



# RIGHT WRONGS

'67 Referendum - WA 50 years on



## CULTURAL DISCLAIMER

The Western Australian Department of Aboriginal Affairs (DAA) acknowledges the Traditional Owners and custodians of this land. We pay our respects to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

Aboriginal and Torres Strait Islander peoples should be aware that this document contains images and names of deceased persons.

Readers are advised that this toolkit contains terminology and statements that reflect the original authors' views and those of the period in which they were written, however may not be considered appropriate today. These attitudes do not reflect the views of the DAA, but provide an important historical context.

Furthermore, the inclusion of the term 'Aboriginal' within this document is used to denote all people of Aboriginal and Torres Strait Islander descent.



## ABOUT THE LOGO

The logo was designed collaboratively between Nyoongar artist, Jade Dolman, and Wadjula designer, Matthew McVeigh. This collaboration and design is reflective of the significance of the 1967 Referendum, a decision that progressed rights for Aboriginal people within the Commonwealth government system, the result of years or tireless campaigning by Aboriginal and non-Aboriginal people. In the centre of the design is the symbol for *beedawong* [meeting place] surrounded by *yonga bidi* [kangaroo tracks]. These tracks create the Commonwealth star within the negative space of the design. Surrounding this is the Aboriginal symbol for people.



Image: Museums Victoria: Item XM 6860.

## FOREWORD



This year marks the 50-year anniversary of the historic 1967 Referendum. The Referendum was a pivotal point in modern history in Australia, as more than 90 per cent of Australians voted 'Yes' to count Aboriginal people in the same census as non-Aboriginal people, and to give the Commonwealth Government responsibility to make laws for Aboriginal people.

Prior to the Referendum, Aboriginal people did not share the same rights as non-Aboriginal Australians. The Referendum highlighted these inequalities, resulting in the highest ever 'Yes' vote recorded for a referendum.

For those who are older than me, memories of this event linger on.

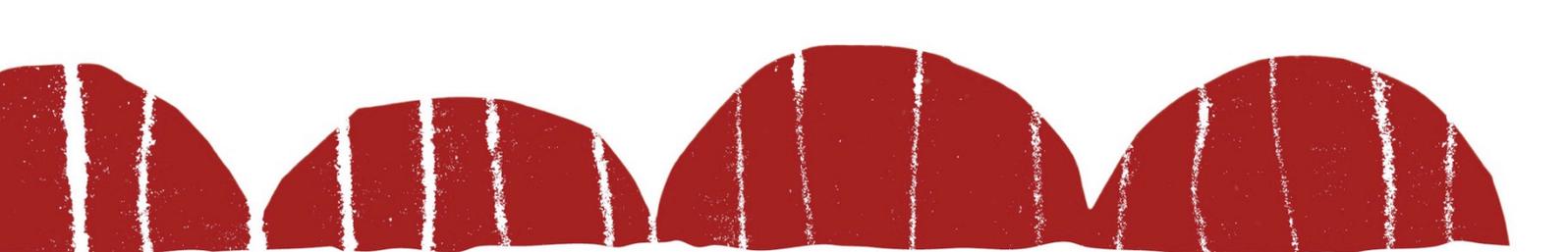
Since this time, we, the Aboriginal people of this State, have become a critical voice in determining our future at a local, state and national level. But there are many challenges ahead.

It is important that all Western Australians gain a better understanding of our shared history. This Right Wrongs toolkit has been developed for this very purpose; to assist educators to foster an increased awareness and understanding amongst themselves, their students and the wider community.

This toolkit highlights some of the struggles endured by Aboriginal people in Western Australia, in their attempt to achieve equality. For the first time, the 1967 Referendum, the 1992 Mabo Decision, and the 1997 Bringing Them Home Report have been told from a uniquely Western Australian perspective.

I would like to acknowledge the efforts of the Department of Aboriginal Affairs, in particular the Aboriginal History Research Unit, for undertaking the work that has led to this historical publication, and to the many community members who contributed by sharing their experiences.

**Hon Ben Wyatt MLA**  
**Minister for Aboriginal Affairs**



## CONTENTS

## The 1967 Referendum: a Western Australian Perspective

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In this section an introduction to the 1967 Referendum, and what WA was like at the time, is provided. What is a referendum? What were the questions that the Australian public were asked to vote on in 1967? What was the history of these questions? What was the legislation affected? What did the WA population look like? What were the results in WA in comparison to the rest of the nation? This introduction will also provide a unique Western Australian context for the remaining sections of the Toolkit. Copies of the original polling results are also included.

### Compare and Contrast: The Two Extremes

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In WA, Fremantle and Kalgoorlie present two extremes in people's attitudes toward Aboriginal rights. In the Referendum results, Fremantle recorded one of the State's highest 'Yes' votes, whilst Kalgoorlie recorded the highest 'No' vote. This section compares these results to the cities they are today.

### Community Perspectives – Let's Take the Next Step!

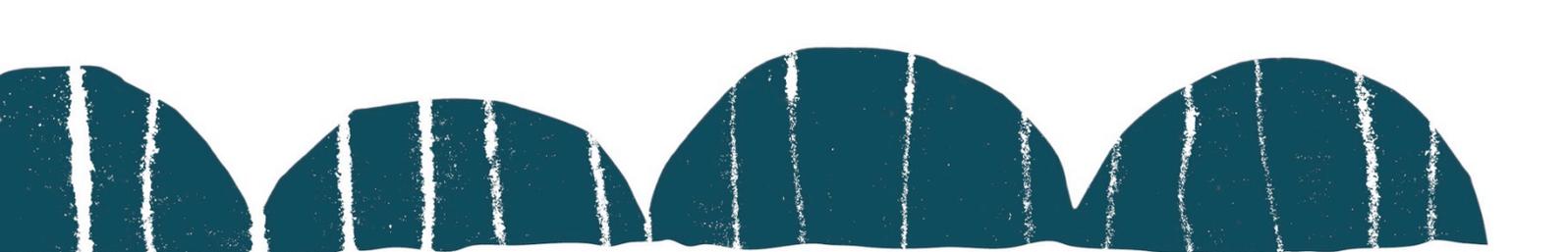
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Aboriginal and non- Aboriginal community members have provided reflections of what the Referendum and the High Court Mabo Decision meant or means to them and what still needs to be achieved. It is crucial to incorporate and acknowledge community perspectives from an Aboriginal voice in planning the next step forward.

### Aboriginal Heroes

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In this section the lives and contributions of some of WA and Australia's stalwart Aboriginal and Torres Strait heroes are outlined. These heroes have paved the way for social justice and Aboriginal rights in the lead up to, during and after the Referendum, Mabo Decision and Bringing Them Home Report and include William Cooper, Fanny Balbuk Yooreel, William Harris, Edward Harris, Daisy Bindi, Barbara Jackson, George Abdullah, Eddie Mabo, Mick Dodson, Hon Linda Burney MP, Hon Ken Wyatt AM MP and Joe McGinness.



## Human Rights, Bringing Them Home Report and Closing the Gap

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The legacy of the Referendum is that it was a catalyst in progressing social and legal rights for Aboriginal people. This section explores human rights in Australia, focusing on the lead up to the Referendum from an international, national and local context. **How did international policy influence Australian politics in 1967? At the time, how did Australia apply international human rights treaties to Aboriginal people?** The 20th anniversary of the Bringing Them Home Report and the Closing the Gap campaign are also acknowledged as important steps forward for equality and justice for Aboriginal people today.

## Mabo Decision, Land Rights and Native Title

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2017 marks the 25th anniversary of the High Court's Mabo Decision. This section will explore the landmark Mabo vs Queensland [No2] Case that led to the *Native Title Act of 1993* and provide overviews of Native Title and Land Rights. Additional links for further research have also been included.

## Primary Source Documents

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The National Archives of Australia holds a range of records relating to the Referendum that were created by the government agencies who played key roles in the event. The State Records Office of Western Australia is responsible for the State's archive collection, one of the largest and most important historical and cultural resources belonging to the Western Australian community. After analysis of more than 40,000 pages of archived records from both repositories, in this section short summaries of the files that are most significant to the Referendum are provided. The campaign, the major players involved and the final results are just some of the most noteworthy points of interest.

## Teacher's Resource

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A list of research questions relating to the content of this toolkit has been provided. A range of possible projects involving the Referendum and the High Court's Mabo decision, have also been included, along with a series of topics for further research.

## INTRODUCTION

*“If Australians, side by side, could achieve such a resounding result in 1967, imagine what we can achieve now, with all that we have learnt through failure and increasingly through success.”*

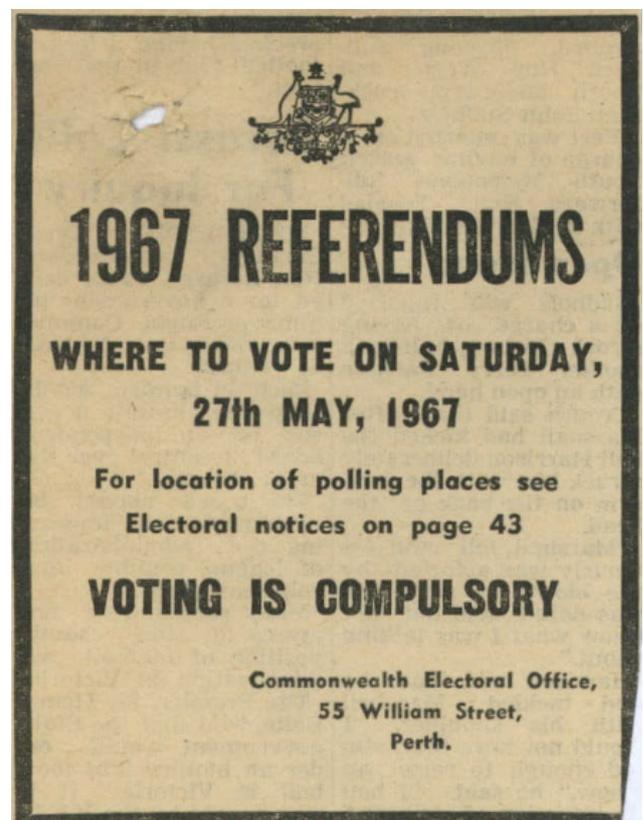
Mick Dodson, Yawuru Elder, 2006.

On 27 May 1967 a referendum was held in Australia that would prove to be significant for the rights of Aboriginal and Torres Strait Islander people, and a watershed moment in Australian history. The 1967 Referendum was a vote put to the Australian people that asked two questions. The first is known as the ‘Nexus’ question and the second related to the alteration of discriminatory references toward Aboriginal people in the Constitution, enabling Aboriginal people to be counted in the census. In response to the second question the highest ‘Yes’ result was recorded in history, with 90.77 per cent of Australian voters in favour.

To acknowledge this momentous occasion 50 years later, the Western Australian Department of Aboriginal Affairs’ Aboriginal History Research Unit has developed an information toolkit to provide a unique WA perspective of this event. To date much of the historical discourse surrounding the Referendum has centred on the Eastern States.

This year also marks the 25<sup>th</sup> anniversary of the 1992 High Court Mabo Decision and the 20<sup>th</sup> anniversary of the 1997 Bringing Them Home Report, both milestones in the history of Aboriginal and Torres Strait Islander rights. One of the fifty-four recommendations of the Bringing Them Home Report led to the

expansion of the Aboriginal History Research Unit at the Department of Aboriginal Affairs. It is important to note, however, there is still much more to do with regard to achieving real equality for Aboriginal and Torres Strait Islander people in Australia. Some of these views are presented in the ‘Community Perspectives’ section of this toolkit.



Courtesy National Archives of Australia:  
NAA: PP631/1, WE1967/538.



Aboriginal people living at Claisebrook Road, East Perth. One of the residents, Mrs Edgar Quatermaine standing outside her house, 8 December 1966.

Courtesy West Australian Newspapers Limited;  
WAN-0029374.

## A WESTERN AUSTRALIAN PERSPECTIVE

### What is a Referendum?

**A referendum is a vote by the Australian people on a significant issue or issues proposed and passed by the Australian parliament.**

The most common form of referendum is a Constitutional Referendum that is needed when an amendment to the Australian Constitution is passed by both Houses of Parliament and to become law, must be approved by the Australian electorate in line with Section 128 of the Constitution. Once the proposed amendment is passed through both Houses of Parliament, a referendum can be held.

For a referendum to succeed it must be approved by a 'double majority', meaning a majority of voters in at least four of the six states and territories. Much like voting in an election, voting in a referendum is compulsory for all electors. Every elector is required to complete a ballot paper, with an option of casting a 'Yes' or 'No' vote to the referendum question.

*"Before these proposals could become law, they would have to be approved by a referendum of the people."*

Prime Minister Harold Holt, 1966

### The 1967 Referendum Questions

The ballot paper for the 1967 Referendum had two questions; the first is commonly referred to as the 'nexus question'; with the second relating to the inclusion of Aboriginal Australians in the Commonwealth Census by amending two references in the Australian Constitution referring to Aboriginal people. Since Australia's Federation in 1901, only eight of the forty-four proposed amendments to the Constitution have succeeded. In 1967, the first question did not succeed, whilst the second question was supported by the majority of Australians.

## The 'Nexus Question'

The first of the two questions on the ballot paper related to amending the Constitution to increase the number of House of Representatives members in the Commonwealth Parliament without increasing the number of Senators. Traditionally, an increase in the number of members in the House of Representatives would mirror an increase in the number of Senators.

A 'Yes' vote on the nexus question would have meant that the number of members in the House of Representatives would have increased without increasing the number of Senators. This proposed amendment did not succeed, receiving a total 'No' vote of approximately 60 per cent.

