

## **Background Sheet 11**

(Stage 2 British Occupation unit and Stage 3 Australian Democracy unit)

### **Timeline 4: Tracing the history of citizenship and rights for Indigenous people**

#### **Pre-1770**

Aboriginal societies established over the full breadth of Australia based on equity and consensus with defined rights and responsibilities

#### **1770**

Lieutenant James Cook raises the British flag at Possession Island off the tip of Cape York Peninsula and claims to take possession of the whole east coast of Australia.<sup>1</sup> The British annexation of Indigenous Australia is based on the doctrine of *terra nullius*. In effect this doctrine states that Australia belongs to no one i.e. Indigenous Australians had no concept of law or ownership, and have no rights to land. All indigenous rights are extinguished and no British citizenship rights granted. (However, it is now recognised that in the 1830s the British Government accepted that Aboriginal people had some legal claim on the land.)

#### **1788**

British occupation of Australia begins. Estimates put the Indigenous population at 750,000.<sup>2</sup> Aboriginal resistance is immediate. Clashes are reported over next 10 years in Parramatta and Hawkesbury districts.<sup>3</sup> The British Government's act of possession legislates Indigenous Australians as British subjects<sup>4</sup> and marks the acquisition of sovereignty over Indigenous Australia.<sup>5</sup>

For the first fifty years of the colony, Indigenous Australians have no formal citizenship status. Indigenous Australians are given the title of Natives, and are deemed to be His Majesty's subjects. (This was the same for the colonists who were also deemed subjects. White male suffrage did not occur until 1858.)

#### **1804 Tasmania**

Two years after the British flag is raised in Van Dieman's Land (Tasmania) settlers are authorised to shoot Indigenous Australians.<sup>6</sup>

#### **1814 NSW**

Governor Macquarie establishes the Native Institution at Parramatta. This school for local Indigenous Australians' children closes in 1820 when families withdraw children after they realise that the Institution's aim is to distance Indigenous children from families and communities.<sup>7</sup>

#### **1816 NSW**

Governor Macquarie's proclamation gives some Indigenous Australians, with 'passes', the 'protection' of white law. This same proclamation declares Martial law against other Indigenous Australians who could then be shot on sight if armed with spears, or even unarmed, if they were within a certain distance of houses or settlements.<sup>8</sup>

#### **1824 Tasmania NSW**

In Tasmania, settlers are authorised to shoot Indigenous Australians. Martial law is declared in Bathurst NSW after Indigenous Australians becomes a serious threat to white settlement.<sup>9</sup>

#### **1830 Tasmania**

Tasmanian Indigenous Australians are forcibly settled on Flinders Island. Conditions are appalling and many die. Later the community is moved to Cape Barren Island.<sup>10</sup>

**1834 WA**

Pinjarra massacre. Governor Stirling leads 25 mounted police against Indigenous Australians. Official records say fourteen Pinjarra are killed. Pinjarra accounts suggest a whole tribe is wiped out in the attack.<sup>11</sup>

**1835 NSW**

Non-indigenous citizens can be sent to gaol with hard labour for "lodging or wandering in company with any of the black natives of the colony". This clause appears in various legislation well into the following century including all Vagrancy Acts.<sup>12</sup>

**1837 United Kingdom**

A British Parliamentary Select Committee examines the treatment of Indigenous people in all British colonies. Australian colonies are particularly criticised for the practise of genocide<sup>13</sup> and it is recommended that Protectors of Aborigines be appointed.<sup>14</sup>

**1838 NSW**

Myall Creek massacre. Settlers shoot and burn twenty-eight Kamilaroi, mostly women and children. This is the first occasion in Australian history when perpetrators of a massacre of Indigenous Australians are punished under Australian law.<sup>15</sup>

**1838 NSW**

Prohibition of sale, or gift, of alcohol to Indigenous Australians. Various forms of the prohibition continue to appear until 1963.<sup>16</sup>

**1839 NSW**

Squatters liable to lose their license for 'malicious injury or offence committed upon or against any Aboriginal native'.<sup>17</sup>

**1840 NSW**

Indigenous Australians forbidden to use firearms without permission of a Justice of Peace.<sup>18</sup>

**1843 NSW**

Governor Gipps unsuccessfully proposes legislation allowing Indigenous Australians' evidence to be accepted in court.<sup>19</sup>

