

## Tom Calma

*Tom Calma is Australia's Aboriginal and Torres Strait Islander Social Justice Commissioner and National Race Discrimination Commissioner.*

*On National Sorry Day, he spoke on behalf of Stolen Generation groups in the Great Hall of Parliament House in response to the apology of the Parliament.*

*He is an Aboriginal elder from the Kungarakan tribal group and a member of the Iwaidja tribal group whose traditional lands are south west of Darwin and on the Coburg Peninsula, respectively, in the Northern Territory.*

*He has been involved in Indigenous affairs at a local, community, state, national and international level, and worked in the public sector for over 30 years.*



*He has broad experience in public administration, particularly in Indigenous education programs and in developing employment and training programs for Indigenous people from both a national policy and program perspective.*

*He is a White Ribbon Day Ambassador for 2005, 2006 and 2007. White Ribbon Day is the International Day for the Elimination of Violence Against Women. He is also a national patron of Wakakirri National Story Festival.*

*He was awarded the prestigious number 1 position in the Indigenous category for the Bulletin magazine's **Power 100** for 2007. The **Power 100** selects the 100 most powerful people in Australia. It is judged by a group of 10 who select people they consider share one common trait - the ability and desire to drive change.*

**On 24 June 2008 Commissioner Tom Calma addressed a Public Forum organised by the Mornington Peninsula Human Rights Group and attended by some 250 people in the Peninsula Community Theatre, Mornington.**

**Here is the text of his address.**

## **REFORMING FEDERAL INDIGENOUS AFFAIRS POLICIES**

**by Commissioner Tom Calma**

Good evening ladies and gentlemen, Deputy Mayor, distinguished guests, friends, supporters and my Koori brothers and sisters.

May I begin by acknowledging the traditional owners of the land on which we are meeting here tonight, the Boon wurrung people, and by paying respect to your ancestors, and to thank Carolyn for your warm welcome, and also to acknowledge and applaud the dancers, because it's great to see young kids up there learning about culture.

I would also like to thank Helen Howells, the convenor of the Mornington Peninsula Human Rights Group, for inviting me here to speak to you this evening, and to Gail Price, my chaperone from the Yarra Council, and also to say it is both an honour and a privilege to be able to address you tonight and it is always good to be able to speak to grass roots groups. Community based human rights groups

such as yours are ideally placed to disseminate information about human rights and to draw your Government's attention to what is working in Indigenous communities both here and overseas.

Since the introduction of the Victorian Charter of Rights in 2006 we also have an increased capacity to advocate for change that will deliver the best possible outcomes for our children and our communities in Victoria and in Australia at large. It is therefore with great pleasure that I would like to open a discussion with you tonight on the subject of Reform in Federal Indigenous Affairs Policy Making.

## **LESSONS FROM THE IMMEDIATE PAST**

### **The New Arrangements**

I was first appointed to the role of Social Justice Commissioner in 2004 just two months after the Federal Government publicly announced that it intended to abolish ATSIC (Aboriginal and Torres Strait Islander Commission). As the Social Justice Commissioner my statutory role is to report to Parliament on how policies initiated by governments, both federal, state and local, are operating, and how their policies affect the human rights of Aboriginal and Torres Strait Islander peoples. The functioning of the federal native title Act is a special concern.

After ATSIC was wound up, a number of new and different strategies for policy making were put in place at the federal level. A large part of my work over the past four years has been to try and track the progress of these new initiatives, and what the Government has referred to as the "new arrangements" for policy making in Indigenous affairs. So you will hear about these new arrangements.

As I've noticed in my yearly Social Justice Reports, it has always been clear to me that the Howard Government was seriously committed to addressing Indigenous disadvantage in Australia. Sadly, however, the new policy system that they introduced to translate that commitment into results has not worked.