## Two Amendments to the Australian Constitution relating to Aboriginal Australians

The second question relates directly to removing two references in the Australian Constitution that were seen to be discriminatory toward Aboriginal people. The question proposed on the ballot paper called for:

**'An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that Aboriginals are to be counted in reckoning the Population.'**

Form D (To be initialed on back by Presiding Officer before issue)

**BALLOT-PAPERS**

COMMONWEALTH OF AUSTRALIA  
STATE OF QUEENSLAND

Submission to the Electors of Proposed Laws for the alteration of the Constitution

1. Proposed law entitled—

“ An Act to alter the Constitution so that the Number of Members of the House of Representatives may be increased without necessarily increasing the Number of Senators ”

DIRECTIONS. Mark your vote on this ballot-paper as follows:  
If you **APPROVE** the proposed law, write the word **YES** in the space provided opposite the question.  
If you **DO NOT APPROVE** the proposed law, write the word **NO** in the space provided opposite the question.

**DO YOU APPROVE** the proposed law for the alteration of the Constitution entitled—

“ An Act to alter the Constitution so that the Number of Members of the House of Representatives may be increased without necessarily increasing the Number of Senators ”?

2. Proposed law entitled—

“ An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that Aboriginals are to be counted in reckoning the Population ”

DIRECTIONS. Mark your vote on this ballot-paper as follows:  
If you **APPROVE** the proposed law, write the word **YES** in the space provided opposite the question.  
If you **DO NOT APPROVE** the proposed law, write the word **NO** in the space provided opposite the question.

**DO YOU APPROVE** the proposed law for the alteration of the Constitution entitled—

“ An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that Aboriginals are to be counted in reckoning the Population ”?

An original ballot paper from the 1967 Referendum  
Courtesy NAA: A8145, 25.

## This amendment dealt with the repealing of Sections 51 and 127 of the Constitution.

s51. *The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:-*

*... [xxvi] The people of any race, other than the aboriginal people in any State, for whom it is necessary to make special laws.*

s127. *In reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives should not be counted.*

*"It did make some difference in my life... But basically we were still looked down upon. Racial prejudice was and still is very strong."*

Leisha May Eatts, 2007

## Houses of Parliament

In the lead-up to Federation in 1901, the Committee responsible for drafting the Australian Constitution recommended that the Australian Parliament should consist of two Houses: the Senate and the House of Representatives.

This is called a bicameral parliament where both Houses share the responsibility for proposing, reviewing and passing laws. These Houses are commonly referred to the upper and lower house, respectively.

## Population counting prior to the 1967 Referendum

Aboriginal people had inhabited Australia for some 50, 000 years before the arrival of the British in 1788, upon which formal enumeration of the population began. Prior to Federation in 1901 some of WA's Aboriginal population were intermittently counted in a census conducted by the Swan River Colony.

The first Swan River Colony census was undertaken in 1837, detailing those only 'in the located parts of the colony', with the censuses of 1854, 1859, 1870 and 1881 counting only Aboriginal people in private employment. When the colonies federated, Section 127 of the newly formed Australian Constitution stated that the Aboriginal population was not to be counted in the Commonwealth Census.

**In 1911, the Commonwealth directed all states and territories to conduct a count of the Aboriginal population, separate to the general 'Australian population' Census. This was known as the 'Aboriginal Census'.**

## The 'Australian' and Aboriginal Census data in 1966

The Australian population census in 1966 showed that, of the 836,673 people recorded living in WA, 640,257 lived in urban areas, and 193,378 people lived in rural areas. In the same year the Aboriginal census established that the Aboriginal population of WA was approximately 18,439 people. The major proportion were found to be residing in the Kimberley region (5,905), followed by the Eastern Goldfields (2,162) and the metropolitan/ South-West region (1,163).

The 1966 Aboriginal census report acknowledges the existence of an additional but unquantifiable number of people who were 'out of contact' at the time and therefore not enumerated. This issue was raised the following year during campaigns against the Referendum. In addition, a variation existed between the boundaries of the 'Australian population' and the 'Aboriginal population' censuses, which makes it difficult to present the two together.

**The 1966 Census was the last national count to separate Aboriginal people from the 'Australian population'. As a result of the majority 'Yes' vote in the 1967 Referendum, the legislation authorising this segregation, Section 127, was removed from the Constitution. From that point on, Aboriginal people were recognised as part of the Australian population.**

The archived 1966 census data can be viewed on the Australian Bureau of Statistics website: [1966 Census Data](#)

## Legislation prior to the 1967 Referendum

The fact that there are only two references to Aboriginal people in the 1901 Constitution can be put down to several factors.

Early colonial governments believed that Aboriginal people were dying out and therefore there was no need for their recognition within the laws of the nation. Those who had survived the effect of early settlement were seen as inferior as were other non-European residents. Collectively they were discriminated against through the commonly known 'White Australia Policy'. There were also unfounded concerns that including Aboriginal people in a census might affect the number of Senate and House of Representatives seats allocated to each state, especially in those with a very high number of Aboriginal people such as Queensland and Western Australia.

Although these attitudes existed for a period well in excess of 150 years, calls for amendments to the Australian Constitution to recognise the rightful place of Aboriginal people within the social and political spectrum gathered greater momentum with the passage of time. Against a backdrop of increasing state administration and legislation for Aboriginal people across the country, the 'citizens' of Australia were asked to reconsider the relevance of measures within the Constitution that were becoming inconsistent with the common thinking.

## The White Australia Policy (1901 - 1973)

The 'White Australia' policy refers to a set of policies in Australia's history, which racially discriminated against people of non-Caucasian background. These included Acts such as the *Immigration Restriction Act 1901*, which restricted 'non-white' immigration, and the *Pacific Island Labourers Act 1901*, which led to the deportation of Pacific Islanders working on Australian plantations.

Spurred on by nineteenth century notions of racial superiority, the policy focused on the dual questions of immigration and the exploitation of resources. The large influx of Chinese migrants from the 1850s onwards following the discovery of gold in the Eastern States was seen as contrary to national interest. Similarly, the engagement of non-Caucasian labour in the sugar and pearling industries was perceived as a threat to the 'free labour' economy. As a counter measure a dictation test was introduced (1901-1958), designed to exclude all 'undesirable' migrants.

Despite this strategy many non-European migrants continued to arrive in Australia through to 1949 when the dismantling of the 'White Australia Policy' commenced. This trend was to continue over the next quarter-century and was largely due to increased immigration of non-English speaking people and changes to foreign policy. During this period Australia found itself increasingly surrounded by newly independent Asian nations that contributed to changing social attitudes towards racial discrimination.

In 1973 the newly elected Whitlam government dismantled the policies and effectively removed race as a factor for immigration to Australia.

## The WA Aborigines Act 1905 (1906 - 1964)

The preamble to the *Aborigines Act 1905* was intended 'to make provision for the better protection and care of the Aboriginal inhabitants of Western Australia.' In reality it imposed a number of measures that restricted the lives of the young and the elderly alike. Amongst the provisions, the Act created the position of the Chief Protector of Aborigines who became the legal guardian of every Aboriginal child up to the age of 16 years, and permitted authorities to send and detain Aboriginal children in institutions and in 'service' [work]. This assimilationist and protectionist policy led to the large-scale forced removal of Aboriginal children from their families, who are now recognised as the Stolen Generations. The prescriptive *Aborigines Act 1905* was repealed by the *Native Welfare Act 1963* on 1 July 1964.

**DID YOU KNOW?**

***Follow the Rabbit-Proof Fence* is a book written by Doris Pilkington Garimara published**

**in 1996. It is based on a true account of Doris' family's experience as members of the Stolen Generations, where the author's mother and two family members escaped the Moore River Native Settlement in 1931. They travelled over 1,500 kilometres on foot along the rabbit-proof fence, to return home to their community at Jigalong. The book was adapted into an Australian film in 2002 receiving rave reviews and awards.**

## Stolen Generations Acknowledgement

The mistreatment of Aboriginal people who are known as the Stolen Generations was officially revealed by the 1997 *Bringing Them Home Report*, following a national inquiry commissioned by the Commonwealth Government into the *Separation of Aboriginal and Torres Strait Islander Children From Their Families*.

Acknowledging this unjust period of Australian history, Prime Minister Kevin Rudd delivered a

formal apology on 13 February 1998 to the Stolen Generations, their families and the Aboriginal community on behalf of the federal government. National Sorry Day, held annually in Australia on 26 May since 1998, acknowledges the Stolen Generations and marks the important date that the report was tabled in Federal Parliament. 2017 marks the 20<sup>th</sup> Anniversary of the tabling of the *Bringing Them Home Report*.

## Table of Legislation affecting Aboriginal people in Western Australia prior to 1967

The following table contains some of the legislation that applied to Aboriginal people in WA from 1829 to 1967.

This table can be found in full at the [Karrtdijin Noongar](#) website:

LEGISLATION	PURPOSE
<b>Western Australian Act, 1829 (UK)</b>	Gave effect to the 'settlement' of Western Australia on 'wild and unoccupied lands'. In his dispatches to the British government, Governor James Stirling referred to the physical occupation of the land as 'an invasion'.
<b>An Act to constitute the Island of Rottnest as a legal prison 1841</b>	Established Rottnest Island as a prison for Aboriginal people to be skilled 'in useful knowledge, and gradually be trained in the habits of civilised life'.

<b>LEGISLATION</b>	<b>PURPOSE</b>
<b>The Publicans Act, 1843</b>	Prohibited the supply of liquor to Aboriginal people.
<b>Amendment of Summary Trial and Punishment of Aborigines Act (Summary Jurisdiction Act) 1859</b>	Extended the period of imprisonment for Aboriginal people from 6 months to 3 years.
<b>The Pearl Shell Fishery Regulation Act, 1873</b>	Governed the employment of Aboriginal people within the pearling industry.
<b>The Summary Jurisdiction Act was amended, 1874 (UK)</b>	Definition of 'Aboriginal native' extended to include 'person of whole or half-blood'.
<b>The Industrial Schools Act, 1874</b>	Authorised institution managers with the legal guardianship of Aboriginal workers under 21 years and those children without a guardian.
<b>The Capital Punishment Act, 1871, as amended 1875</b>	Abolished public executions with the exception of Aboriginal people.
<b>The Wines, Beer and Spirit Sale Act, 1880</b>	Prohibited any person from selling or supplying alcohol to Aboriginal people and preventing Aboriginal people from remaining or loitering on licensed premises.
<b>Aboriginal Offenders Act, 1883</b>	Justices of the Peace (JP) empowered to sentence a person defined as 'Aboriginal' to, a period of two years jail.
<b>The Aborigines Protection Act, 1886</b>	Established the Aborigines Protection Board with officials including a Chief Protector, who had power to regulate the employment and movement of Aboriginal people.

<b>LEGISLATION</b>	<b>PURPOSE</b>
<b>The Aborigines Act, 1889</b>	Authorised the Aborigines Protection Board with the power to cancel work contracts of Aboriginal people in certain circumstances. Allowed for the creation of reserves on Crown Land.
<b>The Aboriginal Offenders Act, amended in March 1892</b>	Aboriginal males could be punished with whipping separate from, or in addition to, a prison sentence.
<b>The Aborigines Protection Act 1886, amended in March 1892</b>	Implemented a ruling related to breaches of work contracts. Aboriginal people were punished with three month's prison and an employer fined 20 pounds.
<b>The Police Act, 1892</b>	Made it unlawful for a non-Aboriginal person to be in the company of 'Aboriginal natives' in certain circumstances without a good reason.
<b>The Aboriginal Offenders Act amended in 1893</b>	Increased the maximum term of imprisonment for an Aboriginal person by a Justice of the Peace from 2 to 3 years [and 5 years for previous offenders].
<b>Constitutional Amendment Act, 1893</b>	Aboriginal people were specifically denied the vote unless they owned freehold property worth 50 pounds or more [included 'half-bloods'].
<b>The Aborigines Act, 1897</b>	Abolished the Aboriginal Protection Board, which was replaced by an Aborigines Department.
<b>The Land Act, 1898</b>	Allowed for the granting or leasing of Crown land of no more than 200 acres to Aboriginal people, and authorised the Governor to reserve land for the 'use and benefit of Aborigines'.
<b>Commonwealth Constitution, 1901</b>	Allowed for Aboriginal people on the State electoral roll the entitlement to vote in Commonwealth elections.

<b>LEGISLATION</b>	<b>PURPOSE</b>
<b>The Aborigines Protection Act, 1905</b>	Empowered the Governor to declare or confine Aboriginal people on reserves, or remove them from one location to another.
<b>The Electoral Act, 1907</b>	Prohibited any 'Aboriginal native' from enrolling as an elector, or if enrolled, from voting in a state election.
<b>Native Administration Act, 1936</b>	Established the Department of Native Affairs, with the Chief Protector being replaced by a Commissioner whose power was extended.
<b>The Native Administration Act, amended 1941</b>	Restricted Aboriginal people in the north of WA from travelling south of the 20 <sup>th</sup> parallel to prevent the spread of leprosy.
<b>The Natives (Citizenship Rights) Act, 1944</b>	Required Aboriginal people to adopt the manner and habits of 'civilised life'.
<b>Commonwealth Electoral Act, 1949</b>	Granted Aboriginal people the right to vote if they had completed military service or were on the State Electoral roll.
<b>Native Administration Act, amended in 1954</b>	Changed the title of the Department of Native Affairs to the Department of Native Welfare.
<b>Commonwealth Electoral Act, 1962</b>	Extended the right to enrol and vote at Federal elections to Aboriginal people over 21 years.
<b>The Native Welfare Act, 1963</b>	Repealed the Aborigines Act of 1905, reducing the power of the Commissioner as the legal guardian for Aboriginal children.
<b>The Commonwealth Constitution, Amendment Act, 1967</b>	Referendum to change s51 (29) of the Constitution authorising the Commonwealth Parliament to make special laws relating to Aboriginal people and to remove s127 so that Aboriginal people could be counted in the Australian census.