**1868 England WA**

First overseas cricket tour leaves Australia for England: the team members are all Indigenous Australians. One hundred and fifty Indigenous people are killed resisting arrest in the Kimberleys.<sup>20</sup>

**1869 Victoria**

The Board for the Protection of Aborigines is established. The Governor can order the removal of any child to a reformatory or industrial school. The Protection Board can remove children from families to be housed in dormitories. From 1886 the Victorian Board had been empowered to apprentice Indigenous Australians' children when they reach thirteen. Children require permission to visit their families on the stations.<sup>21</sup>

**1876 NSW**

Evidence from Indigenous Australians accepted in the courts for the first time.<sup>22</sup>

**1883 NSW**

NSW Aborigines Protection Board set up and legislated control over the lives of around 9000 Aboriginal people.

**1888 Queensland**

The phrase 'White Australia Policy' appears in William Lane's Brisbane magazine Boomerang.<sup>23</sup>

### **1890 NSW**

As early as 1890 the Aborigines Protection Board is developing a combined policy of 'segregation' and 'assimilation'. In a denial of human rights the Aborigines Protection Board can now forcibly take the children off the reserves and 'resocialise' them 'for their own good'.

*'The Board reasoned that if the Aboriginal population, described by some as a 'wild race of half-castes' was growing, then it would somehow have to be diminished. If the children were to be de-socialised as Aborigines and re-socialised as Whites, they would somehow have to be removed from their parent'.<sup>24</sup>*

Dr Peter Read

### **1893 NSW**

On Warangesda station, between 1893 and 1909, around 300 female Indigenous children are removed from their families and placed in a girl's dormitory for 'resocialisation'.

### **1897 Queensland**

*Aboriginal Protection and Restriction of the Sale of Opium Act (Qld)*. This Act empowers the Chief Protector to remove Indigenous Australians onto and between reserves and hold Indigenous children in dormitories. From 1939 until 1971 this power was held by the Director of Native Welfare. The Director is empowered to be the legal guardian of all 'aboriginal' children (as defined), whether or not their parents are living, until 1965.<sup>25</sup>

### **1901 Commonwealth**

Indigenous Australians are denied the rights of the 1901 Commonwealth Constitution. These rights are not granted until the *Constitution Alteration (Aboriginals) Act* [1967 Referendum]. The 1901 Commonwealth Constitution mentions Indigenous people twice: once to exclude Indigenous people from the census, and once to exclude Indigenous people from the lawmaking powers of the Commonwealth parliament.<sup>26</sup>

### **1902 Commonwealth**

The *Franchise Act 1902* (Cwlth) disenfranchises Indigenous Australians from voting in Commonwealth elections, unless already on a state electoral roll... "no Aboriginal native... shall be entitled to have his name placed on an Electoral Roll" unless there was already an entitlement to vote under a State law.<sup>27</sup>

### **1905 Western Australia**

Under the *Aborigines Act* (WA) the Chief Protector is made the legal guardian of every Indigenous person and 'half-caste' child under 16.<sup>28</sup>

### **1908 Commonwealth**

*Invalid and Old Age Pension Act* (Cwlth) excludes Indigenous Australians from receiving pensions.<sup>29</sup>

### **1909 Commonwealth**

*Commonwealth Defence Act* (Cwlth) excludes Indigenous Australians from the Armed Forces. Indigenous Australians have already been barred from employment by the Post Office.<sup>30</sup>

### **1909 NSW**

The *Aborigines Protection Act 1909* (NSW) grants the Aborigines Protection Board full control and custody of Indigenous children including the power to apprentice Indigenous children aged between 14 and 18 years.<sup>31</sup> [The first 'Aborigines Protective' legislation was in Victoria in 1869, *Aborigines Protection Acts* (Vic.) (1869, 1886), which became a model for others].<sup>32</sup>

### **1911 South Australia**

*Aborigines Act* (SA) empowers the Chief Protector to be legal guardian of every Indigenous and 'half-caste' child under 21 with control over the child's place of residence. The Chief Protector is replaced by the Aborigines Protection Board in 1939. Guardianship power is repealed in 1962.<sup>33</sup>

### **1911 Northern Territory**

*Northern Territory Aboriginals Ordinance* (Cwlth). The Chief Protector is made the legal guardian of every Indigenous and 'half-caste' child under 18. Any Indigenous person can be forced into a mission or settlement and children can be removed at will. These powers are repealed in 1957.<sup>34</sup>

