Indigenous Strategy 2018

— Our children will walk in two worlds and their culture will be a gift to their country —
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We would like to acknowledge the Bedegal (Kensington campus), Gadigal (City and Art & Design Campuses) and Ngunnawal people (Australian Defence Force Academy in Canberra) who are the traditional custodians of the lands where each campus of UNSW is located.

Reference is made in this document to a historical study that has been carried out on the site on which the main UNSW Kensington campus is located. It was not possible for such a study to be undertaken on the other campuses in time for the development of this strategy. Such studies are planned to be undertaken in 2019.
From the President and Vice-Chancellor

It is an honour to introduce UNSW’s first Indigenous Strategy. This strategy is the product of a great deal of work by many talented people, and it represents a powerful vision for the future of our university: as a place committed to educating the next generation of First Nations leaders, celebrating the cultural heritage of our campus and country and, more broadly, advancing the rights and progress of Australia’s First Peoples.

Our Kensington campus is built on the country of the Bedegal people, on an incredibly rich anthropological and historical site. Situated close to the epicentre of one of the sites of first European contact, our campus itself has a connection to many of the waves of law and policy that have impacted upon Indigenous peoples.

Since becoming a university, this connection has continued. UNSW has educated generations of First Nations leaders and conducted research and advocacy in areas as diverse as health, education, history, law and politics. UNSW people played a pivotal role during the self-determination era, where leading scholars such as Hal Wootten, Garth Nettheim and others at UNSW Law Centre set up Aboriginal Legal Services and held major conferences pushing for the right to self-determination and native title. Nura Gili’s pioneering work through the Winter School has led the way on Indigenous student recruitment and retention, and in 2017 we saw the culmination of 30 years of work from the Indigenous Law Centre at UNSW Law, in a historic consensus of First Nations—the Uluru Statement from the Heart.

The three pillars of this Indigenous Strategy, Culture and Country, Grow our Own and Give Back, build on this history, creating a structure around the ground-breaking work UNSW already does, while guiding the way for the future.

The strategy will ensure that everyone who studies or works here leaves the university with a deep understanding of the cultural footprint of UNSW. It will see us develop our own workforce, education, and research plans to increase Indigenous student and staff recruitment and retention. It will also spark the ambition of many of our Aboriginal and Torres Strait Islander students and staff to use their experience at UNSW to give back to their own communities.

UNSW is proud to have appointed one of Australia’s most influential Indigenous leaders, Professor Megan Davis, as our first Pro Vice-Chancellor Indigenous, to lead on this important work. Megan epitomises the type of Indigenous scholar UNSW envisions in the ‘Grow our Own’ pillar of this strategy: an outstanding researcher and critical thinker with the skills, resilience and commitment to leadership necessary to achieve meaningful impact for her fellow Aboriginal and Torres Strait Islander peoples.

A core tenet of UNSW’s broader 2025 Strategy is our commitment to advance a just society locally, nationally, and globally. This document sets us on a path to embedding this ethos into all that we do, so that we become an international exemplar in equity, diversity and inclusion, and a place where students and staff of all backgrounds are supported to succeed.

Professor Ian Jacobs
President and Vice-Chancellor, UNSW Sydney
From the Deputy Vice-Chancellor Academic

It is a great pleasure to be able to introduce the first Indigenous Strategy for UNSW. The introduction of the office of Pro Vice-Chancellor Indigenous in 2017 was the beginning of a long journey in the development of this strategy. Professor Megan Davis and her team have worked with Indigenous staff and students, the local Aboriginal community, university faculties and administration to develop a high-level strategic framework underpinned by a commitment to truth and reconciliation.

I am proud to have the office of Pro Vice-Chancellor Indigenous sit within my portfolio. Its position within Academic Division reflects the commitment of the university to nurturing academic excellence in Indigenous staff and students. The Indigenous Strategy provides a framework through its three pillars to create an environment that is welcoming and supportive of Indigenous peoples.

UNSW has a long, proud history in the education of Aboriginal and Torres Strait Islander peoples. UNSW’s first Indigenous graduate (and Australia’s first Indigenous law graduate), Pat O’Shane, graduated from UNSW Law in 1976 – just 5 years after the establishment of the law faculty. The Aboriginal Student Centre, which we now know as Nura Gili, opened in 1985 and has since seen the establishment of world-class admissions and support programs for Indigenous students including the trailblazing Indigenous Winter School.

However, it is essential that we do not rest on our laurels. The Indigenous Strategy will ensure that this good work not only continues but improves and evolves constantly. A thriving community of Indigenous staff and students within UNSW will impact positively on Australian society generally, building on the work of Professor Davis and beyond.

UNSW strives to be the university of choice for Indigenous students and staff. We recognise that to reach this goal we need world-class facilities, Indigenous academics, support and opportunities for Indigenous students; and a genuine, and sophisticated understanding of the history of this country, the impacts of colonisation on Aboriginal and Torres Strait Islander peoples, and the ongoing effects of colonialism on communities today. The truth must be understood and accepted before we can truly reach reconciliation.

The UNSW Indigenous Strategy plays a finite but fundamental part in achieving this for our university. Through its implementation, UNSW can continue to lead by example in the university sector and carry on our proud legacy of innovation in Indigenous education into the future.

Professor Merlin Crossley
Deputy Vice-Chancellor Academic, UNSW Sydney
Welcome to the UNSW Indigenous Strategy. I am a Cobble Cobble woman whose family is connected to one of the ancient polities of this land that resided in and around Warra, Barrungam speaking country, the lands bordering the Bunya mountains and stretching out along the Condamine River (Gummanguru) and creeks of Barrunga (Dalby). I carry my story with me from Queensland where I grew up and studied at the University of Queensland, to Canberra where I studied at the Australian National University and to UNSW Sydney, a campus I have been connected to for my entire academic career beginning in 2002.

