total funding, compared with only 30 per cent previously.²⁴ Other organisations that received funding through the IAS include government agencies, local government authorities and large not-for-profit organisations.

The biennial Reconciliation Australia Indigenous Governance Awards demonstrate that there are a large number of professional, well-run and strategic Aboriginal and Torres Strait Islander organisations across Australia. These organisations employ and train local people; provide purpose, structure and stability to their communities; empower Aboriginal and Torres Strait Islander peoples to take control of their own lives; and often deliver critical services in ways that mainstream organisations cannot. It is critical that Aboriginal and Torres Strait Islander-led organisations receive more funding and support under any new reforms.

The latest 2015–16 Federal Budget contained no major announcements in Indigenous affairs and many in the sector have said that the Federal Government has failed to undo the damage and anxiety caused by cutting funding in the 2014–2015 Budget.²⁵ The last two years, in particular, have been a turbulent time in Indigenous affairs policy, and we are yet to see all the implications of the major IAS reforms.

Figure 18: Summary of allocations under the IAS from the Department of the Prime Minister and Cabinet Portfolio Budget Statements 2015–16.

IAS PROGRAM AREA	2014–15	2015–16	2016–19
Jobs, land and economy: Getting adults into work, fostering Indigenous businesses and assisting Indigenous people to generate economic and social benefits from effective use of their land.	\$773.1m	\$825.6m	\$2.9b over 3 years
Children and schooling: Getting children to school, improving educational outcomes and supporting families to give children a good start in life.	\$292.4m	\$285.5m	\$875.4m over 3 years
Safety and wellbeing: Ensuring that Aboriginal and Torres Strait Islander people are healthy and enjoy the emotional and social wellbeing other Australians experience.	\$241.3m	\$249.5m	\$776.7m over 3 years
Culture and capability: Supporting Aboriginal and Torres Strait Islander people to maintain their culture, participate in the economic and social life of the nation and ensure that organisations are capable of delivering quality services to their clients.	\$49.2m	\$51.6m	\$150.5m over 3 years
Remote Australia strategies: Strategic investment in local, flexible solutions based on community priorities and remote housing and infrastructure.	\$83.2m	\$59.2m	\$160.3m over 3 years

24 Commonwealth Government, Minister Nigel Scullion, *Labor out of touch on Indigenous Affairs*, media release, Canberra, 29 October 2015, available at www.nigelscullion.com/media-hub/indigenous-affairs/labor-out-touch-indigenous-affairs.

25 Russell, Dr Lesley M, Adjunct Professor, Menzies Centre for Health Policy, University of Sydney, *Indigenous Provisions in the 2015–16 Budget*, 2015, available at <http://sydney.edu.au/medicine/public-health/menzies-health-policy/publications/reports.php>.

3. Business and community support for reconciliation is increasing.

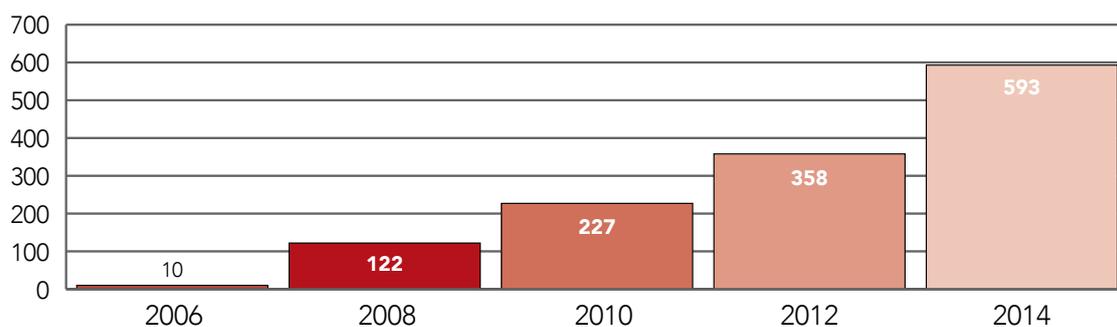
Support for reconciliation from the business and community sectors has increased significantly over the past decade. This is best demonstrated through the growth of Reconciliation Australia's Reconciliation Action Plan (RAP) program.

RAPs are business plans that document what an organisation is doing, within its sphere of influence, to improve reconciliation in Australia. A RAP outlines actions to improve relationships and increase respect between Aboriginal and Torres Strait Islander peoples and other Australians. It also contains actions to increase equality, including through sustainable employment and business opportunities.

The RAP program began in 2006 with eight organisations, including BHP Billiton, ANZ Banking Group and Oxfam Australia. Since then, more than 650 organisations have developed a RAP and another 500 organisations are working on their first plan (Figure 19).

In 2014 alone, 140 organisations, including some of Australia's largest companies, universities, and not-for-profit and community organisations, launched their first RAP. The program is now the largest of its kind in Australia, and possibly the world.

Figure 19: Number of organisations with a RAP



Source: Reconciliation Australia's RAP program data.

The corporate sector has been a strong supporter of the RAP program. Well over 100 of Australia's biggest businesses, including the majority of the ASX 20, now have a RAP. Another 100 businesses are working on their first plan.

Corporate engagement in reconciliation is further demonstrated through the active participation of many of Australia's corporate heavyweights in the Business Council of Australia (BCA) Business—Indigenous Network. BCA companies are continuing to explore and find new ways of supporting Aboriginal and Torres Strait Islander economic and social inclusion. Together, BCA companies now employ more than 15,000 Aboriginal and Torres Strait Islander people.²⁶

More than 200 organisations from Australia's not-for-profit and community sectors have a RAP, and another 200 are developing a plan. These range from large national and international organisations, such as World Vision and The Smith Family, to small local operations delivering critical services to those in need.

National sporting bodies and clubs have also shown strong support for reconciliation. The Australian Football League (AFL), National Rugby League (NRL), the Australian Rugby Union, Netball Australia and Cricket Australia have RAPs and are inspiring other national sporting codes, such as tennis, to follow suit. The large and growing number of AFL and NRL clubs with RAPs is evidence of strong engagement from this sector.

The education sector is also showing growing support for reconciliation. Currently, 33 higher education institutions, including many of Australia's largest universities, have a RAP. Schools and early learning services have also responded positively to Reconciliation Australia's *Narragunnawali: Reconciliation in Schools and Early Learning* program, launched in 2015.

26 Business Council of Australia, *Indigenous Engagement Survey Report*, 2014, Melbourne.

4. RAPs are driving social change and improving economic opportunities for Aboriginal and Torres Strait Islander Australians.

There is strong evidence that the RAP program is making a significant and growing contribution to the national effort to redress disparities in employment, education and health. As at October 2015, RAP organisations:

- employed 35,137 Aboriginal and Torres Strait Islander people (up from just over 13,000 in 2011)
- provided \$77.7 million for educational scholarships for Aboriginal and Torres Strait Islander students (up from \$9.2 million in 2011)
- provided \$100.4 million of pro bono support to Aboriginal and Torres Strait Islander organisations and communities (up from \$2 million in 2011)
- formed 3,961 partnerships with Aboriginal and Torres Strait Islander organisations and communities (up from 161 in 2011)
- provided cultural awareness training to 262,069 employees
- bought goods and services worth \$32.6 million from Aboriginal and Torres Strait Islander certified businesses in 2014-15.

RAPs are also advancing social change by changing the attitudes and behaviors of the three million people working in organisations with a RAP. Data from the ARB and WRB shows that reconciliation seems to be progressing more quickly in these workplaces. Specifically, people in RAP organisations: ²⁷

- are more likely to trust Aboriginal and Torres Strait Islander peoples—77 per cent of RAP employees have high trust for their Aboriginal and Torres Strait Islander colleagues, compared with 26 per cent of people in the general community
- are less prejudiced—only 5 per cent of RAP employees believe that prejudice is high in their organisation, compared with 45 per cent who believe it is high in the general community
- have more frequent interactions with Aboriginal and Torres Strait Islander peoples (46 per cent compared with 30 per cent)
- are more likely to believe that Aboriginal and Torres Strait Islander peoples hold a special place as the First Australians—82 per cent of RAP organisation employees, compared with 71 per cent of the general community agree
- are more proud of Aboriginal and Torres Strait Islander cultures—71 per cent of RAP employees are proud of Aboriginal and Torres Strait Islander cultures, compared with 57 per cent of the general community.

These results show that organisations that have a RAP are making concerted efforts to address relationships, respect and opportunities for Aboriginal and Torres Strait Islander peoples and are improving the attitudes and views of their workforce.

5. Most Australians believe that political, business and community institutions should do more to advance reconciliation.

Despite some progress, the ARB results show that the majority of both Aboriginal and Torres Strait Islander people and the general community feel that all sectors should do more to improve education, employment and health outcomes for Aboriginal and Torres Strait Islander peoples.

Seventy-eight per cent of Aboriginal and Torres Strait Islander respondents believe the government needs to do more to close the gap in health and education outcomes, while 77 per cent think the government needs to do more to reduce prejudice. Fifty-seven per cent of the general population believes that more needs to be done to reduce prejudice.

Most ARB respondents also believed that the corporate sector, Aboriginal and Torres Strait Islander organisations and, to a lesser extent, the community sector, need to do more to close the gap and reduce prejudice. Seventy-two per cent of Aboriginal and Torres Strait Islander people believe the corporate sector should do more to close the employment gap, with 32 per cent believing they should do a lot more.

Overall, ARB respondents from the general community are more likely than Aboriginal and Torres Strait Islander respondents to believe every group (government, business, community organisations and Aboriginal and Torres Strait Islander organisations) was doing all it could to close the gap, reduce prejudice and improve the relationship between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians.

2.2.4 UNITY

DEFINITION:

Unity refers to an Australian society that values and recognises Aboriginal and Torres Strait Islander cultures and heritage as a proud part of a shared national identity. It also refers to citizens who work to build this pride and shared identity through reconciliation efforts.

HYPOTHESIS:

Reconciliation is more likely to progress when all members of society feel valued and recognised as part of a shared national identity. We will not be fully reconciled until all Australians value Aboriginal and Torres Strait Islander cultures, histories, and rights.

KEY QUESTIONS:**MEASURES:**

1. What do Australians believe a shared national identity to be?

- Level of belief that Australia can be united
 - Level of agreement with certain symbols of unity
 - Nature of suggested symbols of unity
-

2. How much understanding and recognition of Aboriginal and Torres Strait Islander cultures and heritage is there among all Australians?

- Level of acceptance that Aboriginal and Torres Strait Islander peoples have a unique place
 - Level of understanding and acceptance of Aboriginal and Torres Strait Islander peoples
 - Impact of the Apology
 - Amount of pride
-

3. How engaged are Australians in reconciliation efforts?

- Participation in reconciliation activities
-

DATA SOURCES:

- Australian Reconciliation Barometer (ARB) 2014
 - Workplace RAP Barometer (WRB) 2014
-

KEY FINDINGS:

1. Many Australians (65 per cent) believe it is possible for Australia to be united.
 2. Most Australians (72 per cent) believe Aboriginal and Torres Strait Islander cultures are important to Australia's national identity and agree that Aboriginal and Torres Strait Islander peoples hold a unique place as the First Australians (71 per cent).
 3. Pride in Aboriginal and Torres Strait Islander cultures is increasing.
 4. Australians' knowledge of Aboriginal and Torres Strait Islander histories and cultures is limited (only 30 per cent are knowledgeable) but most Australians (83 per cent) believe it is important to know more and strongly support Aboriginal and Torres Strait Islander histories being a compulsory part of the school curriculum.
 5. Some Australians (44 per cent) want to support reconciliation but most don't know how (76 per cent). When people participate in reconciliation activities, their knowledge improves and their views on the relationship change significantly.
 6. Some Australians (49 per cent) believe the Apology has improved our relationship but many Australians strongly support new actions to unify Australia, including recognising Aboriginal and Torres Strait Islander peoples in the Constitution.
-

1. Many Australians believe it is possible for Australia to be united.

The 2014 ARB shows that Australians are generally optimistic about the prospects for a unified country, with 65 per cent of the general community agreeing this is possible. However, 14 per cent of the general community are unconvinced this can occur.

Seventy per cent of Aboriginal and Torres Strait Islander people believe it is possible for Australia to become united. Twenty-nine per cent strongly agree with this statement, revealing very positive sentiment among a large cohort of Aboriginal and Torres Strait Islander people.²⁸

2. Most Australians believe Aboriginal and Torres Strait Islander cultures are important to Australia's national identity and agree that Aboriginal and Torres Strait Islander peoples hold a unique place as the First Australians.

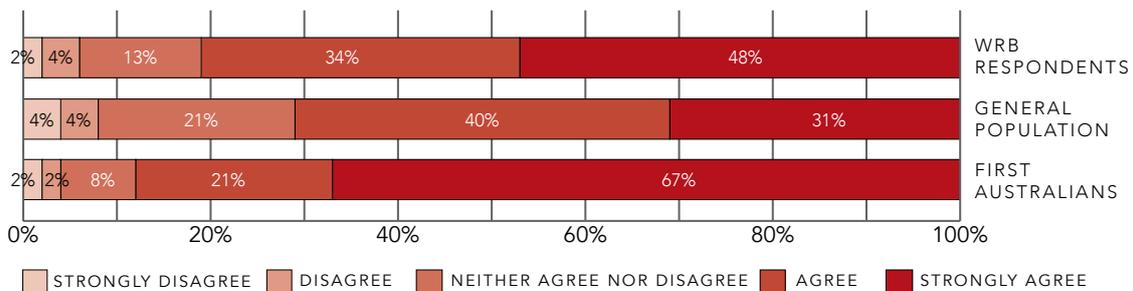
The 2014 ARB shows that the majority of the general community (72 per cent) believe that Aboriginal and Torres Strait Islander cultures are important to Australia's national identity, with just 8 per cent disagreeing with this statement.²⁹ This supports the findings of *Victoria Health's Community Attitudes Survey 2013*, in which 83 per cent of respondents agreed that Aboriginal people hold a special place as the First Australians.³⁰

Eighty-seven per cent of Aboriginal and Torres Strait Islander Australians see their culture as an important part of Australia's national identity (Figure 20). But the number who view it as very important has fallen from 92 per cent in 2008 to 59 per cent in 2014.

The views of RAP employees are very different to those of the general community. The 2014 WRB found that 87 per cent of RAP employees believe Aboriginal and Torres Strait Islander cultures are important to Australia's national identity.³¹

Agreement is also very strong that Aboriginal and Torres Strait Islander peoples hold a unique place as the First Australians, with 71 per cent of the general community and 88 per cent of Aboriginal and Torres Strait Islander people agreeing with this statement (Figure 20).

Figure 20: Do Aboriginal and Torres Strait Islander peoples hold a unique place as the First Australians?



Sources: ARB 2014, Question 19, and WRB 2014, Question 10: "Do you agree or disagree that Aboriginal and Torres Strait Islander peoples hold a unique place as the First Australians?"

28 ARB 2014, Question 7, Level of agreement with: "I believe it is possible for all Australians to become united".

29 ARB 2014, Question 14, Level of agreement with: "Aboriginal and Torres Strait Islander cultures are important to Australia's identity as a nation".

30 VicHealth, 2014, *Findings from the 2013 survey of Victorians' attitudes to race and cultural diversity*, Victorian Health Promotion Foundation, Melbourne, Australia.

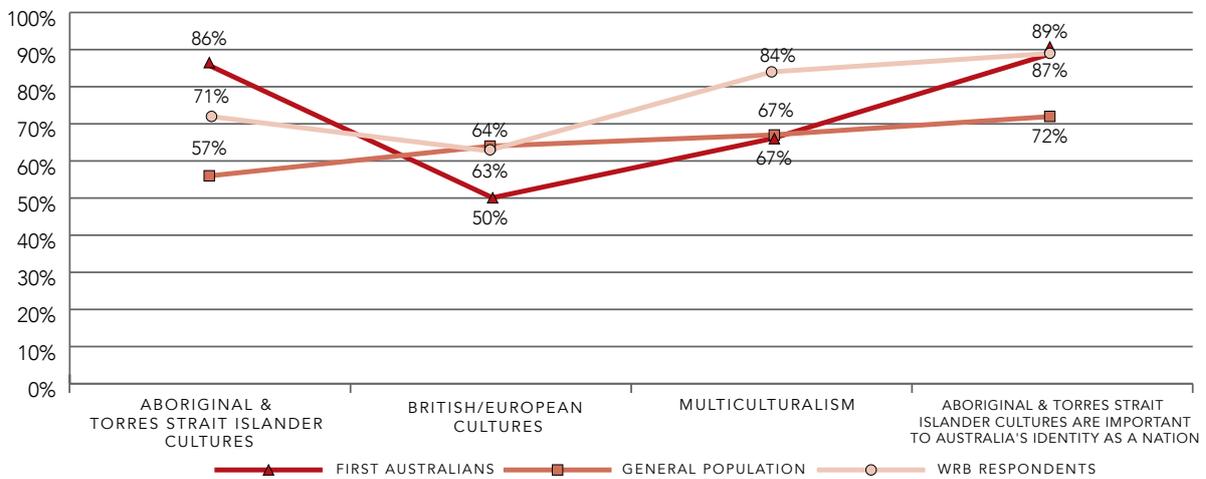
31 WRB 2014, Question 9, Level of agreement with: "Aboriginal and Torres Strait Islander cultures are important to Australia's identity as a nation".