### **1912 Commonwealth**

The *Maternity Act* (Cwlth) excludes Indigenous Australians from receiving maternity allowance.<sup>35</sup>

### **1915 NSW**

In 1915 the Aborigines Protection Board is empowered to remove and apprentice Indigenous children without a court hearing. From 1915 to 1939 the NSW Aborigines Protection Board, under the *Aborigines Protection Act* (1915, 1918, 1936) (NSW) is entitled to forcibly remove Indigenous children from their families without parental or court consent.<sup>36</sup> This 1915 amendment to the Act 'also abolished the minimum age at which Indigenous children could be apprenticed.'<sup>37</sup> Indigenous Australians' movement between reserves is strictly controlled and families are threatened with the removal of their children if they did not comply with the Board's orders.

### **1925 NSW**

Australian Aborigines Protection Association formed in NSW<sup>38</sup> and demands the abolition of the policy of forced removal of Aboriginal children.

### **1928 Northern Territory**

Coniston massacre – settlers and police admit to shooting 31 Indigenous Australians after a white dingo trapper is killed.<sup>39</sup>

### **1936 NSW**

The *Aborigines Protection Act 1936* (NSW) allows any Indigenous person to be removed by court order to a reserve and be kept there until the order is cancelled.<sup>40</sup>

### **1937 Commonwealth**

First Commonwealth-State conference on 'native welfare' adopts assimilation as the national policy: "the destiny of the natives of aboriginal origin, but not of the full blood, lies in their ultimate absorption... with a view to their taking their place in the white community on an equal footing with the whites."<sup>41</sup>

### **1938 NSW**

Australian Aborigines Conference held on January 26 in Sydney marking a Day of Mourning the 150<sup>th</sup> anniversary of the NSW colony.<sup>42</sup> The founders, Jack Patten, Jack Ferguson and William Cooper demand a 'new deal for Aborigines', for 'justice, decency and fair play'. They have a ten-point plan for equality<sup>43</sup> and access to mainstream citizenship rights:

*"We, representing the Aborigines of Australia, assembled in conference at the Australian Hall, Sydney, on the 26<sup>th</sup> day of January, 1938, this being the 150<sup>th</sup> Anniversary of the whiteman's seizure of our country, hereby make protest against the callous treatment of our people by whiteman during the past 150 years, and we appeal to the Australian nation of today to make new laws for the education and care of Aborigines, and we ask for the new policy which will raise our people to full citizen status and equality within the community."<sup>44</sup>*

In the same year a Parliamentary Select Committee into the Aborigines Protection Board was set up and the Aborigines Protection Board was disbanded.

### **1939 NSW**

By 1939 there were over 180 reserves in NSW. These reserves are either managed, providing some form of education and ration supply; or unmanaged, and under the control of the police with no basic services.<sup>45</sup>

In the same year John McEwen, the Minister for Interior, announces a New Deal for Indigenous Australians, and stated that the Commonwealth is going to, "raise their [Indigenous Australians] status so as to entitle to them by right, and by qualification to the ordinary rights of citizenship, and enable them and help them share with us the opportunities that are available in their own native land."<sup>46</sup>

#### **1940 NSW**

Under new legislation, the Aborigines Welfare Board, replaced the Aborigines Protection Board. This new legislation makes it more difficult to segregate indigenous children from their families but in reality the practise still continues well into the 1960s.

#### **1941 Commonwealth**

Right to receipt of child endowment for Indigenous Australians restored under the *Child Endowment Act 1941* [Cwth].

#### **1942 Northern Territory**

Evacuation of the NT missions. Indigenous children evacuated after the bombing of Darwin are transferred to Victoria, South Australia or NSW. Some never return.<sup>47</sup>

#### **1943 NSW**

It is significant that whenever citizenship rights are restated in limited capacities to Indigenous Australians it is always at the loss of Indigenous Australians heritage and identity.<sup>48</sup> This is clearly evident in the granting of Exemption Certificates, or 'dog tags' in 1943, which are meant to free Indigenous Australians 'from the relentless surveillance and control'<sup>49</sup> of the NSW Aborigines Protection Act. However the conditions of this granting of limited citizenship excludes Indigenous Australians from practicing their social customs or visiting anyone except direct family who have not been exempted. It is only after this complete separation from family, culture and language; and loss of Indigenous rights' that Indigenous Australians can then possess the basic citizenship rights, of access to housing, education and health facilities, enjoyed by non-Indigenous people.<sup>50</sup> Many Indigenous Australians think that the conditions of Exemption Certificates are even more discriminatory than those of the Act, so that between 1943 and 1964, of the 14,000 eligible, only 1,500 chose to apply.<sup>51</sup>

#### **1944 Commonwealth**

Right to receipt of maternity and sickness benefit allowances for Indigenous Australians restored under the *Sickness Benefits Act 1944* (Cwth).