Image: Pastor Doug Nicholls addressing a group in the Central reserves, February 1957  
Courtesy William Grayden, Western Australia

## Western Australia and the 1960s: The Lead Up

The 1960s saw a decade of political and social change in Australia with a growing number of the younger generations challenging the values of their parents and actively challenging the decisions of the bureaucracy. The movement towards equal rights and racial equality also increased with the improvement of technology and communications, providing Australians with an expanding international perspective.

During this period the population and development of WA rapidly increased. The lifting of the embargo by the federal government on iron exports led to the

opening of large scale mining deposits throughout the Pilbara. Bauxite mining in the Darling Scarp and development of infrastructure such as the Kwinana port facility occurred and employment opportunities grew exponentially.

The emergence of a social consciousness with protests against Australia's involvement in the Vietnam War dominated national headlines at the time. At a local level the desecration of the culturally significant site at Weebo in the North East Goldfields region sparked a flurry of articles in the press that ultimately led to the creation of the *Aboriginal Heritage Act 1972*.

*“In West Australia the conditions are deplorable”*

Gillespie Douglas, 1947

The social position of Aboriginal people in WA varied widely with a small number of families maintaining a traditional lifestyle in the remote interior of the State.

Elsewhere in the Kimberley, Pilbara, Gascoyne, Murchison and Eastern Goldfields region of WA, the vast majority of Aboriginal people were gainfully employed in the pastoral industry under less than fair working agreements. Their position was a marked improvement to that of the 1940s and 50s, which saw a movement of Aboriginal pastoral workers walk-off stations in strike of oppressive working conditions and unequal wages. Known as the 'Pilbara walk-off', this signified a national shift in awareness for better rights for Aboriginal people.

In the more densely settled areas of the South-West most people were forced to live on government reserves often without adequate water supplies and sanitation. Even in the metropolitan area, Noongar people were still confined to 'make-shift shelters' whilst making a living wherever and whenever they could.

Faced with this appalling reality, the State and Commonwealth governments began to show a greater understanding of the needs of Aboriginal people and a greater awareness of the imbalance within the community. At the same time Aboriginal issues began to take centre stage, as discussions on human rights increased.

## 'Yes' Campaign

In the lead up to the Referendum many groups and individuals lobbied and petitioned the Commonwealth Government to alter the Constitution with the hope of improving rights for Aboriginal people. The 'Aboriginal Heroes' and 'Human Rights' sections of this toolkit explore this subject in greater detail. The following images provide a snapshot of the efforts of various people and groups involved in the 'Yes' campaign.

# Federal Council for Aboriginal Advancement

**President:**  
Dr. C. Duguid (Sth. Aust.).

**Secretary:**  
Mr. S. Davey (Vic.).

**Vice-Presidents:**  
Mr. H. Groves, J.P. (N.S.W.).  
Mr. W. Grayden, M.L.A. (W.A.).  
Miss A. Bromham (Qld.).

## P e t i t i o n

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled:—

The humble citizens of the Commonwealth respectfully sheweth that while the aboriginal people of Australia suffer under disabilities social, economic and political, your petitioners are concerned and anxious on their behalf, requiring that they be adequately fed, clothed and housed and given such securities as are the people of all races who have come to live in this country. These disabilities in important respects are not remediable without the Commonwealth Government accepting responsibility for the care of the aboriginal people throughout Australia.

Your petitioners therefore humbly pray that the Commonwealth Government make provision for an alteration of the Federal Constitution by means of a Referendum to be held at an early date, in order to:

(1) Delete the words in Section 51 (xxvi) of the Constitution of the Commonwealth ("OTHER THAN THE ABORIGINAL RACE IN ANY STATE") which now gives power to the Parliament of the Commonwealth to make laws for the peace, order and good government of "the people of any race, OTHER THAN THE ABORIGINAL RACE IN ANY STATE for whom it is deemed necessary to make laws", and

(2) Delete Section 127 of the Constitution of the Commonwealth which reads "In reckoning the numbers of the people of the Commonwealth or of a State or other part of the Commonwealth aboriginal natives shall not be counted".

And your Petitioners, as in duty bound, will ever pray.

NAME

ADDRESS

*West Australia*

<i>Mr L Turner</i>	<i>344 High Rd</i>	<i>Revelon WA</i>
<i>S. Turner</i>	<i>244 High Rd</i>	<i>Revelon WA</i>
<i>W J Smith</i>	<i>117 Canning Hwy</i>	<i>S. Perth WA</i>
<i>John R Smith</i>	<i>117 Canning Hwy</i>	<i>S. Perth WA</i>
<i>Mr W. Barker</i>	<i>Granddaisy</i>	<i>Subiaco</i>
<i>A. J. Hill</i>	<i>27 Basinghall St.</i>	<i>Vic Park Perth</i>
<i>Mr E. Hill</i>	<i>Vic Park</i>	
<i>Miss M. Baine</i>	<i>116 Armadale Rd</i>	<i>Riverdale</i>
<i>R. C. Williams (Mrs)</i>	<i>13 Lyons St</i>	<i>Riverdale</i>
<i>MRS Tucker</i>	<i>34 Peabody St.</i>	<i>East Victoria Park</i>
<i>A. Partridge</i>	<i>100 Todd Ave</i>	<i>Home Park</i>
<i>D. Buckley</i>	<i>21 Patricia St</i>	<i>Victoria Park Perth</i>
<i>Perth J. &amp; all</i>	<i>11. New York St</i>	<i>Perth</i>

'Petition for a Referendum', 1958, Barry Christopher papers, MS 7992, box 16  
Courtesy National Library of Australia, Canberra.

by G. M. BRYANT, M.H.R.,

President, Aborigines' Advancement League.



## A REFERENDUM

No aborigine can feel absolutely free and equal to other Australians whilst the Commonwealth Constitution contains the two clauses which exclude him from the Census (section 127) and from Commonwealth laws (section 51, placitum 26).

This placitum of section 51 was for a long time the excuse given by the Commonwealth for the exclusion of aborigines from Social Service benefits. It was not until a number of members of the Commonwealth Parliament challenged the logic of this in the House, that a new look was given to the old question, and this discrimination removed. It is, of course, a question of language. A law which excludes aborigines from a benefit is just as much a law about Aborigines as one which includes them.

The demand for the removal of these clauses from the Constitution is not just an academic one—it rests on two grounds. The first—that the implied discrimination is a reflection in fact

an insult to the aboriginal people; the second—that the specific exclusion of the Commonwealth from the right to make special laws about the aboriginal race means that the Commonwealth denies any responsibility (outside the Territories) and the State Governments therefore claim it. And in so claiming, they exercise rights and powers over the aboriginal people, which they would not dare to exercise over the last arrived migrant.

A great deal of the energies and thinking of organisations affiliated with the Aborigines' Advancement League outside Victoria is devoted to trying to have State acts altered.

So we find our friends in N.S.W. mounting campaigns to have the restricted clauses of the State act amended.

In Queensland, Western Australia and South Australia, the position is much the same. In Western Australia and Queensland, for instance, despite the grant of votes for aborigines at

Federal elections, aborigines are still excluded from State elections.

**ABORIGINES STILL HAVE NO VOTE for State elections in Queensland and Western Australia.**

So all over Australia — outside Victoria — the Aborigine is beset with a more complicated set of laws than any other Australian.

**The quickest and the most logical way to amend this position is to change the Constitution by Referendum.**

Remove from the States the right to make special laws for the aboriginal people, and the State acts which deprive Aborigines of fundamental rights and freedom must surely be invalid.

This does not mean, of course, that the Commonwealth has been full of sweetness and light on the Aboriginal question, but the Commonwealth carries out its activities under much closer public national scrutiny than any State Government or the totality of them.

At present, those of us concerned with the plight of the Aboriginal people have to fight six State Governments and the Commonwealth — seven legislatures and seven administrations — an enormous organisational task. (I include Tasmania here, because there is a handful of mixed race people on Cape Barron Island, for whom little is being done.)

Transfer the responsibilities to the Commonwealth and immediately every Federal parliamentarian and every Federal department has to accept its share of responsibility. And this must be said, "that whether one agrees with its politics or not, when the Commonwealth acts — it acts in grand manner".

Compared with the resources at the disposal of the States, when applied to a particular field, the resources of the Commonwealth are relatively limitless. (Compare the schools of Canberra, for

example, with those of Melbourne.)

Both the Federal Council and the Victorian Aborigines' Advancement League have adopted such an amendment of the Constitution as urgent policy.

We should therefore commence campaigning immediately — the task is in two stages:

- To convince the Commonwealth to conduct the Referendum, and
- Secure a majority of votes in a majority of the States when the Referendum is submitted to the people.

Of the two I think the first may be the more difficult task, but nothing must be left to chance — we should set up campaign committees in every Federal electorate now, and take the following steps:

- Approach prominent and active citizens for support;
- Send informed delegatories to explain the position to every member of the Federal Parliament, and ask for support in the Parliament;
- Commence stimulation of public interest by the circulation of petitions to be presented to the Parliament; and
- Form interim campaign committees.

It is important that we understand the nature of the task if we organise along normal election campaigning lines.

We will need 5,000,000 "how to vote" cards — costing perhaps £7,000.

We will need thousands of supporters at the polling booths on Referendum day. No stone must be left unturned — a vote approaching national unanimity on this question would give notice to all Governments that the conscience of Australia is stirred, and the public will brook no delay in tackling the other disabilities of the aboriginal people.

COME THEN, LET US TO THE TASK.



Gordon Bryant, 'Arguments for a referendum', in *Smoke Signals*, Oct 1962.

25<sup>th</sup> Parl (1<sup>st</sup> session) pp 121-136

COMMONWEALTH OF AUSTRALIA

SPEECHES IN DEBATE

ON

CONSTITUTION ALTERATION (ABORIGINES) BILL 1966

(Bill presented by Mr. Wentworth)

[From the "Parliamentary Debates," 10th March 1966]

Bill presented by Mr. Wentworth, and read a first time.

Second Reading.

Mr. WENTWORTH (Mackellar) [11.18].  
—I move—

That the Bill be now read a second time.

This is a bill designed to put a third question to the people at the foreshadowed referendum. A short time ago there was some degree of urgency about this Bill because the referendum was to take place on 28th May 1966. Now that the referendum has been postponed there is not the same degree of urgency, particularly since our Constitution provides that a Bill for its alteration evaporates, in effect, unless it is put to a referendum within six months of being passed through this House. In those circumstances it would be inadvisable for this House to finalise the Bill before the date of the referendum is known. The consideration of this Bill is urgent but its finalisation is urgent no longer.

In common with other members of this House I welcomed the Government's decision to put to a referendum a proposal to repeal section 127 of the Constitution which provides that Aborigines shall not be counted for certain purposes. This is good, but does it go far enough? I believe that it does not go far enough, and I have two motives in bringing before the Parliament this expanding Bill which provides that there shall be more responsibility on the Commonwealth to help the States to deal with Aborigines and to prevent racial discrimination in Australia.

Let me refer first to the Aborigines themselves. I think that everyone who has had contact with Aborigines, as I have, has

a personal liking for them and a feeling that we have a responsibility to them. They are nice, good people. Most of us would also have some sense of failure in relation to the way in which we have dealt with our Aborigines in the past. This is a failure which perhaps is not peculiar to the Australian people. Other people, not only white people, have sensed it elsewhere outside Australia. However, there is an inherent difficulty in dealing with this problem. It is not just a matter of saying: "We will regard the Aborigines as merely poor white people". They are not. They are special people and they do need and deserve some special help. We have a special responsibility in this sphere. Hence, in a sense, some discrimination is still necessary but it must be discrimination in their favour, not discrimination against them.

The Commonwealth so far, except in the Northern Territory, has had no direct responsibility in this sphere but there is a feeling that it should assume some greater degree of direct responsibility. That feeling stems from several sources. First, the Aborigines themselves want this to happen. If we were dealing with the rights of trade unionists or companies or pastoralists or any other group in the community we would consult with that group. The Aborigines are such a group and should be the first people to whom we would turn before deciding anything relating to their future. What do they want? What are their feelings in this regard? As a result of inquiry and a very considerable degree of contact with Aborigines, I know—I think the House would agree with me on this—that they want the Commonwealth to assume a greater degree of responsibility towards them, their rights, their opportunities and their advancement.

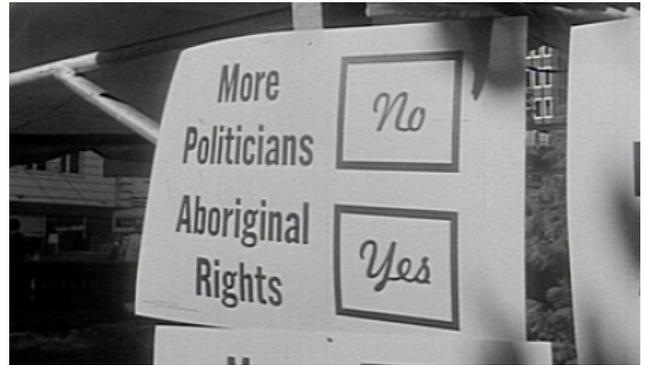
3256/66

Hansard, Parliamentary Debates, House of Representatives, 10 March 1966.

Government backbencher William Wentworth introduced a bill to include the change to s51 [xxvi] in the proposed set of referendums to be held. He did so for two main reasons: because he believed the Commonwealth should have the freedom and power to act in the area and legislate against existing State discrimination, and to prevent further racial discrimination.