3. Pride in Aboriginal and Torres Strait Islander cultures is increasing.

The number of Australians who are proud of Aboriginal and Torres Strait Islander cultures has risen slightly, from 51 per cent in 2012 to 57 per cent in 2014. Ten per cent of 2014 ARB survey respondents indicated that they did not feel a sense of pride, while 34 per cent did not commit either way. However, the general community is more likely to agree they are proud of Australia’s multiculturalism (67 per cent) or British and European cultures (64 per cent) than they are of Aboriginal and Torres Strait Islander cultures (57 per cent) (Figure 21).

Conversely, Aboriginal and Torres Strait Islander people are much more likely to agree they are proud of their cultures (86 per cent), although this attitude has softened with fewer strongly agreeing than in 2012. Aboriginal and Torres Strait Islander respondents also mostly agree they are proud of Australia’s multiculturalism (67 per cent) and British and European cultures (50 per cent).

Figure 21: Proportion of respondents who are proud of various cultures

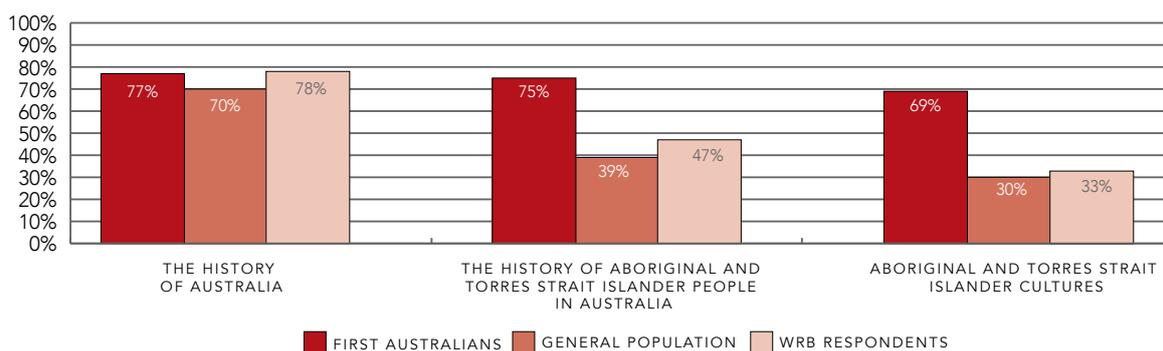


Sources: ARB 2014, Question 18 and WRB 2014, Question 9: “As an Australian, or as someone living in Australia, please indicate your level of agreement with the following statements ...”

4. Australians’ knowledge of Aboriginal and Torres Strait Islander histories and cultures is limited but most Australians believe it is important to know more and strongly support Aboriginal and Torres Strait Islander histories being a compulsory part of the school curriculum.

Lack of knowledge about Aboriginal and Torres Strait Islander peoples’ histories and cultures is widespread among the general community, with 70 per cent claiming to have limited knowledge or none at all. Just 30 per cent of the general community believe they are knowledgeable about Aboriginal and Torres Strait Islander cultures. This figure has remained stagnant since 2008. Unsurprisingly, Aboriginal and Torres Strait Islander respondents are more likely to be knowledgeable about their peoples’ histories (75 per cent) and cultures (69 per cent), than the general community (39 per cent and 30 per cent respectively).

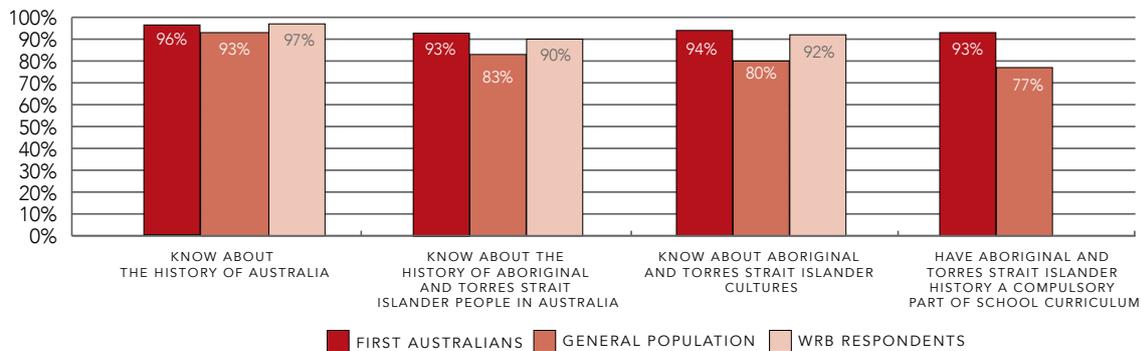
Figure 22: Proportion of respondents with a high level of knowledge about various topics



Sources: ARB 2014, Question 15, and WRB 2014, Question 8: “How would you describe your level of knowledge about the following topics?”

Despite this, most general community respondents (83 per cent) believe it is important to know about the histories of Aboriginal and Torres Strait Islander peoples, and 80 per cent believe it is important to know about Aboriginal and Torres Strait Islander cultures (Figure 23).

Figure 23: Proportion of people who agree it is important to know about various topics



Sources: ARB 2014, Questions 16 and 17, and WRB 2014, Question 9: "How important is it that Australians know about the following topics?" Note, the WRB did not ask for respondents' views on school curriculum

Support is very strong among all Australians to maintain Aboriginal and Torres Strait Islander histories as a compulsory part of the school curriculum. Ninety-three per cent of Aboriginal and Torres Strait Islander people and 77 per cent of the general community support this.

The Australian curriculum currently identifies Aboriginal and Torres Strait Islander histories and cultures as a cross-curriculum priority. However, in 2014, the Australian Government commissioned a review of the national curriculum, which recommended—in the context of reducing the overcrowded curriculum—that the Australian Curriculum, Assessment and Reporting Authority reconceptualise the cross-curriculum priorities.³² Initially, the Australian Government supported this recommendation, indicating a possible shift away from teaching Aboriginal and Torres Strait Islander histories and cultures in schools, which would be contrary to the views of the vast majority of the public. From recent announcements, it appears that this is not the case.³³

5. Some Australians want to do something to support reconciliation but most don't know how. When people participate in reconciliation activities, their knowledge improves and their views on the relationship change significantly.

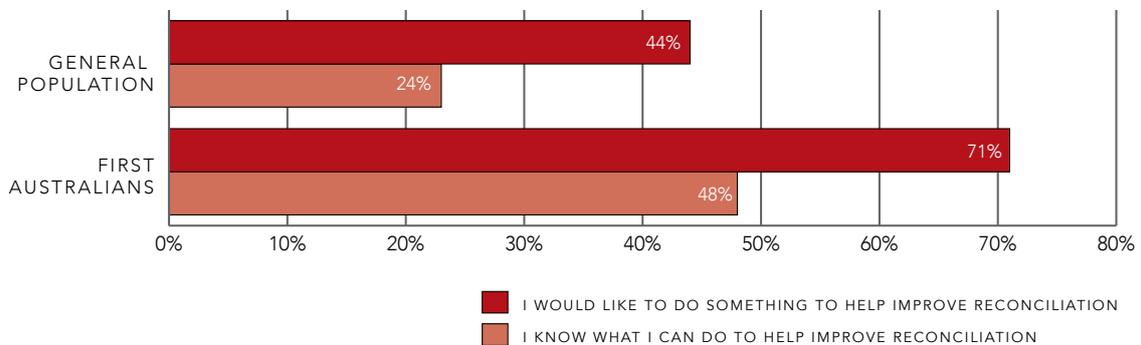
In the general community, 44 per cent have indicated they would like to do something to improve reconciliation. Active engagement is higher among the Aboriginal and Torres Strait Islander community, with 71 per cent indicating they would like to do something to improve reconciliation (Figure 24).

This goodwill is backed up by the increasing number of National Reconciliation Week events held around the nation every year (well over 1,000 events were registered in 2014 and 2015), and by the formal support of more than 250,000 people for the *Recognise* campaign.

32 Department of Education, *Review of the Australian Curriculum: Initial Australian Government Response*, Australian Government, October 2014.

33 Australian Curriculum Assessment and Reporting Authority, *Improving the Australian Curriculum Factsheet*, available: http://www.acara.edu.au/verve/_resources/20150508_IMPROVING_AUST_CUR_v_2_2.pdf

Figure 24: Active support for reconciliation

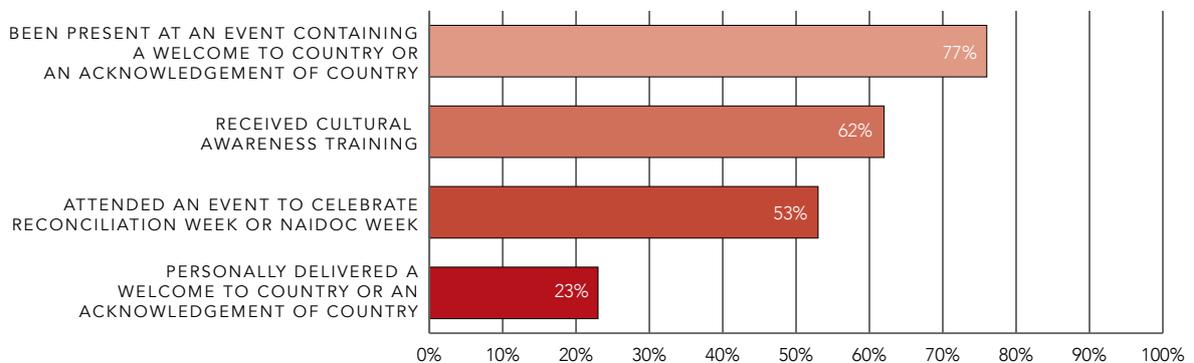


Source: ARB 2014, Question 22: "Please indicate your level of agreement with the following statements..."

Despite these encouraging signs, evidence shows that many people are not sure how to contribute to reconciliation. Only 48 per cent of Aboriginal and Torres Strait Islander people and 24 per cent of the general community indicated that they knew what they could do to support reconciliation.

The experience of employees in workplaces with a RAP is different because the majority have participated in reconciliation-related activities (Figure 25). Sixty-two per cent have attended cultural awareness training and 77 per cent have attended an event with a Welcome to Country or Acknowledgment of Country, and 23 per cent had personally delivered an acknowledgment.

Figure 25: RAP workplace employee participation in reconciliation activities



Source: WRB 2014, Question 12: "Have you undertaken any of the following activities either within or outside your current organisation?"

Employees who participated in these activities found them enjoyable and educational, and they felt more positive about Aboriginal and Torres Strait Islander peoples and cultures (Figure 26).

Figure 26: Impact of RAP workplace employee participation in reconciliation activities

ENJOYED THE ACTIVITY		
1	National Reconciliation Week/NAIDOC Week activities	89%
2	Welcome to Country/Acknowledgement of Country	81%
3	Cultural awareness training	75%
LEARNT SOMETHING FROM THE ACTIVITY		
1	Cultural awareness training	81%
2	National Reconciliation Week/NAIDOC Week activities	79%
3	Welcome to Country/Acknowledgement of Country	64%
FELT MORE POSITIVELY ABOUT ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES AND CULTURES AFTER THE ACTIVITY		
1	National Reconciliation Week/NAIDOC Week activities	69%
2	Welcome to Country/Acknowledgement of Country	63%
3	Cultural awareness training	57%

Source: WRB 2014, Question 13: "Indicate your level of agreement with respect to the following activities—which you enjoyed the most, learnt the most and felt more positively about Aboriginal and Torres Strait Islander people and cultures"

It is also clear that employees who participated in at least one reconciliation activity had far more positive views. Specifically, the WRB found that employees who had participated in at least one RAP activity with their current organisation are:

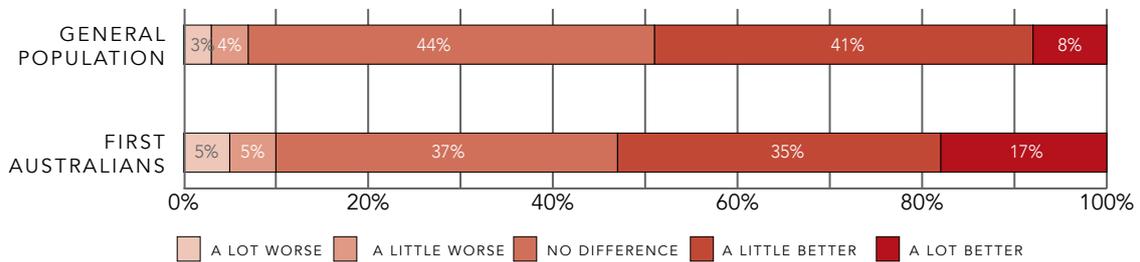
- more likely to see the relationship between Aboriginal and Torres Strait Islander and non-Indigenous colleagues as very good (57 per cent) than those who hadn't participated (44 per cent)
- more likely to see the relationship between Aboriginal and Torres Strait Islander and non-Indigenous colleagues as very important (73 per cent) than those who hadn't participated (58 per cent)
- more likely to be knowledgeable about the histories of Aboriginal and Torres Strait Islander peoples (51 per cent) than those who hadn't participated (37 per cent)
- more likely to see the trust between non-Indigenous and Aboriginal and Torres Strait Islander colleagues as very high (32 per cent) than those who hadn't participated (21 per cent)
- much more likely than the general public to view the relationship as very important (73 per cent compared with 43 per cent).

6. Some Australians believe the Apology has improved our relationship but many Australians support new actions to unify Australia, including recognising Aboriginal and Torres Strait Islander peoples in the Constitution.

Around half of ARB respondents (49 per cent) agreed that the Apology has made the relationship between Aboriginal and Torres Strait Islander and non-Indigenous Australians either a lot or a little better (Figure 27). Fifty-two per cent of Aboriginal and Torres Strait Islander people believe the Apology has made the relationship better.

However, a significant proportion of both groups stated the Apology has made no difference (37 per cent of Aboriginal and Torres Strait Islander people and 44 per cent of the general population).

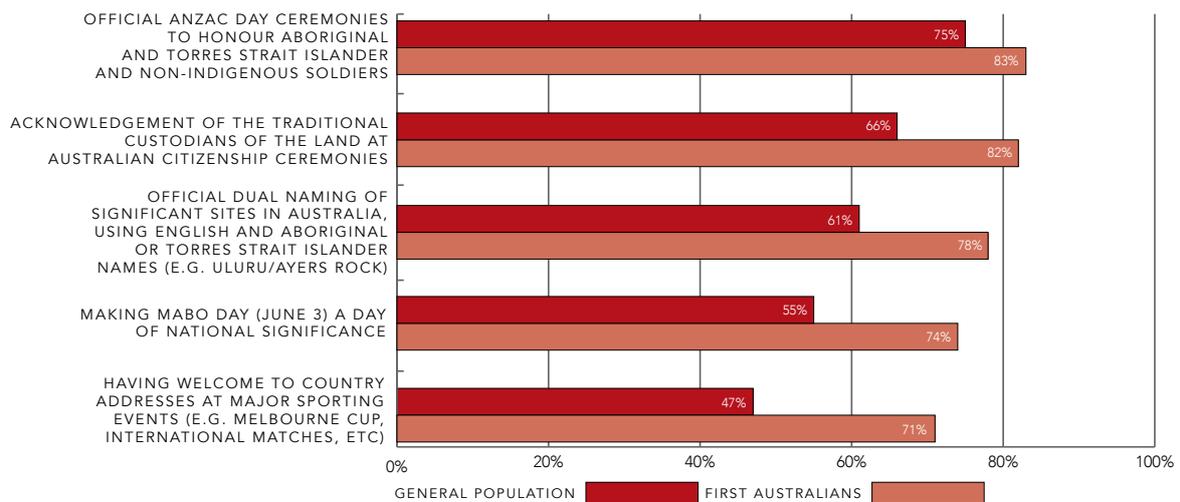
Figure 27: Impact of the Apology on our relationship



Source: ARB 2014, Question 20: "What effect, if any, do you think the Apology has had on the relationship between Aboriginal and Torres Strait Islander people and other Australians"

The ARB also clearly shows that both Aboriginal and Torres Strait Islander and non-Indigenous Australians believe other steps could be taken to build a greater sense of national unity. Support is particularly strong for official ANZAC Day ceremonies to honour both Aboriginal and Torres Strait Islander and non-Indigenous soldiers; Acknowledgement of the Traditional Custodians of the land at Australian Citizenship ceremonies; and official dual naming of significant sites in Australia. Fifty-five per cent of the general community support making Mabo Day (3 June) a day of national significance (Figure 28).

Figure 28: Support for actions to celebrate unity in Australia



Source: ARB 2014, Question 24: "Do you feel the following changes/events would celebrate this unity in Australia?"

