Contents

Preface ix

1. Introduction 1
   Indigenous Australians and Social Justice 2
   Aspirations and commitments 6
   Principles and practicalities 7
   The Draft Principles 9
   Priorities for reform 12

2. Linkages with Other Developments 15
   Access and Equity 16
   The Royal Commission, and the Government’s response 17
   Reviews of Employment, Education and Health 18
   Decade of Indigenous People 19
   Reconciliation 20
   Centenary of Federation 21

3. Rights 23
   Citizenship or Equality Rights 24
   Rights as Indigenous Peoples 28
   Autonomy Rights 28
   Peoplehood or Identity Rights 31
   Territory and Resource Rights 33
   Related issues 36
   Fiduciary Duty 36
   A Bill of Rights 37
4. Recognition and Employment 43
   Constitutional Reform 45
   Political Representation 48
   Reparations and Compensation 51
   Regional Agreements 55
   Indigenous Self Government 58
   Treaty 64
   Symbolism and Indigenous Peoples 66
   Recognition of the Aboriginal and Torres Strait Islander Flags 67
   National Day 67
   Information and Awareness 68

5. Citizenship Entitlements 73
   Access and equity 75
   Reform of Commonwealth State Financial Relations 75
   Functional Areas 84
   Housing and Infrastructure 84
   Health 87
   Education 90
   Law and Justice 91
   Sport and Recreation 94
   Other Priority Areas 96

6. Cultural Integrity and Heritage Protection 99
   Protection of Culturally Significant Areas and Sites 100
   Protection of Movable Cultural Property 104
   Protection of Intellectual Property 106
   Recognition of Customary Law 110
   Australian Law Reform Commission Report 111
   Indigenous Peoples and the Environment 116
   Aboriginal and Torres Strait Islander Languages 120
   Media and Communications 122

7. Economic Development 127
   Structural Reform 128
   Realism, not good intentions 129
   Building upon existing initiatives 131
   The CDEP Scheme 134
   Infrastructure Opportunities 135
   Regional Strategies 135
   Appropriate protection and incentives 136
   Contracting for Services 136
   Enterprise Development 138

8. Implementation Strategy 145
   Policy changes 146
   Developmental proposals 147
   Program proposals 148
   Managing implementation 148
   Resources 149

9. Summary of Recommendations 151
   Implementation of Social Justice Package 151
   Implementation of Major Reports 152
   Enjoyment of Rights 153
   Constitutional Reform 155
   Political Representation 156
   Compensation and Reparations 157
   Regional Agreements 158
   Indigenous Self Government and Regional Agreements 158
   Negotiation of a Treaty 160
   Recognition of Indigenous Flags and a National Day 160
   Public Awareness of Indigenous Issues 160
   Strengthening Access and Equity 161
   Reform of Commonwealth State Financial Relations 162
   Housing and Infrastructure 164
   Health 164
   Education and Training 164
   Law and Justice 164
   Sport and Recreation 165
   Indigenous Women 165
   Heritage Protection 165
   Protection of Intellectual Property 167
   Customary Law 167
   Environment 168
   Languages 168
   Media and Communications 169
   Economic Development 170

Appendix 1 Members of the Advisory Committee 174
Appendix 2 Submissions to the Advisory Committee 175
Appendix 3 Community Consultative Meetings 177