*“I was born at a time when the Australian Government knew how many sheep there were but not how many Aboriginal people. I was 10 years old before the 1967 referendum fixed that.”*

Wiradjuri woman Hon Linda Burney, MP 2016



Courtesy Australian Broadcasting Corporation.

## Majority ‘Yes’ Result

90.77 per cent of Australian voters supported the ‘Yes’ vote to alter the Australian Constitution. This is the largest ‘Yes’ vote ever recorded in an Australian referendum.

## Results by State

State	Number on electoral rolls	Ballot papers issued	YES vote		NO vote		Number Informal votes
			no.	%*	no.	%*	
<b>New South Wales</b>	2,315,828	2,166,507	1,949,036	91.5	182,010	8.5	35,461
<b>Victoria</b>	1,734,476	1,630,594	1,525,026	94.7	85,611	5.3	19,957
<b>Queensland</b>	904,808	848,728	748,612	89.2	90,587	10.8	9,529
<b>South Australia</b>	590,275	560,844	473,440	86.3	75,383	13.7	12,021
<b>Australia</b>							
<b>Western Australia</b>	437,609	405,666	319,823	80.9	75,282	19.1	10,561
<b>Tasmania</b>	199,589	189,245	167,176	90.2	18,134	9.8	3,935
<b>Total</b>	<b>6,182,585</b>	<b>5,801,584</b>	<b>5,183,113</b>	<b>90.8</b>	<b>527,007</b>	<b>9.2</b>	<b>91,464</b>

\* As a proportion of total valid [formal] votes cast

## Western Australia’s Results

On a percentage basis WA cast the largest ‘No’ vote with electorates returning a ‘No’ vote ranging from fifteen to twenty-eight percent. Kalgoorlie returned the highest ‘No’ vote in the country.

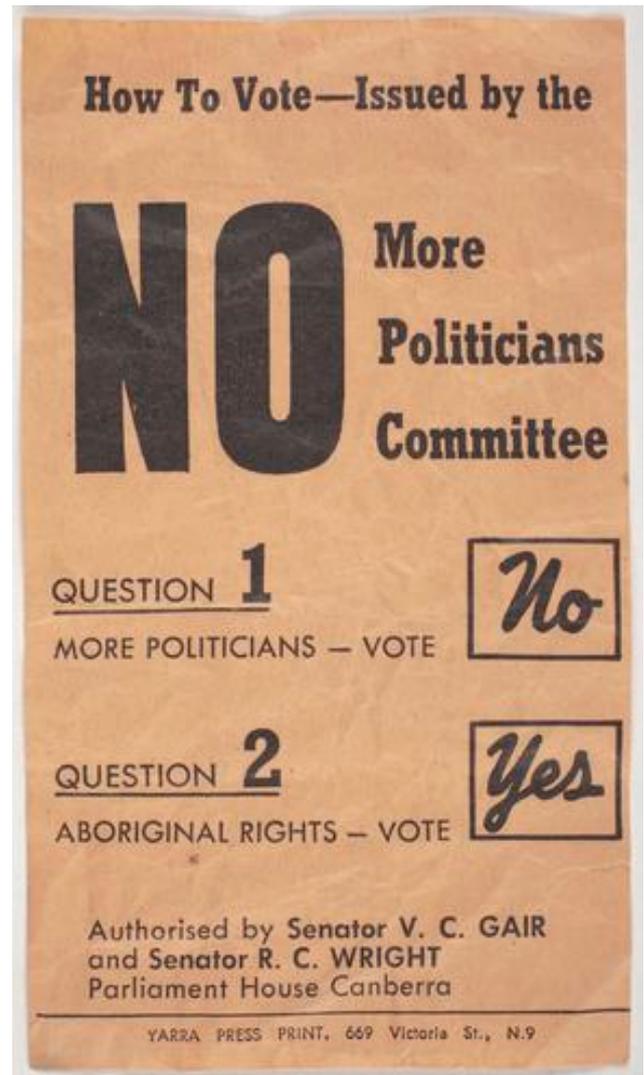
## Did the Referendum improve the lives of Aboriginal people in WA at the time?

Symbolically the changes to the Constitution were seen as important to many people but at a practical level little changed.

In 1971 respected Noongar leader, the late Ken Colbung stated that Aboriginal people could not:

***“live satisfactorily in the community while they were not guaranteed continuity of employment, were paid sub-standard wages, were not aware of their rights and did not have adequate opportunities for education and to earn enough to own property.”***

Canberra Times, 1971



Courtesy Museum Victoria Item HT 25347.

## Table of Legislation affecting Aboriginal people in WA following the 1967 Referendum

The following table contains some of the legislation that applied to Aboriginal people in WA following the 1967 Referendum.

This table can be found in full at the [Karrtdijin Noongar](#) website:

LEGISLATION	PURPOSE
<b>The Liquor Act, 1970</b>	Restricted the sale of liquor or liquor consumption to Aboriginal peoples in proclaimed areas.
<b>The Native (Citizenship Rights) Act Repeal Act, 1971</b>	Repealed the original Act and subsequent amendments to it.
<b>The Aboriginal Affairs Planning Authority Act, 1972</b>	Established the Aboriginal Affairs Planning Authority.
<b>The Aboriginal Heritage Act, 1972</b>	Established laws relating to the protection and management of Aboriginal heritage.
<b>The Mining Act, 1978</b>	Allowed mining on Aboriginal reserves with the written consent of the responsible Minister.
<b>The Aboriginal Communities Act, 1979</b>	Assisted Aboriginal communities in gaining control of matters on community land.
<b>The Native Title Act, 1993 (Cth)</b>	Enacted following the <i>Mabo Decision</i> in 1992. Recognised the existence of Aboriginal rights and interests to land.

## Some Misunderstandings of the Referendum Question

### 1. The 1967 Referendum gave Aboriginal people the right to vote.

Contrary to popular belief, Aboriginal people had the right prior to the Referendum.

### 2. The 1967 Referendum gave Aboriginal people citizenship rights.

Legislation allowing for the granting of citizenship rights was enacted in WA in 1944 with the number of applicants increasing on a yearly basis until 1971 when the Act was repealed.

## Archived Polling Results

### Have a look at how your electorate voted!

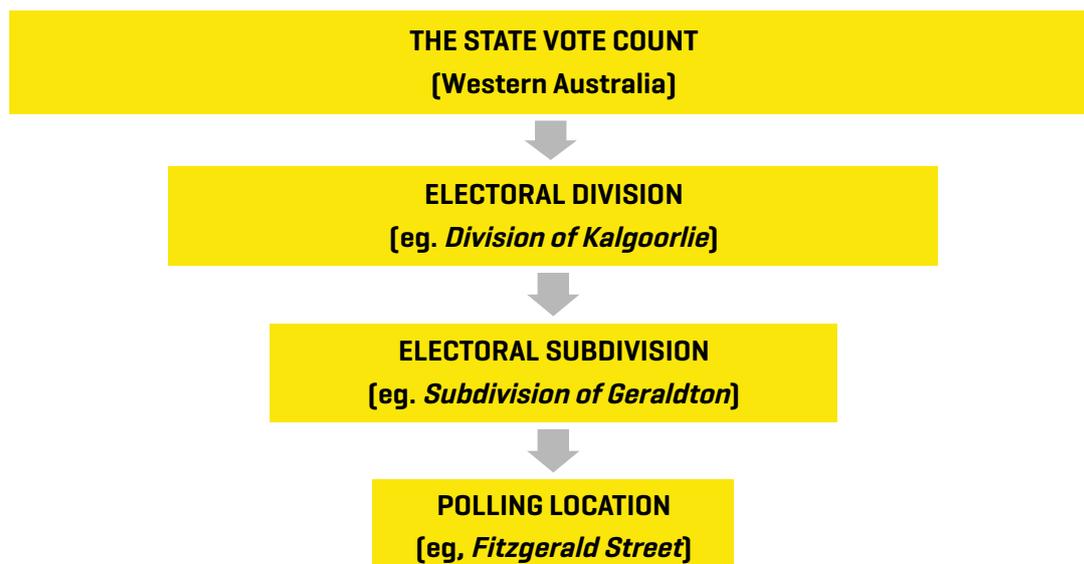
The following pages contain original images of the 1967 Referendum results from the divisions of Canning, Kalgoorlie, Perth, Stirling, and Fremantle, and the results from polling places. Archived files containing the results can be viewed online, here:

[1967 Referendum DRO \[Divisional Returning Officer\] Returns](#)

[1967 Referendum Polling Place Figures](#)

## Breakdown of vote count

The following diagram provides a breakdown of how the polling results were organised.



REFERENDUMS, 27 MAY 1967

STATE OF Western Australia

TABLE II.—STATEMENT SHOWING THE RESULT OF THE SCRUTINY AND COUNT OF VOTES FOR EACH DIVISION

Division	1. Constitution Alteration (PARLIAMENT) 1967								2. Constitution Alteration (ABORIGINALS) 1967							
	Total Number of Votes IN FAVOUR of the proposed law	Total Number of Votes NOT IN FAVOUR of the proposed law	Informal Ballot-papers	TOTAL	Percentage of Votes recorded IN FAVOUR of the proposed law		Percentage of Votes recorded NOT IN FAVOUR of the proposed law		Total Number of Votes IN FAVOUR of the proposed law	Total Number of Votes NOT IN FAVOUR of the proposed law	Informal Ballot-papers	TOTAL	Percentage of Votes recorded IN FAVOUR of the proposed law		Percentage of Votes recorded NOT IN FAVOUR of the proposed law	
					(a)	(b)	(a)	(b)					(a)	(b)	(a)	(b)
					To Formal Votes	To Electors enrolled	To Formal Votes	To Electors enrolled					To Formal Votes	To Electors enrolled	To Formal Votes	To Electors enrolled
CANNING	11,586	30,498	1,003	43,427	28.04	25.87	71.46	66.37	32,740	9,640	1,047	43,427	77.25	71.25	22.75	20.98
CURTIN	10,765	29,348	790	40,903	26.84	24.38	73.16	66.48	33,835	6,261	804	40,903	84.39	76.65	15.61	24.18
FORREST	12,636	28,836	947	42,419	30.47	28.49	69.53	65.02	34,282	7,182	955	42,419	82.68	77.30	17.32	16.19
FREMANTLE	18,546	36,809	1,246	53,601	29.69	26.93	70.31	63.76	43,168	8,423	1,310	53,601	83.39	78.98	16.11	14.59
KALGOORLIE	10,529	20,128	910	31,567	34.34	29.59	65.46	56.56	21,719	8,868	960	31,567	70.96	61.03	29.04	24.98
MOORE	12,008	29,844	959	42,811	28.64	26.26	71.31	65.26	33,117	8,709	985	42,811	79.18	72.44	20.82	19.04
PERTH	7,538	19,037	1,069	27,644	28.37	24.41	71.63	64.44	20,989	5,529	1,126	27,644	79.45	67.96	20.55	17.90
STirling	19,078	47,739	1,983	68,800	28.55	25.75	71.45	64.43	55,130	11,667	2,003	68,800	82.33	74.41	17.47	15.75
SWAN	14,855	38,284	1,355	54,494	27.95	25.12	72.05	64.75	44,140	8,983	1,371	54,494	83.09	74.65	16.91	15.19

Courtesy National Archives of Australia: PP631/1, WE1967/541.

REFERENDUMS held on 27th May, 1967

Page 1

STATE OF WESTERN AUSTRALIA

Result of Count — ~~BROGDEN~~

~~BAK~~

DIVISION OF CANNING.

Commonwealth Electoral  
Western Australia  
25 JAN 1968

SUBDIVISION Shown underlined	1. Proposed law entitled— "An Act to alter the Constitution so that the Number of Members of the House of Representatives may be increased without necessarily increasing the Number of Senators."				2. Proposed law entitled— "An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that Aboriginals are to be counted in reckoning the Population."			
	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total
<del>BROGDEN</del> <del>Subdivision XXX</del> Counting Centre & Polling Places								
<u>BEVERLEY.</u>								
Beverley.	166	525	13	704	487	201	16	704
Belly Belly, Boyadine, Caroling South Dale, Mt. Kokoby, Wamenusking.	57	226	3	286	182	100	4	286
<u>CORRIGIN.</u>	203	378	7	588	468	113	7	588
Aldersyde, Babakin	72	73	4	149	115	30	4	149
Bilbarin, Bullaring.	43	95	2	140	117	21	2	140
Bulyee, Gorge Rock, Kurrenkutten, Kweda, Lomos.	42	120	1	163	120	42	1	163
<u>KONDININ.</u>	84	155	5	244	214	24	6	244
Bendering, Kulin Rock, South Kuminin.	17	82	1	100	89	10	1	100
Hyden.	49	131	.	180	160	19	1	180
Karlgarin.	37	75	2	114	83	29	2	114
<u>PINGELLY.</u>	151	469	16	636	403	218	15	636
Brockton.	105	305	9	419	276	135	8	419
Codjatoitine, Milton, Wandering.	57	130	3	190	126	61	3	190
<u>CANNING.</u>								
ARMADALE	235	598	26	861	657	173	31	861
Roleystone.	73	249	18	340	273	50	17	340
ARMADALE WEST Westfield.	215	506	39	860	634	191	35	860
<u>EAST CANNINGTON.</u>	239	622	24	885	698	161	26	885
GOSNELLS. Canning Vale.	120 45	354 113	20 2	494 160	385 134	93 24	16 2	494 160
<u>GOSNELLS CENTRAL.</u>	378	953	39	1370	1081	252	37	1370
KELMSCOTT. Carinyah, Karragullen	234 41	649 78	32 9	915 128	709 77	170 45	36 6	915 128
MADDINGTON. Orange Grove.	203 34	555 114	35 4	793 152	622 104	138 41	33 7	793 152
<u>THORNLEE.</u> Kenwick.	162 141	429 404	10 9	601 554	498 458	96 88	7 8	601 554
<b>TOTALS</b>								

Courtesy National Archives of Australia: PP631/1, WE1967/555.