It is also apparent that support is very strong throughout the community for recognising Aboriginal and Torres Strait Islander peoples in the Australian Constitution.

Polling released in May 2015 showed that if a referendum were held on constitutional recognition for Aboriginal and Torres Strait Islander peoples, 75 per cent of all Australians would vote 'yes'. Eighty-seven per cent of Aboriginal and Torres Strait Islander peoples indicated they would support the referendum.³⁴

Importantly, the polling also found that the crucial double majority (an overall national majority plus a majority in at least four of the six states) would be secured, with most people in all states intending to vote 'yes'.

34 Recognise, An overwhelming 'yes' if recognise vote were held today, media release, Sydney, 18 May 2015, available at www.recognise.org.au/wp-content/uploads/2015/05/5-MR-ReadyToRecognise18May2015.pdf.

2.2.5 HISTORICAL ACCEPTANCE

Historical acceptance refers to all Australians understanding and accepting agreed facts about the wrongs of the past, and their historical and contemporary impact. Historical acceptance includes making amends for these wrongs and ensuring they are never repeated.

DEFINITION:

For the purposes of this report, the general ‘wrong’ referred to is the dispossession and marginalisation of Aboriginal and Torres Strait Islander peoples as a result of colonisation. This general wrong comprises many ‘wrongs’, ranging from armed conflict and massacres to active policies to segregate and assimilate Aboriginal and Torres Strait Islander peoples. A comprehensive examination of the wrongs experienced by Aboriginal and Torres Strait Islander peoples since European colonisation is beyond the scope of this report. As such, specific wrongs that have a well-established evidence base (often gathered through national inquiries) and reliable data are used. The specific wrongs examined are:

- land dispossession
- forced removal of Aboriginal and Torres Strait Islander children from their families
- failure to pay Aboriginal and Torres Strait Islander workers’ wages
- imprisonment and deaths in custody.

HYPOTHESIS:

Reconciliation is more likely to progress when all Australians acknowledge the wrongs and forgive with a view to moving forward and not repeating the wrongs of the past.

KEY QUESTIONS:

MEASURES:

1. How much understanding and acceptance of the wrongs of the past do all Australians have?	<ul style="list-style-type: none"> • Level of individual understanding of stated wrongs • Types of wrongs
2. How much understanding and acceptance of the effect of these wrongs do all Australians have?	<ul style="list-style-type: none"> • Effects of wrongs identified by individuals • Individual understanding of the effects of stated wrongs • Cause behind the effect of wrongs
3. To what extent have these wrongs been repaired?	<ul style="list-style-type: none"> • Types of reparations identified by individuals • Degree of reparations • Existence of reparations for: <ul style="list-style-type: none"> • land dispossession • stolen wages • Stolen Generations
4. To what extent are historical wrongs being repeated in contemporary settings?	<ul style="list-style-type: none"> • Change over time in: <ul style="list-style-type: none"> • imprisonment rates • deaths in custody rates • out-of-home care rates

DATA SOURCES:

- Australian Reconciliation Barometer (ARB) 2014
- Child Protection Australia reports 2001–13
- Deaths in Custody in Australia reports 2002–11
- National Native Title data 1998–2014
- Prisoners in Australia reports 2000–14
- Stolen wages data (various)
- Stolen Generations reparations data (various)

KEY FINDINGS:

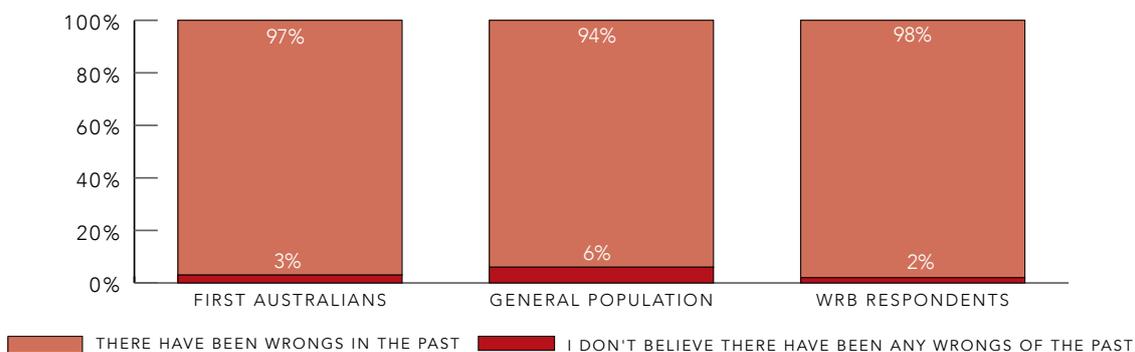
1. Most Australians (94 per cent) agree that wrongs towards Aboriginal and Torres Strait Islander peoples occurred as a result of European settlement.
2. Many Australians accept facts about past injustices but are unsure of the details. However, it is widely agreed that it is important for all Australians to learn more about past issues.
3. Australians are divided on the nature and extent of the effect of past wrongs on the lives of Aboriginal and Torres Strait Islander peoples today. Between 50 per cent and 60 per cent of the general community agree that past race-based policies have created today's disadvantage.
4. Australians have widely varying views on forgiveness and moving on, and progress on repairing the wrongs of the past has been mixed.
5. Australia is repeating some of the wrongs of the past and urgent, well-considered action is needed.

1. Most Australians agree that wrongs towards Aboriginal and Torres Strait Islander peoples occurred as a result of European settlement.

The 2014 ARB and WRB surveys indicate high levels of general understanding and acceptance of the wrongs of the past. The ARB shows that 94 per cent of the general community agree that European settlement led to past wrongs. This figure increased to 97 per cent for Aboriginal and Torres Strait Islander respondents and to 98 per cent for survey respondents from organisations that have a RAP in place (Figure 29).

General awareness and acceptance within the community appears to have increased over time. A 1999–2000 Newspoll survey conducted for CAR found that 84 per cent of community respondents agreed that Aboriginal and Torres Strait Islander peoples were treated harshly in the past.³⁵

Figure 29: Agreement that wrongs of the past have occurred due to European settlement



Sources: ARB 2014, Question 40, and WRB 2014, Question 27: "In terms of the history of European settlement in Australia, which of the following statements do you most agree with?"

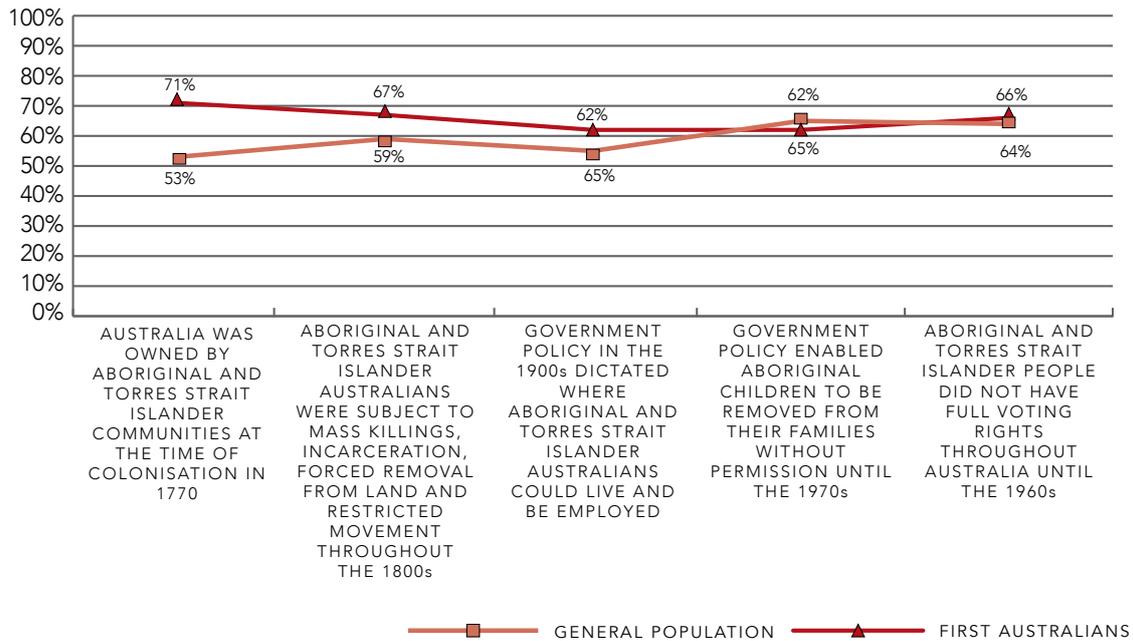
2. Many Australians accept facts about past injustices but are unsure of the details. However, it is widely agreed that it is important for all Australians to learn more about past issues.

ARB survey respondents were asked to indicate whether they agreed with five facts about wrongs of the past (Figure 30). For each fact, more than half of the respondents agreed that the wrong had taken place. Around one-third indicated they were unsure, with a relatively small group (typically 10–15 per cent) not agreeing with the facts.

35 Council for Aboriginal Reconciliation, *Reconciliation: Australia's challenge, final report to the Prime Minister and the Commonwealth Parliament*, December 2000.

General community respondents mostly agreed on statements about the Stolen Generations and lack of voting rights, with 65 per cent and 64 per cent of respondents respectively agreeing with these facts. Fewer respondents agreed with the statements about mass killings, imprisonment and forced removal from lands (59 per cent) and that government policy dictated where Aboriginal and Torres Strait Islander people could live and work in the 1900s (55 per cent).

Figure 30: Agreement on key facts about past wrongs



Source: ARB 2014, Question 35: "I accept the following facts about Australia's past"

While the ARB shows views are mixed on whether certain events took place, and many of us are unsure about the facts of the past, we widely agree that it is important for all Australians to learn more about past issues related to European settlement.

Eighty-five per cent of ARB respondents indicated that it is important for Australians to learn more about past issues, and 39 per cent of the respondents indicated that this is very important.

Not surprisingly, Aboriginal and Torres Strait Islander peoples' responses were overwhelmingly positive, with 93 per cent agreeing it is important, and around two-thirds indicating that it is very important for all Australians to learn more about past issues.

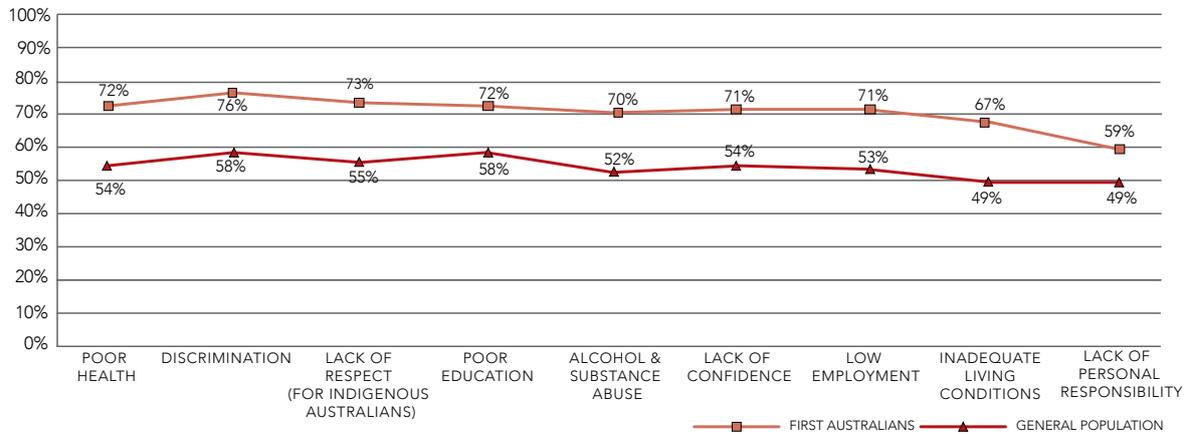
3. Australians are divided on the nature and extent of the effect of past wrongs on the lives of Aboriginal and Torres Strait Islander Australians today.

The general community are far less likely than Aboriginal and Torres Strait Islander respondents to agree that past government policies are responsible for many forms of disadvantage First Australians experience today. Between 49 per cent and 58 per cent of general community respondents agree that past race-based policies have created today's disadvantage. This compares with between 59 per cent and 76 per cent of Aboriginal and Torres Strait Islander Australians (Figure 31). This shows a gap in understanding of the intergenerational and ongoing effect of past wrongs on the Aboriginal and Torres Strait Islander community.

In addition, 34 per cent of the general community believe that Aboriginal and Torres Strait Islander people are responsible for their own disadvantage and 36 per cent are unsure of the cause of Indigenous disadvantage.³⁶

36 ARB 2014, Question 37: "Level of agreement: Aboriginal and Torres Strait Islander Australians are responsible for their own disadvantages today".

Figure 31: Agreement that past race-based policies are a cause of the following disadvantages suffered by some Aboriginal and Torres Strait Islander peoples



Source: ARB 2014, Question 39: "Past race-based policies are a cause of the following disadvantages suffered by some Aboriginal and Torres Strait Islanders"

4. Australians have widely varying views on forgiveness and moving on, and progress on repairing the wrongs of the past has been mixed.

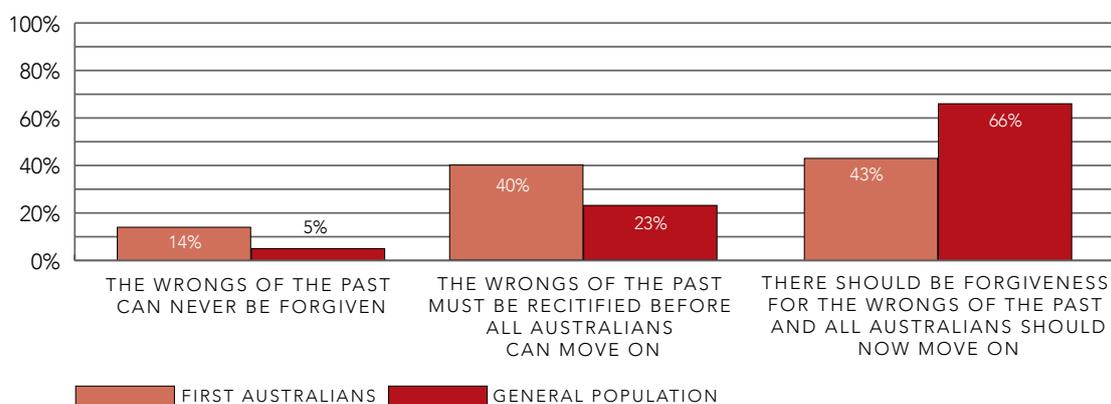
ARB survey respondents indicated widely differing perspectives on forgiveness, ranging from the view that the wrongs of the past can never be forgiven through to the need for reparations and the more commonly held view that there should be forgiveness and it is time to move on (Figure 32).

Fourteen per cent of Aboriginal and Torres Strait Islander respondents believe that the wrongs of the past can never be forgiven, with only five per cent of the general community sharing this view. More Aboriginal and Torres Strait Islander respondents (40 per cent) than general community respondents (23 per cent) believe that the wrongs of the past need to be rectified before we can move on.

Sixty-six per cent of the general community believe the wrongs of the past should be forgiven and that all Australians should now move forward. This was also the most commonly held view among Aboriginal and Torres Strait Islander respondents but, at 43 per cent, the level of agreement was well below that of the broader community.

These results show that most of the general community believe there should be forgiveness for the wrongs of the past and we should now move on, whereas Aboriginal and Torres Strait Islander respondents have more split views.

Figure 32: Views on forgiveness for past wrongs



Source: ARB 2014, Question 40: "In terms of the history of European settlement in Australia, which of the following statements do you most agree with?"

The institutional response to past wrongs makes it is clear that efforts to repair past wrongs have been mixed.

Land justice

Aboriginal and Torres Strait Islander people have led a long struggle for land rights throughout modern Australian history. The land rights movement began with two significant events—the Yolngu people from north-east Arnhem Land presented the Yirrkala bark petitions to the Australian Parliament in August 1963 and the Gurindji people walked off the Wave Hill station in 1966.

Since the first land rights legislation, the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth), was passed most states and territories have introduced laws recognising dispossession and dislocation from land. In 1992, the High Court of Australia recognised Aboriginal and Torres Strait Islander peoples' native title to land and waters and rejected the notion of *terra nullius* or land belonging to no-one. This decision led to the establishment of the *Native Title Act 1993* (Cth).

Reparations for dispossession of land are now occurring through native title, land acquisition by the Indigenous Land Corporation (ILC) and state-based land rights legislation. Traditional owners and Aboriginal and Torres Strait Islander groups now hold native title, leasehold title and freehold title over about 20 per cent of Australia's land mass.³⁷

Since the introduction of the *Native Title Act 1993* (Cth) and the establishment of the ILC:

- 327 applicants have had their claims for native title upheld (either wholly or partially)³⁸
- 1,013 Indigenous Land Use Agreements have been registered³⁹
- 3,539 determinations on 'future acts' have been registered⁴⁰
- the ILC has acquired 6.1 million hectares of land for the benefit of Aboriginal and Torres Strait Islander peoples.⁴¹

Land rights legislation and native title have also led to important agreement-making processes with Aboriginal and Torres Strait Islander peoples in the areas of land, resources, health, education and research.⁴² This is demonstrated by the recent break through cases such as the Akiba, Barkindji and the Noongar settlement decisions. However, it is clear that Aboriginal and Torres Strait Islander people are presented with many hurdles in relation to the use of their land such as legal and administrative obstacles, which present major barriers to economic development. Therefore, while considerable progress in the area has been made, much more is still to be done.