My UNSW journey began with Professor George Williams at UNSW Law. I was the first public lawyer to work with Professor Williams at the newly created Gilbert + Tobin Centre of Public Law. Next, I became a senior lecturer in the law school and Director of the Indigenous Law Centre, then after many years of teaching, publishing, research and acquiring a Master of Laws and PhD, I successfully applied for promotion to Associate Professor and was then eventually promoted to Professor of Law.

I am among the first generation of my family to graduate from University and the first to work as a scholar. Sixteen years later I am still here at UNSW and launching the University’s first Indigenous Strategy. My background in public law is a good grounding for the role of PVCJ as it aligns with many of the objectives of the UNSW 2025 strategy. UNSW Law has a proud tradition of pursuing social justice for Aboriginal and Torres Strait Islander peoples since it was created in July 1964.

In this strategy we have adopted the sand dune as the motif because this is what is distinctive about the cultural and environmental footprint of UNSW’s main campus. Each of our “three pillars” are like sand dunes, inextricably linked to the other. Like the formation of sand dunes, if the wind blows across one dune, the structure of the other sand dunes is impacted and changes shape. The blue sky represents blue sky thinking. UNSW has always led the way as pioneers in Indigenous education and research, and in contributing to important nation-building activities like the Uluru Statement from the Heart, and will continue to do so in the future.

The strategy is not only about increasing our Indigenous student body and workforce, it is also about research excellence and growing Aboriginal researchers and leaders who will make an impact in communities and nationally. A major focus of the Indigenous Strategy is to amplify the work of the Indigenous Law Centre (ILC) and establish a multidisciplinary research institute that will continue to influence law and policy at a national and international level. Transitioning the ILC to progress this important work is building on UNSW’s demonstrated commitment to structural reform and addressing the mass exclusion of Aboriginal people from political and legal power.

More broadly than law, I am proud to be associated with a university that stands unique in the sector for both its research impacts to date, its willingness to genuinely listen and take advice from its Indigenous collegiate and in its commitment to “giving back”. The warm reception the strategy has received from faculty leaders and the executive, as well as the Indigenous collegiate, UNSW alumni and the wide community, reveals the genuine commitment UNSW has to Aboriginal and Torres Strait Islander higher education.

Professor Megan Davis
Pro Vice-Chancellor Indigenous, UNSW Sydney
The key themes of the UNSW Aboriginal study

**An ancient land** – the dunes which underlie the campus, and form its topography, connect the area to a broader environment across eastern Sydney, with a long history of Aboriginal occupation.

**A ‘barren’ land** – Aboriginal people survived for thousands of generations in a supposedly ‘barren’ dune landscape by adapting to the changing environment and creating new technologies.

**A place of learning and innovation** – there is a thread of learning and innovation that ties the earliest Aboriginal occupation in the shifting environment to the adaptations of Aboriginal people in relation to a growing colonial city, and through to the pursuit of knowledge through the university.

**A connected land** – the university has reached out to many Indigenous people across the country for nearly half a century, through institutions such as the Aboriginal Legal Service and the Indigenous Law Centre. Many Indigenous students from across the country have also come to study or work at UNSW. The dunes under the campus represent Aboriginal connections to land in this part of Sydney, just as the red dust of the centre or the rainforest of northern Queensland connects Aboriginal people from these areas. The many stories of these linkages, between the university and Indigenous communities around Australia, are a rich and undocumented part of the university’s history.
Truth and Reconciliation

CULTURE AND COUNTRY

GIVE BACK

GROW OUR OWN
The sand dunes are what is distinctive about the cultural and environmental footprint of UNSW Kensington campus.

Each of our “three pillars” are like sand dunes, inextricably linked to the other. Like the formation of sand dunes, if the wind blows across one dune, the structure of the other sand dunes is impacted and changes shape.

The blue sky represents blue sky thinking. UNSW is synonymous with innovation and has always led the way as pioneers in Indigenous education, research, and social impact.
Truth and Reconciliation

In the 2000s Australia had a formal legislated process of reconciliation. The Council for Aboriginal Reconciliation adopted a roadmap to reconciliation and many people – including the many members of the UNSW community who participated – remember the historic walk across the Sydney Harbour Bridge. Since then reconciliation has fallen off the agenda.

In recent years Reconciliation Australia has focused on Reconciliation Action Plans (RAPs). RAPs are an important framework but reconciliation requires much more. Unlike other universities, UNSW is not adopting a RAP. UNSW is adopting an Indigenous Strategy, aimed at providing an overarching framework to the already excellent work UNSW does on Indigenous education, teaching and research.

One of the reasons we have not adopted a RAP is to recognise the concern among some Aboriginal and Torres Strait Islander peoples about the reconciliation process in Australia. To “reconcile” means to restore friendly relations between two parties. Moreover, the twin pillars of reconciliation globally are truth and justice. Many Indigenous people believe that before the Australian nation can “reconcile” with First Peoples there needs to be a national process of truth telling. Of course, “truth” is a contested concept, like “reconciliation”.

Even so, what many Aboriginal people mean when they speak about the “truth” is that there is an absence of Aboriginal and Torres Strait Islander peoples from the story of the Australian nation. Universities play an important role in this respect. Historians especially play an important role in truth telling. Historians have a primary role in any society by seeking out stories, reconstructing historical events, and interpreting and telling a society stories about itself: how it came to be, and the stories of the many individuals and communities that make up a plural nation like Australia. Culture and the Arts also play a vital role because through visual art, literary works and music, for example, artists can contribute to a deeper understanding of Aboriginal Australia. Medicine and health play a role because they can explain how recognition of this history may have an impact on wellbeing and improved health outcomes. Landscape architecture and built environment can show a path forward in recognising Aboriginal presence, while highlighting coexistence of two cultures in one country. Similarly, the law has and continues to contribute to storytelling, both about the ways in which the law has oppressed Aboriginal people but also ways the law can redeem. This is done through legal processes including legislation and institutions. All of our faculties have a role to play in truth telling.