Today, barely a day goes by when our national news services are not reporting stories of licence and harm among Aboriginal communities in Australia. These stories mar our national psyche. The legacies of poor health and entrenched poverty that Aboriginal and Torres Strait Islander peoples experience have potential to create a culture of despair, and that is a despair that pervades all of us. But thankfully, in many sectors of government and community and for many Aboriginal and non-Aboriginal Australians, these legacies have also created a momentum for action to be taken.

When our current Federal Government was elected, I amongst many others viewed it as a unique opportunity for a new perspective to be heard and new changes to take place. But it is my view that unless we see a change in the very model of policy making and service delivery, the Government's ability to implement any new agenda and make any concrete changes will be extremely limited. Six months into our new Government's term, I believe Aboriginal and Torres Strait Islander peoples cannot wait any longer for a serious reform agenda to be initiated.

What I would like to do tonight is to outline some of the findings of my Social Justice Reports and discuss what I believe still urgently needs to be done in order to allow real change to take place. But before I use the words "what a reform agenda should look like", let us look at some of the lessons we can learn from the past.

### **Aims of the New Arrangements**

After the abolition of ATSIC and its service delivery arm ATSISS in 2004, the Federal Government transferred responsibility for Indigenous service delivery to mainstream government departments. And that is important as it was previously run by ATSIC and ATSISS, and now it is across all mainstream government departments. Government also announced that all its departments should be required to co-ordinate their service delivery to Indigenous peoples through the adoption of a "whole of government" approach, based on trials conducted by the Council of Australian Governments, the COAG trials. You may recall there was a COAG trial here in Shepparton. This new approach to Indigenous affairs was to be based on concepts of mutual obligation and reciprocity through the

negotiation of Shared Responsibility Agreements (SRAs) with Indigenous families and communities at the local level.

When the Government made this amendment, it hoped that three changes would take place. First, that a whole of government approach to policy issues could be managed with the creation of the Office of Indigenous Policy Co-ordination (OIPC). According to the Federal Government a whole of government approach would reduce the amount of red tape in program implementation, ensure complementary approaches were taken by policy makers in different areas, and increase government accountability to Indigenous people through flexible funding arrangements. Speaking about the changeover to the new arrangements, the former secretary of the Department of Prime Minister and Cabinet, Dr. Peter Shergold, said:

Mainstreaming as it is now envisaged is the antithesis of the old departmentalism. The vision is of a whole of government approach which can inspire innovative new national approaches to the delivery of services to Indigenous Australians but which are responsive to the distinctive needs of particular communities.

So, the thought was there.

The Second objective of the new arrangements was that more effective agreements could be negotiated with Indigenous people and communities at regional and local level through the creation of regional Indigenous Co-ordination Centres (ICCs). Introducing the changes, former Minister for Indigenous Affairs, Amanda Vanstone described ICCs as "the Australian Government's presence on the ground, offering a simple, co-ordinated and flexible service". So we've had Shergold and we've had Vanstone both talking it up.

The Third objective was that in place of ATSIC the Federal Government could support Indigenous representative structures at regional level through Regional Participation Agreements (RPAs). The Government also appointed a council of Indigenous experts (the National Indigenous Council) to advise government on policy, program and service delivery issues. Speaking of the Government's move from symbolic representative arrangements to what it called "more practical measures" for engagement, former Prime Minister, John Howard, said,

Our goals in relation to Indigenous affairs are to improve outcomes and opportunities and hopes of Indigenous peoples in the areas of health, education and employment. We believe very strongly that the experiment in separate elected representation for Indigenous peoples has been a failure.

## **Results of the New Arrangements**

### **(1) Failure of Mainstreaming**

So with those comments and aspirations in mind, let's look at what developments have occurred in each of these areas four years on since the new arrangements were put in place. As I noted in my Social Justice Report 2006, the ability of government to work on the whole of government basis through mainstreaming of services has seriously been brought into question. One primary problem with reliance on mainstreaming of services for Indigenous peoples is, to put it simply, that Indigenous people often have greater barriers to access these services than the rest of the population. To quote from the Commonwealth Grants Commission and its report on Indigenous funding in 2001. It said:

It is clear from all available evidence that mainstream services do not meet the needs of Indigenous people to the same extent as they meet the needs of non-Indigenous people. In general Indigenous people experience greater disadvantage and have greater needs than non-Indigenous people. For geographic, economic and cultural reasons mainstream services are less accessible to them.