#### **1948 Commonwealth**

The Universal Declaration of Human Rights is adopted by the UN with Australia's support.<sup>52</sup>

#### **1949 Commonwealth**

The *Commonwealth Electoral Act 1949* (Cwth) allows Indigenous Australians the right to vote in federal elections only if they are enrolled in state elections or have been members of the defence force.<sup>53</sup> The Convention on Genocide is ratified by Australia. It comes into force in 1951.<sup>54</sup>

#### **1951 Commonwealth**

At the Third Commonwealth-State Native Welfare Conference, Canberra formally adopts a policy of assimilation in regards to Indigenous Australians<sup>55</sup> ... "*assimilation means that, in the course of time, it is expected that all persons of 'aboriginal blood' or 'mixed blood' in Australia will live like other white Australians do.*"<sup>56</sup>

The conference restates the policy of assimilation adopted in 1937 with the objective that it be... "*desirable that there should be uniformity throughout Australia in the enjoyment of the privileges of citizenship:...all Aborigines and part Aborigines (attained) the same manner of living as other Australians and lived as members of a single Australian community enjoying the same responsibilities, observing the same customs and influenced by the same beliefs, hopes and loyalties as other Australians.*"<sup>57</sup>

#### **1953 South Australia**

Atomic test carried out at Emu, and further test at Maralinga in 1956 and 1957. Indigenous Australians describe a 'black mist' and report sight loss and skin rashes. Many die from radiation poisoning. Hundreds of families forced to leave their homelands because of severe contamination.<sup>58</sup>

#### **1957 Victoria**

Indigenous Australians gain the right to drink, buy and sell alcohol after changes to the *Licensing Act* (Vic.) and *Police Offences Act* (Vic.).

### **1958 Commonwealth**

The Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAATSI) is formed leading to a ten-year struggle for constitutional reform which resulted in the holding of the 1967 Referendum.<sup>59</sup>

### **1959 Commonwealth**

*Social Services Act* (Cwlth) allows Indigenous Australians allowances, previously held by a government official, to be paid to a third party.<sup>60</sup>

### **1960 Commonwealth**

Social Service Benefits are paid directly to Indigenous Australians for the first time.<sup>61</sup>

### **1961 Commonwealth**

Joe McGinness elected first Aboriginal president of FCAATSI.<sup>62</sup>

### **1962 Commonwealth**

The *Commonwealth Electoral Act 1962* (Cwlth) entitles all Indigenous Australians to enrol and vote in Commonwealth elections.<sup>63</sup>

### **1964 Northern Territory**

Northern Territory Legislative Council passes legislation removing many of the discriminatory practices against Indigenous Australians.<sup>64</sup>

### **1965 Commonwealth**

July 1965 – March 1967: As a result of the Northern Territory Aboriginal Workers' Case the Commonwealth Arbitration Commission grants equal wages to Indigenous pastoral workers. The cattle industry reacts by phasing out Indigenous labour and driving Indigenous communities progressively off their properties which are their tradition lands.<sup>65</sup> Indigenous Australians were excluded from the operation of the Northern Territory Cattle Station Worker's Award. Their rates of pay and conditions were regulated by an Ordinance. Under the award, the resulting rates of pay were well below those paid to non-Indigenous stockmen. These full-award wages flowed on to Aboriginal people employed in government settlements, forestry projects, the armed services and police force.

In the same year the Commonwealth introduces a policy of integration, which 'allows' for the expression of Aboriginality.<sup>66</sup>

In NSW, in the same year, the Freedom Rides are organised by Charles Perkins, Rev. Ted Noffs and Jim Spiegelman throughout the country areas of north-western NSW to draw public attention to the discriminatory practices of local governments and to end segregation<sup>67</sup>.