In 2017 at Uluru in the centre of Australia, Aboriginal and Torres Strait Islander people gathered together because of a process led by the Prime Minister’s Referendum Council. Over six months, First Nations met in 13 locations and at Uluru to discuss what is meaningful “recognition” to them, and to discuss the best way forward to close the gap in disadvantage and to improve the relationship between Indigenous and non-indigenous Australia. On May 27, 2018, they issued a call to the Australian people called the Uluru Statement from the Heart. The people called for “truth telling” as a key way forward in this process.

Reconciliation is the overarching theme of the Indigenous Strategy and truth and justice are the well-established twin pillars of reconciliation. It is intended to provide the opportunity for UNSW staff and students, and the broader UNSW community to participate when and where they can in this important national process. In doing this we do not want to avoid robust debates or challenging discussions. After all, universities play an important role in facilitating discussion and debate.

Equally, UNSW is very fortunate to welcome 20,000 international students from over 120 different countries. This is an opportunity for these students to also learn about the ancient polities of the Australian continent. Contained in this strategy document are recommended books, movies and documentaries for the UNSW community to consider if they want to learn more about historical and contemporary Indigenous culture. With this strategy we feel strongly that one of the greatest contributions UNSW can make to Indigenous peoples is to ensure every single student, graduate, staff member, and the broader UNSW community, understands the cultural footprint of the three UNSW campuses they live and work upon, as well as learn about the rich culture of Aboriginal and Torres Strait Islander peoples in Sydney and Australia.
One of the first things we did as a PVCI team in developing the strategy was to seek to understand the cultural footprint of UNSW. As universities focus on “indigenising” course content, it is important such initiatives are not decoupled from other opportunities for two-way learning which is critical to any reconciliation process. The fascinating shared history of the Kensington campus is told on pages 14-16 of this strategy. Further resources will be available on the PVCI website.

Another commitment of the Indigenous Strategy is to increase the physical presence of Aboriginal culture on the campus. This includes working with Estates Management to ensure the cultural footprint of the campus is made prominent. We commit to flying the Aboriginal and Torres Strait Islander flags daily alongside the Australian flag.

Finally, PVCI, Nura Gili and the faculties will work together to ensure Indigenous culture is not just celebrated during NAIDOC week, but showcased throughout the year. For example, we will commit to reviving an Indigenous student initiative from years ago, Deadly Vibrations, a kind of Indigenous Big Day Out to occur annually. This festival will celebrate contemporary Aboriginal culture – from poets to comedians to musicians.
Give Back is a characteristic of both UNSW and Aboriginal and Torres Strait Islander cultures, and the Indigenous Strategy makes “giving back” to Indigenous communities a primary value of UNSW. Responsibility is the ability to respond and this is what an education enables us to do.

Giving back does not always mean giving back to your own community. There are many ways to give back. UNSW recognises that each of us are members of multiple communities. Scholars such as Amartya Sen and Kuku Yalanji lawyer Noel Pearson have written about the complexity of layered identities. Pearson has promoted a concept of “orbiting”, whereby young people leave country to study, work and “orbit” back to community when one is able to contribute and give back. However we choose to frame this, Giving Back is an integral part of the strategy.

We know from consulting the wider UNSW community that non-indigenous people want to “give back” also. One of the most effective ways non-indigenous people can do this is to learn the history of Aboriginal ownership and occupation of the country. This strategy will work towards providing opportunities to give back, in a respectful way aligned with the principles of self-determination.
Australia-wide there is momentum towards increasing the numbers of Indigenous students and staff at university. State funding from the department responsible for Indigenous Affairs, Prime Minister and Cabinet, requires universities to set targets to increase Indigenous student and staff numbers.

UNSW is successful in student enrolment because it is measured in its approach to recruitment and retention. Nura Gili pioneered the best-practice nationally to ensure Aboriginal and Torres Strait Islander students are recruited and graduate. This includes a substantial commitment to pastoral care. Research and university administration often require decades of hands-on experience for qualification including support for Indigenous researchers and recognition of service to the community.

It is not easy to meet targets, and for this reason, UNSW has adopted a Grow our Own strategy. PVCI will work closely with Nura Gili and faculties to ensure the increase of students and staff occurs at a sustainable rate and that we are “growing our own” Indigenous academics and technical staff. The other pillars of the strategy complement this by creating a supportive environment for Indigenous students and staff. Focusing solely on hard targets for recruitment of students and staff will not lead to substantive change in universities for Aboriginal and Torres Strait Islander people. A holistic approach is required.
From the Director of the Nura Gili Indigenous Programs Unit

This strategy is the first of its kind in the history of the University of New South Wales. It provides an overarching direction and framework for Indigenous education, employment and research at UNSW, and allows key stakeholders (such as faculties, schools and divisions) to tailor programs and services that meet the needs and aspirations of Indigenous staff and students. It moves beyond a ‘tick-a-box’ culture to encourage the development of meaningful and robust relationships that promote genuine engagement between Indigenous peoples and the broader UNSW community, not because each has to, but because each wants to.

This strategy builds on the success of Nura Gili and enhances and expands its existing programs and services which have proven to-date, to be effective in addressing the low Indigenous recruitment, retention and completion rates that are typical of higher education institutions in Australia. As we move toward 2025, Nura Gili will be critical to the successful implementation of the strategy, particularly in relation to the ‘Grow our Own’ pillar.

‘Grow our Own’ begins in the future student space where we aim to recruit Indigenous students to programs such as the Indigenous Science and Engineering Program (years 7-9 Indigenous students), the UNSW Indigenous Winter School Program (years 10-12 Indigenous students) and the UNSW Indigenous PrePrograms (year 12 leavers). This early engagement is absolutely critical to changing Indigenous student expectations and attitudes toward higher education study.

The ‘Grow our Own’ pillar also focuses on current students with the goal of achieving high Indigenous retention rates across all degree programs at UNSW. Key factors for success include a high quality 24/7 study space facility, adequate scholarships (both residential and stipend) and dedicated support and academic staff to service the needs of Indigenous students in a culturally sensitive way.