So although I acknowledge that efforts have been made to provide Indigenous specific services to respond to the structural barriers, too often the funding and resource capacities devoted to these services have continued to come out of mainstream budgets. What we see then is that where Indigenous specific services exist they have tended to replace mainstream services rather than supplement them. The result is not better or more extensive services being developed for Indigenous communities, but simply the same kinds of services with the same problems under a different name.

## **(2) Funding and Resourcing Difficulties**

It is also clear that problems remain in how government has dealt with the challenges that arise in the different types of service provision required for urban and for remote Indigenous communities. Under the new arrangements the former Federal Government made remote communities its priority for Indigenous specific funding. This funding allocation was made on the basis that the level of need was greatest in remote communities and that mainstream services are available to urban based Indigenous people. This focus on the supposed difference of remote communities was also apparent in 2007 when we looked at the priority that was given to resourcing the Northern Territory Intervention. While it is true that remote communities do often pose the greatest challenges to governments in terms of providing access to public utilities and services, Indigenous people living in urban areas face their own very separate challenges. Not least of these is that the issues Indigenous people face in many urban areas are not as clearly identifiable as those of people living in remote communities. If we explore current funding arrangements we could be forgiven for believing the majority of Indigenous people live in remote areas. But these priorities do not seem to take account of the fact that according to the Australian Bureau of Statistics 73% of the Indigenous population live in urban and regional areas, while only 27% live in areas that could be classified as remote. It remains a surprise to many that only 12% of Indigenous people live in the Northern Territory. That is not even twice the number of Indigenous people living here in Victoria, and not even half the number living in New South Wales or Queensland.

It has not been apparent to me that the making of more agreements at local and community level has led to greater government accountability or resulted in a reduction of money wasted on red tape. According to an independent review of 80 Shared Responsibility Agreements (SRAs) conducted in 2006 by my office, communities have experienced varied levels of success operating under the framework of the new arrangements. In some situations Indigenous communities willingly participated in SRAs, and of these communities some of them derived considerable benefits from them. But a common finding in the report was that community bodies seeking funding and services received a lack of support from government at all stages of the SRA implementation process. Another review released at the time, noted the frustration of both Indigenous organisations and ICC staff, at having to take time away from urgent daily service delivery or operational matters to comply with the conditions of the grant in reporting.

For me the findings confirmed what I have noted in my meetings with community representatives around Australia. Difficulties associated with securing ongoing funding for programs and services are a very legitimate complaint, which I hear time and time again. Interestingly, when the Office of Indigenous Policy Co-ordination was set up, it was designated a branch associated solely with the task of reducing red tape and the organisation of single bid funding agreements, so that time was not wasted by community organisations seeking to get funding resources to run programs and services. So it was called “the red tape reduction branch”. Ironically this branch of OIPC responsible for improving access to funding and services was later dismantled because it was too hard. I can only guess that OIPC was trying to reduce some of its own red tape!

What these examples demonstrate is that all too often the problem is not just a lack of services in communities, or even wrong services being provided, it is a continuing lack of institutional support and evaluation of these services that are failing Indigenous people across Australia. I'm sure the task of adequately resourcing and supporting community programs is not an easy one, but it is an area in which reform continues to be urgently needed and an area that must not be ignored any further.

## **(3) Top Down Imposition**

Finally, government's framework for engaging with Indigenous people through regional participation mechanisms has been piecemeal at best. As I noted in my 2006 Social Justice Report, one of the primary reasons that methods of engagement have not worked in many regions of Australia is that there are no apparent Indigenous representative structures to partner government in regional based planning and in determining appropriate service delivery arrangements. You can only work with a regional structure if there is a regional structure there. What is interesting is that the former Federal Government was aware of the lack of structures and initially devoted considerable time and resources to assisting them to develop.