Result of Count — ~~1966/1967~~

DATE

DIVISION OF

GANNING.

SUBDIVISION 1. Proposed law entitled—  
shown underlined. Act to alter the Constitution so that the Number of  
Members of the House of Representatives may be increased  
without necessarily increasing the Number of Senators."

2. Proposed law entitled—  
"An Act to alter the Constitution so as to omit certain words  
relating to the People of the Aboriginal Race in any State and  
so that Aboriginals are to be counted in reckoning the Population."

<u>Division.</u> <del>Subdivision</del> Counting Centre & Polling Places.	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total
<u>KATANNING.</u>								
Gnowangerup.	217	379	6	602	409	187	6	602
Moonies Hill, Tambellup, Toolbrunup	109	312	4	425	319	103	3	425
Jerramungup.	70	92	3	165	121	41	3	165
Jacup Needilup, Ongerup.	45	54	3	102	72	25	5	102
	79	168	3	250	168	80	2	250
South Gairdner. Bremer Bay, Salt River.	37	62	1	100	88	11	1	100
	36	77	.	113	82	31	.	113
Borden, Boxwood Hill, Wellstead.	92	148	7	247	195	46	6	247
<u>KATANNING.</u>	413	1229	34	1676	1168	475	33	1676
Ewlyamartup, Katanning Dist. Hos), ROCKwell	24	94	2	120	94	24	2	120
Carrolup, Oak Farm, Woodanilling.	53	192	5	250	167	77	6	250
Badgebup, Glencee.	30	86	.	116	87	29	.	116
Broomhill, FlatRocks.	65	185	1	251	200	49	2	251
Pingrup.	26	85	4	115	84	27	4	115
Boongadeo, Datatine, Lake Pingarnup, Nyabing.	88	169	5	262	184	73	5	262
<u>KOJONUP.</u>	199	428	17	644	458	168	18	644
Jingalup.	26	79	.	105	83	22	.	105
Cherry Tree Pool, Lumsah.	28	71	2	101	84	15	2	101
Qualeup, Tunney Town.	33	87	2	122	98	24	.	122
Boilup Boscabel.	32	77	2	111	80	29	2	111
Muradup, Orchid Valley	40	119	2	161	131	26	4	161
<u>RAVENSTHORPE,</u> Hopetoun.	84	190	3	277	215	58	4	277
<u>MURRAY.</u>								
BYFORD.	67	213	6	286	204	73	9	286
Jarrahdale.	55	131	16	202	139	47	16	202
Serpentine.	95	169	4	268	197	67	4	268
<b>TOTALS</b>								

REFERENDUMS held on 27th May, 1967

STATE OF WESTERN AUSTRALIA

Result of Count — ~~UNDESIRABLE~~

~~WEEK~~

DIVISION OF CANNING.

SUBDIVISION 1. Proposed law entitled—  
shown underlined. An Act to alter the Constitution so that the Number of Members of the House of Representatives may be increased without necessarily increasing the Number of Senators."

2. Proposed law entitled—  
"An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that Aborigines are to be counted in reckoning the Population."

COUNTING CENTRE & POLLING PLACES.	1. Proposed law entitled—				2. Proposed law entitled—			
	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total
<u>MURRAY</u> Contd.								
Mundijong,	71	141	8	220	165	47	8	220
Forrestdale,	}	}	}	}	}	}	}	}
Keysbrook,								
Okford.	52	118	2	172	133	37	2	172
MANDURAH.	344	1042	27	1413	1074	316	23	1413
MANDURAH CENTRAL	142	556	25	723	536	162	25	723
Barragup,	}	}	}	}	}	}	}	}
Yunderup North								
MEDINA.	475	1281	30	1786	1469	285	32	1786
Kwinana.	70	166	12	248	191	46	11	248
PINJARRA.	128	433	23	584	389	175	20	584
Fairbridge,	}	}	}	}	}	}	}	}
West Coolup,								
Yunderup	26	77	2	105	79	25	1	105
Coolup,	35	120	1	156	126	29	1	156
North Dandalup.	27	83	2	112	80	30	2	112
ROCKINGHAM BEACH	373	761	27	1161	936	198	27	1161
Safety Bay.	179	578	6	763	657	101	5	763
Baldivis,	}	}	}	}	}	}	}	}
Rockingham East								
SPEARWOOD.	206	517	35	758	509	213	36	758
Jandakot,	59	101	6	166	131	29	6	166
South Geogee.	75	259	28	362	258	79	25	362
Bibra Lake,	}	}	}	}	}	}	}	}
Naval Base.								
WELLINGTON.								
HARVEY.	282	849	60	1191	874	254	63	1191
Yarloop.	83	215	12	310	214	83	13	310
Cockernup,	}	}	}	}	}	}	}	}
Uduc.								
WAROONA.	167	411	30	608	445	130	33	608
Dwellingup,	83	162	10	255	205	39	11	255
Hemel,	}	}	}	}	}	}	}	}
Wagerup.								
WILLIAMS.								
LAKE GRACE.	137	307	5	449	345	97	7	449
Kukerin,	61	133	1	195	158	34	3	195
Pingarang.	31	69	2	102	86	14	2	102
Newdegate.	64	87	2	153	134	18	1	153
Holt Rock,	}	}	}	}	}	}	}	}
Lake Biddy,								
Lake Gann,								
Lake King.								
Lake Varley,								
Tarin Rock.	79	158	1	238	206	30	2	238
HARROGIN.	591	1502	53	2146	1552	538	56	2146
Cuballing.	47	94	4	145	117	27	1	145
TOTALS								

REFERENDUMS held on 27th May, 1967  
STATE OF WESTERN AUSTRALIA

Page 4

Result of Count — ~~WILLIAMS~~

~~WILLIAMS~~

DIVISION OF

CANNING.

SUBDIVISION SHOWS

WILLIAMS

1. Proposed law entitled—  
"An Act to alter the Constitution so that the Number of Members of the House of Representatives may be increased without necessarily increasing the Number of Senators."

2. Proposed law entitled—  
"An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that Aboriginals are to be counted in reckoning the Population."

<u>WILLIAMS</u> Sub-Division Counting Centre & Polling Places.	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total
<u>WILLIAMS contd.</u>								
Highbury.	23	82	2	107	69	36	2	107
(Dumberning, Harrogin Dist. Hospital.	34	78	.	112	83	29	.	112
Congelling, Toolbin, Yilliminning.	38	64	3	105	88	14	3	105
Pumphries, Popanyinning, Nomans Lake, Yornaning.	50	162	4	216	155	56	5	216
<u>WAGIN.</u>	239	789	28	1056	710	317	29	1056
Arthur River.	27	80	1	108	93	15	-	108
Dumbleyung, Moulyinning.	104	284	5	393	289	99	5	393
Callanilling, Piesseville, Wedgocarrup.	18	101	3	122	86	32	4	122
Bokal, Cancanning, Dongolooking.	32	88	1	121	101	20	.	121
<u>WICKFELD.</u>	107	193	6	306	237	62	7	306
Kulin.	101	219	4	324	247	72	5	324
Yealering.	49	133	4	186	138	43	5	186
Elsinore, Harrismith, Jitarning.	38	135	2	175	126	48	1	175
Dudinin, Tinkurrin.	34	86	.	120	106	14	.	120
<u>WILLIAMS.</u>	118	238	5	361	235	121	5	361
Boolading, Darkan, Geerulying, Tarwonga.	78	265	10	353	270	73	10	353
Marredong, Quindanning.	40	85	1	126	73	52	1	126
Boddington, Gulbin.	90	208	9	307	204	94	9	307
<u>Totals. Ord. Votes.</u>								
<u>BEVERLEY.</u>	1083	2764	66	3913	2840	1003	70	3913
<u>CANNING.</u>	2120	5724	269	8113	6330	1522	261	8113
<u>KATANNING.</u>	1826	4383	106	6315	4587	1620	108	6315
<u>MURRAY.</u>	2603	7156	274	10033	7694	2073	266	10033
<u>WELLINGTON.</u>	697	1827	123	2647	1940	579	128	2647
<u>WILLIAMS.</u>	2230	5640	156	8026	5908	1955	163	8026
Total Ordinary Votes.	10559	27494	994	39047	29299	8752	996	39047
Absent.	1134	2673	41	3848	3010	796	42	3848
Postal. Section.	176	277	7	460	376	78	6	460
	17	54	1	72	55	14	3	72
<b>TOTALS</b>	<b>11886</b>	<b>30498</b>	<b>1043</b>	<b>43427</b>	<b>32740</b>	<b>9640</b>	<b>1047</b>	<b>43427</b>

REFERENDUM 1967 - DIVISION OF PERTH.

Ref. 67/555.

Polling Booth Figures.

<u>Polling Place.</u>	<u>Question 1. - Parliament.</u>				<u>Question 2. - Aboriginal Race.</u>			
	<u>Yes.</u>	<u>No.</u>	<u>Inf.</u>	<u>Total.</u>	<u>Yes.</u>	<u>No.</u>	<u>Inf.</u>	<u>Total.</u>
Maylands	442	1346	60	1856	1465	324	67	1856
Maylands East	140	378	13	531	426	94	11	531
Maylands North East	75	177	7	259	212	40	7	259
Maylands South	22	61	2	85	64	19	2	85
Maylands West	145	369	21	535	398	113	24	535
St. Anne's Hospital	11	48	1	60	52	7	1	60
Inglewood	164	394	9	567	470	88	9	567
Inglewood North	455	1201	68	1724	1370	289	65	1724
Maylands North West	170	457	21	648	488	135	25	648
Mt. Lawley	244	687	9	940	784	146	10	940
Mt. Lawley East	215	613	30	858	651	176	31	858
Mt. Lawley North	319	856	38	1213	991	186	36	1213
<b>TOTALS. MAYLANDS S/DIV.</b>	<b>2402.</b>	<b>6587.</b>	<b>287.</b>	<b>9276.</b>	<b>7371</b>	<b>1617</b>	<b>288</b>	<b>9276</b>
Alexander Park	278	782	27	1087	947	115	25	1087
Coolbinia	63	145	4	212	175	33	4	212
Beaufort Street	274	457	54	785	471	258	56	785
Fitzgerald St. North	270	636	67	973	645	255	73	973
Highgate	365	767	74	1206	794	325	87	1206
Highgate East	90	194	27	311	183	102	26	311
Mt. Lawley East	187	445	31	663	469	158	36	663
Newcastle Street	125	300	33	458	284	139	35	458
North Perth	501	1215	123	1839	1306	386	147	1839
East Leederville	69	161	9	239	192	37	10	239
William St. North	289	700	50	1039	775	233	31	1039
Selkirk Street	246	657	40	943	734	168	41	943
Mt. Lawley West	149	473	35	657	492	128	37	657
<b>TOTALS NORTH PERTH S/D.</b>	<b>2906</b>	<b>6932</b>	<b>574</b>	<b>10412</b>	<b>7467</b>	<b>2337</b>	<b>608</b>	<b>10412</b>
Perth	327	751	27	1105	884	191	30	1105
Beaufort Street	46	106	13	165	107	51	7	165
Royal Perth Hospital	54	155	6	215	189	20	6	215
James Street	56	95	16	167	102	48	17	167
West Perth	363	1083	32	1478	1204	233	41	1478
Fitzgerald Street	89	237	22	348	210	113	25	348
East Perth	160	505	14	679	533	129	17	679
Wittenoom Street	114	341	28	483	274	175	34	483
<b>TOTALS PERTH S/DIV.</b>	<b>1209</b>	<b>3273</b>	<b>158</b>	<b>4640</b>	<b>3503</b>	<b>960</b>	<b>177</b>	<b>4640</b>
<b>TOTALS DIVISION OF PERTH.</b>	<b>6517.</b>	<b>16792.</b>	<b>1021.</b>	<b>24328</b>	<b>18341</b>	<b>4914</b>	<b>1073</b>	<b>24328</b>

Division of Fremantle.