The establishment and implementation of the Indigenous Studies major/minor, honours and PhD programs, provides a pathway for Indigenous students into academia. Post-doc opportunities and recruitment of Indigenous staff into teaching roles and research only roles, will nurture a culture of inclusion and self-determination, increase PhD supervision capacity, and improve research output and collaboration to sustain the next generation of Indigenous leaders that are able to competently navigate the many political and cultural systems in Australian society.

Developed under the leadership of Professor Megan Davis, I am confident that the Indigenous Strategy will position UNSW as the university of choice for Indigenous students and staff. I am very pleased to be part of a progressive institution that has a genuine commitment to the improvement of Indigenous outcomes in higher education. As the Director of Nura Gili and as a Yuin man, I am privileged, humbled and excited at the prospect of contributing to the development of the next generation of Australia’s Indigenous leaders.

Associate Professor Reuben Bolt
Director, Nura Gili
How do we get there?

Culture and Country

• Educate our staff, students, and the public on the cultural footprint of our campuses and their Aboriginal significance, and nurturing a sense of awareness of the contribution that UNSW staff and students make to that footprint.

• Make our campus welcoming physically and culturally, so that Indigenous students and staff are happy here, feel like they belong, feel supported, valued and thrive.

• Increase the presence of contemporary Aboriginal Art practice on campus. For example, through the UNSW Art collection, public arts programs, murals, sculptures, pop-up performances, music, literature, book launches and film.

Give Back

• Develop a culture of civic responsibility in our students; instil them with a service minded ambition to ‘give back’ to their communities.

• Encourage staff and senior students (and Alumni) to volunteer to assist with UNSW Indigenous outreach, Pre-Programs, Enabling Programs and other Indigenous university programs.

Grow our Own

• Encourage our students to strive for excellence and pursue post-graduate study.

• Create a pipeline to careers in academia and research.

• Foster resilience in our Indigenous students and develop their critical thinking skills, through providing a campus that is alive with a content of ideas, debate and discussion of the most challenging issues facing Aboriginal and Torres Strait Islander communities across the country. For example, an annual PVCI Lecture and other public events.
On the next few pages, journey with us as we highlight UNSW’s ongoing commitment to sustaining and celebrating our First Nations people, culture and heritage.

Let us walk you through the deep relationship Indigenous people have had with the very land upon which our university’s Kensington campus sits, from the Ice Age to present day.

Chart the story of Australia’s Aboriginal and Torres Strait Islander peoples through our historical timeline and follow up on books and films produced over the years related to Aboriginal and Torres Strait Islander Australia which you may have missed.

A detailed map of Australia’s First Nations has been reproduced with the permission of the Australian Institute of Aboriginal and Torres Strait Islander Studies and a transcript of the historic Uluru Statement from the Heart completes our guide to learning more about Indigenous peoples’ past, present and their aspirations for a better and safer future: Voice, Treaty, Truth.
Aboriginal History of the Main UNSW Campus

As part of the UNSW 2025 Strategy, the university engaged historian Paul Irish, author of *Hidden In Plain View: The Aboriginal People of Coastal Sydney* (NewSouth Publishing), to provide a historical and anthropological history of UNSW.

The following draws upon that report, but also frames the history according to a timeline, or phases, of Australian history that help us to understand the impact of laws and policies upon the lives of Aboriginal and Torres Strait Islander peoples since first contact.

A timeline of Aboriginal occupation of the area encompassing UNSW consists of the following sequential phases: Pre-contact; First contact and Invasion; Conciliation; Frontier Wars; Compulsory Racial Segregation; Assimilation; Self-determination; Post self-determination. It is important to note here that the *Uluru Statement from the Heart* resolutely refers to the arrival of the British as an invasion.

The UNSW Kensington Campus is a veneer built on top of an ancient landscape of high sand dunes and swampy swales. You can feel this topography as you walk east across the campus from ANZAC Parade, or drive up High or Barker Streets, climbing the western side of one of these tall dunes. They are tens of thousands of years old and many metres deep.

When they were formed the world was in the middle of the last ice age. There was no ice in Sydney, but temperatures were cooler and sea levels were much lower, leaving the coast many kilometres further east than today. Botany Bay did not yet exist (fig. 1).

An excavation near the site of Prince of Wales Hospital uncovered an Aboriginal hearth approximately 8,500 years old (fig. 2). Aboriginal people continued to live in coastal Sydney in the millennia since the Prince of Wales Hospital hearth was used, and their way of life changed considerably over that time. We can sense this just by looking at the new technologies they adopted.

By around 4,000 years ago, Aboriginal people in Sydney began to use ground stone axes (hatchets), and small stone points became very common. Hafted hatchets were used to cut toeholds in trees to climb them in search of possums or honey, and to cut bark to make canoes, shields and containers. Stone points were used to cut, incise and drill as part of hafted implements, and were also mounted on spears as barbs. None of the stone raw materials for these implements are found in the sand dunes or sandstone outcrops of the coast, so we know that coastal Sydney people were trading with other groups in western Sydney, south in the Illawarra and much further away.

Around 1,500 years ago, coastal Sydney people began to use local materials for their tools, such as shell, bone and quartz from coastal sandstone.

About 1,000 years ago, they began to make fish hooks from shell, which were mainly used by women. When Europeans arrived (fig. 3), coastal Sydney people drew...
a clear distinction between themselves and those who lived further inland in western Sydney.

Sydney's Aboriginal people were divided into clan groups of around twenty-five to sixty people, who traced their lineage through their fathers back to a common ancestor. They shared totems and had primary rights to their clan estate. The precise area of these estates is not known.

We know that the connections of each clan through marriage and ceremonial obligations linked them to areas far beyond their individual estate. There were many languages spoken by Aboriginal people across coastal Sydney.