During 2005, consultations were conducted across many regions to identify replacement representative structures for ATSIC. The Office of Indigenous Policy Co-ordination provided funds through ICCs for Indigenous people to convene regional and local meetings to discuss options for new regional representative arrangements. Outcomes of those consultations revealed that a mixture of different models are viewed as appropriate by different Indigenous communities. However, by 2006 the Federal Government had adopted a somewhat passive approach to facilitating and supporting the emergence of regional representative structures to enable Indigenous people to participate in the decision making process. To date only three such organisations: Ngaanyatjarra Council in Western Australia, Murdi Paaki Regional Association in northern New South Wales, and the Tasmanian Aboriginal Land and Sea Council, have been supported to develop as appropriate RPA and SRA partners.

Instead of developing regional structures, the priority of government seems to have become signing off Regional Partnership Agreements themselves, ignoring the fact that there may not have been appropriate representative bodies with whom to negotiate these agreements. So they are signing up agreements generally with individuals or small groups and not with representative groups. Some Indigenous communities appear to be making this system work and, contrary to many, I still see much potential in this system. Particularly, I see potential in community brokers and local level agreement making processes co-ordinated on a local level through Indigenous Co-ordination Centres. But, notwithstanding the efforts of many individuals and communities in this respect, the evidence born out by the development of SRAs so far seems to show that in practice the new arrangements have been implemented as a top down imposition and have not provided a framework for consultation, even though that was one of the major intents of the new arrangement. Policy has continued to be set centrally and unilaterally by government confirming bilateral processes with state and territory governments without Indigenous input and then applied to Indigenous people. This result is totally unacceptable.

### **The Federal Intervention in the Northern Territory**

Lack of coherence between different levels of service delivery and policy was also apparent in the Government's approach to the Northern Territory emergency and response. When the Northern Territory Intervention was announced I, along with other Indigenous leaders, welcomed the Government taking a lead on the serious issues of ongoing family violence in *some* territory communities. But, looking back on these announcements, it is telling that the former Indigenous Affairs Minister, Mal Brough, recently admitted that it took just 48 hours for the Howard Government to formulate the policy behind the Intervention. Although the speed of measures was declared at the time as necessary to provide an immediate response to a national emergency confronting the welfare of Aboriginal children in the Northern Territory, it was clear the Government intended to impose its reform package unilaterally and without consultation with affected communities.

In fact, even while the Government cited the *Little Children are Sacred* report as the basis for its measures, the Government announcements heralding the beginning of the Intervention conspicuously omitted the recommendations of that report, which specifically called for a collaborative consultation with Indigenous communities. That was the second part of Recommendation 1. The Government only picked up on the first part of Recommendation 1. Even aside from its lack of priority consultation, the Government also ignored requests by organisation, such as Reconciliation Australia, the Secretary of National Aboriginal and Islander Child Care, the combined Aboriginal organisations of the Northern Territory and the central land councils, to delay the passage of the legislation to allow greater time for review processes to take place. But these were all ignored.

One year on from the announcement of the emergency measures, a report by the intervention team, chaired by Dr Sue Gordon and Dave Charters, showed that the measures the Government has taken have had mixed results. As I've said, I applaud the Government's obvious commitment to improving the welfare of Aboriginal people, but the Northern Territory Intervention bears little resemblance to the so called bold experiment of post ATSIC new arrangements, such as the COAG trials, SRAs and whole of government co-ordination. I question how 48 hour policy decisions fit with the new arrangement's goal of having effective agreements negotiated with Indigenous people and

communities at regional and local levels. It is clear that no long term success can occur when primary stakeholders have no capacity to meaningfully interact with the processes that are set up for government.

For all these reasons the time is now long overdue to review the mixed legacies that the new Federal Government inherited. That legacy, I believe, does not provide a sustainable way forward for policy making into the future. Having taken you through some of the problems of past frameworks I now want to look at the future and consider what I believe a new reform agenda for policy development in Indigenous affairs would look like.