Referendum 1967

Votes Recorded

Polling Place	Parliament			Aborigines			Total
	Yes	No	Inf	Yes	No	Inf	
Applecross	470	1124	11	1379	219	10	1608
Ardross Central	190	428	5	<del>523</del>			
Ardross	289	838	21	553	67	3	623
Brentwood	381	977	29	975	151	22	1148
Canning Bridge	306	961	17	1204	158	25	1387
Deepwater Point	78	142	1	1115	151	18	1284
Mt Pleasant	475	1291	25	185	33	3	221
Cottesloe	158	397	6	1576	195	20	1791
Mosman Pk South	297	118	13	448	98	5	551
North Cottesloe	162	424	13	338	75	15	428
Cottesloe Beach	340	1007	19	502	88	9	599
Ex Mosman Park	491	1384	38	1225	203	18	1446
North East Cott.	399	1009	21	1581	300	32	1913
West Cottesloe	348	1178	28	1205	199	25	1428
Fremantle, Rottneat	482	1015	76	1304	225	25	1554
Fremantle Hosp				1190	305	78	1573
Canning H'way	432	788	50	983	227	60	1270
North Fremantle	242	619	38	617	240	42	899
Flympton	340	703	52	836	200	59	1093
Richmond	268	626	10	774	122	8	904
East Fremantle	161	437	12	493	102	15	610
Carawatha	259	484	20	619	123	21	763
Alfred Cove	274	686	6	846	114	6	966
Melville Heights	342	756	14	925	170	17	1112
Melville South	235	630	6	737	128	6	871
Myaree	495	1143	29	1410	227	30	1667
Willagee Park	553	901	35	1195	260	34	1489
Attadale	438	1185	22	1456	167	22	1645
Bioton	714	1593	33	1949	352	39	2340
Palmyra	508	1057	31	1305	264	27	1596
Palmyra East	264	633	12	731	163	15	909
Palmyra North	178	453	8	526	106	7	639
Beeconsfield	241	844	21	955	131	20	1106
Hamilton Hill	414	1090	67	1186	307	78	1571
Hamilton Hill East	346	886	22	1066	166	22	1254
Hilton Park	802	1577	48	1986	390	51	2427
South Beach	333	524	48	653	204	48	905
South tce	273	482	75	615	231	84	830
Coogee Beach	44	90	7	107	27	7	141
White Gum Valley	372	840	67	934	266	79	1279
Winterfold	149	363	12	441	67	<del>12</del> 16	524

*Rob Johnson  
DRO  
11/9/67*

- 1967 REFERENDUMS -

Division of Kalbarrie

Polling Place(s)	Polling Place Results							
	PARLIAMENT				ABORIGINES			
	Yes	No	Inf.	Total	Yes	No	Inf.	Total
<u>Subdivision of BOULDER</u>								
Boulder	706	911	72	1689	1158	458	73	1689
Boulder South - Hopkins St. - Kambalda.	132	192	13	337	201	119	17	337
Federal Road	104	150	6	260	177	73	10	260
Boulder North	168	206	22	396	273	99	24	396
Finiston	78	127	1	206	140	61	5	206
Trafalgar - Wittenoom St.	107	114	11	232	158	62	12	232
<b>TOTALS</b>	<b>1295</b>	<b>1700</b>	<b>125</b>	<b>3120</b>	<b>2107</b>	<b>872</b>	<b>141</b>	<b>3120</b>
<u>Subdivision of DUNDAS</u>								
Coolgardie - Widgiemooltha	81	170	5	256	157	94	5	256
Esperance	391	858	21	1270	924	317	29	1270
Castletown	47	115	3	165	122	42	1	165
Gibson - Manglinup	73	106	2	181	158	19	4	181
Condingup - Dalyup	70	114	3	187	165	20	2	187
Grass Patch - Scaddan	46	97	7	150	104	36	10	150
Norseman	245	501	29	775	491	253	31	775
Dowak - Salmon Gums	40	110	4	154	118	33	3	154
<b>TOTALS</b>	<b>993</b>	<b>2071</b>	<b>74</b>	<b>3138</b>	<b>2239</b>	<b>814</b>	<b>85</b>	<b>3138</b>
<u>Subdivision of GASCOYNE</u>								
Carnarvon	303	753	33	1089	743	313	33	1089
East Carnarvon	37	75	7	119	72	40	7	119
Exmouth - Gascoyne Junction - Learmonth - N.W. Cape	34	90	-	124	84	40	-	124
Denham - Onslow - Useless Loop	82	118	7	207	129	71	7	207
<b>TOTALS</b>	<b>456</b>	<b>1036</b>	<b>47</b>	<b>1539</b>	<b>1028</b>	<b>464</b>	<b>47</b>	<b>1539</b>
<u>Subdivision of GERALDTON</u>								
Geraldton - Bluff Point	547	1594	82	2223	1556	578	89	2223
Fitzgerald Street	257	559	18	834	595	219	20	834
Beachlands	155	286	11	452	343	96	13	452
Geraldton South	108	262	8	378	269	97	12	378
Moonyoonooka	37	77	17	131	81	36	14	131
Regional Hospital - St. John's	28	86	5	119	89	23	7	119
Wonthella	234	596	23	853	606	220	27	853
<b>TOTALS</b>	<b>1366</b>	<b>3460</b>	<b>164</b>	<b>4990</b>	<b>3539</b>	<b>1269</b>	<b>182</b>	<b>4990</b>
<u>Subdivision of GREENOUGH</u>								
Mingenew	83	210	11	304	195	102	7	304
Denison - Yandanoocka	32	99	3	134	99	31	4	134
Dongara	56	140	5	201	141	58	2	201
Boonenal - Greenough - Irwin	34	102	1	137	104	32	1	137
Walkaway	29	94	8	131	72	54	5	131
Morawa	133	339	7	479	353	118	8	479
Canna - Gutha	55	75	-	130	113	16	1	130
Koolanooka - Merkanooka - Tardun	23	110	1	134	93	39	2	134
Mullewa	98	254	13	365	210	137	18	365
Bringo - Eradu - Mendels - Pindar - Tenindewa	53	128	4	185	126	55	4	185
Northampton	151	352	18	521	350	153	18	521
Alma - Nabawa	31	74	3	108	81	24	3	108
Howatharra - Naraling	22	83	2	107	81	24	2	107
Nanson - Ogilvie	28	102	4	134	96	34	4	134
Ajana - Binu East - Kalbarri	23	90	-	113	84	29	-	113
Yuna	43	69	-	112	90	22	-	112
<b>TOTALS</b>	<b>894</b>	<b>2321</b>	<b>80</b>	<b>3295</b>	<b>2288</b>	<b>928</b>	<b>79</b>	<b>3295</b>

Courtesy National Archives of Australia: PP631/1, WE1967/555.

Subdivision of KALGOORLIE

Kalgoorlie	552	942	79	1573	961	528	84	1573
Campbell Street	185	320	8	513	368	136	9	513
Hannan Street	177	239	17	433	255	161	17	433
Piccadilly Street	113	229	8	350	217	126	7	350
Lamington	336	600	15	951	635	364	12	951
Broad Arrow Road	61	84	1	146	94	48	4	146
Brookman Street	160	276	10	446	281	155	10	446
K.R.H. - St. John's	52	60	3	115	84	28	3	115
South Kalgoorlie	266	478	18	762	506	242	14	762
Boulder Road	173	220	10	403	249	140	14	403
East Kalgoorlie	51	113	4	168	75	89	4	168
Federal Road - O'Berthur St.	63	79	3	145	100	44	1	145
<u>TOTALS</u>	2189	3640	176	6005	3825	2001	179	6005

Subdivision of KANONVA

Broad Arrow - Cundeelee - Forrest - Rawlinna	<u>TOTALS</u>	16	34	3	53	40	11	2	53
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Subdivision of KIMBERLEY

Lombadina-Broome-Beagle Bay	135	224	8	367	277	82	8	367
Derby - Derby Leprosarium - Mowanjum.	243	235	50	528	319	158	51	528
Cockatoo Island - Gibb River - Go Go	63	75	-	138	116	22	-	138
Cherrabun - Christmas Creek - Fitzroy Crossing - Hall's Creek - Kalumburu - Koolan Island - Ord River - Tableland	145	106	5	256	199	52	5	256
Wyndham - Wyndham East	85	172	7	264	168	88	8	264
Kununurra	72	110	-	182	148	33	1	182
<u>TOTALS</u>	743	922	70	1735	1227	435	73	1735

Subdivision of LEONORA

Leonora - Kookynie - Laverton - Menzies.	93	138	6	237	157	74	6	237
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Subdivision of MT. MAGNET

Mt. Magnet	88	205	18	311	193	99	19	311
Paynes Find - Sandstone - Yalgoo	46	85	-	131	74	55	2	131
Cue	28	75	7	110	59	44	7	110
<u>TOTALS</u>	162	365	25	552	326	198	28	552

Subdivision of MURCHISON

Meekatharra - Wiluna	84	164	5	253	144	107	2	253
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Subdivision of PILBARA

Roebourne	78	67	5	150	96	49	5	150
Dampier - Mt. Tom Price	31	70	-	101	89	12	-	101
Port Hedland	130	278	30	438	288	129	21	438
Finucan Island - Goldsworthy - Wittenoom.	49	74	-	123	98	24	1	123
Marble Bar - Nullagine	87	68	5	160	113	41	6	160
<u>TOTALS</u>	375	557	40	972	684	255	33	972

Subdivision of YILGARN

Southern Cross	112	314	24	450	280	145	25	450
Bodallin - Koolyanobbing - No. 7 Pump - Yellowdine	49	116	8	173	143	23	7	173
Bullfinch - Marvel Loch	26	105	1	132	92	38	2	132
Moorine Rock - Walgoon	33	104	4	141	115	23	3	141
Warralakin - Westonia	33	89	2	124	99	23	2	124
<u>TOTALS</u>	253	728	39	1020	729	252	39	1020

REFERENDUMS held on 27th May, 1967

DIVISION OF STIRLING.

STATE OF WESTERN AUSTRALIA

Result of Count — UP TO TIME

DATE

DIVISION OF

1. Proposed law entitled—  
"An Act to alter the Constitution so that the Number of Members of the House of Representatives may be increased without necessarily increasing the Number of Senators."

2. Proposed law entitled—  
"An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that Aboriginals are to be counted in reckoning the Population."

Division, Subdivision or Counting Centre	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total
Joondanna	343	927	40	1310	1047	223	40	1310
Usborne	427	1064	131	1622	1132	351	139	1622
Osborne East	104	333	15	452	360	78	14	452
Tuart Hill North	60	181	7	248	180	61	7	248
Balcatta	303	873	65	1241	909	261	71	1241
Osborne South	210	537	32	779	578	168	33	779
Osborne West								
Tuart Hill	295	820	51	1166	849	264	53	1166
BAYSWATER	537	1381	59	1977	1564	348	65	1977
Bayswater South	107	266	-	373	309	62	2	373
Bayswater West	163	453	25	641	503	118	20	641
Bedford South	137	417	11	565	455	99	11	565
Streatley Park	77	216	12	305	240	53	12	305
Bedford North	135	329	16	480	385	81	14	480
Bedford West	174	425	17	616	499	102	15	616
<del>Hillcrest</del>	<del>122</del>	<del>359</del>	<del>11</del>	<del>492</del>	<del>479</del>	<del>67</del>	<del>13</del>	<del>552</del>
Hillcrest	342	714	24	1080	917	139	24	1080
Bayswater North	140	310	15	465	350	99	16	465
Bedford Park	200	619	20	839	674	141	24	839
Meltham	140	313	12	475	388	76	11	475
Bassendean	535	1425	92	2042	1480	469	93	2042
Embleton	224	556	15	795	674	105	16	795
Bassendean North	122	308	18	448	350	76	22	448
Embleton N/West	101	336	17	454	361	74	19	454
Whatley	54	164	6	224	185	33	6	224
Bassendean Sth	146	460	26	632	483	123	26	632
Ashfield	156	465	25	649	483	141	25	649
Guildford	211	600	35	846	621	191	34	846
East Guildford	77	193	13	283	214	62	7	283
Hazelmere	30	122	2	154	115	36	3	154
Newburn	236 (276)	137	9	422	315	87	20	422
Redcliffe								
South Guildford	61	212	2	275	210	61	4	275
Midvale	177	440	15	632	484	130	18	632
Midland North	159	407	33	599	404	163	32	599
Bellevue	146	325	30	501	336	132	33	501
Koongamia	123	273	13	409	330	69	10	409
<b>TOTALS</b>								

Courtesy National Archives of Australia: PP631/1, WE1967/555.

REFERENDUMS held on 27th May, 1967

2385/4/67-20 PDS.

STATE OF WESTERN AUSTRALIA

DIVISION OF STIRLING.

Result of Count — UP TO TIME

DATE

DIVISION OF

1. Proposed law entitled—  
"An Act to alter the Constitution so that the Number of Members of the House of Representatives may be increased without necessarily increasing the Number of Senators."

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"An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that Aboriginals are to be counted in reckoning the Population."

Division, Subdivision or Counting Centre	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total	No. of Votes in favour of proposed law (Yes)	No. of Votes not in favour of proposed law (No)	Informal	Total
MidlandJunction	351	835	72	1258	862	317	79	1258
WestMidland	172	382	36	590	428	123	39	590
Mt.Hawthorn	627	1490	96	2213	1658	456	99	2213
Mt.HawthornNorth	261	726	42	1029	762	226	41	1029
Mt.HawthornEast	180	393	30	603	442	132	29	603
Glendalough	76	156	12	244	194	38	12	244
Mt.HawthornSouth	177	392	11	580	461	108	11	580
SCARBOROUGH EAST	572	1431	46	2049	1714	295	40	2049
Scarboro'N/West	81	205	6	292	252	35	5	292
Scarboro'Beach	246	723	11	980	829	138	13	980
Innaleo	185	581	24	790	638	129	23	790
InnaleoWest	164	470	18	652	524	113	15	652
Karrinyup	116	249	5	370	306	59	5	370
InnaleoNorth	533	1466	67	2066	1628	377	61	2066
Scarborough	199	623	18	840	718 (718)	106	16	840
Double View	629	1941	35	2605	2162	410	33	2605
Double View North	381	1101	15	1497	1271	209	17	1497
WembleyDowns	473	1230	27	1730	1515	196	19	1730
Woodlands	355	875	23	1253	1097	133	23	1253
WembleyDownsNorth	60	176	3	239	198	37	4	239
Herdsmen	33	125	1	159	138	20	1	159
Nollamara	524	1362	44	1930	1623	264	43	1930
Westminster	332	847	38	1217	1027	153	37	1217
NollamaraEast	95	234	7	336	296	35	5	336
NollamaraNorth	135	401	21	557	467	71	19	557
Dianella	512	1442	45	1999	1710	248	41	1999
DianellaEast	113	265	10	388	325	54	9	388
DianellaN/West	75	175	2	252	228	23	1	252
YokineEast	324	741	20	1085	933	128	24	1085
YokineSouth	65	273	6	344	280	61	3	344
MorleyNorth	364	931	34	1329	1142	158	29	1329
HamptonPark	115	271	13	399	295	87	17	399
Morley	324	869	29	1222	1017	175	30	1222
MorleyWest	242	618	10	870	714	144	12	870
YokineWest	709	888	48	1645	1360	240	45	1645
Yokine	621	1642	52	2315	1957	303	55	2315
<b>TOTALS</b>								

Courtesy National Archives of Australia: PP631/1, WE1967/555.