When Aboriginal people set up camp in the dunes, Aboriginal people most likely slept in bough-framed shelters, with bark and cabbage tree leaves forming the roof (fig. 4). It is most likely that they set up camp along the margins of the swamps rather than on top of the open dunes, but we have no direct evidence to confirm this. The swamps would have provided a range of foods and resources, including fish, eels, tortoise and reeds for weaving.

The surrounding scrub also contained possums, the skins of which were sewn together by Aboriginal people to make winter cloaks. Aboriginal people gathered these foods using implements of wood, stone, bone and shell, such as fish hooks, multi-pronged fishing spears, barbed hunting spears, wooden clubs and shields, non-returning boomerangs, ground stone axes, vessels of wood and bark and woven net bags.

Way of life for coastal Aboriginal tribes around Sydney changed dramatically with the arrival of the British. UNSW main campus is situated in a region that was the epicentre of dispossession. While the nature of the settlement/invasion of Australia is contested because the laws of settlement for this time are murky, the first nations at the national constitutional convention at Uluru in 2017 decided to label it an “invasion”. British arrivals fought with the Aboriginal people for territory, setting up outposts in and around Kensington (fig. 5).
Military garrisons were established to claim territory from local tribes who contested being alienated from their traditional lands. Grave sites were recently uncovered near UNSW during excavations for the Sydney Light Rail project illustrating the impact of colonisation on local clans.

The human population around the campus area grew enormously between the late 1800s and early 1900s as a tram line was extended to the new Kensington racecourse. Europeans settled most of the land previously occupied by local clans whose numbers had been decimated by smallpox and frontier conflicts.

From the early twentieth century, government policies restricted Aboriginal movement, and most coastal Sydney people came to live on the La Perouse Aboriginal mission (fig. 6). This was the period of segregation or otherwise known as ‘protection’.

The people of La Perouse were among those who campaigned for Aboriginal civil rights in the 1930s, a period in which the Australian government sought to ‘assimilate’ Aboriginal people. This civil rights era culminated in the breakthrough gains of the 1960s and 1970s. By then, UNSW had been established (fig. 7) and played a national role in the next phase of government law and policy making, self-determination. Aboriginal self-determination saw Aboriginal people enrolling to study at UNSW (fig. 8), helping to set up the first Aboriginal Legal Service at Redfern, and later the Indigenous Law Centre.

Over the past forty-five years the university has been home to a growing number of Aboriginal students, researchers and staff, and now houses the Nura Gili Indigenous Programs Unit (fig.9). All are carrying on a long, local tradition of Aboriginal teaching, learning and innovation into the future.
“I understand my role in the community now is to just give back and try and make this world a better place.”

Johnathan Thurston, NRL great and Indigenous All Star
Our Story

Over 2016 and 2017 the Prime Minister’s Referendum Council conducted dialogues with First Nations people on constitutional recognition.

These were historic dialogues and the first time since 1901 constitutional conventions have been held for Indigenous Peoples. The First Nations Regional Dialogues were convened in Hobart, Broome, Dubbo, Darwin, Perth, Sydney, Melbourne, Cairns, Ross River, Adelaide, Brisbane, Thursday Island, Canberra. A National Constitutional Convention was then held at Uluru (23–26 May 2017).

At the national convention at Uluru, the First Nations groups present adopted “Our Story”, an Aboriginal and Torres Strait Islander version of Australian history. “Our Story” was drawn from the testimonies and stories shared at each of the dialogues across the country. “Our Story” forms a part of the Uluru Statement from the Heart.

Our First Nations are extraordinarily diverse cultures, living in an astounding array of environments, and multi-lingual across many hundreds of languages and dialects. The continent was occupied by our people and the footprints of our ancestors traversed the entire landscape. Our songlines covered vast distances, uniting peoples in shared stories and religion. The entire land and seascape is named, and the cultural memory of our old people is written there.

This rich diversity of our origins was eventually ruptured by colonisation. Violent dispossession and the struggle to survive a relentless inhumanity has marked our common history. The First Nations Regional Dialogues on constitutional reform bore witness to our shared stories.

All stories start with our Law.

THE LAW

We have coexisted as First Nations on this land for at least 60,000 years. Our sovereignty pre-existed the Australian state and has survived it.

“We have never, ever ceded our sovereignty.’ (Sydney)

The unfinished business of Australia’s nationhood includes recognising the ancient jurisdictions of First Nations law.

“The connection between language, the culture, the land and the enduring nature of Aboriginal law is fundamental to any consideration of constitutional recognition.’ (Ross River)

Every First Nation has its own word for The Law. Tjukurrpa is the Anangu word for The Law. The Meriam people of Mer refer to Malo’s Law. With substantive constitutional change and structural reform, we believe this surviving and underlying First Nation sovereignty can more effectively and powerfully shine through as a fuller expression of Australia’s nationhood.

The Law was violated by the coming of the Europeans to Australia. This truth needs to be told.

INVASION

Australia was not a settlement and it was not a discovery. It was an invasion.

‘Cook did not discover us, because we saw him. We were telling each other with smoke, yet in his diary, he said “discovered”.’ (Torres Strait)

‘Australia must acknowledge its history, its true history. Not Captain Cook. What happened all across Australia: the massacres and the wars. If that were taught in schools, we might have one nation, where we are all together.’ (Darwin)

The invasion that started at Botany Bay is the origin of the fundamental grievance between the old and new

...
Australians: that Australia was colonised without the consent of its rightful owners. Now is an opportunity for the First Nations to tell the truth about history in our own voices and from our own point of view. And for mainstream Australians to hear those voices and to reconsider what they know and understand about their nation’s history. This will be challenging, but the truth about invasion needs to be told.

‘In order for meaningful change to happen, Australian society generally needs to “work on itself” and to know the truth of its own history.’ (Brisbane)

‘People repeatedly emphasised the need for truth and justice, and for non-Aboriginal Australians to take responsibility for that history and this legacy it has created: “Government needs to be told the truth of how people got to there. They need to admit to that and sort it out.”’ (Melbourne)

Invasion was met with resistance.