### **1966 Northern Territory**

26 August: The Gurindji people walk of Wave Hill and Newcastle Waters cattle stations, beginning the successful seven-year struggle to obtain title to their land. This is later seen by Indigenous Australians elsewhere as the birth of the land rights movement.<sup>68</sup>

### **1967 Commonwealth**

The *Constitution Alteration (Aboriginals) Act* (Cwlth) referendum is passed. This Act confers the power on the Commonwealth to make special laws for Aboriginal people (though it was ten years before this happened in an effective way), and entitled Indigenous Australians to be included on the census and in electoral calculation.<sup>69</sup> The 1967 Referendum did not give Indigenous Australians the vote.

### **1969 NSW**

*Aborigines Act* (NSW) dissolves the Welfare Board and makes a significant change in direction of government policy. The care of Indigenous children now comes under the *Child Welfare Act* (NSW) as with other non-Indigenous children. An Aborigines Advisory Council is set up, made up of Indigenous representatives. The Aborigines Act also vested reserve land in the control of Minister responsible for Aboriginal Affairs who could then dispose of them to Indigenous communities<sup>70</sup>.

### **1970 NSW**

The Aboriginal Legal Service is established at Redfern. Gary Foley, Paul Coe, Mum Shirl (Shirley Smith) and Gordon Briscoe are among those involved. The event is followed several years later by the establishment of a wide range of community and state groups concerned with the education, the arts housing and medicine – initiated and organised by Indigenous people<sup>71</sup>.

### **1972 Commonwealth**

Aboriginal Tent Embassy set up outside Parliament House in Canberra to demonstrate for Indigenous rights. Labour Government of Gough Whitlam adopts *self-determination* as official government policy in Indigenous affairs. This is the first time in Australia's colonial history that government policy coincides with Indigenous Australians aspirations.

'White Australian Policy' officially disbanded.

In the same year, in NSW, government regulations were amended so that Indigenous students could no longer be barred from NSW state schools because of their race.

### **1973 Commonwealth**

5 April: Official figures indicated that the Aboriginal population was 116,000<sup>72</sup> (these figures were largely inaccurate).

### **1974 Commonwealth**

*Aboriginal Land Fund Act* (Cwth) enables incorporated Indigenous organisations to acquire interests in land<sup>73</sup>.

Federal Cabinet accepts that the 1973 Woodward Commission recommendations that all Northern Territory reserves and missions should be handed over to Indigenous people<sup>74</sup>.

### **1975 Commonwealth**

The *Racial Discrimination Act* (Cwth) which incorporates the 1965 International Convention on the Elimination of all Forms of Racial Discrimination into Australian domestic law is passed<sup>75</sup>. The Act states that: 'it is unlawful for a person to do any act involving a distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in their political, economic, social or cultural or any other field of public life.'

The Liberal Country Party Coalition officially abandons assimilation as a policy and agrees to many of the commitments of the Labor Government.<sup>76</sup>

In the same year at Wave Hill Station in the Northern Territory the Gurindji are handed back a lease to their land, symbolically represented by Prime Minister Gough Whitlam pouring soil into the hands of Vincent Lingerie. The Gurindji land claim was finally granted in 1985.

In the same year, in NSW, the Aboriginal Children's Service, an Indigenous community-controlled service for the care and placement of Indigenous children, is established.<sup>77</sup> The *National Parks and Wildlife Act* (NSW) states: 'nothing prevents Aboriginals from continuing in accordance with Law, the traditional use of an area of Land or water for hunting or food gathering (otherwise than for purposes of sale) and for ceremonial and religious purposes'.<sup>78</sup>

### **1976 Commonwealth**

*Aboriginal Land Rights (Northern Territory) Act* (Cwlth). This Act establishes Land Trusts, Land Councils, Aboriginal Land Commission in the Northern Territory and provided for the leasing of Aboriginal lands as national parks.<sup>79</sup> It also provides for Indigenous people to make claims on reserve and vacant Crown lands to which traditional attachment can be proven.<sup>80</sup>

Sir Douglas Nicholls becomes the first Indigenous person to be appointed to a vice-regal office in Australia when he becomes the Governor of South Australia.<sup>81</sup>

The national census places the Indigenous population at 160,000. The increased figure may be due to larger numbers of people identifying themselves as Indigenous people as a result of the racial origins question on the census form being altered to one of self-definition.<sup>82</sup>