## **GUIDELINES FOR THE FUTURE**

### **(1) The Need for Consultation with and Participation by Indigenous Stakeholders**

Firstly, it is incumbent on the Federal Government to ensure full participation and involvement of Indigenous people in all policy decisions that affect them. Put simply, it is Indigenous people who will know best what solutions are workable in their own communities, and it is governments that need to develop and support these solutions. Furthermore, Aboriginal and Torres Strait Islander people in Australia have the right to determine the means and the manner by which their communities develop both now and into the future.

But for government, consultation is important not just from a rights perspective, it is important because governments risk failure if they develop and implement policies about Indigenous issues without engaging with the intended recipients of those services. Bureaucrats and governments frequently do this. They frequently have the best intentions in the world, but if those intended policies have not been subjected to the reality test of the life experiences of the people who are intended to benefit from them, then all government efforts will fail. For policy development in Indigenous affairs this warning must be heeded with extra caution. Policies that have worked before in a different context cannot be duplicated without the support of communities. Functional urbanised communities cannot necessarily be compared with those who do not already have the necessary infrastructure and support mechanisms in place for a policy to succeed. What we see then is the pressing need for principled engagement with Indigenous people about government policy that affects us.

It is in this respect that I warmly welcome the Government's recent commitment to supporting a national Indigenous representative body. In the budget portfolio statement for Indigenous affairs released as part of the Federal Government's budget in May, the Minister for Indigenous Affairs, your own Jenny Macklin, stated that:

The Government went to the election with the commitment to set up a national representative body to provide an Aboriginal and Torres Strait Islander voice within government. We will soon begin formal discussions with Indigenous people about the role, status and composition of the body.

With the demise of the National Indigenous Council, the body I referred to as the Government's hand-picked group of experts, the need for such a body at national level is particularly pressing, and the commitment I have just quoted to you is therefore very heartening. However, the Government's commitment to create a representative body for Indigenous people is only a first step. History has shown us that the strengths of the representative organisation will depend on the level upon which it is supported and resourced by governments or from other sources, and the space it is given to assert its independence.

For these reasons, whatever processes that will lead us to the creation of a representative body must be tempered by realistic goals. Moreover, it is essential that the relationship between governments and Indigenous stakeholders in any future representative body be properly articulated from the outset. Governments need to tell us, as Aboriginal and Islander peoples, what they are willing to support and, particularly, what they are not willing to support, before we go out to a process of trying to determine what a representative body might look like. Furthermore, the Government must recognise that since any representative body must be designed to be sustainable, it will take time to develop and get it off the ground. For this reason it is essential that the Government does not delay its obligation to consult with Indigenous people until such a body is set up and running. We do not want the present hiatus, the

vacuum that exists at the moment, where there is no representative body so government cannot talk to anybody.

So I call upon the Government to take interim steps immediately to ensure that Indigenous people are at the table at vital decisions about our lives, that are being made by the Government in the coming months. And specifically, I propose that the Government should convene meetings with Indigenous peak bodies including land councils, affiliations of health organisations, Aboriginal child care agencies, education, legal and land bodies, and other peak bodies operating at state, territory or national level before they announce any further policy developments in any of those areas. So that's going to be important. Let's not do nothing. Let's go and pull the peak bodies together. Most of the bodies I've mentioned are elected by Indigenous people and are representative of their sectors and, in my view, ongoing consultation with these groups is therefore essential at least until such time as a more permanent forum can be established. I believe the Minister is seriously considering that and we might see such meetings happening in the near future.