RESISTANCE

This is the time of the Frontier Wars, when massacres, disease and poison decimated First Nations, even as they fought a guerrilla war of resistance. The Tasmanian Genocide and the Black War waged by the colonists reveals the truth about this evil time. We acknowledge the resistance of the remaining First Nations people in Tasmania who survived the onslaught.

‘A statement should recognise “the fights of our old people.”’ (Hobart)

Everywhere across Australia, great warriors like Pemulwuy and Jandamarra led resistance against the British. First Nations refused to acquiesce to dispossession and fought for their sovereign rights and their land.

‘The people who worked as stockmen for no pay, who have survived a history full of massacres and pain. We deserve respect.’ (Broome)

The Crown had made promises when it colonised Australia. In 1768, Captain Cook was instructed to take possession ‘with the consent of the natives’. In 1787, Governor Phillip was instructed to treat the First Nations with ‘amity and kindness’. But there was a lack of good faith. The frontier continued to move outwards and the promises were broken in the refusal to negotiate and the violence of colonisation.

‘We were already recognised through the Letters Patent and the Imperial statutes that should be adhered to under their law. Because it’s their law.’ (Adelaide)

‘Participants expressed disgust about a statue of John McDouall Stuart being erected in Alice Springs following the 150th anniversary of his successful attempt to reach the top end. This expedition led to the opening up of the “South Australian frontier” which lead to massacres as the telegraph line was established and white settlers moved into the region. People feel sad whenever they see the statue; its presence and the fact that Stuart is holding a gun is disrespectful to the Aboriginal community who are descendants of the families slaughtered during the massacres throughout central Australia.’ (Ross River)

MOURNING

Eventually the Frontier Wars came to an end. As the violence subsided, governments employed new policies of control and discrimination. We were herded to missions and reserves on the fringes of white society. Our Stolen Generations were taken from their families.

‘The Stolen Generations represented an example of the many and continued attempts to assimilate people and breed Aboriginality out of people, after the era of frontier killing was over.’ (Melbourne)

But First Nations also re-gathered themselves. We remember the early heroes of our movement such as William Cooper, Fred Maynard, Margaret Tucker, Pearl Gibbs, Jack Patten and Doug Nicholls, who organised to deal with new realities. The Annual Day of Mourning was declared on 26 January 1938. It reflected on the pain and injustice of colonisation, and the necessity of continued resistance in defence of First Nations. There is much to mourn: the loss of land, the loss of culture and language, the loss of leaders who led our struggle.
‘Delegates spoke of the spiritual and cultural things that have been stolen. Delegates spoke of the destruction of boundaries because of the forced movement of people, the loss of First Peoples and Sovereign First Nations spirituality, and the destruction of language.’ (Dubbo)

‘The burning of Mapoon in 1963 was remembered: “Mapoon people have remained strong, we are still living at Mapoon. Mapoon still exists in western Cape York but a lot of our grandfathers have died at New Mapoon. That isn’t where their spirits need to be.”’ (Cairns)

But as we mourn, we can also celebrate those who have gone before us. In a hostile Australia, with discrimination and persecution, out of their mourning they started a movement – the modern movement for rights, equality and self-determination.

‘We have learnt through the leaders of the Pilbara Strike, we have learnt from the stories of our big sisters, our mothers, how to be proud of who we are.’ (Perth)

‘The old men and women were carrying fire...Let’s get that fire up and running again.’ (Darwin)

**ACTIVISM**

The movement for political change continued to grow through the 20th Century. Confronted by discrimination and the oppressive actions of government, First Nations showed tenacity, courage and perseverance.

‘Those who came before us marched and died for us and now it’s time to achieve what we’ve been fighting for since invasion: self-determination.’ (Adelaide)

‘Torres Strait Islanders have a long history of self-government. The civic local government was established in the late 1800s, and in the 1930s after the maritime strikes, local councils were created, and in the 1990s, the TSRA. The Torres Strait Islander peoples also have rights under the Torres Strait Treaty.’ (Torres Strait)

Our leaders knew that empowerment and positive change would only come from activism. Right across Australia, First Nations took their fight to the government, the people and the international community. From Yorta Yorta country, Yirrkala and many other places, people sent petitions urging the King, the Prime Minister and the Australian Parliament to heed their calls for justice. There were strikes for autonomy, equality and land in the Torres Strait, the Pilbara and Palm Island.

‘The history of petitions reminded people about the nationally significant Palm Island Strike. So many people from this region had been removed from Country to the “penal settlement” of Palm Island since its establishment in 1916. The Strike was also sparked by a petition, this time from seven Aboriginal men demanding improved wages, health, housing and working conditions, being ignored by the superintendent. We commemorate 60 years of the Strike in June 2017.’ (Cairns)

Our people fought for and won the 1967 Referendum, the most successful Yes vote in Australian history. In front of the world, we set up an embassy on the lawns of Parliament House and we marched in the streets of Brisbane during the Commonwealth Games. In the west, grassroots leaders like the late Rob Riley took the fight on sacred sites, deaths in custody and justice for the Stolen Generations to the highest levels of government.

**LAND RIGHTS**

At the heart of our activism has been the long struggle for land rights and recognition of native title. This struggle goes back to the beginning. The taking of our land without consent represents our fundamental grievance against the British Crown.

The struggle for land rights has united First Nations across the country. For example Tent Embassy activists down south supported Traditional Owners in the Territory, who fought for decades to retain control over their country. The Yolngu people’s fight against mining leases at Yirrkala and the Gurindji walk-off from
Wave Hill station were at the centre of that battle. Their activism led to the Commonwealth legislating for land rights in the Northern Territory.

The epic struggle of Eddie Mabo and the Meriam people resulted in an historic victory in 1992, when the High Court finally rejected the legal fallacy of terra nullius and recognised that the land rights of First Nations peoples survived the arrival of the Europeans.