Wage justice

Throughout the 19th and 20th centuries, governments put in place extensive controls on the employment, working conditions and wages of Aboriginal and Torres Strait Islander people. These controls permitted, both explicitly and implicitly, the non-payment of wages to some Aboriginal and Torres Strait Islander workers, as well as the underpayment of wages, and the diversion of wages into trust and savings accounts.⁴³ It has been estimated that the overall amount of wages, savings and benefits owed to Aboriginal and Torres Strait Islander people in Queensland alone is as much as \$500 million in today's value.⁴⁴

In 2006, the Senate Standing Committee on Legal and Constitutional Affairs completed the *Unfinished business: Indigenous stolen wages* inquiry, which found:

"compelling evidence that governments systematically withheld and mismanaged Indigenous wages and entitlements over decades. In addition, there is evidence of Indigenous people being underpaid or not paid at all for their work. These practices were

37 Indigenous Land Corporation, 2014, *Our Land, Our Future*, available:

<https://www.youtube.com/watch?v=YKGvxAevWgg>

38 National Native Title Tribunal, *statistics*, accessed 21 October 2015, available at www.nntt.gov.au/Pages/Statistics.aspx.

39 *ibid.*

40 *ibid.*

41 Indigenous Land Corporation, *Land Purchased*, accessed 21 October 2015, available at <https://www.ilc.gov.au/Home/Land-Purchased>.

42 Agreements, treaties and negotiated settlement project, *Agreement Making with Indigenous Peoples: Background Material*, available at www.atns.net.au/page.asp?PageID=1#aust.

43 Standing Committee on Legal and Constitutional Affairs, December 2006, *Unfinished Business, Indigenous Stolen Wages*.

44 Gunstone, Andrew, 2014, 'Indigenous stolen wages and campaigns for reparations in Victoria', *Indigenous Law Bulletin*, May/June Vol 8, Issues 12, available at www.austlii.edu.au/au/journals/ILB/2014/16.pdf.

implemented from the late 19th century onwards and, in some cases, were still in place in the 1980s. Indigenous people have been seriously disadvantaged by these practices across generations. Many of those affected are now elderly and in poor health. It is therefore imperative that governments take immediate action to address these injustices. It would be an abrogation of moral responsibility to delay any further, particularly with the knowledge that the age and infirmity of the Indigenous people affected by these practices limit their capacity to pursue claims.”

To date, three states—New South Wales (NSW), Queensland and Western Australia—have implemented stolen wages reparation schemes, which have been met with mixed reactions about their adequacy. Combined to date, these states have paid out about \$74.56 million to individuals (or their families) whose wages were stolen.⁴⁵

Of the reparations schemes implemented to date, the NSW scheme is considered the best model so far.⁴⁶ In 2004, the NSW Government apologised to the Indigenous people of NSW for the management of monies paid into the Aboriginal Trust Fund and announced the Aboriginal Trust Fund Repayment Scheme. The scheme was developed after community consultation and officially began in 2005 with no cap on repayment amounts. The scheme allowed oral evidence, practical support and counselling for claimants, who were not required to sign an indemnity, and repayments of \$12.9 million were made.⁴⁷ Reactions to the scheme were generally positive although, some claimed the amount owed was under-estimated.

The stolen wages reparation schemes introduced so far in Queensland and Western Australia have been criticised as inadequate.⁴⁸

The Queensland Government has introduced two schemes. In 1999, the first, the Underpayment of Award Wages scheme, paid \$40 million to Aboriginal and Torres Strait Islander workers the Government employed on Aboriginal reserves between 31 October 1975 and 29 October 1986. The funds were paid in one-off sums of \$7,000 to individuals.⁴⁹ In 2002, the Queensland Government established the Indigenous Wages and Savings Reparations Scheme, which gave \$2,000 to \$4,000 to people born before 1957, who were still alive and could prove claims of lost wages under the ‘protection’ Acts. The Queensland Government paid \$19.11 million for 5,413 claims. At the time, the offer received criticism for its inadequacy, the indemnity requirement, the reliance on documentary evidence, and the lack of community consultation.⁵⁰

In 2015, the Queensland Government committed an extra \$21 million in funding over three years to further address reparations for the wages and savings stolen from Aboriginal and Torres Strait Islander Queenslanders. This process includes a special taskforce of community representatives to advise government on eligibility and assessment of claims. The scheme began in late 2015 and will run until 2018.⁵¹

The Western Australian Government announced a stolen wages taskforce in 2008 and the Stolen Wages Reparation Scheme WA in 2012, which offered a maximum of \$2,000 to Aboriginal people whose wages had been stolen. It received 2,026 applications, of which 1,276 were found eligible, and \$2,552,000 was paid out.⁵² During its inquiry, the Federal Senate Committee received substantial evidence that Aboriginal people in Western Australia were denied or underpaid wages in a similar effect and extent to that which occurred in Queensland.⁵³

45 NSW Department of Premier and Cabinet Annual Report 2011–12, p. 19, The Senate, Standing Committee on Legal and Constitutional Affairs, December 2006, *Unfinished Business, Indigenous Stolen Wages; and Stolen Wages Reparation Scheme Western Australia*, Government of Western Australia, available at [www.parliament.wa.gov.au/Parliament/petitionsdb.nsf/\(\\$all\)/2060724E3EBF97EA48257D51002B65A8/\\$file/ev.040.140908.let.001.pc.pdf](http://www.parliament.wa.gov.au/Parliament/petitionsdb.nsf/($all)/2060724E3EBF97EA48257D51002B65A8/$file/ev.040.140908.let.001.pc.pdf). Note: this does not include the \$21 million committed by the Queensland Government in 2015.

46 NSW Department of Premier and Cabinet Annual Report 2011–12, ; The Senate, Standing Committee on Legal and Constitutional Affairs, December 2006, *Unfinished Business, Indigenous Stolen Wages*

47 NSW Department of Premier and Cabinet Annual Report 2011–12, p. 19.

48 Gunstone, Andrew, 2014, ‘Indigenous stolen wages and campaigns for reparations in Victoria’, *Indigenous Law Bulletin*, May/June vol. 8, issues 12, available at www.austlii.edu.au/au/journals/ILB/2014/16.pdf.

49 Standing Committee on Legal and Constitutional Affairs, December 2006. *Unfinished Business, Indigenous Stolen Wages*.

50 *ibid.*

51 Queensland Government 2015. *Stolen Wages reparation scheme*, available at <https://www.qld.gov.au/atsi/having-your-say/stolen-wages-reparations-scheme/index.html>.

52 Standing Committee on Legal and Constitutional Affairs, December 2006, *Unfinished Business, Indigenous Stolen Wages*

53 *ibid.*

Importantly, in its 2006 report the Senate Committee Inquiry recommended that all other jurisdictions actively research and consult with Aboriginal and Torres Strait Islander people to determine the extent of stolen wages in their jurisdiction and how to make appropriate reparations. To date, reparations for stolen wages in other states and territories have not occurred.

Forced removal justice

Progress towards making amends for the Stolen Generations has been mixed, but has largely fallen far short of meeting the recommendations of the *Bringing them home* report from the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families.

The *Bringing them home* report made 54 recommendations to ensure the experiences of the Stolen Generations were recognised, clear a pathway for making reparations, and make sure these practices would never again be repeated.⁵⁴ These recommendations are as relevant today as they were in 1997.

The National Sorry Day Committee's *Bringing them home Scorecard Report 2015* provides a comprehensive and damning assessment of progress.⁵⁵ Of the 54 recommendations, it found that 13 had been implemented or partially implemented; 34 had not been, or mostly not been implemented; and seven were in progress.

Of the recommendations implemented, a national Link-Up network was created to reconnect those removed from their families, an apology was formally provided by Prime Minister Kevin Rudd on behalf of the Australian Parliament in February 2008 and the Healing Foundation was established in 2009 to promote healing in Aboriginal and Torres Strait Islander communities. These are all very significant steps forward for our nation.

Many of the recommendations made more than 18 years ago relating to compensation and financial reparations, including that a National Compensation Fund be established, have not been put in place. To date, Tasmania is the only state that has introduced a state-based reparation scheme specifically for members of the Stolen Generations. South Australia is set to follow Tasmania as the second state to implement a Stolen Generations reparations scheme. In November 2015, the South Australian Government announced an \$11 million Stolen Generations reparations fund to begin on 31 March 2016.⁵⁶ In June 2015, the NSW Government began an inquiry into reparations for the Stolen Generations in NSW.

The National Sorry Day Committee considers that "six years on from the National Apology and 17 years on from the *Bringing them home* report, the Australian nation still has a distance to travel to honour the *Bringing them home* report's promise and fulfil the renewed hope generated by the National Apology".⁵⁷

Reparations for deaths in custody

To date, no national or state-based scheme has been designed to compensate the families of those who have died in custody. Nor has there been a formal apology. However, following the Royal Commission into Aboriginal Deaths in Custody (RCIADIC), a number of reforms were made to policing, courts and corrections services. These reforms aimed to reduce the number of Aboriginal and Torres Strait Islander people imprisoned and to increase the safety of those who are in jail.

54 Commonwealth of Australia, *Bringing them home, report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families 1997*, available at <https://www.humanrights.gov.au/publications/bringing-them-home-report-1997>.

55 Rule, J, Rice, E, *Bringing them home: scorecard report 2015*, National Sorry Day Committee, viewed 4 June 2015, available at http://apo.org.au/files/Resource/scorecard_report_2015_with_appendices_11_copy.pdf.

56 South Australian Government, Minister Kyam Maher, Media Release, *Reparations scheme for SA's Stolen Generations*, 19 November 2015, available: www.premier.sa.gov.au/images/news_releases/2015/15_11Nov/stolengensreparations.pdf

57 Rule, J, Rice, E, *Bringing them home: scorecard report 2015*, National Sorry Day Committee, viewed 4 June 2015, available at http://apo.org.au/files/Resource/scorecard_report_2015_with_appendices_11_copy.pdf.

5. Australia is repeating some of the wrongs of the past and urgent, well-considered action is needed.

There are worrying signs that we have not learnt from the lessons of the past. To avoid repeating wrongs, urgent action is needed to reduce the rate of Aboriginal and Torres Strait Islander children in child protection services and out-of-home care, and the rate of Aboriginal and Torres Strait Islander people in prison. The rate of Aboriginal and Torres Strait Islander children in out-of-home care has tripled since the 1997 *Bringing them home* report. Similarly, the Aboriginal and Torres Strait Islander imprisonment rate is at an all-time high.

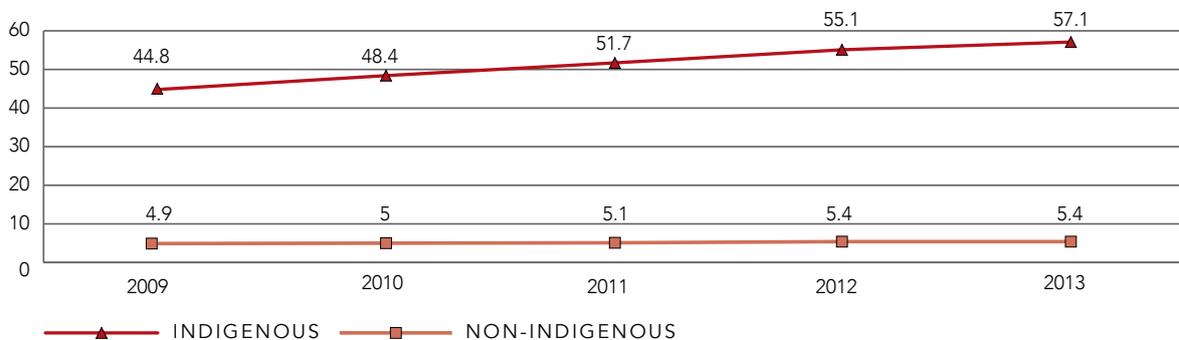
Out-of-home care

The rate of Aboriginal and Torres Strait Islander children being placed in out-of-home care has more than tripled since the *Bringing them home* report was released in 1997. At 30 June 1997, the rate of Aboriginal and Torres Strait Islander children in out-of-home care was 16.3 per 1,000 children compared with 40.4 per 1,000 in 2010 and 51.4 per 1,000 in 2014.⁵⁸

More recently, the rate of Aboriginal and Torres Strait Islander children in out-of-home care increased steadily from 51.4 per 1,000 in 2014, while the rate for non-Indigenous children over this time rose slightly from 5.1 to 5.6 per 1000 children. As a result, in 2014 the rate of Aboriginal and Torres Strait Islander children in out-of-home care is nine times that of non-Indigenous children⁵⁹ and this gap continues to increase (Figure 34).⁶⁰

Aboriginal and Torres Strait Islander children in out-of-home care are more likely to be in the care of an Aboriginal and Torres Strait Islander person or family member, but the number of such placements is decreasing and the number of placements with non-Indigenous carers is increasing. In 2010, 71 per cent of Aboriginal and Torres Strait Islander children in out-of-home care were placed with Aboriginal and Torres Strait Islander carers, compared with 67 per cent in 2014.⁶¹

Figure 33: Rate of children in out-of-home-care per 1,000



Source: Australian Institute of Health and Welfare, *Child Protection Australia 2012–13*

58 Australian Institute of Health and Welfare, 1999, *Child protection Australia 1997–98*, AIHW cat. no. CWS 8, Canberra: AIHW (Child Welfare Series), available at www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=6442455176

59 AIHW, 2015, *Child protection Australia 2013–14*.

60 AIHW, 2015, *Child Protection Australia 2013–14*, Figure 5.6: *Children in out-of-home care by Indigenous status 2009 to 2013*.

61 AIHW, 2011, *Child protection Australia 2009–10* and AIHW, 2015, *Child protection Australia 2013–14*.

Imprisonment and deaths in custody

In 1991, the RCIADIC investigated the deaths of 99 Aboriginal and Torres Strait Islander people in police or prison custody between January 1980 and May 1989. The RCIADIC's final report, released in April 1991, summarised the findings of the individual reports and discussed issues underlying deaths in custody. The RCIADIC made 339 recommendations, which concentrated on procedures in custody, liaison with Aboriginal groups, police education and better access to information.

In 2011, 20 years since RCIADIC, the rate of Aboriginal and Torres Strait Islander prisoners in custody had almost doubled. When the RCIADIC handed down its final report in 1991, Aboriginal and Torres Strait Islander people represented one in seven people in prison (14 per cent) and one in seven deaths in custody (14 per cent). By 2011, Aboriginal and Torres Strait Islander people represented more than one in four people in prison (26 per cent) and one in five deaths in custody (21 per cent).⁶²

Despite RCIADIC drawing attention to this issue, the incarceration rates for Aboriginal and Torres Strait Islander people have worsened and Aboriginal and Torres Strait Islander people are severely over-represented in the criminal justice system. As at 30 June 2014, the age-standardised imprisonment rate for Aboriginal and Torres Strait Islander people was 1,857 per 100,000. This is 13 times higher than the non-Indigenous imprisonment rate of 144 per 100,000.⁶³ The rate of imprisonment is also increasing significantly over time. Between 2000 and 2013, the imprisonment rate for Aboriginal and Torres Strait Islander adults rose 57.4 per cent, while the non-Indigenous rate remained fairly constant, leading to a widening of the gap (from 8.5 times in 2000 to 13 times the rate for non-Indigenous prisoners in 2013).⁶⁴

The situation is particularly bad for young people, who, according to the United Nations Convention on the Rights of the Child, should only be placed in detention as a last resort. In 2012–13, the detention rate for Aboriginal and Torres Strait Islander young people was 24 times the rate for non-Indigenous young people (364.8 per 100,000 Aboriginal and Torres Strait Islander youths aged 10–17 compared to 15.4 per 100,000 non-Indigenous youths aged 10–17).⁶⁵

62 Lyneham M, Chan A, *Deaths in custody in Australia to 30 June 2011: Twenty years of monitoring by the National Death in Custody Program since the Royal Commission in Aboriginal Deaths in Custody*, AIC monitoring reports, report no. 20, Australian Institute of Criminology.

63 Australian Bureau of Statistics, *Prisoners in Australia, 2000–14*.

64 Steering Committee for the Review of Government Service Provision (SCRGSP), 2014, *Overcoming Indigenous Disadvantage: Key Indicators 2014*, Productivity Commission, Canberra.

65 *ibid.*

3. TOWARDS A RECONCILED AUSTRALIA

The key findings of this report show that Australia has developed a strong foundation for reconciliation and significant progress has been made over the past 25 years. However, to achieve Reconciliation Australia's vision of a reconciled, just and equitable Australia much unfinished business remains.