### **1977 NSW**

*Anti-Discrimination Act* (NSW) includes Indigenous Australians and relates particularly to discrimination in employment and housing.<sup>83</sup>

### **1978 Commonwealth**

The Northern Territory Aboriginal Sacred Sites Ordinance, instituting prosecution for trespass and desecration of Aboriginal sites, is passed. The Kimberley Land Council is formed. The Northern Territory is given self-government by the Fraser Government.<sup>84</sup>

Ms Pat O'Shane becomes the first Aboriginal person to graduate in Law and become a barrister.<sup>85</sup>

### **1980 NSW**

Link Up (NSW) Aboriginal Corporation established. Link Up provides family tracing, reunion and support for forcibly removed Indigenous children and their families.<sup>86</sup>

### **1981 Commonwealth**

Secretariat of National Aboriginal and Islander Child Care (SNAICC) established. SNAICC represents the interests on a national level of Australia's 100 or so Indigenous community-controlled children's services.<sup>87</sup>

### **International**

The United Nations WGIP is established as a UN International Forum to examine Standard Setting and Review of Development for Indigenous peoples.

### **1983 NSW**

*Aboriginal Land Rights Act* (NSW) establishes a three-tiered system of Aboriginal land councils (state, regional and local).<sup>88</sup>

### **1984 Commonwealth**

The *Commonwealth Electoral Act 1984* (Cwlth) gives full entitlement to all Indigenous Australians to vote in all state and territory elections.<sup>89</sup>

### **1988 Commonwealth**

Australia's representative to the United Nations Human Rights Committee acknowledges: "*public policy regarding the care of Aboriginal children, particularly during the post-war period, had been a serious mistake*". Thousands of Indigenous people and supporters march through the streets of Sydney to celebrate survival on the Bicentennial of British colonisation of Australia.<sup>90</sup>

### **NSW**

*Anti-Discrimination (Racial vilification) Amendment Act* (NSW) is passed.

### **1990 Commonwealth**

The Aboriginal and Torres Strait Islanders Commission is established.

### **1991 Commonwealth**

Royal Commission into Aboriginal Deaths in Custody presents its Report and Recommendations to the Federal Government. It finds that of the 99 deaths it investigated, 43 were of people who had been separated from their families as children.<sup>91</sup> The *Council for Aboriginal Reconciliation Act* (Cwlth) passes through Parliament with cross-party support.

### **1992 Commonwealth**

The High Court of Australia rules in the Mabo case that native title exists over particular kinds of land – unalienated Crown land, national parks and reserves – and overturns the doctrine of *terra nullius* recognising that Indigenous peoples are the original occupants of this land and possessed a complex system of land tenure that has always existed in this country<sup>92</sup>. This case of *Mabo and Others v the State of Queensland* is not legislation but High Court interpreting what the law is.<sup>93</sup>

Prime Minister Keating's Redfern Park speech at the launch of the International Year of the World's Indigenous People acknowledges past wrongs.<sup>94</sup>

### **1993 Commonwealth**

The *Native Title Act* (Cwlth) is passed in Federal parliament and establishes the principles and processes to be used for establishing Native Title.<sup>95</sup>

### **1994 Commonwealth**

*Going Home Conference*, Darwin, brings together over 600 Indigenous Australians removed as children to discuss common goals of access to archives, compensation, rights to land and social justice.<sup>96</sup>

Indigenous Land Fund established by Federal government for Indigenous people to buy land, part of government's response to Mabo decision.<sup>97</sup>

### **1995 Commonwealth**

*National inquiry into the separation of Aboriginal and Torres Strait Islander children from their families* established in May.<sup>98</sup> *Bringing them Home Report* launched in June of this year.

The Council for Aboriginal Reconciliation, ATSIC and the Aboriginal and Torres Strait Islander Social Justice Commissioner present reports to the Federal Government on how social justice for indigenous Australians can be achieved.<sup>99</sup>

The Indigenous Land Corporation commenced operations as a national land acquisition and management program for Indigenous Australians using monies provided by the Land Fund.<sup>100</sup>

### **1996 Commonwealth**

Federal Parliamentary statement on racial tolerance: *"this house re-affirms its commitment to the process of reconciliation with Aboriginal and Torres Strait Islander people, in the context of redressing their profound social and economic disadvantage"*.<sup>101</sup>