**MAKARRATA**

The invasion of our land was met by resistance. But colonisation and dispossession cut deeply into our societies, and we have mourned the ancestors who died in the resistance, and the loss of land, language and culture. Through the activism of our leaders we have achieved some hard-won gains and recovered control over some of our lands.

After the Mabo case, the Australian legal system can no longer hide behind the legal fiction of terra nullius. But there is unfinished business to resolve. And the way to address these differences is through agreement-making.

‘Treaty was seen as the best form of establishing an honest relationship with government.’ *(Dubbo)*

Makarrata is another word for Treaty or agreement-making. It is the culmination of our agenda. It captures our aspirations for a fair and honest relationship with government and a better future for our children based on justice and self-determination.

‘If the community can’t self-determine and make decisions for our own community regarding economic and social development, then we can’t be confident about the future for our children.’ *(Wreck Bay)*

Through negotiated settlement, First Nations can build their cultural strength, reclaim control and make practical changes over the things that matter in their daily life. By making agreements at the highest level, the negotiation process with the Australian government allows First Nations to express our sovereignty – the sovereignty that we know comes from The Law.

‘The group felt strongly that the Constitution needed to recognise the traditional way of life for Aboriginal people... It would have to acknowledge the “Tjukurrpa” – “our own Constitution”, which is what connects Aboriginal people to their creation and gives them authority.’ *(Ross River)*

‘There is a potential for two sovereignties to co-exist in which both western and Indigenous values and identities are protected and given voice in policies and laws.’ *(Broome)*
Recommended Books

**Aboriginal Australians**
Richard Broome (2010)
A powerful history of black and white encounters in Australia since colonization, this remains the only concise survey of Aboriginal history since 1788.

**The Cambridge History of Australia**
Alison Bashford and Stuart McIntyre (Eds) (2013)
A comprehensive view of Australian history from its pre-European origins to the present day. Over two volumes, this major work of reference tells the nation’s social, political and cultural story, incorporating the work of more than sixty leading historians.

**Dark Emu**
Bruce Pascoe (updated 2018 edition)
*Dark Emu* puts forward a compelling argument for a reconsideration of the hunter-gatherer label for pre-colonial Aboriginal Australians. The evidence insists that Aboriginal people right across the continent were using domesticated plants, sowing, harvesting, irrigating and storing. Pascoe’s sources are the records of early European settlers and explorers.

**The Colony**
Grace Karskens (2009)
The author skilfully reveals how landscape shaped the lives of the original Aboriginal inhabitants and newcomers alike. She traces the ways in which settler and Aboriginal histories became entwined, and uncovers the ties between the burgeoning township and its rural hinterland.

**First Australians**
Rachel Perkins and Marcia Langton (Eds) (2008)
Through a vast collection of images and historic documents, seven of Australia’s leading historians reveal the true stories of individuals—both black and white—caught in an epic drama of friendship, revenge, loss and victory in Australia’s most transformative period of history, between 1788 and 1993.

**Jandamarra**
Banjo Woorunmurra, Howard Pedersen (2016)
The thrilling story of the great warrior who turned from police assistant to resistance fighter. A legend, forever etched into the history of the Kimberley, Jandamarra’s courage and fighting spirit made him one of the region’s most wanted men.

**The Sydney Wars**
Dr Stephen Gapps (2018)
This provocative book is the first detailed account of the warfare that occurred across the Sydney region from the arrival of a British expedition in 1788 to the last recorded conflict in the area in 1817.

**Hidden in Plain View**
Paul Irish (2017)
Aboriginal people are prominent in accounts of early colonial Sydney, yet we seem to skip a century as they disappear from the historical record, re-emerging early in the twentieth century. What happened to Sydney’s Aboriginal people between the devastating impact of white settlement and government intervention a century later?

**The Aboriginal Tent Embassy**
Gary Foley, Andrew Schaap, Edwina Howell (2013)
The 1972 Aboriginal Embassy was one of the most significant Indigenous political demonstrations of the twentieth century.

**The Quiet Revolution**
Marcia Langton (2012)
“My hope is that my interpretation of the economic impacts of the mining boom..."
and some facts about our economic history are introduced into the national conversation about Aboriginal people, and thereby encourage a more sophisticated view than the archetypal one of the native as perpetual victim with no hope.”

The Tall Man
Chloe Hooper (2010)
The case of Mr Doomadgee’s death has been one of the most prolonged investigations in the criminal justice system for an Indigenous community.

Everything you Need to Know About the Referendum to Recognise Indigenous Australians
Megan Davis, George Williams (2015)
This book details how our Constitution was drafted, and shows how Aboriginal peoples came to be excluded from the new political settlement. It explains what the 1967 referendum achieved and why discriminatory references remain.

It’s Our Country
Megan Davis, Marcia Langton (Eds) (2016)
A collection of essays by noted Aboriginal and Torres Strait Islander thinkers and leaders, exploring what recognition and constitutional reform might achieve.

Trustees on Trial
Rosalind Kidd (2006)
Rosalind Kidd uses official correspondence to reveal the extraordinary extent of government controls over Aboriginal wages, savings, endowments and pensions in twentieth century Queensland.

A Handful of Sand
Charlie Ward (2016)
50 years ago, a group of striking Aboriginal stockmen in the remote Northern Territory heralded a revolution in the cattle industry and a massive shift in Aboriginal affairs. Now, after many years of research, A Handful of Sand tells the story behind the Gurindji people’s famous Wave Hill Walk-off in 1966.

Social Determinants of Indigenous Health
Highly respected contributors examine the long-term health impacts of the Indigenous experience of dispossession, colonial rule and racism. They also explore the role of factors such as poverty, class, community and social capital, education, employment and housing, and outline a framework for effective health interventions.

Rob Riley
Quentin Beresford (2006)
Rob Riley was at the centre of debates that have polarised views on race relations: national land rights, the treaty, deaths in custody, the justice system, native title and the Stolen Generations. He tragically took his own life in 1996, weighed down by trauma and his sense of betrayal by the Australian political system.