## Research Questions:

**What was the nexus question? Why do you think it did not succeed?**

**Why do you think Western Australia recorded such a high 'No' vote compared to other states?**

**Do you think conditions for Aboriginal people have improved as a result of the 1967 Referendum? Why or why not?**

**What do you think is the next step for Aboriginal Rights in Australia?**

**What does the 'Yes' vote on the 1967 Referendum ballot paper mean to you?**

## Activity:

**A large part of achieving a 'Yes' vote on the Referendum** was the campaigning that gained community support. Make a poster, or come up with a campaign slogan to rally the community to vote 'Yes' on the 1967 Referendum, in favour of Aboriginal rights.

Please see 'Teachers Resource' section for more resources and project suggestions.

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Peter Biskup, *Not Slaves Not Citizens*, University of Queensland Press, 1973

South West Land and Sea Council

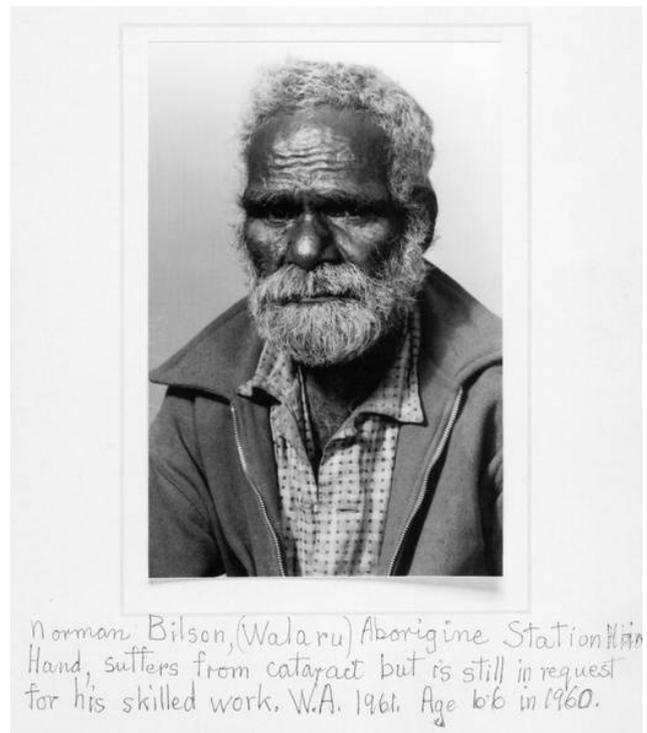
## COMPARE AND CONTRAST: FREMANTLE AND KALGOORLIE

### Introduction

**The result of the 1967 Referendum showed that Western Australians were least in favour of the proposed Constitutional amendments compared with the rest of the country.**

Within the State itself there was also great disparity, with the division of Kalgoorlie returning the highest 'No' vote in WA, while the division of Fremantle cast one of the State's highest 'Yes' votes by percentage.

These two extremes were very much a reflection of the national trend where voters in regional and rural divisions were less supportive of the proposed constitutional changes in contrast to their city counterparts. This legacy, to some extent, lingers on.



State Library of Victoria, Box 12/6, Council for Aboriginal Rights [Vic.] Papers, MS 12913|State Library of Western Australia: ACC8303A..



State Library of Victoria, Box 12/6, Council for Aboriginal Rights [Vic.] Papers, MS 12913| State Library of Western Australia: BA2641/18.

## Fremantle

In a close outcome the division of Fremantle cast the State's second highest 'Yes' vote, by percentage, with the nearby division of Curtin recording the highest. At the time, the division of Fremantle covered the entirety of the City of Fremantle, Cottesloe, Mosman Park, the Town of East Fremantle, Rottnest Island and parts of the City of Melville.

As an inner metropolitan electorate the division was created at Federation in 1901 and was one of the original seventy-five divisions that were contested in the first federal election. The total population of the area, according to the 1966 Census, was estimated to be around 94,000 people, of whom 55,491 were of voting age. Of the 57,734 enrolled voters, 59,283 votes were cast.

## Kalgoorlie

In contrast to Fremantle the Kalgoorlie division cast the State's highest 'No' vote. Kalgoorlie's subdivisions included Boulder, Dundas, Gascoyne, Geraldton, Greenough, Kalgoorlie, Kanowna, Kimberley, Leonora, Mt Magnet, Murchison, Pilbara and Yilgarn. In terms of size these subdivisions represented over 90 per cent of the State's land mass and almost a third of the entire continent, an area greater than the size of France, Spain, Germany, Italy, Poland and Great Britain combined.

Before it was abolished in 2010 and divided into smaller divisions, Kalgoorlie was the largest single-member electorate in the world. Notwithstanding the vastness of this area's geographical spread, the population of this area at the time, according to 1966 Census data, was estimated to be approximately 70,300 people, almost 25 per cent below that of Fremantle. In the Kalgoorlie division 41,732 people were of voting age in 1966, but only 35,586 people were enrolled to vote. A total of 36,183 votes were cast in the Referendum within the division of Kalgoorlie.



Department of Aboriginal Affairs archives: Consignment 1724 1960/0144.

## Census data and polling results

The table below shows a comparative analysis of the estimated voting population of WA against the total number of voters.

	Est. Voting Population [1966 Census]	Enrolled Voters	'Yes' Vote	'No' Vote	Informal Votes	Postal Votes	Absent Votes	Total Vote Count
<b>Division of Kalgoorlie</b>	<b>41,732</b>	<b>35,586</b>	<b>21,719</b>	<b>8,888</b>	<b>960</b>	<b>1,121</b>	<b>3,495</b>	<b>31,567</b> [*36,183]
[Boulder]	2,971	3,668	2,107	872	141			3,120
[Dundas]	4,546	3,870	2,239	814	85			3,138
[Gascoyne]	5,474	2,508	1,028	464	47			1,539
[Geraldton]	6,547	6,307	3,539	1,269	182			4,990
[Greenough]	4,797	4000	2,288	928	79			3,295
[Kalgoorlie]	3,749	7,335	3,825	2,001	179			6,005
[Kanowna]	NO DATA	214	40	11	2			53
[Kimberly]	4,885	2,726	1,227	435	73			1,735
[Leonora]	798	531	157	74	6			237
[Mt Magnet]	1,195	786	326	198	28			552
[Murchison]	910	523	144	107	2			253
[Pilbara]	5,395	1,873	684	255	33			972
[Yilgarn]	465	1,245	729	252	39			1,020
<b>Division of Fremantle</b>	<b>55,491</b>	<b>57,734</b>	<b>43,868</b>	<b>8,423</b>	<b>1,310</b>	<b>1,335</b>	<b>4,347</b>	<b>53,601</b> [*59,283]
[Cottesloe]	9,198	9,658	6,603	1,188	129			7,920
[Fremantle]	4,368	7,886	4,893	1,196	262			6,351
[Applecross]		9,547	6,987	974	101			8,062
[Melville]	26,463	8,127	5,732	1,022	14			6,868
[Palmyra]		8,420	5,967	1,052	110			7,129
[S Fremantle]	15,462	14,096	8,959	2,041	513			11,513
<b>Totals</b>	<b>97,223</b>	<b>93,320</b>	<b>65,587</b>	<b>17,311</b>	<b>2,270</b>	<b>2,456</b>	<b>7,842</b>	<b>95,466</b>

\* Postal and absentee votes were not included in the original return but are included in the above table totals to assist in gaining a more comprehensive understanding of the outcome.

### DID YOU KNOW?

- 215 people voted whilst receiving treatment at the Royal Perth Hospital.
- The division of Stirling in the metropolitan area reported one of the State's highest number of non-voters.
- Polling booths were open from 8am to 8pm on the day of the Referendum.
- Half the counting centres in the division of Canning had completed the count by 10.30pm on the day of the Referendum.
- Rain fell in the division of Curtin on the day of the Referendum.

## Quick Facts: Statistics

### Division of Fremantle

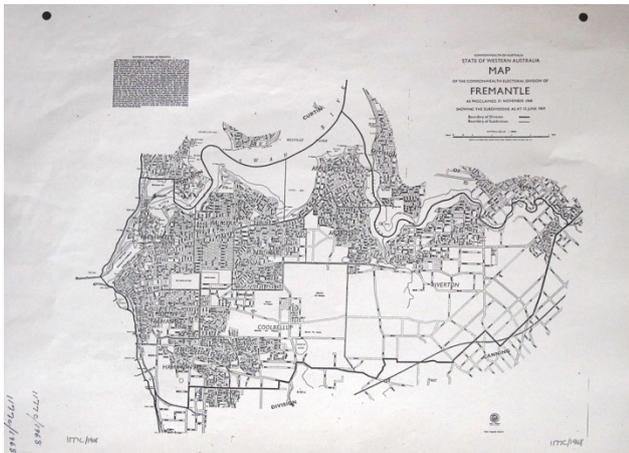
Yes Vote: 83.89%

No Vote: 16.11%

9 out of 43 polling places lost ballot papers, between them losing a total of 16 papers.

The division reported 767 postal votes and 4178 absent votes.

In contrast to Kalgoorlie, the final polling report from Fremantle made no mention of Aboriginal voters.



State Library of Western Australia, 46/2/FRE [1969].

### Division of Kalgoorlie

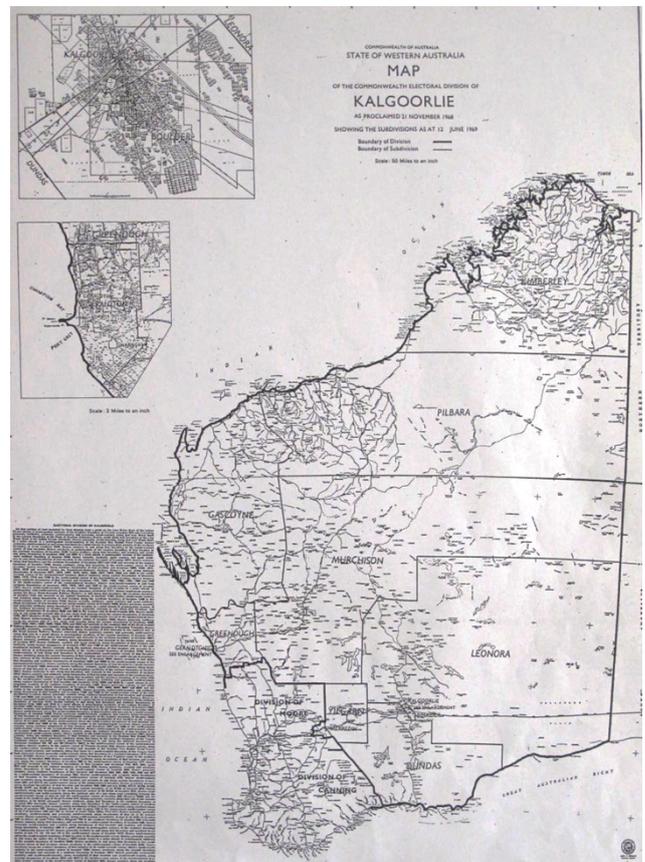
Yes Vote: 70.96%

No Vote: 29.04%

The division reported a decline in Aboriginal voters.

The division had 1121 postal votes and 3495 absent votes.

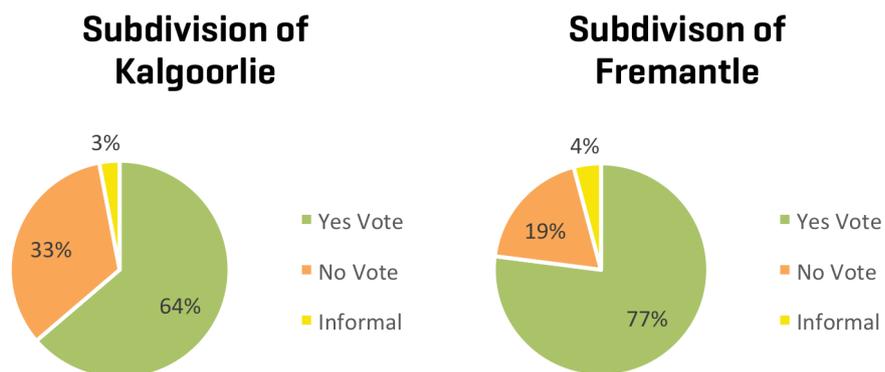
In the post-referendum report from the Kalgoorlie division, it was identified that up to 75% of Aboriginal voters enrolled at missions or stations were no longer living at their listed address.



State Library of Western Australia, 46/2/KAL [1969].

The following graphics are the number of votes cast in the subdivisions of Kalgoorlie and Fremantle (A), the respective division counts (B), and the State and National vote counts (C).