## **(2) The Need for Long-term Targets and Benchmarks**

Secondly, it is clear that policy making must be set around clear long-term targets, rather than having what the previous Government referred to as "record levels of spending", and using that as a benchmark by which we judge progress in Indigenous affairs. I must say that while they always talked about record levels of funding, it is now heavily under question. A group of treasurers from around Australia are meeting to try and determine whether money that was reported was actually spent, whether it actually hit the ground or was just a paper exercise. When the previous Government introduced the new arrangements, it was hoped that the methods by which it funded policy and programs for Indigenous communities would be more accountable. But the lessons of successive Social Justice Reports, that I tabled in the Federal Parliament, and the lessons of the Australian National Audit Office's latest audit (2007), are that the whole of government arrangements for developing services to Indigenous people were simply not operating effectively. So all the externals are telling the new Government that the systems they have inherited are not operating effectively.

For two years now, I have been leading a coalition of health professionals that have provided government with what I hope will be the template for a different model of progress. It is for long-term targets and benchmarks by which health outcomes in the coming years will be evaluated. The first stage of this work culminated in mid-March, when the Prime Minister, the Ministers for Health and Aboriginal Affairs, the Opposition Leader, Ian Thorpe, Catherine Freeman, and every major Indigenous and non-Indigenous health peak body, signed a Statement of Intent for a new partnership to close the gap in Indigenous health inequality. The Statement of Intent commits the Government of Australia, Indigenous Australians supported by non-Indigenous Australians, and Indigenous and non-Indigenous health organisations. It has committed us to work together to achieve equality of health status and life expectancy by the year 2030. The Statement of Intent also outlines the specific measures that are needed to improve Aboriginal and Torres Strait Islander access to health services. Crucial to this is to ensure that for Indigenous Australians to have equal access to health services they need to be actively involved in the design, delivery and control of these services.

All the parties that signed up to the Statement of Intent are committed to:

- developing a comprehensive long-term plan of action that is targeted to need, is evidence-based, and is capable of addressing the existing inequalities in health services in order to achieve equality of health status and life expectancy between Indigenous and non-Indigenous Australians by the year 2030
- ensuring that primary healthcare services and health infrastructure for Aboriginal and Torres Strait Islander people are capable of bridging the gap to the health standards by 2018
- ensuring the full participation of Aboriginal and Torres Strait Islander people and their representative bodies in all aspects of addressing their health needs
- working collectively to systemically address the social determinants that impact on achieving health equality for Aboriginal and Torres Strait Islander people
- building on the evidence base, and supporting what works in Aboriginal and Torres Strait Islander health and relevant international experiences

- supporting and developing Aboriginal and Torres Strait Islander community-controlled health services in urban, rural and remote areas in order to achieve lasting improvements in Aboriginal and Torres Strait Islander health and well-being
- achieving improved access to and outcomes from mainstream services for Aboriginal and Torres Strait Islander people
- respecting and promoting the rights of Aboriginal and Torres Strait Islander people, including by ensuring that health services are available, appropriate, accessible, affordable and of good quality
- measuring, monitoring and reporting on our joint efforts in accordance with the benchmarks and targets to ensure we are progressively realising our shared ambitions.

For those interested, the Statement of Intent and what I've read out is all available on the Human Rights and Equal Opportunities Commission (HREOC) website. These are commitments made by the Government and by the Opposition so it could be considered to be a bi-partisan approach to Indigenous health. I believe those same principles are applicable to all aspects of Indigenous affairs. So we are going through a process of advocating with government to apply them across the board.

Not only do these targets provide a focus point for government action, they provide bi-partisanship and industry-developed standards that should be less likely than dollar figures to be open to the possibility of political buck-passing between different levels of government. Benchmark targets also provide measured standards for the long-term, so that Indigenous disadvantage does not continue to be merely another political football with various wins and losses left subject to the whims of the political cycle. That is something we see in Indigenous affairs all the time. We are victims all the time to the three to four year political cycle and to one year funding. I'm pleased to say that this whole process for closing the gap - targeted benchmarks, time frames, etc. - has been recognised by the United Nations Special Rapporteur for Health as world's best practice. It has now been promoted by the World Health Organisation to other Indigenous communities around the world. It is equally applicable to mainstream communities.