Welcome to Country
Marcia Langton (2018)
This is a completely new and inclusive guidebook to Indigenous Australia and the Torres Strait Islands.

Up from the Mission
Noel Pearson (2009)
There are pieces on the apology; on Barack Obama and black leadership; on Australian party politics; and on alcoholism, despair and what can be done to mend Aboriginal communities that have fallen apart.

Lionel Fogarty: Selected Poems
1980-2017
Recommended Films

We Don’t Need A Map (2017)
Warwick Thornton’s documentary about the southern cross – an image synonymous with Australia that has triggered heated discussion on race relations in recent years. Thornton explores the ancient relationship between Indigenous people and the constellation in light of its more recent use. Winner, Digital History Prize, NSW Premier’s History Awards, 2018.

Mystery Road (2013)
Aboriginal detective Jay Swan returns to his home town and his first case is the murder of an Aboriginal teenager whose body is found under the highway trucking route outside of the local community. Swan is alienated from both the white dominated police force and the Aboriginal community, as he begins to uncover a complex web of crime that has been plaguing the community. This is an outback noir film that echoes the modern day response to the deaths of young Aboriginal people.

Here I Am (2010)
A moving story of the strength and resilience of three generations of Aboriginal women who are pushed back together when Karen, the daughter is released from prison and is reunited with her mother. Karen’s mother, Lois has been looking after Karen’s young daughter who has no intentions of letting Karen’s daughter back into her life. Karen embarks on a journey of betterment and self discovery, whilst living in a women’s shelter, hoping to prove to her unforgiving mother that she has changed and her dark past is behind her.

Sweet Country (2017)
Inspired by real events, Sweet Country is set in the 1920s in the outback, Northern Territory. Sam, an Aboriginal stockman in his middle-ages works for Fred the charitable Preacher. Harry Marsh a caustic war veteran takes over the appointment as the new station Operator. His relationship with Sam deteriorates culminating a violent shootout as Sam defends himself. Sam flees the station with his pregnant wife in tow as a hunting party tries to track them down. Eventually, Sam turns himself over to the authorities and a trial for the charge of murder begins. Special Jury Prize – Venice Film Festival

One Night the Moon (2001)
A young girl’s parents discover that their daughter as gone missing in the Australian outback. After his involvement in the search is refused by the girl’s racist father, an Aboriginal tracker watches as every trace of the missing girl is stamped to dust by the white men involved in the search. As the search remains unsuccessful the mother makes a decision to take matters into her own hands…

Rabbit-Proof Fence (2002)
Based on the Doris Pilkington novel, Garimara, this film is the story of three girls who are stolen from their families and escape to follow a 2400km wire fence back home.

The Sapphires (2012)
The Sapphires tells the true story of an all-female Aboriginal Australian singing group who are discovered by an Irish talent scout and travel to Vietnam during the war to entertain the troops.

Servant or Slave (2016)
Five Aboriginal women invite viewers to walk with them as they share some of their earliest memories as little girls that were forcibly taken from their families and
placed into state care by the Australian government. Allegedly employed as servants, these girls, now older women, possessed no autonomy over their own lives as they were prisoners in their roles of domestic servitude. All too often that centred around a cycle of abuse, rape and enslavement, with consequences that echo powerfully to this day. This compelling documentary is a testimony to a concealed and underacknowledged part of Australian history.

The Tracker (2002), Ten Canoes (2006) and Charlie’s Country (2013) Dutch-Australian filmmaker Rolf de Heer has directed a stunning triptych of films in tandem with Aboriginal screen icon David Gulpilil and it rightly deserves inclusion here. Each of the films investigates a very different facet of Indigenous culture and de Heer has said of this unofficial trilogy that he sees himself as the conduit through which Gulpilil’s stories are told.

Mabo (1997) An award-winning documentary that tells the true story of Eddie Koiki Mabo – the man behind the landmark court battle that changed the course of Indigenous history in Australia.

Samson and Delilah (2009) From celebrated director Warwick Thornton, Samson and Delilah is a harrowing and depiction of the brutal reality of the cultural divide still evident in Australia told through the story of young Aboriginal lovers. A film that will stay with you forever.

First Australians (2008) Described as “one of the most significant documentary series in the history of Australian television” First Australians is a seven episode series that traces the history of this land – from the birth of humanity on this continent according to the Dreaming to the aftermath of Eddie Mabo’s native title victory.

The Last Wave (1977) The Last Wave is a deadly film directed by Peter Weir, one of Australia’s great directors (Picnic at Hanging Rock, Gallipoli). It is a mystery film set in Sydney that involves Aboriginal people, a homicide and a legal aid lawyer. The movie stars the great Australian actor and Yolngu man David Gulpilil. He said of the film that it was “very important for his people”, but also “the first film to authentically describe Aboriginal ‘Dreamtime’ mythology”.

Radiance (1998) Adapted from the play by Louis Nowra, Radiance follows three Indigenous sisters as they reunite for their mother’s funeral. It explores the impacts of child removal and intergenerational trauma with black humour and emotional monologues reflecting its origins on the stage. It is Rachel Perkins’ directorial debut on a feature film.

Ningla A-Na: Hungry For Our Land (1972) The only film about the events surrounding the establishment of the Aboriginal tent embassy on the lawns of Parliament House in 1972, this is an historic document, integral to comprehension of the Aboriginal political struggle. It incorporates many interviews plus footage from the demonstrations and arrests at the embassy.
This map attempts to represent the language, social or nation groups of Aboriginal Australia. It shows only the general locations of larger groupings of people which may include clans, dialects or individual languages in a group. It used published resources from 1988-1994 and is not intended to be exact, nor the boundaries fixed. It is not suitable for native title or other land claims. David R Horton (creator), © AIATSIS, 1996. No reproduction without permission.
We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from ‘time immemorial’, and according to science more than 60,000 years ago.

This sovereignty is a spiritual notion: the ancestral tie between the land, or ‘mother nature’, and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia’s nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are aliened from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness.

We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.