In 2000, the Council for Aboriginal Reconciliation (CAR) concluded that:

"... all Australians can take heart from the positive outcomes so far. Nevertheless, a decade was a short time to address the legacies of 200 years of history, and much remains to be done ...

Reconciliation is hard work—it's a long, winding and corrugated road, not a broad, paved highway. Determination and effort at all levels of government and in all sections of the community will be essential to make reconciliation a reality."

Australia's experience over the 15 years since CAR delivered its final report rings true to these words. We are taking positive steps and all Australians should take heart from the progress we have made. We have sustained the reconciliation process and taken steps towards acknowledging the past and overcoming the inequalities experienced by Aboriginal and Torres Strait Islander peoples.

After campaigning by civil society organisations for Indigenous health equality, decades of under-investment and neglect were overturned through the Council of Australian Governments' (COAG) *Closing the Gap on Indigenous Disadvantage* framework and targets.

In 2008, COAG committed \$4.6 billion to address health, housing, early childhood development, economic participation, and remote service delivery for Aboriginal and Torres Strait Islander peoples. This was the most comprehensive strategy and the largest investment yet to address Aboriginal and Torres Strait Islander inequality. Importantly, it was a concerted and coordinated effort by all Australian governments.

During the 2000s, the corporate sector, inspired by the Reconciliation Action Plan (RAP) program, became a major contributor to the national reconciliation effort through employment, procurement and education in their workplaces. Community sector support, through the RAP program and other grassroots groups and events, is high, as is the general goodwill of the Australian people towards reconciliation.

The results of the Australian Reconciliation Barometer (ARB) consistently show that most Australians believe the relationship between Aboriginal and Torres Strait Islander peoples and other Australians is important. Most Australians want to learn more about Aboriginal and Torres Strait Islander histories and cultures and most believe that all sectors of society should do more to reduce inequalities for Aboriginal and Torres Strait Islander peoples.

A significant milestone on Australia's reconciliation journey over the last 15 years was the Apology to the Stolen Generations. In 2008, Prime Minister Kevin Rudd apologised on behalf of the Australian Government to the Stolen Generations for the "the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians."

The long-overdue Apology lifted the nation and helped heal some of the wounds of the past. Responding to the Apology in the Australian Parliament, then Aboriginal and Torres Strait Islander Social Justice Commissioner Dr Tom Calma AO said:

"Today is an historic day.

It's the day our leaders—across the political spectrum—have chosen dignity, hope and respect as the guiding principles for the relationship with our first nations' peoples.

Through one direct act, Parliament has acknowledged the existence and the impacts of the past policies and practices of forcibly removing Indigenous children from their families.

And by doing so, has paid respect to the Stolen Generations. For their suffering and their loss. For their resilience. And ultimately, for their dignity."⁶⁶

66 Calma, Dr Tom, Social Justice Commissioner, Australian Human Rights and Equal Opportunity Commission, 2008, *Let the healing begin, Response to government to the national apology to the Stolen Generations*, 13 February 2008, available at <https://www.humanrights.gov.au/news/speeches/response-government-national-apology-stolen-generations>

The Apology is a landmark on our reconciliation journey that all Australians can be proud of. Since then, the Australian Government has supported the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration), and over the last eight years, there have been positive developments towards holding a referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution.

Despite these significant steps, there have also been some blemishes on our reconciliation journey and we clearly have a long way to go. For some, the uplifting effect on the nation of the Apology was paired with an ongoing sense of injustice that it was not accompanied with compensation. As former Reconciliation Australia chair and member of CAR, Jackie Huggins said:

*"I'd ask any Australian if they had their children taken away from them forcibly by the mere fact that they were Aboriginal in this country, would not they seek some compensation? I think every decent Australian would say, 'Yes I would want compensation'."*⁶⁷

These mixed acknowledgements of Australia's past are playing out in our present. The rates of incarceration of Aboriginal and Torres Strait Islander people, especially youth, are at crisis levels. Aboriginal and Torres Strait Islander children are significantly over-represented in the child protection system and the rate of Aboriginal and Torres Strait Islander children in out-of-home care has tripled since the *Bringing them home* report was released in 1997.

We now risk repeating the wrongs of the past and failing another generation of Aboriginal and Torres Strait Islander people. To break these cycles, Aboriginal and Torres Strait Islander people must be involved in decision making to develop comprehensive, preventative, long-term approaches to address these issues. Greater support for Aboriginal community-controlled services in these areas is the critical first step. A major contributor to policy failure is the fact that Aboriginal and Torres Strait Islander peoples are left out of the decision-making process. Until we truly value and recognise Aboriginal and Torres Strait Islander peoples' right to self-determination—to participate in and make decisions about their social, cultural and economic development—we are doomed to fail.

Approaches such as the 2007 Northern Territory National Emergency Response that sought to address serious social issues but that ultimately discriminated against and marginalised Aboriginal (and some Torres Strait Islander) peoples, are reminders that we must remain vigilant of our 'good intentions'. The Declaration on the Rights of Indigenous Peoples is the guide towards truly recognising and valuing the rights and cultures of Aboriginal and Torres Strait Islander peoples and overcoming the inequalities that exist today.

Recognising and valuing the cultures, histories and rights of Aboriginal and Torres Strait Islander peoples is essential to creating national unity. Agreement-making, within native title and other frameworks, is an example of recognising and valuing the rights of Aboriginal and Torres Strait Islander peoples, however, these agreement-making practices need to be much more widespread and common. We also have many conversations and debates to come about how Australia can meaningfully and substantially recognise Aboriginal and Torres Strait Islander peoples in the Constitution.

To achieve Reconciliation Australia's vision of a reconciled, just and equitable Australia, much unfinished business remains. Drawing on the report's key findings, this section highlights the critical areas Reconciliation Australia believes require the greatest attention in the future.

67 ANTAR, *Are we there yet? Ten years on from the Decade of Reconciliation: A reconciliation progress report*, 2010. Available at https://antar.org.au/sites/default/files/reconciliation_progress_report_final_0.pdf.

The areas in each dimension of reconciliation that require close attention are:

DIMENSION	AREAS FOR ACTION
Race relations	<ul style="list-style-type: none"> • Overcome racism
Equality and equity	<ul style="list-style-type: none"> • Renew focus on closing the gap • Recognise and respect the cultures and collective rights of First Australians
Institutional integrity	<ul style="list-style-type: none"> • Capitalise on the RAP program • Improve the governance of government
Unity	<ul style="list-style-type: none"> • Achieve a process to recognise Aboriginal and Torres Strait Islander peoples and unite all Australians
Historical acceptance	<ul style="list-style-type: none"> • Acknowledge our past through truth, justice and healing

These key points for action are posed as a conversation starter to map out the next 25 years of Australia’s reconciliation journey. Throughout the 1990s, CAR undertook arguably the most extensive consultation process ever in Australia on a matter of public policy at the time.

Over a decade, it engaged hundreds of thousands of Aboriginal, Torres Strait Islander and other Australians in discussion and debate across every corner of the country. This work culminated in the national documents of reconciliation, which were the “synthesis of the wisdom of the people of Australia” and a reflection of “... the Australian peoples aspirations at the turn of the century”.⁶⁸

Twenty-five years after CAR was established and 15 years after it delivered its final report and Reconciliation Australia was established, Australia still has much it can take from this process. It is time to again harness the wisdom and aspirations of the Australian people and continue our national conversation to sustain and build the next 25 years of reconciliation.

Much unfinished business and many hard conversations remain ahead of us but, until we achieve reconciliation, Australia will fall short of reaching our full potential as a nation and of truly “recognising the gift of one another’s presence”.⁶⁹

⁶⁸ Council for Aboriginal Reconciliation, *Reconciliation: Australia’s challenge, final report to the Prime Minister and the Commonwealth Parliament*, December 2000.

⁶⁹ Council for Aboriginal Reconciliation, *Draft Declaration Towards Reconciliation*, 1999.

3.1 RACE RELATIONS

3.1.1 OVERCOME RACISM

Reconciliation is about building relationships, respect and trust between Aboriginal and Torres Strait Islander peoples and other Australians to create a just and equitable Australia for everyone. Incidents of racism towards Aboriginal and Torres Strait Islander peoples undermine efforts towards reconciliation.

Racism and persistent prejudice break down relationships and erode trust. Racism can lead to anxiety, depression, suicide risk and overall poor mental health. Links are also emerging between racism and diabetes, obesity, high blood pressure, and drug and alcohol abuse among Aboriginal and Torres Strait Islander peoples.

Racial slurs, which non-victims can see as light-hearted or insignificant, cause real harm, especially when they are incessant and ongoing. The cumulative effect of words and attitudes that undermine an individual's identity and self-worth affect their desire to engage with a society that rejects them. This also means they are unlikely to function to their full potential in everyday society. Racism denies Aboriginal and Torres Strait Islander peoples the right to fully participate in the social and economic life of the nation. It discourages Aboriginal and Torres Strait Islander people from accessing health, education and employment services and, on a systemic level, it denies Aboriginal and Torres Strait Islander peoples access to power, resources and opportunities, perpetuating inequalities.

Racism also negatively influences the education, employment and incarceration rates of Aboriginal and Torres Strait Islander peoples. *The Closing the Gap Clearinghouse* cites racism as one of the multifaceted causes of lower Aboriginal and Torres Strait Islander employment rates.⁷⁰ Discrimination also influences Aboriginal and Torres Strait Islander peoples' attendance and achievement at school, and many researchers report that schools with an inclusive and safe environment, free from racism, are more likely to have higher attendance and retention.

Modern Australia prides itself on creating a fair, equitable and welcoming society. Aboriginal and Torres Strait Islander Australians represent the world's oldest continuing cultures, and millions of Australians from diverse cultural backgrounds now call Australia home. The cultural diversity of Australia enriches us all, however racism is still too common. The complex and wide-ranging effects of racism mean that it is a barrier to closing the gap on health outcomes and improving economic participation through employment and education for Aboriginal and Torres Strait Islander peoples.

Overcoming racism must be a national priority. A zero tolerance approach to racism is needed, backed by effective institutional and legislative settings, and supported by public education. Strong and effective protections against racial discrimination are a critical foundation for policies and programs directed towards addressing the disadvantage experienced by Aboriginal and Torres Strait Islander people. The *Racial Discrimination Act 1975* (Cth) (RDA) ensures all Australians are protected from discrimination on the grounds of race, colour, descent or ethnic origin. Reconciliation Australia believes the RDA, as it currently stands, accurately reflects community standards and serves an important purpose to protect minority groups from vilification and harm.

Public education through initiatives such as the *Racism. It Stops With Me* campaign must continue, and be adequately resourced. Initiatives aimed at increasing public understanding and acceptance of Aboriginal and Torres Strait Islander cultures, rights and experiences must continue and be strengthened.

Racism harms individuals and directly damages the relationship between Aboriginal and Torres Strait Islander Australians and the wider community. It is a significant barrier to achieving a reconciled, just and equitable Australia and must be a priority area of action in the future.

⁷⁰ Gray, M, Hunter, B and Lohar, S, 2011, *Increasing Indigenous employment rates, issues paper no. 3, produced for the Closing the Gap Clearinghouse*, Canberra: Australian Institute of Health and Welfare and Australian Institute of Family Studies, available at www.aihw.gov.au/uploadedFiles/ClosingTheGap/Content/Publications/2012/ctg-ip03.pdf.

Key actions

- Federal, State and Territory governments maintain strong and effective legal protections against racial discrimination through the current *Racial Discrimination Act 1975* (Cth) and state-based legislations.
- All sectors of the Australian community—governments and business, and the education, health, sports, recreation and arts sectors—show a zero tolerance approach to racism, prejudice and discrimination.
- All sectors of the Australian community increase their support for public anti-racism campaigns and resources, such as *Racism. It stops with me.*

3.2 EQUALITY AND EQUITY

3.2.1 RENEW FOCUS ON CLOSING THE GAP

Long-term, consistent and coordinated government effort is critical to improving life outcomes and opportunities for Aboriginal and Torres Strait Islander peoples. Too often, the search for short-term outcomes or the introduction of half-developed 'bright' ideas sees policy ground shifting rapidly and unpredictably in Aboriginal and Torres Strait Islander affairs. Consistent, well-developed and evidence-based policies and programs are not only more likely to succeed, but are also more likely to build trust and support among Aboriginal and Torres Strait Islander peoples.

We are starting to see promising results from COAG's coordinated and targeted *Closing the Gap on Indigenous Disadvantage* agreements developed in 2008. Life expectancy for Aboriginal and Torres Strait Islander peoples is increasing; fewer Aboriginal and Torres Strait Islander babies are dying at birth; more young children have access to early childhood education; and more Aboriginal and Torres Strait Islander students are finishing high school.

However, despite these improvements, the gap in life expectancy between Aboriginal and Torres Strait Islander Australians and non-Indigenous Australians is still large; Aboriginal and Torres Strait Islander people are more likely to live in disadvantaged neighbourhoods; the number of Aboriginal and Torres Strait Islander men and women in prison has increased dramatically; the gap in employment outcomes has widened; and Aboriginal and Torres Strait Islander children have far lower levels of literacy and numeracy.

The *Closing the Gap* targets, developed and agreed by all Australian governments under COAG, provide a common and transparent framework for diverse groups across governments, business and the wider community to work towards improving health, education and employment for Aboriginal and Torres Strait Islander peoples.

As part of an ongoing commitment to improving the life outcomes for Aboriginal and Torres Strait Islander peoples, and to ensure that recent progress is not lost, Reconciliation Australia urges all Australian governments to renew and lift their action on the *Closing the Gap* targets and framework. This includes funding programs that will directly contribute to achieving the *Closing the Gap* targets.

As many of the agreements between Australian governments under the *Closing the Gap* framework have ended or are coming towards an end, leadership from the Federal Government is needed to develop new agreements (with matching investment) with State and Territory governments across the critical areas of the *Close the Gap* framework. These include early childhood, health, education, economic development, housing, community safety, justice and governance and leadership.

In some of these areas, significant and concerted efforts have been made. For example, the National Aboriginal and Torres Strait Islander Health Plan and previous National Partnership Agreements on health and the significant investment in housing. But efforts in other areas have been piecemeal, for example economic development, or almost non-existent, in the case of governance and leadership.

There must be a renewed process for all Australian governments to come together with Aboriginal and Torres Strait Islander peoples to create new, comprehensive, long-term strategies in all these areas. As part of this process, all Australian governments must extend and expand the *Closing the Gap* targets in partnership with Aboriginal and Torres Strait Islander peoples.

In 2014, the Commonwealth Government added the target for school attendance, and Reconciliation Australia joins the Social Justice Commissioner, the National Justice Coalition and others in calling for the inclusion of justice targets in the *Closing the Gap* framework.⁷¹

There is an enormous amount of evidence to support the call for justice targets. In 2013, the imprisonment rate for Aboriginal and Torres Strait Islander adults was 13 times the rate for non-Indigenous adults, and disturbingly, these rates are worsening over time.

71 Australian Human Rights Commission, 2014, *Social Justice and Native Title Report 2014*, Sydney.

Between 2000 and 2013, the imprisonment rate for Aboriginal and Torres Strait Islander adults increased 57 per cent. The high social and economic costs of imprisonment provide a strong incentive to act. If Aboriginal and Torres Strait Islander Australians were imprisoned at the same rate as non-Indigenous Australians, the rate would fall by about 94 per cent.⁷² In turn, this would save more than \$600 million.⁷³ In addition, communities are made weaker when a large number of people are imprisoned, as the community is disrupted, social norms are weakened, and formal and informal social controls are lost.⁷⁴ In order to measure gains in this area effectively, it is crucial to include justice targets and indicators in the *Closing the Gap* framework, against which progress can be measured.

Research by Deloitte Access Economics, commissioned by Reconciliation Australia, shows there is a strong economic incentive to close the gap between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians in the above areas. The research shows that if gaps in life expectancy, employment and education were closed by 2031, the Australian economy would be more than 1.15 per cent larger—a gain of \$24.3 billion in 2012–13 dollars.⁷⁵

We are starting to see results through the investment under the *Closing the Gap* framework and targets. All Australian governments need to stay the course as we have much to gain—both economically and socially.

Key actions

- All Australian governments recommit to the *Closing the Gap on Indigenous Disadvantage* framework, including renewing investments and agreements to meet the *Closing the Gap* targets in consultation with Aboriginal and Torres Strait Islander organisations.
- All Australian governments agree to include justice targets in the *Closing the Gap* framework as called for by the National Justice Coalition.
- All Australian governments commit to appropriate resourcing of Aboriginal and Torres Strait Islander organisations.
- All future policy and strategic planning is done in genuine partnership with Aboriginal and Torres Strait Islander peoples and their representative bodies.

3.2.2 RECOGNISE AND RESPECT THE CULTURES AND COLLECTIVE RIGHTS OF FIRST AUSTRALIANS

In 2009, Australia unreservedly adopted the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration). In doing so, the Australian Government committed to operating in accordance with the 46 articles outlined in the Declaration and to do so in partnership with Australia's First Peoples.