The Cape York Heads of Agreement is brokered between Aboriginal Interest groups, the Cattlemen's Union and the Australian Conservation Association (not recognised by Qld National Party government).<sup>102</sup>

High Court of Australia Wik judgement recognises that pastoral leases and Native Title can co-exist.<sup>103</sup>

In November, in NSW, the Premier, Bob Carr, apologise in Parliament: *"I re-affirm in this place, formally and solemnly as Premier, on behalf of the government and people of New South Wales, our apology to Aboriginal people"*.<sup>104</sup>

### **1997 Commonwealth**

Prime Minister John Howard refuses to make a national apology to the Stolen Generations at the Australian Reconciliation Convention (May) at the World Congress Centre, Melbourne.

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- <sup>1</sup> (HREOC) Human Rights and Equal Opportunities Commission 1997. 'Bringing them home' *Report of the inquiry into separation of Aboriginal and Torres Strait Islander children from their families – Community Guide*, Canberra, AGPS.  
([http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen\\_summary/](http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen_summary/))
- <sup>2</sup> (NATSIEP SPMC) National Aboriginal & Torres Strait Islander Policy Strategic Planning and Monitoring Committee 1998. New South Wales Aboriginal and Torres Strait Islander Education & Training Directory, Sydney, NATSEIP SPMC. Pp. 8-9.
- <sup>3</sup> (HREOC) Human Rights and Equal Opportunities Commission 1997, 'Bringing them home' *Report of the inquiry into separation of Aboriginal and Torres Strait Islander children from their families – Community Guide*, Canberra, AGPS.  
([http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen\\_summary/](http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen_summary/))
- <sup>4</sup> O'Donoghue, Lois *The Australian Reconciliation Convention Home Page* 1997.  
([http://www.austlii.edu.au/au/other/Indigl\\_res/car/1997/4/odonoghu.html](http://www.austlii.edu.au/au/other/Indigl_res/car/1997/4/odonoghu.html))
- <sup>5</sup> Pearson, Noel *The Australian Reconciliation Convention Home Page* 1997.  
([http://www.austlii.edu.au/au/other/Indigl\\_res/car/1997/4/pearson.html](http://www.austlii.edu.au/au/other/Indigl_res/car/1997/4/pearson.html))
- <sup>6</sup> (NATSIEP SPMC) National Aboriginal & Torres Strait Islander Policy Strategic Planning and Monitoring Committee 1998. New South Wales Aboriginal And Torres Strait Islander Education & Training Directory, Sydney, NATSEIP SPMC. Pp. 8-9.
- <sup>7</sup> (HREOC) Human Rights and Equal Opportunities Commission 1997. 'Bringing them home' *Report of the inquiry into separation of Aboriginal and Torres Strait Islander children from their families – Community Guide*, Canberra, AGPS.  
([http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen\\_summary/](http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen_summary/))
- <sup>8</sup> NSW Department of Education and Training NSW *HSC On-line Home Page*  
([http://hsc.csu.edu.au/ab\\_studies/land/aboriginality\\_and\\_land/index.html/](http://hsc.csu.edu.au/ab_studies/land/aboriginality_and_land/index.html/))
- <sup>9</sup> (HREOC) Human Rights and Equal Opportunities Commission 1997. 'Bringing them home' *Report of the inquiry into separation of Aboriginal and Torres Strait Islander children from their families – Community Guide*, Canberra, AGPS.  
([http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen\\_summary/](http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary/hreoc/stolen_summary/))
- <sup>10</sup> (HREOC) Human Rights and Equal Opportunities Commission 1997. 'Bringing them home' *Report of the inquiry into separation of Aboriginal and Torres Strait Islander children from their families – Community Guide*, Canberra, AGPS.  
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- <sup>11</sup> (HREOC) Human Rights and Equal Opportunities Commission 1997. 'Bringing them home' *Report of the inquiry into separation of Aboriginal and Torres Strait Islander children from their families – Community Guide*, Canberra, AGPS.  
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- <sup>12</sup> NSW Department of Education and Training NSW *HSC On-line Home Page*  
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- <sup>13</sup> (NATSIEP SPMC) National Aboriginal & Torres Strait Islander Policy Strategic Planning and Monitoring Committee 1998. New South Wales Aboriginal And Torres Strait Islander Education & Training Directory, Sydney, NATSEIP SPMC. Pp. 8-9.
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