For all these reasons, the development of targeted standards for progress in consultation with industry professionals and key Indigenous stakeholders is, I believe, a crucial component of any future successful reform package. Once again I note that targets and goal setting can only be regarded as a first step. There has rarely been a time when Indigenous services have been funded to the level of need, and this is the primary reason relating to failure to achieve substantial outcomes over the past decades. Once goals have been set, government processes must be reformed and re-engineered to ensure they are capable of meeting these challenges, and once the frameworks have been established for action, a realistic assessment of the inputs and approaches necessary to achieve them must be undertaken and matched by resources to the appropriate level of need.

We have seen from the surveys they have done of communities in the Northern Territory, that there is one big lesson to be learned. It is that there has been a paucity of funding and a paucity of co-ordination of effort by both state and federal governments, and unless the whole is re-engineered and re-directed, we will see in coming decades no real substantial change. And that is only in the Northern Territory. That's where the effort is, but it would be applicable across Australia in Indigenous affairs.

### **(3) The Need for a Commitment to Human Rights**

Finally, it is clear that any government action in Indigenous policy must be underscored by a commitment to human rights in order to be successful. For too long domestic Indigenous policy makers have treated human rights as a barrier to policy development. Where engagement with the human rights system has been taken in the past, it has manifested in efforts merely to comply with human rights restrictions at their most basic level. Clearly compliance with basic human rights obligations is essential for good public policy making. But a human rights based approach to policy making involves and offers far more than mere guiding restrictions on what can or cannot be done. It encourages the adoption of pro-active measures to create an enabling framework for active participation and engagement of all citizens, and particularly for those who are disadvantaged or who are powerless. Importantly, human rights also provides a framework to assist in targeting government activity in areas of greatest need.



One of the fundamental goals of human rights is the provision of equality before the law and non-discriminatory treatment for all. Where such discrimination exists, such as the entrenched discrimination against Indigenous peoples that is reflected in disproportionately high rates of disadvantage, there are obligations on a national government to ensure that there are actions by governments to address the inequalities. These actions must be sufficiently targeted, be progressively reducing the inequality gaps, and be doing so as quickly as possible, and be utilizing the maximum of available resources. They are the basic tenets of human rights that governments need to take into consideration.

Now I note that the Rudd Federal Government has already signalled its intention to comply with international human rights standards, and I welcome this commitment. Once again though, I note that undertakings of the kind must be put into practice to be effective. Crucial to this is that all legislation, policies and programs of development implemented by government should be undertaken in a spirit of mutual respect and consistent with principles of equality. Human rights obligations are not merely technical matters that sit distant from the day to day realities of life for Indigenous children and their families. The ability of children and their families and their communities to enjoy their human rights has a profound impact on the environment in which they live, grow and develop. It fundamentally impacts upon their hopes and aspirations, in empowering or disempowering them, in supporting or restricting different life paths, and ultimately in the choices that people make about their futures. When our current Government made its national apology to members of the stolen generations in February this year, it sparked exactly the kind of hopes and aspirations that I am referring to, and this is the transformative effect that a commitment to human rights can have when it is put into practice.

In conclusion, I would like to set our new Government a challenge. I call upon the new Federal Government to commit to a serious policy reform agenda that addresses not only what still needs to be done, but also the way to do it. If it is willing to inherit and promote a framework that has not produced results in the past, it will have enormous trouble getting results into the future. The challenge I have outlined tonight involves the rapprochement and real reconciliation with Indigenous people as an opportunity and not as a difficulty or a hurdle. It means seeing Indigenous people not only as equal partners in policy. It envisions Indigenous people providing the policy processes ourselves. Shaping the system that underpins policy and service delivery will not be an easy task, but if that were to be the legacy of the Rudd Federal Government in Indigenous affairs, it would certainly be a legacy of which the Government could be proud.

Friends, thank you for your interest and support for social justice and human rights. Your support and encouragement give us, as Aboriginal tribes and Islander people, strength and helps government focus on the plight of the first peoples of Australia. In closing, please remember – from self-respect comes dignity, and from dignity comes hope.