The expectations of the UN General Assembly are made abundantly clear in the preamble to the Declaration:

*"... this Declaration will enhance harmonious and cooperative relations between the State and Indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith;
States should ... effectively implement all their obligations ... in consultation and co-operation with the peoples concerned;
It is ... a standard of achievement to be pursued in a spirit of partnership and mutual respect."*

Six years on, it is apparent that Australia's belated support for the Declaration was a false dawn. If anything, events over the past two years suggest that some are prepared to disregard the Declaration altogether. Over this period, we have seen proposals to water down the *Racial Discrimination Act 1975 (Cth)*; a plan to close down up to 150 small, remote communities in Western Australia; paperless arrest powers introduced in the Northern Territory which disproportionately affect Aboriginal and Torres Strait Islander peoples; a cut to the funding for the National Congress of Australia's First Peoples (the Congress); and a general lack of respectful engagement with the Aboriginal and Torres Strait Islander community in relation to budget cuts and the national restructure of programs and services under the Indigenous Advancement Strategy (IAS).

⁷² *ibid.*

⁷³ *ibid.*

⁷⁴ National Institute of Justice, 1999, *When Neighbors Go to Jail: Impact on Attitudes about Formal and Informal Social Control*, US Department of Justice.

⁷⁵ Deloitte Access Economic, *Economic benefits of closing the gap in Indigenous employment outcomes*, January 2014, commissioned by Reconciliation Australia, available at <https://www.reconciliation.org.au/wp-content/uploads/2014/01/Economic-benefits-of-closing-the-gap-in-Indigenous-employment-outcomes.pdf>.

This must change, and to this end, Reconciliation Australia agrees with the repeated calls of the Australian Human Rights Commission and the National Congress of Australia's First Peoples (the Congress) for the development of a National Implementation Strategy to give effect to the Declaration. Such a plan must outline concrete actions to embed the Declaration in activities by all sectors of society—governments, civil society, the private sector, and by Aboriginal and Torres Strait Islander communities. In addition, Reconciliation Australia agrees with the Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda that the Declaration be included in the definition of human rights in the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth).

Reconciliation Australia also urges the Australian Government to support and maintain a national, independent and representative voice for Aboriginal and Torres Strait Islander peoples, and more broadly, to create respectful partnerships and engagement with Aboriginal and Torres Strait Islander peoples, communities and organisations.

The National Congress of Australia's First Peoples is the national representative body for Aboriginal and Torres Strait Islander peoples. To encourage meaningful engagement, a national representative voice through Congress is vital, as is continued Federal Government support until Congress is self-sustaining.

More broadly, Reconciliation Australia is concerned with an apparent general lack of understanding of, and respect for, the histories, cultures and collective identity of Australia's First Peoples in broader Australian society. As the Hon. Fred Chaney, AO, said in his 2014 Annual Australian National University Reconciliation lecture:

"There is much in Australia today to suggest that we are not very interested in allowing room for Indigenous cultures to continue to be part of our national fabric ... There is no clear message that we understand and value these cultures as part of our nation."

Until we truly value the collective rights—the rich diversity, difference and uniqueness of Aboriginal and Torres Strait Islander cultures and peoples—we will continue down the long-trodden path of assimilation.

Key actions

- The Australian Government works with Aboriginal and Torres Strait Islander peoples to develop a national strategy to implement the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration). Such a plan must outline actions to embed the Declaration in activities by all sectors of society—governments, civil society, the private sector, and by Aboriginal and Torres Strait Islander communities.
- The Australian Government supports and maintains a national, independent and representative voice for Aboriginal and Torres Strait Islander peoples and national sector peak bodies that represent Aboriginal professionals and community services.
- All sections of the community take action to increase understanding and respect for Aboriginal and Torres Strait Islander peoples and cultures.

3.3 INSTITUTIONAL INTEGRITY

3.3.1 CAPITALISE ON THE POSITIVE SOCIAL CHANGE GENERATED THROUGH THE RAP PROGRAM

Over the last decade, there has been a dramatic shift away from the belief that advancing reconciliation is solely the role of government. Across Australia, organisations that previously believed they had no role in reconciliation are now embedding reconciliation actions throughout their workplaces.

The RAP program is a leading force behind this turnaround. The program began in 2006 with eight organisations and has since grown to more than 650 organisations. Another 500 are working on their first plan.

One of the RAP program's greatest achievements has been engaging new organisations in the reconciliation movement. Ten years ago, many organisations not directly involved in Aboriginal and Torres Strait Islander issues were reluctant to participate in the RAP program. Most said the job of improving the wellbeing of Aboriginal and Torres Strait Islander peoples fell to the government. Many were reluctant to commit to actions to build respectful relationships, fearing it might imply that their organisation was ignorant or had a problem with racism. Few were comfortable being held to account, but this is no longer the case.

In particular, over the last 10 years the corporate sector has moved from showing mixed interest and engagement in the broader reconciliation movement to becoming a beacon of hope and good practice. In the corporate sector, 130 organisations have a RAP (many are on to their fourth and fifth iterations) and another 100 are working with Reconciliation Australia to develop their first plan. Among Australia's corporate giants, the view on reconciliation has come full circle. The question is no longer "Why should we do something?" The question asked of those who don't have a RAP is "Why aren't you doing something?"

As outlined in section 2.2.3 of this report, the RAP program is creating positive social change and having an enormous impact across all sectors of Australian society. The program is improving attitudes and behaviours across Australian workplaces and increasing opportunities for Aboriginal and Torres Strait Islander peoples. It is also increasing support for Aboriginal and Torres Strait Islander organisations, businesses and communities through partnerships, sponsorships, procurement and pro bono assistance.

It is critical that the momentum generated through the RAP program is not only maintained, but grows. Reconciliation Australia has great ambitions for the program. We want the majority of the ASX 200, along with Australia's largest private firms and large multinational organisations working in Australia to have a RAP. We want local governments to embrace the RAP program so that reconciliation takes place in local communities across the country. In addition, we want to see even more ambitious actions and commitments across all three key areas of the program—respect, relationships and opportunities. And, we want to invest more time and effort in holding RAP organisations to account for these commitments.

We know this will not be easy. While Australian Government funding of Reconciliation Australia will have fallen by about 20 per cent between 2010 and 2017, the number of organisations in the RAP program is projected to increase from around 300 to 1,500 (1,000 of which we expect to have an endorsed RAP). The challenge for Reconciliation Australia is no longer one of getting organisations interested in reconciliation, but one of meeting the demand for assistance. Reconciliation Australia is determined to meet this challenge. With the ongoing support of government and our networks, we are resolute in our ambition to drive widespread social change and deliver more economic opportunities for Aboriginal and Torres Strait Islander Australians.

Key actions

- Reconciliation Australia expands the impact and reach of the RAP program.
- The corporate sector and all Australian governments increase their support and engagement with the RAP program.
- All RAP partners increase their RAP commitments and actions to provide positive and sustainable opportunities for Aboriginal and Torres Strait Islander people, communities and organisations.

3.3.2 IMPROVE THE GOVERNANCE OF GOVERNMENT

In its 2010 *Strategic Review of Indigenous Expenditure*, the Department of Finance and Deregulation delivered a bleak picture of government performance in Aboriginal and Torres Strait Islander affairs. It said:

“The history of Commonwealth policy for Indigenous Australians over the past 40 years is largely a story of good intentions, flawed policies, unrealistic assumptions, poor implementation, unintended consequences and dashed hopes.”⁷⁶

Numerous reports over the years have echoed this sentiment—that the problem is not a lack of investment, goodwill or effort, but rather it is the way in which programs and policies are designed and delivered.

It is clear that more effective policy design and delivery will require a significant shift in the way government operates. Reconciliation Australia has consistently called for using a community development approach that involves Aboriginal and Torres Strait Islander peoples in policy-making and program delivery. This approach is based on five principles—good governance of government; respectful and sustained engagement with communities; using local and holistic approaches; long-term policies and programs, supported by sustainable and adequate funding; and using an evidence base.

Effective policy development and implementation in Aboriginal and Torres Strait Islander affairs requires good governance in Aboriginal and Torres Strait Islander organisations and communities, and also within government. In this context, good governance of government requires:

- having appropriate engagement with Aboriginal and Torres Strait Islander peoples, with an emphasis on relationship building and supporting local solutions
- using skilled and experienced government employees to put in place adequately resourced and culturally appropriate policies
- collaborating and coordinating between government departments within and across jurisdictions
- planning and project management to minimise the risk of implementation failure.

Successful policy design and delivery hinges on the way governments at all levels engage with Aboriginal and Torres Strait Islander peoples during the policy process. The lack of meaningful engagement and involvement of Aboriginal and Torres Strait Islander peoples has arguably been the single biggest factor in policy failure to date.

Evidence shows that respectful and effective engagement with Aboriginal and Torres Strait Islander peoples involves⁷⁷:

- building long-term relationships based on trust, respect and honesty
- providing accessible, ongoing communication and information, including using interpreters
- using appropriate timeframes and adequate, sustained resourcing
- showing flexibility and openness to change
- valuing the cultural skills and knowledge of community organisations and Aboriginal and Torres Strait Islander peoples
- building the capacity of Aboriginal and Torres Strait Islander communities to govern themselves
- being culturally sensitive to Aboriginal and Torres Strait Islander histories, cultures and contemporary social dynamics.

Working with communities enables the development of local and holistic policies. It helps develop a deeper understanding of the community’s needs, strengths and resources, and ultimately results in tailored solutions rather than one-size-fits-all approaches.

⁷⁶ Department of Finance and Deregulation, *Strategic Review of Indigenous Expenditure*. February 2010
⁷⁷ Hunt, J, 2013, *Engaging with Indigenous Australia—exploring the conditions for effective relationships with Aboriginal and Torres Strait Islander communities, issues paper no. 5*, produced for the Closing the Gap Clearinghouse.

The problems of Aboriginal and Torres Strait Islander disadvantage are intergenerational and closing the gap requires long-term, sustainable and well-resourced measures. Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda has emphasised the importance of allowing policies enough time to be successful. He said:

"We need to remember that improving life outcomes for Aboriginal and Torres Strait Islander people won't happen overnight and we need to stop expecting that it will ... too many times we change horses midcourse and then wonder why we don't see the follow-through in results."⁷⁸

We are far more likely to succeed if we use policies and programs that have been proven to work. To learn from mistakes, as well as successes, regular and independent public evaluations of programs and policies are vital. The *Strategic Review of Indigenous Expenditure* highlighted the need for more robust evaluation of key policy measures.

The evidence for what works in Indigenous affairs is growing and all governments must draw on it to produce comprehensive and effective policies and program implementation. This evidence is outlined in reports, such as the *Strategic Review of Indigenous Expenditure*, the *Overcoming Indigenous Disadvantage* reports, the *Closing the Gap Clearinghouse* and the Social Justice Commissioner's annual reports. This evidence base needs to inform comprehensive and logical approaches from all Australian governments to improve the wellbeing of Aboriginal and Torres Strait Islander peoples.

Key actions

- Government approaches to policy and program development in Aboriginal and Torres Strait Islander affairs are based on the following principles:
 - good governance within government
 - respectful and sustained engagement with Aboriginal and Torres Strait Islander peoples and their representative bodies and community organisations
 - local and holistic approaches
 - long-term approaches supported by sustained and adequate funding
 - evidence-based policies.

78 Australian Human Rights Commission, *Change for the better is going to take time*, media release, 8 August 2011, available at <https://www.humanrights.gov.au/news/media-releases/2011-media-release-change-better-going-take-time>.

3.4 UNITY

3.4.1 A PROCESS TO RECOGNISE ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES AND UNITE ALL AUSTRALIANS

Constitutional recognition of Aboriginal and Torres Strait Islander peoples is a long-sought milestone on Australia's reconciliation journey. Over the last eight years, much discussion and work has gone into achieving this goal, and it has created an historic opportunity to recognise Aboriginal and Torres Strait Islander peoples as the first peoples of Australia in the Constitution.

A vast number of Aboriginal and Torres Strait Islander people and organisations have campaigned for various forms of recognition for decades. Some trace the current movement back to the 1930s, when Aboriginal leaders, such as William Cooper and Jack Patten, campaigned for Indigenous parliamentary representation and enfranchisement. The work of this generation of leaders laid the foundation for a decade-long campaign for the 1967 referendum, which deleted two racially discriminatory references from the Australian Constitution.

In recent decades, many Aboriginal and Torres Strait Islander people and organisations have urged the nation to complete the task begun in 1967—by including recognition and ensuring there is no place for racial discrimination in the nation's foundation document. In its 1995 report *Recognition, Rights and Reform*, ATSIC listed 'Constitutional reform and recognition' as one of its top priorities. In 2000, CAR called on the Australian Parliament to:

... 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.*

We are closer than ever to this milestone thanks to the important work in 2011–12 of the Expert Panel on Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution; the passing of the *Aboriginal and Torres Strait Islander Peoples Recognition Act 2013* and the Act's review panel report in 2014; the work in 2013–15 of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples and the establishment of the Referendum Council in December 2015. Most states and territories recognise Aboriginal and Torres Strait Islander peoples in their constitutions, and more than 250,000 Australians support the campaign to recognise Aboriginal and Torres Strait Islander peoples in our founding document. Australia has a unique opportunity before us.

For many Aboriginal and Torres Strait Islander people, the question of constitutional recognition raises important issues about wider recognition of First Nation peoples within Australian society and about agreement-making, treaty and sovereignty. For all Australians, constitutional recognition raises important questions about the acknowledgement of the past and the foundations of modern Australia. These questions must be debated and discussed if Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians are to come to a consensus on the best way forward. They cannot be ignored.

Importantly, CAR's final report called for a "process which will unite all Australians" that went beyond constitutional recognition. CAR recommended that:

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.*

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.

The Expert Panel's report *Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution* provides a comprehensive analysis of constitutional recognition and agreement-making, treaty and sovereignty, and provides carefully considered recommendations on the way forward.

The Expert Panel found that many Aboriginal and Torres Strait Islander peoples have strong aspirations for agreement-making and recognition of their sovereign status. The Expert Panel's report explores these issues in depth. It noted that agreement-making with Aboriginal and Torres Strait Islander people has occurred across Australia since the first agreements were made under the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth). Many agreements are now negotiated as part of native title, with perhaps the most recent and significant being the Noongar native title settlement with the Western Australian Government. There are also examples of agreements outside the native title framework, such as that of the Ngarrindjeri Regional Partnership Agreement.

The Expert Panel concluded that negotiated agreements are important for governing relations between Aboriginal and Torres Strait Islander communities and government and that the Australian Parliament has sufficient constitutional power to advance agreement-making. Furthermore, the Expert Panel concluded that agreements based on consent that also "give rise to mutually binding obligations have a critical role to play in improving relations between Aboriginal and Torres Strait Islander peoples and the broader Australian community."⁷⁹

Based on this analysis the Expert Panel concluded that "at the present time any proposal for a form of constitutional backing for a treaty or other negotiated agreements with Aboriginal and Torres Strait Islander peoples would be likely to confuse many Australians" and that "this is a challenge for the future".⁸⁰

Regarding sovereignty, the Expert Panel found that among Aboriginal and Torres Strait Islander people there is a diversity of understanding of sovereignty and its significance. The Expert Panel report explores these views and reminds us that sovereignty is "an issue that will need to be confronted in future". Ultimately, the Expert Panel found that "any proposal relating to constitutional recognition of the sovereign status of Aboriginal and Torres Strait Islander people would be highly contested by many Australians, and likely to jeopardise broad public support".⁸¹

Fundamentally, all Australians need to work towards recognition of Aboriginal and Torres Strait Islander peoples in a way that is meaningful and substantive to Aboriginal and Torres Strait Islander peoples and that unites the nation. The principles applied by the Expert Panel provide sound advice for the process to recognise Aboriginal and Torres Strait Islander people. Such a process should:

- contribute to a more unified and reconciled nation
- be of benefit to and accord with the wishes of Aboriginal and Torres Strait Islander peoples;
- be capable of being supported by an overwhelming majority of Australians from across the political and social spectrums; and
- be technically and legally sound.⁸²

79 *Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution: Report of the Expert Panel*

80 *ibid.*

81 *ibid.*

82 *ibid.*

Due to considerable work over the last eight years, Australia has an historic opportunity to create a meaningful and unifying moment for our nation. We must continue the discussions and debates we have started and devote the best of us to develop a meaningful and substantive model for constitutional recognition that all Australians can embrace.

As CAR, the Expert Panel and many others have highlighted, many Australians understand that constitutional recognition is vital, but it is not the final chapter in our reconciliation journey. Many Australians know that until we “unite all Australians by way of agreement, or treaty”⁸³ underlying issues about our nation will remain unresolved and reconciliation unfinished. While advancing constitutional recognition, we must also prepare the ground to address these unsettled matters when the nation is ready.

