



2003

Parliament of Tasmania

JOINT SELECT COMMITTEE

**WORKING ARRANGEMENTS OF THE
PARLIAMENT**

REPORT NO. 10

**ACKNOWLEDGEMENT OF TRADITIONAL
PEOPLE**

MEMBERS OF THE COMMITTEE

Hon Michael Aird MLC (Chair)
Hon Sue Smith MLC
Hon Don Wing MLC

Hon Paul Lennon MHA
Hon Sue Napier MHA
Hon Paula Wriedt MHA

INTRODUCTION

The Committee was established by both Houses of the Tasmanian Parliament at the commencement of the First Session of the Forty-fourth Parliament on 7 October 1998. The Terms of Reference for the Committee are set out below.

TERMS OF REFERENCE

That a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House and with leave to adjourn from place to place, and with leave to report from time to time, to inquire into and report upon —

- (1) Measures for reform which may improve the performance and efficiency of the Parliament and its Members having particular regard to, but not confined by, a consideration of —
 - (a) the Statement of Principles agreed to by resolution of the Legislative Council on the 3rd and 4th day of September 1997;
 - (b) the procedures for the resolution of dispute and deadlocks between both Houses including standing order provisions and Parliamentary custom and conventions;
 - (c) the system of Statutory Standing, Joint Sessional and Joint Select Committees of both Houses, their roles, functions and relevance to contemporary Parliamentary practice;
 - (d) whether a separate Appropriation Act for —
 - (i) the Parliament;
 - (ii) the Auditor-General's office;
 - (iii) the Ombudsman's Office;
 - (iv) the Electoral Office;
 is desirable.
 - (e) and any other matters incidental thereto.
- (2) That the Committee be authorised to disclose or publish, as it thinks fit, any evidence or document presented to it prior to such evidence being reported to either House.
- (3) That the Committee finalise its report by 31 March 1999.*

* Since the initial establishment of the Committee, it has been reconstituted as necessary following prorogations to allow for the continuation of its enquiries. The latest re-establishment of the Committee occurred on 12 March 2002.

The Committee has tabled the following reports to date –

Report No. 1	Estimates
Report No. 2	Parliamentary Standing Committees
Report No. 3	Government Business Enterprises and Government Corporations Scrutiny Committees
Report No. 4	Review of the Estimates Committees Process November 1998
Report No. 5	Arrangements for the Opening of Parliament
Report No. 6	Citizen's Right of Reply
Report No. 7	New Parliamentary Committee System
Report No. 8	Committee Meeting Times and Resources
Report No. 9	Selection of Government Businesses for Scrutiny

REASONS FOR THIS REPORT

Term of Reference (1) (e) of the Committee provides that it may examine "...any other matters incidental thereto" in the pursuit of its enquiries.

On 27 February 2002 the Member for Rumney, Hon Lin Thorp MLC wrote to the Speaker suggesting that both Houses of Parliament acknowledge "...the traditional Aboriginal owners of the land at the commencement of each day's business...". The Speaker subsequently referred the matter to this Committee

Ms Thorp has suggested that the following formula be used at the commencement of each day's sitting in both Houses of the Tasmanian Parliament: -

"On behalf of the people of Tasmania, this House recognizes the traditional owners of the land on which we stand."

OPTIONS FOR CONSIDERATION :

Experience in other Parliaments

Advice has been received that in the New Zealand, Western Australia, and Northern Territory Parliaments, no acknowledgements of the indigenous people have been made in the Chambers of those Parliaments. In New Zealand there are regular ceremonial welcomes for distinguished visitors by the Maori peoples. In the Northern Territory Parliament an acknowledgement of the indigenous people is made at major functions held in Parliament House, but outside the Chamber.

In Victoria, acknowledgement of the Victorian aboriginal people has been made by Members of Parliament during their speeches in the Chambers on legislation relevant to those indigenous people.

In South Australia, the Governor made an acknowledgment of the Kaurna people in her Opening Speech in 2002. The response to this was mixed.

At the last two Openings of the Queensland Parliament an aboriginal elder has made a short speech of welcome prior to the Governor's Speech. Following the Opening there has been a smoking ceremony outside the building as part of the afternoon tea arrangements.

In New South Wales no arrangements are in place for it in the Legislative Assembly. In the Legislative Council at the beginning of each week's sitting the following words are used by the President:- "I acknowledge we are meeting on Eora land". This is not done in accordance with any order of the Council, but simply at the discretion of the President.

Aboriginal welcoming ceremonies are also used on occasions in the Legislative Council Chamber for non sitting special events.

Recent experience In Tasmania

In October 2001, at the opening of the Commonwealth Parliamentary Seminar, Members, delegates and guests were given an address of welcome to Tasmania by Aunty Ida West, respected Aboriginal Elder speaking on behalf of the Tasmanian Aboriginal community. It was generally recognised at the time, that this was a ground breaking act and it received positive feedback from Members of Parliament.

On Wednesday, 13 August 1997 the House of Assembly debated and passed the following Resolution: -

That this House, on behalf of all Tasmanians-

- (1) Expresses its deep and sincere regret at the hurt and distress caused by past policies under which Aboriginal children were

removed from their families and homes; apologises to the Aboriginal people for those past actions and reaffirms its support for reconciliation between all Australians.

- (2) That at the conclusion of the debate on the Motion, this House invites Ms Annette Peardon as a representative of the Aboriginal community, to address the House at the Bar of the House. (The Premier)

Ms Annette Peardon, representing the Tasmanian aboriginal community, then addressed the House from the Bar of the House, accompanied by Ms Tanya Harper and Mr Derek Peardon. The theme of this rare event was to apologise to the Tasmanian aboriginal people for past actions and to move forward in a spirit of reconciliation. The fact that Ms Peardon made her remarks to Members from the Bar of the House and that Members allowed themselves to be so addressed was remarkable, in that such an action is almost unprecedented in this Parliament.

The Committee sought confirmation of the appropriateness, or otherwise, from the Office of Aboriginal Affairs in relation to its proposed recommendation. The Office of Aboriginal Affairs confirmed that the proposed wording was appropriate.

RECOMMENDATION :

The Committee recommends that the following recognition of the traditional people of the land be made by the President/Speaker before prayers on –

- ◆ The first day of sitting after an election
- ◆ The first day of sitting for the calendar year
- ◆ The first day of the budget sittings
- ◆ The first day of the Spring sittings

And that the wording be :

“We acknowledge the traditional people of the land upon which we meet today, the Mouheneener people.”

**Parliament House, Hobart
4 December 2003**

**Michael Aird MLC
Chairman**