Key actions

- The Australian Government continues consulting with the Australian people and, in particular, Aboriginal and Torres Strait Islander people, to develop a model to meaningfully and substantially recognise Aboriginal and Torres Strait Islander peoples in the Constitution and remove racial discrimination from our founding document. Reconciliation Australia believes the model must:
 - contain a statement of recognition
 - remove outdated references to race, in particular section 25
 - include racial non-discrimination
 - be based on the recommendations of the Expert Panel on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples
 - be supported by Aboriginal and Torres Strait Islander peoples.
- The Australian Government continues to support broader public education for a referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution.
- All Australian governments and the corporate sector increase and expand agreement-making with Aboriginal and Torres Strait Islander peoples across the country in ways that empower pathways to self-determination for Indigenous Australians.
- Dialogue needs to continue with all sectors of the Australian community to discuss the unresolved issues of sovereignty, treaty and agreement-making in order to progress these important matters.

83 Council for Aboriginal Reconciliation, *Reconciliation: Australia's challenge, final report to the Prime Minister and the Commonwealth Parliament*, December 2000

3.5 HISTORICAL ACCEPTANCE

3.5.1 ACKNOWLEDGE THE PAST THROUGH TRUTH, JUSTICE AND HEALING

Australia's colonial history is marked by clear and undeniable truths about systematic dispossession from traditional lands, often through conflict or force, and at times, massacre; policies designed explicitly to segregate and assimilate Aboriginal and Torres Strait Islander peoples and cultures; and the absence of basic citizenship rights for Australia's First Peoples throughout much of the 20th century. Just as clear is the grief, loss and damage that these policies and practices inflicted on Aboriginal and Torres Strait Islander peoples then and, through inter-generational trauma and disadvantage, now.

As was demonstrated in section 2.2.5, many Australians acknowledge the 'wrongs' of the past but do not have a detailed understanding of these 'wrongs' or their ongoing ramifications. Whether it is due to so-called 'white guilt' or a genuine sense that we should let bygones be bygones, some Australians have trouble accepting the stark reality of these events.

Reconciliation Australia believes that the failure of Australians to engage deeply with our past is a genuine roadblock to reconciliation. By not acknowledging these truths, we are destined to repeat the mistakes of the past. More clearly needs to be done to build understanding among the Australian community. This is a core function of organisations, such as Reconciliation Australia, however, as this report highlights, these historical truths need to be acknowledged by all institutions and systems across our society. Too many people still lack basic knowledge about these issues, and it is only when all sectors of Australian society engage with these ideas that will we see change. Renewed and greater effort is clearly required.

Building a greater understanding among the next generation of Australians is particularly critical. This is why Reconciliation Australia developed the new *Narragunnawali: Reconciliation in Schools and Early Learning* program. It is also the reason we strongly oppose reducing the focus on Aboriginal and Torres Strait Islander histories and cultures in the Australian curriculum. An education system that uses a cross-curriculum focus to foster respectful understanding of Aboriginal and Torres Strait Islander cultures and histories is crucial to becoming a reconciled nation. Maintaining and strengthening a strong curriculum focus on these areas is critical.

Australia has not gone through a truth and reconciliation process like many other countries. We have not established a truth and reconciliation commission similar to that established in Canada with its mandate to 'learn the truth about what happened' and to 'inform all Canadians about what happened.' The closest we have come to confronting the past has been through inquiries, such as the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) and the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, which resulted in the *Bringing them home* report.

The Royal Commission's report made significant and wide-ranging recommendations, which acknowledged the impact of past injustices and recommended a process of national reconciliation. The *Bringing them home* report left no doubt about the impact on the Stolen Generations, stating:

"The histories we trace are complex and pervasive. Most significantly, the actions of the past resonate in the present and will continue to do so in the future. The laws, policies and practices which separated Indigenous children from their families have contributed directly to the alienation of Indigenous societies today.

For individuals, their removal as children and the abuse they experienced at the hands of the authorities or their delegates have permanently scarred their lives. The harm continues in later generations, affecting their children and grandchildren.

*In no sense has the Inquiry been 'raking over the past' for its own sake. The truth is that the past is very much with us today, in the continuing devastation of the lives of Indigenous Australians. That devastation cannot be addressed unless the whole community listens with an open heart and mind to the stories of what has happened in the past and, having listened and understood, commits itself to reconciliation."*⁸⁴

84 Human Rights and Equal Opportunity Commission, April 1997, *Bringing them home: National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*.

As described earlier in this report, the *Bringing them home* report outlined 54 recommendations. To the shame of all governments since, just 13 of these have been implemented or partially implemented to date. Reconciliation Australia considers the recommendations made in both the *Bringing them home* and Aboriginal Deaths in Custody reports to be just as relevant today as they were in 1997 and 1991, and implore all Australian governments to develop a new and more comprehensive response. Consideration should also be given to establishing a broader truth and justice process like that of Canada.

The recommendations in both these reports relate strongly to the reality before us of repeating the wrongs of the past. Reconciliation Australia calls for more to be done to avoid the mistakes of the past. In particular, we are concerned that the rate of Aboriginal and Torres Strait Islander children in out-of-home care has tripled since the 1997 *Bringing them home* report, and that incarceration rates for Aboriginal and Torres Strait Islander people are at crisis levels. We risk creating another generation of Aboriginal and Torres Strait Islander people who are living away from their families and cultures.

Addressing the large number of children in out-of-home care and incarceration of Aboriginal and Torres Strait Islander people are matters of national significance and Reconciliation Australia calls for immediate, urgent and well-considered action in partnership with Aboriginal and Torres Strait Islander peoples.

Deep and meaningful progress towards a reconciled Australia cannot occur until the Australian community and our major institutions acknowledge the wrongs of the past, understand their effects and repair the damage—all with a view to never repeating these wrongs. On this measure of reconciliation, much remains to be done.

Key actions

- All sections of the community take action to increase their knowledge and understanding of the wrongs of the past and of Aboriginal and Torres Strait Islander histories and cultures.
- The education system must maintain and strengthen its focus on Aboriginal and Torres Strait Islander histories and cultures.
- Research and develop a truth and justice process for Australia.
- All governments take a new and more comprehensive response to the *Bringing them home* and Royal Commission into Aboriginal Deaths in Custody reports.
- All Australian governments take urgent and well-considered action to avoid repeating the wrongs of the past, including tackling the growing number of Aboriginal and Torres Strait Islander adults in prison and the number of children in out-of-home care.

4. SUSTAINING AND BUILDING THE RECONCILIATION MOVEMENT

This report has highlighted the bright spots in our nation's reconciliation journey. The goodwill and sense that we do want to be united, coupled with the practical measures being taken in workplaces, are a strong foundation for accelerating our efforts.

However, if we are to be a reconciled nation, we must make significant progress against all dimensions of reconciliation. As long as Aboriginal and Torres Strait Islander peoples do not enjoy the same opportunities as non-Indigenous Australians, we cannot say we are reconciled. As long as prejudice and racism exist, we cannot say we are reconciled. As long as past wrongs are repeated, we cannot say we are reconciled.

The findings throughout this report show that Australia has developed a foundation for reconciliation. But that foundation is uneven across the five key dimensions of reconciliation. It needs to be strengthened and built upon if Aboriginal and Torres Strait Islander and non-Indigenous Australians are to truly achieve reconciliation.

In its final report to Parliament, CAR outlined a raft of actions to sustain the formal reconciliation process. Most of these actions are highly relevant 15 years later. CAR acknowledged that the formal reconciliation process had helped bring all Australians together, and asked all levels of government, non-government organisations, businesses, peak bodies, communities and individuals to commit to sustaining the reconciliation process.

All Australians have a role in creating a reconciled, just and equitable Australia—political leaders and governments of all levels and leanings; the corporate and not-for-profit sectors; schools and tertiary institutions; faith groups; philanthropists; the media; Aboriginal and Torres Strait Islander peoples; and members of the public.

There is also a clear and critical role for specialist organisations to guide these various parties through their journey towards reconciliation and ensure that our combined efforts, are not only well intentioned, but effective. This is the role of Reconciliation Australia, state reconciliation councils, local reconciliation groups and organisations, such as ANTaR.

A strong and cohesive network of reconciliation groups is vital to achieving a reconciled Australia. This group of organisations must be adequately resourced and supported by Federal, State and Territory, and Local Governments, and where possible, non-government partners. On the whole, it must receive significantly more support than it currently does.

Despite the challenges, there is an underlying desire for a more unified nation. This presents a pivotal opportunity to work together for reconciliation. As a nation, we must focus on the things that unite us so that we can redress the things that still divide us. We must continue to harness the goodwill and aspirations of the Australian people and continue the national conversation for the next 25 years to achieve a reconciled, just and equitable Australia for everyone.

APPENDIX A.

THE CONCEPTUAL FRAMEWORK FOR MEASURING RECONCILIATION IN AUSTRALIA—RESEARCH AND DEVELOPMENT

This section outlines the conceptual framework for defining and measuring progress towards reconciliation in Australia used in this report and developed by Inside Policy Pty Ltd. The framework is designed to assist Reconciliation Australia in building a more comprehensive narrative on Australia's progress towards reconciliation.

The framework makes three key changes to the measurement of reconciliation. First, the framework broadens the definition of reconciliation to encompass five dimensions:

1. Historical acceptance
2. Race relations
3. Institutional integrity
4. Equality and equity
5. Unity.

These dimensions do not exist in isolation—they are interrelated. For example, greater historical acceptance of the wrongs done to Aboriginal and Torres Strait Islander peoples can improve race relations between Indigenous and non-Indigenous Australians.

Second, the new framework examines reconciliation across individual, organisational and societal levels. Each of the five dimensions is examined with respect to these levels.

Third, a greater number of tools and sources are being used to capture data and to measure the progress of reconciliation Australia.

The evolved definition of reconciliation, its various dimensions and measures, as well as an overview of the international approaches that have informed these developments, are explored below.

INTERNATIONAL APPROACHES TO DEFINING AND MEASURING RECONCILIATION

This framework was developed after reviewing international approaches to defining and measuring reconciliation. This research explored how different nations that have been through ethno-racial conflict and are now building peace:

- define reconciliation, including the results of types of outcomes and impacts they expected from their efforts
- articulate and measure the effect of their reconciliation efforts, including indicators and measurement tools
- implement their reconciliation efforts, i.e. are they government-led, public–private partnerships or driven by civil society?

This research focused on Canada, Cyprus, Rwanda and South Africa. Cyprus, Rwanda and South Africa all placed importance on agreeing a definition of reconciliation, and derived their indicators from this. These working definitions are:

- **Cyprus**—an ongoing effort for establishing peace between two groups that were previously engaged in an event of dispute or conflict. This effort can be both socio-emotional, including processes of forgiveness and trust and instrumental, such as the signing of an official peace agreement or the application of restorative justice (Fillipou, 2012).

- **Rwanda**—reconciliation is seen as a form of restorative justice with the goal of “correcting imbalances, restoring broken relationships with healing, harmony and reconciliation”. Reconciliation is officially defined as “a consensus practice of citizens who have common nationality, who share the same culture and have equal rights; citizens characterised by trust, tolerance, mutual respect, equality, complementary roles/interdependence, truth, and healing of one another’s wounds inflicted by our history, with the objectives of laying a foundation for sustainable development” (Republic of Rwanda, 2013).
- **South Africa**—reconciliation is a multidimensional concept that “cuts across the psychological, philosophical, political and material realms of society” (Institute for Justice and Reconciliation, 2013).

The review of international approaches to defining reconciliation also confirms that a reconciliation barometer (or another population-based surveying method)—supported by a clear conceptual framework—is an accepted method for measuring a nation’s progress towards reconciliation.

The Cyprus experience also builds the case for examining multiple—quantitative and qualitative—data sources to build a complete assessment of a nation’s progress towards reconciliation. Through its SCORE (Social Cohesion and Reconciliation) Index, Cyprus captures data from five sources (citizen survey, qualitative and quantitative data from non-governmental organisations, and quantitative data from media organisations) to examine 11 social cohesion and reconciliation dimensions. While still in its early days, countries, including Israel and Croatia, have adopted the Cyprus approach.

The main finding from the international review is the importance of conceptual and methodological rigour when measuring a nation’s progress towards reconciliation. As highlighted in the Cyprus and South African experiences, a multidimensional definition of reconciliation, coupled with robust data sources, can produce findings that build a compelling case for change. Such change includes informing policy and program development at a national level to accelerate reconciliation and target issues that still require redress. This learning has in turn informed the design of the framework for reconciliation used in this report.

Figure 34: A summary of international approaches to defining and measuring reconciliation



A recurring theme from how nations, such as Canada, South Africa, Cyprus and Rwanda, define reconciliation, is the notion that reconciliation has multiple and interrelated dimensions. A meta-analysis of other nation’s definitions of reconciliation highlights the existence of five key dimensions:

1. Historical acceptance: this relates to the wrongs of the past and understanding and accepting their impacts. It includes reparations for past wrongs, and ensuring that these wrongs are not repeated.
2. Race relations: this relates to the perceived relationship between groups within society, as well as the perception and reality of racism and prejudice.
3. Institutional/political integrity: this relates to the extent to which the political leadership and civil society’s institutions actively support reconciliation.

4. Material equality/equality/equity—this has two sub-dimensions:
 - i. the degree to which all citizens participate equally in employment, education and other areas of life
 - ii. the extent to which the culture of the ‘wronged’ group is secure in its unique rights and access to broad citizenship rights.
5. Unity/shared national identity/social cohesion: this relates to the extent to which the nation to be unified has a shared national identity that all accept.

Understanding that the above dimensions are interrelated is critical. Reconciliation at individual, organisational or societal levels can only be achieved if progress is made in all five areas. A nation’s progress towards reconciliation is only as strong as the dimension that is least advanced.

Reconciliation is both a process and an outcome. Reconciliation involves a range of social, structural, psychological and material interventions that bring formerly divergent or conflicting groups closer together to a sense of peace, understanding and a shared future. Such a process occurs at multiple levels, including between citizens, between the citizenry and organisations, and between the citizenry and broader systems and institutions.

Reconciliation is also an ongoing process, a state that must be reviewed, refined and nurtured over time. In a reconciled Australia, Aboriginal and Torres Strait Islander children will have the same life chances and choices as non-Indigenous children, and the length and quality of a person’s life will not be determined by their racial background. Informed by international approaches, reconciliation in Australia can be defined with respect to five interrelated and equally important dimensions. In accordance with this new approach, in Australia, reconciliation will be achieved when:

1. There is acceptance of our nation’s history and agreement that wrongs of the past will never be repeated
2. Positive race relations exist between Indigenous and non-Indigenous Australians
3. Our political, business and community institutions actively support reconciliation efforts
4. Indigenous and non-Indigenous Australians participate equally and equitably in all areas of life
5. There is unity among all Australians as evidenced by acceptance of others and the existence of a shared national identity.

This multidimensional approach to defining reconciliation is illustrated in the figure below.

Figure 35: Five interrelated dimensions of reconciliation



The dimensions of Figure 35 were developed following testing with a working group of reconciliation thought leaders and practitioners. This working group also refined each dimension's:

- definition
- underlying hypothesis
- key questions of enquiry and related indicators
- required data to inform measurement.

The above work resulted in the five-dimensional framework used throughout this report.

Figure 36: Working group members

NO.	NAME	POSITION	ORGANISATION
1	Ms Leah Armstrong	CEO	Reconciliation Australia
2	Ms Josephine Bourne	Associate	REOS Partners
3	Ms Charlee-Sue Frail	Ambassador	Recognise
4	Mr Simon Gordon	Deputy CEO	Reconciliation Australia
5	Prof. Andrew Markus	School of Philosophical, Historical and International Studies Faculty of Arts	Monash University
6	Ms Carla McGrath	Sustainability Manager	National Centre for Indigenous Excellence
7	Ms Karen Mundine	General Manager - Communications & Strategic Directions	Reconciliation Australia
8	Mr Darryl Nelson	Managing Director	Polity Research & Consulting
9	Ms Liz Potter	Head of Social Sustainability	Lend Lease
10	Prof. Tim Rowse	Professorial Fellow	University of Western Sydney
11	Ms Natalie Walker	Roundtable Facilitator	Inside Policy

APPENDIX B.

DATA SOURCES IN DETAIL

Name:	Annual Report—Complaints data
Author:	Australian Human Rights Commission (AHRC)
Current release:	Annual Report 2012–13
Previous releases:	Annually since 1995–96
Citation:	AHRC Annual Report 2012–13, 8 October 2013, Sydney
Description of source:	<p>The AHRC investigates and resolves complaints of discrimination, harassment and bullying based on a person’s sex, race, disability, age and other characteristics such as, sexual preference.</p> <p>The AHRC reports annually on the number and types of complaints received by complainant background (i.e. race, gender, location). This is a useful measure for understanding the overall prevalence of racism (as measured through complaints of racism) and comparing Indigenous and non-Indigenous Australian’s experience of racism.</p>
Limitations:	At the time of researching this inaugural <i>The State of Reconciliation in Australia</i> report, the AHRC had not released its Annual Report for 2013–14.

Name:	Australian Reconciliation Barometer 2014
Author:	Polity Research & Consulting
Current release:	December 2014
Previous releases:	Biennially since 2008
Citation:	Polity Research & Consulting, Reconciliation Australia: Australian Reconciliation Barometer 2014, December 2014, Sydney

Description of source:

In early 2014, following a tender process, Polity Research & Consulting was selected to conduct the ARB survey, and to assist Reconciliation Australia and its stakeholders with a comprehensive review of the ARB survey. In May 2014, Reconciliation Australia convened a roundtable workshop at the National Centre of Indigenous Excellence in Redfern. Participants were invited based on their knowledge and experience in Indigenous affairs, reconciliation and social research, and to achieve an appropriate mix of not-for-profit, academic and commercial sectors and gender.

The roundtable identified four key areas for improvement of the ARB. These were:

- to better inform a broader narrative on reconciliation, by more closely aligning with Reconciliation Australia's Reconciliation Outcomes Framework
- to remove questionnaire asymmetry, with too many existing questions, 'speaking' to non-Indigenous respondents rather than both groups
- to address Indigenous sample bias as much as possible
- to better measure the lived experience of respondents, rather than their perceptions of the broader social reality.

Accordingly, the 2014 ARB has been revised extensively and contains many new measures, as well as some revisions to past questions. For this reason, and also due to the improved 'random' sampling approach for the Indigenous community (see below), the 2014 ARB represents something of a resetting of the reconciliation baseline in Australia, and makes direct tracking comparisons with 2008–12 results difficult.

Nevertheless, the results of these past surveys have, where applicable, been included in the ARB reported in full in this report. This allows for possible trend analysis by readers of this report, however Polity advises caution regarding any dramatic changes in results from 2012.

General community and Aboriginal and Torres Strait Islander samples

The general community sample of Australian residents continues to be selected and weighted to be representative in terms of age, gender and location (state and urban/regional splits), as per Australian Bureau of Statistics 2011 Census data. Participants were recruited from a professional market and social research panel and they received a small incentive for their participation. The sample of 1,100 completed the survey in September to October 2014, and is associated with a margin of error of +/-3.1 per cent at the 95 per cent confidence interval.

For the first time, the Indigenous sample was also drawn from a professional market and social research panel. Participants 'self-identified' as Aboriginal and/or Torres Strait Islander. The sample of 502 completed the survey between September and October 2014 (simultaneously with the general community sample), and is associated with a margin of error of +/-4.4 per cent at the 95 per cent confidence interval.

Limitations:

Gaining a truly representative sample of Aboriginal and Torres Strait Islander Australians remains difficult because of a number of geographical and socio-economic factors. Accounting for these factors comprehensively is beyond the current budget scope of the research, and as such the sample of Indigenous people may not be truly representative of the overall Indigenous population (particularly encompassing remote community views).

For demographic profiling, the survey asked questions regarding cultural background, including personal cultural background for non-Indigenous participants. It is acknowledged that in the course of survey objectives and brevity, this covered only macro-level major cultural groups (i.e. European or Asian), but did not cover 'national' identities (e.g. Australian, Indonesian).

It is also acknowledged that, in the interests of graphical and reporting brevity, the abbreviation 'Indigenous' has been used, to respectfully refer to Aboriginal and Torres Strait Islander peoples. Similarly, the term 'Australians' has been used in both the survey questions and report, to refer to all people who are resident in Australia, including both citizens and non-citizens.

Online approach

Participants from both groups completed the survey online. Previous studies have shown that online research produces research which is at least as accurate (and sometimes more accurate) than telephone research. Another benefit of this approach is the removal of any interviewer bias that may come into play when discussing sensitive issues. Online surveys also have the advantage of allowing people to respond at their own pace, giving them enough time to properly consider important and complex issues.

However, it is possible that this methodology over-samples the computer literate population, which on average may be more highly educated than the general population. Please note that all the percentage figures from the ARB used in this report are rounded. Accordingly, totals may not add up to 100 per cent.

Name:	Census on Population and Housing
Author:	Australian Bureau of Statistics
Current release:	2012
Previous releases:	Every six years. Last release was the 2006 Census
Citation:	Australian Bureau of Statistics, 2011 Census of Population and Housing: Aboriginal and Torres Strait Islander Peoples (Indigenous) Profile, cat. no.: 2002.0, Canberra
Description of source:	<p>Conducted every six years, the Australian Bureau of Statistics, Census on Population and Housing collects highly valuable data on the Australian population. Such data includes (but is not limited to):</p> <ul style="list-style-type: none"> • place of birth • language spoken • gender • age • ethnicity and cultural background • place of usual residency • individual and household income • level of educational attainment • employment status. <p>This data is useful as a primary source of data for comparing Indigenous and non-Indigenous Australians status on key material equality indicators, such as education, employment, income, housing and age distribution.</p>
Limitations:	None of note

Name:	Child Protection in Australia
Author:	Australian Institute of Health and Welfare (AIHW)
Current release:	2014
Previous releases:	National reporting annually since 2001–02
Citation:	Australian Institute of Health and Welfare 2014, Child Protection Australia: 2012–13, Child Welfare Series no. 58. cat. no. CWS 49, Canberra: AIHW
Description of source:	This report provides comprehensive information on children who come into contact with state and territory community service departments for protective reasons. The report contains data for 2012-13, as well as trend data on child protection notifications and substantiations, children on care and protection orders and children in out-of-home care.
Limitations:	None of note

Name:	Deaths in Custody in Australia
Author:	Australian Institute of Criminology
Current release:	2013
Previous releases:	National reporting annually since 2002
Citation:	Matthew Lyneham and Andy Chan 2013, Deaths in Custody in Australia to 30 June 2011: Twenty years of Monitoring by the National Deaths in Custody Program since the Royal Commission into Aboriginal Deaths in Custody, Monitoring Report no. 20, Australian Institute of Criminology, Canberra.
Description of source:	The National Deaths in Custody Program records information on all deaths in custody in Australia since 1980. This report presents detailed tabulated information on deaths in custody in Australia since the year 2002 and also provides jurisdictional breakdowns for comparative purposes. The report also contains information on the causes and manner of deaths in custody.
Limitations:	None to note

Name:	Indigenous Engagement Survey and Progress Report 2014
Author:	Business Council of Australia
Current release:	December 2014
Previous releases:	Annually since 2009
Citation:	Business Council of Australia, Indigenous Engagement Survey Report, 2014, Melbourne
Description of source:	<p>Since 2009, the Business Council of Australia (BCA) has surveyed its member companies on their Indigenous employment, economic and community development activities. The 2013 survey focused on four main areas of business–Indigenous engagement—employment; education; procurement and supplier diversity; and community partnerships.</p> <p>In gathering both qualitative and quantitative data on BCA member activities, the survey report aims to highlight the collective impact and success factors of Indigenous engagement, as well as better understand shared challenges.</p> <p>The 2013 survey report includes case studies and thematic findings from research into the impacts of business–Indigenous engagement of Indigenous employees, businesses and community partners.</p> <p>The 2013 survey questionnaire was distributed to 126 companies, 95 of which completed the survey. The survey focuses on:</p> <ul style="list-style-type: none"> • levels of business engagement with Indigenous communities • reasons for involvement in Indigenous engagement strategies • types of activities that businesses are involved in.
Limitations:	Not all BCA members completed the survey. Not all BCA members who completed the survey have RAPs. BCA membership is limited to ASX 100 companies and therefore is not representative of the broader Australian business community.

Name:	Indigenous Expenditure Report 2014
Author:	Productivity Commission (PC), Steering Committee for the Review of Government Service Provision
Current release:	12 December 2014
Previous releases:	28 February 2011 and 4 September 2012
Citation:	Steering Committee for the Review of Government Service Provision (SCRGSP) 2014, <i>Indigenous Expenditure Report</i> , PC, Canberra.
Description of source:	<p>The <i>Indigenous Expenditure Report</i> presents nationally comparable information on government expenditure on services to First Australians. It contributes to governments' understanding of the levels and patterns of expenditure on services that relate to First Australians, and provides policy makers with an additional tool for targeting policies to close the gap in Indigenous disadvantage.</p> <p>The report was first commissioned by the Council of Australian Governments (COAG) in December 2007. The 2014 report is the third in a series that provides estimates of expenditure on services to First Australians. Specifically, it provides information on the level and patterns of expenditure on targeted and mainstream services for First Australians across 86 expenditure categories, mapped to the COAG National Indigenous Reform Agreement building blocks.</p> <p>When combined with other information, the estimates in the report can contribute to a better understanding of the adequacy, effectiveness and efficiency of government expenditure on services to First Australians. In addition to assessing the total government direct (i.e. through federal programs) and indirect (i.e. federal funding of states and territories) expenditure on Indigenous-specific and mainstream programs, it also compares the level of government spending per head of the non-Indigenous and Indigenous populations in specific program areas (i.e. education, housing).</p>
Limitations:	There were significant variations in levels and patterns of expenditure across expenditure categories and across states and territories—more information is available in the report and at www.pc.gov.au/gsp/ier .

Name:	National Native Title data—Determinations, Indigenous Land Use Agreements and Future Acts
Author:	National Native Title Tribunal (NNTT)
Current release:	1 December 2014
Previous releases:	Data collected since 1998
Citation:	<p>National Native Title Tribunal, Register of Native Title Determinations, www.nntt.gov.au/searchRegApps/NativeTitleRegisters/Pages/Search-National-Native-Title-Register.aspx</p> <p>National Native Title Tribunal, Register of Indigenous Land Use Agreements, www.nntt.gov.au/searchRegApps/NativeTitleRegisters/Pages/Search-Register-of-Indigenous-Land-Use-Agreements.aspx</p> <p>National Native Title Tribunal, Register of Future Act Determinations, www.nntt.gov.au/searchRegApps/FutureActs/Pages/default.aspx</p>
Description of source:	<p>The Native Title Registrar (the Registrar) maintains three registers of important information relating to native title. The registers are held electronically in the principal registry of the NNTT in Perth, Western Australia. Information from them can also be obtained from each of the state or territory registries. The registers are the:</p> <p>Register of Native Title Claims, which contains information about native title claimant applications that have satisfied the conditions for registration (the registration test) set out in s.190A of the <i>Native Title Act 1993</i> (Cth)</p> <p>National Native Title Register, which contains information about all approved determinations of native title in Australia</p> <p>Register of Indigenous Land Use Agreements, which contains information about Indigenous land use agreements made between people who hold, or may hold, native title in the area and other people, organisations or governments.</p> <p>The registers are available at www.nntt.gov.au/Information%20Publications/About%20the%20NNTT%20registers.pdf.</p>
Limitations:	None to note

Name:	Overcoming Indigenous Disadvantage report 2014
Author:	PC, Steering Committee for the Review of Government Service Provision
Current release:	19 November 2014
Previous releases:	2003, 2005, 2007, 2009 and 2011
Citation:	Steering Committee for the Review of Government Service Provision (SCRGSP) 2014, Overcoming Indigenous Disadvantage: Key Indicators 2014, PC, Canberra
Description of source:	<p>In April 2002, the Council of Australian Governments (COAG) commissioned the Steering Committee to produce a regular report of key indicators of Indigenous disadvantage. The Steering Committee is advised by a working group made up of representatives from all Australian governments, the National Congress of Australia's First Peoples, the Australian Bureau of Statistics and the Australian Institute of Health and Welfare.</p> <p>The <i>Overcoming Indigenous Disadvantage</i> (OID) report measures the wellbeing of Australia's Indigenous peoples. The report provides information about outcomes across a range of strategic areas, such as early child development, education and training, healthy lives, economic participation, home environment, and safe and supportive communities. The report examines whether policies and programs are achieving positive outcomes for First Australians.</p> <p>Through the National Indigenous Reform Agreement, all governments have committed to ensuring their data is high quality and, in addition, is available for reporting purposes. This undertaking has been made with specific reference to the need to provide data for the OID report.</p>
Limitations:	<p>In its 2014 Report, the PC notes a dearth of complete, representative and current data on the measures of:</p> <ul style="list-style-type: none"> • governance • participation in languages and cultural activities • access to infrastructure.

Name:	Prisoners in Australia
Author:	Australian Bureau of Statistics
Current release:	2014
Previous releases:	Annually since 2000
Citation:	Australian Bureau of Statistics, Prisoners in Australia, 2000–14, cat. no. 4517.0, Canberra
Description of source:	<p>Contains national information on prisoners who were in custody on 30 June each year. The statistics are derived from information collected by the Australian Bureau of Statistics from corrective services agencies in each state and territory. Details are provided on the number of people in correctional institutions (including people on remand), imprisonment rates, most serious offence and sentence length. Information is also presented on prisoner characteristics (age, sex, Indigenous status) and on the type of prisoner (all prisoners, sentenced prisoners, and unsentenced prisoners (remandees).</p> <p>The report is available at www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4517.0~2014~Main%20Features~About%20this%20Release~9999.</p>
Limitations:	None to note

Name:	Social Cohesion Survey
Author:	Professor Andrew Markus
Current release:	2015
Previous releases:	Annually since 2007
Citation:	Andrew Markus, <i>Mapping Social Cohesion: The Scanlon Foundation Surveys 2015</i> , Scanlon Foundation, Australian Multicultural Foundation, and Monash University, Melbourne
Description of source:	<p>Monash University, in partnership with the Scanlon Foundation and the Australian Multicultural Foundation, undertakes a major Social Cohesion Research program. This research focuses on monitoring how Australia can maintain the 'immigration with social cohesion' success story of the last five decades. The survey does not disaggregate by Indigenous status and its methodology is clearly focused on the impact of immigration and refugees on Australia's national cohesion. Within the survey, there is very little reference to Indigenous peoples or issues.</p> <p>The Scanlon-Monash Index of Social Cohesion (SMI) provides an overview in the five core domains of social cohesion—belonging, worth, social justice, participation, and acceptance and rejection. Table 8 (most important problem facing Australia today) is the only direct reference to Indigenous peoples within the survey.</p>
Limitations:	The survey does not disaggregate responses by Indigenous status.

Name:	Stolen Wages data (various)
Author:	New South Wales, Western Australia and Queensland governments and the Standing Committee on Legal and Constitutional Affairs (<i>Unfinished Business, Indigenous Stolen Wages Inquiry</i>).
Current release:	December 2014
Previous releases:	Nil
Citation:	Various
Description of source:	This includes various data on each jurisdiction's compensation scheme for stolen wages, including the term of the scheme, the level of compensation payments and total compensation paid.
Limitations:	None to note

Name:	Victorians Attitudes to Race and Cultural Diversity
Author:	VicHealth
Current release:	8 December 2014
Previous releases:	None
Citation:	VicHealth 2014, Findings from the 2013 survey of Victorians' attitudes to race and cultural diversity, Victorian Health Promotion Foundation, Melbourne, Australia
Description of source:	<p>The survey was developed in partnership with The University of Melbourne, the Social Research Centre and experts across Australia.</p> <p>Over the past 10 years, VicHealth has identified discrimination and its resulting disadvantages as one of the important drivers of mental illness.</p> <p>Mental illness is among the top three causes of burden of disease and injury in Australia, which is why VicHealth has made improving mental wellbeing a strategic focus in its Action Agenda for Health Promotion. For a decade, it has supported activity that builds the evidence of the link between race-based discrimination and health, as well as promoting cultural diversity.</p> <p>This report is available at https://www.vichealth.vic.gov.au/media-and-resources/publications/victorians-attitudes-to-race-and-cultural-diversity.</p>
Limitations:	The survey respondent group was derived from Victoria. The findings of the survey are applicable to Victoria and not necessarily to other jurisdictions or nationally.

Name:	Workplace RAP Barometer (WRB) 2014
Author:	Polity Research & Consulting
Current release:	December 2014
Previous releases:	Biennial since 2012
Citation:	Polity Research & Consulting, Reconciliation Australia: Workplace Australian Reconciliation Barometer 2014, December 2014, Sydney
Description of source:	<p>Reconciliation Australia has monitored reconciliation initiatives at the workplace level since 2012, through biennial surveys of participating employees. Reconciliation Australia uses this information to broadly inform how its RAP program is performing, but also to work more closely with specific partner organisations, helping them implement and improve the performance of their workplace RAP.</p> <p>To date, surveys have been conducted in:</p> <ul style="list-style-type: none"> • August 2012 • September–October 2014. <p>This report presents the latest wave of this tracking, and, where possible, compares results to those in the previous 2012 wave. Also, workplace results are directly compared with findings among the general public, where possible, to demonstrate the effects RAPs are having on perceptions and attitudes, vis-à-vis the general Australian population.</p>
Limitations:	None to note

APPENDIX C.

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Reconciliation Australia acknowledges the Traditional Owners of country throughout Australia and recognises their continuing connection to land, waters and community. We pay our respects to them and their cultures; and to Elders both past and present.

Aboriginal and Torres Strait Islander peoples should be aware that this publication may contain names of people who have since passed away.

THE STATE OF RECONCILIATION IN AUSTRALIA 2016