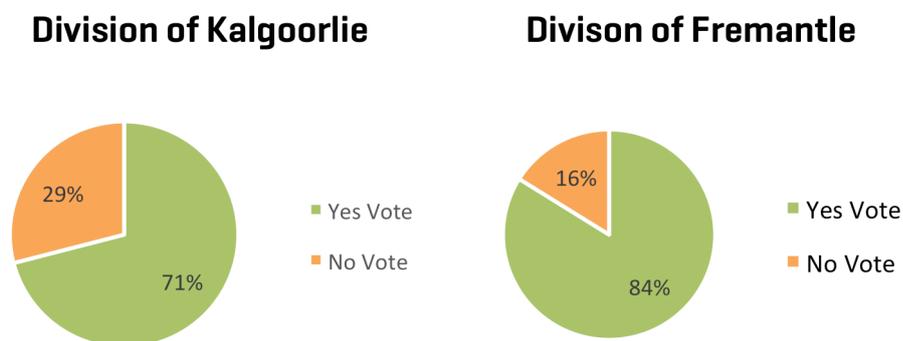
### (A) Votes Cast: Subdivisions



\* Informal vote count has been shown here.

Data retrieved from the National Archives of Australia: '1967 Referendum- Poling Place Figures', PP631/1, WE1967/555.

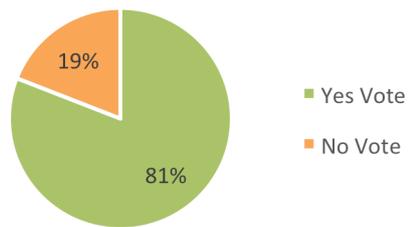
### (B) Votes Cast: Divisions



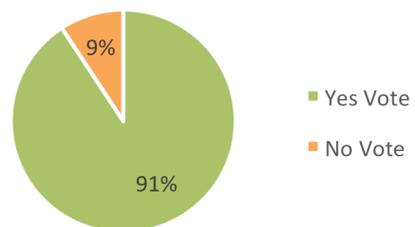
Data retrieved from the National Archives of Australia: '1967 Referendum - DRO's returns, PP631/1, WE1967/541.

## (C) Votes Cast: State and National

### Western Australia



### National



Data retrieved from the National Archives 'Referendum results'  
via <http://vrroom.naa.gov.au/records/?ID=19281>.

## Contemporary Fremantle and Kalgoorlie

The Referendum results of Fremantle and Kalgoorlie must be seen in the context of the time. The following section of this toolkit will compare the historic results, seen as two extremes, to the cities they are today.

### Fremantle

- Is in Noongar country, of which the Noongar people reside.
- Prior to the advent of European settlement the area where Fremantle now stands was called Walyalup (pronounced 'wal-lya-lup'), a place of significance within Beeliar country.
- The Town of Fremantle Council was founded in 1871 and gained city status in 1929.
- Fremantle was named after Captain James Fremantle, an English naval officer, who established camp at the site in 1829.



Courtesy Fremantle City Library History Centre [1623].

### Kalgoorlie

- Is in Wongatha country – a generic name of the language that was and is currently spoken throughout the area.
- Kalgoorlie derives its name from the Aboriginal word Karlkurla (pronounced 'gull-gurl-la'), an edible 'silky pear' that grows throughout the arid interior of the continent.
- The Kalgoorlie townsite was gazetted in 1894 within a year of the discovery of gold in 1893.
- Kalgoorlie-Boulder together is recognised as Australia's largest outback city.



Courtesy NAA: A1200, L16416.

# DID YOU KNOW?

**On 26 January 1788, the first fleet landed in Sydney Cove with around 1,400 people to establish a British penal colony. At the time Australia was deemed to be 'terra nullius' meaning 'land belonging to nobody,' a ruling that was overturned 204 years later with the 1992 Mabo decision. Earlier that year, Australia Day was formally established as the national public holiday, replacing Federation Day.**

## Fremantle

In 2017 Fremantle attracted international attention with a decision to move Australia Day celebrations to an alternative date as a mark of respect to the Aboriginal community, who commonly refer to it as Survival or Invasion Day.



Opening of Walyalup Aboriginal Cultural Centre, Fremantle [2013]. © City of Fremantle.



Noongar cleansing ceremony, Bathers Beach, Fremantle [28 January 2017]. © City of Fremantle.

## Kalgoorlie

In August 2016 following the death of a young Aboriginal boy a large number of the community called for government action by active protesting in the town. The event attracted media attention nationwide and was diffused by Aboriginal Elders in conjunction with government agencies to address racial tensions and growing social unrest.



Protestors outside the building where the summit is being held. © Australian Broadcasting Corporation.



Brave teenager sought to diffuse tensions at the Kalgoorlie riots by standing in between police and protesters. © Nine News Perth.

## Research Questions:

**If a referendum on the same issues was to be held today, would you expect the result from your town to be any different? Why? Why not?**

**What does Australia Day mean to you? Do you support Fremantle's decision? Why or why not?**

**If you were elected as the WA Premier, what possible solutions could you offer towards providing better services for Aboriginal people in Kalgoorlie?**

**Why do you think Western Australia recorded such a high 'No' vote?**

## Activity:

**Debate.** Stage a debate in your classroom arguing 'for' or 'against' moving the celebration date of Australia Day.

Please see 'Teachers Resource' section for more resources and project suggestions.

## Sources:

ABC Online, '[Protestors Arrested in Kalgoorlie Riot After Tean's Death](#)', 31 August 2016, accessed April 2017

Amy McQuire and Lizzie O'Shea, *The New York Times*, '[White Australians Celebrate, Aboriginal People Mourn](#)', 25 January 2017, accessed April 2017

Bianca Soldani, SBS, '[Powerful image encourages calm amid Kalgoorlie protests](#)', 31 August 2016, accessed April 2017

[City of Fremantle website](#), accessed April 2017

Claire Moodie, ABC Online, '[An act of betrayal against Australia': Fremantle divided over cancellation of Australia Day festivities](#)', 26 January 2017, accessed April 2017

Department of Aboriginal Affairs: Consignment 1724 1960/0144

Garrett Mundy, ABC Online, '[Kalgoorlie unrest: Leaders gather for summit to address social](#)

[issues](#)', 5 November 2016, accessed April 2017

National Archives of Australia: A431, 1949/1591, '[Aboriginal representation in federal parliament – a 'just' request](#)', 1949

National Museum of Australia, '[The older generation of Bilsons: workers on pastoral stations](#)', accessed April 2017

Ryan Emery, SBS, '[Healing ceremony kicks off Fremantle's alternative Australia Day](#)', 28 January 2017. Accessed April 2017

WA State Library: 46/2/FRE [1969]

WA State Library: 46/2/KAL [1969]

WA State Library: BA2756/10

State Library of Victoria: Box 12/6, Council for Aboriginal Rights (Vic.) Papers, MS 12913

## **MY PERSPECTIVE: THE 1967 REFERENDUM**

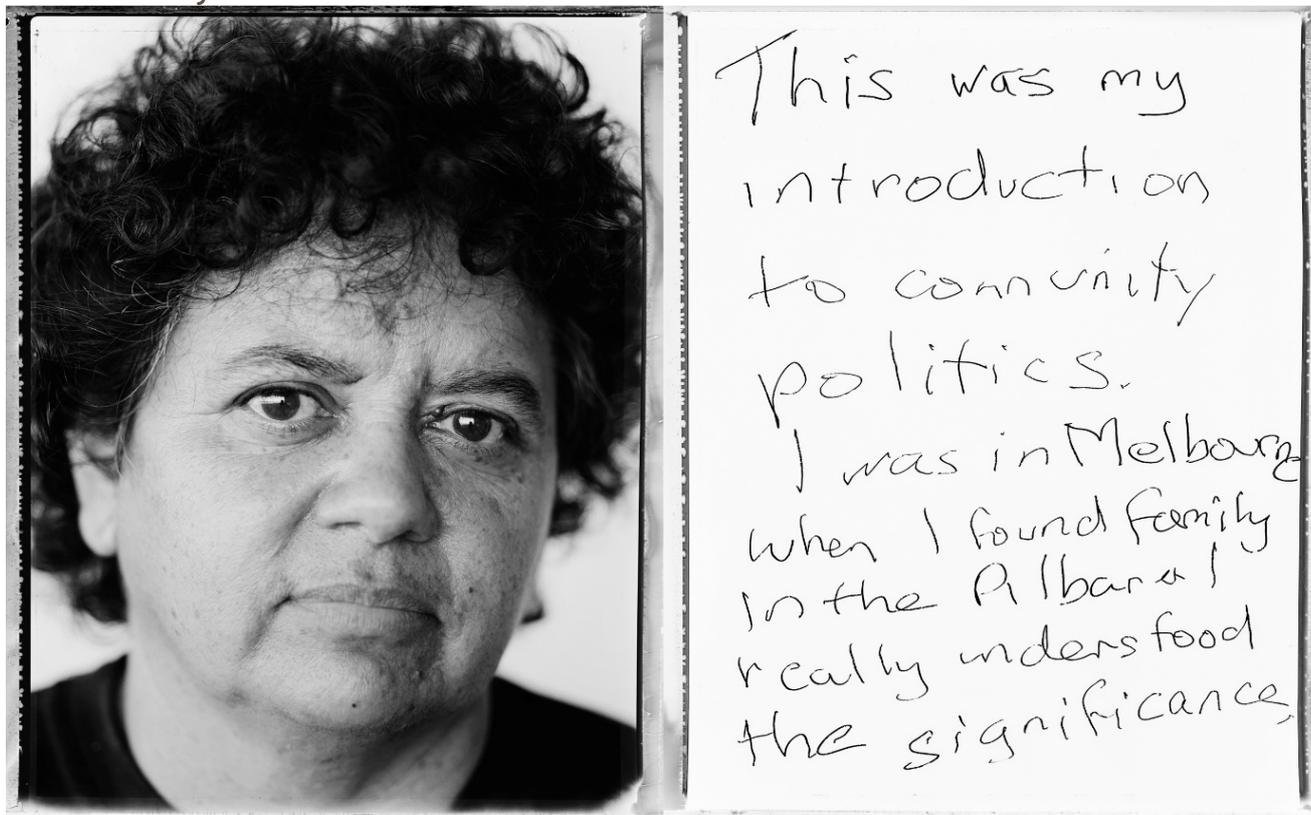
**The 1967 Referendum had an enormous effect both symbolically and practically for Aboriginal people. It also resonated widely with the non-Aboriginal population who saw it as a time of progression towards equality and recognition of Aboriginal people's traditions, laws and culture. The following provides a community perspective, with reflections collected from the Aboriginal and non-Aboriginal community about what the 1967 Referendum meant or means to them today. All reflections were recorded between November 2016 and April 2017 unless otherwise stated.**

## Marnti Warajanga – A Walk Together

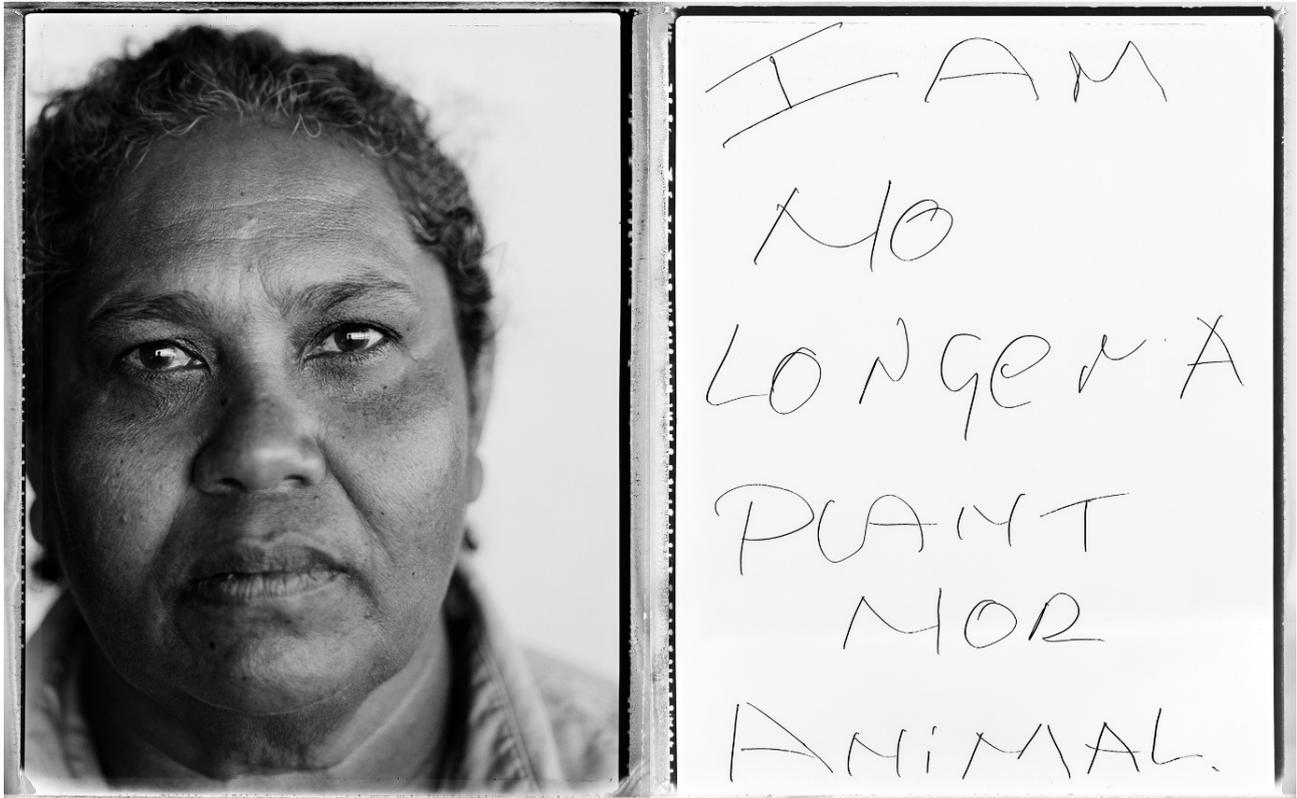
The following images were produced for an exhibition, *Marnti Warajanga- A Walk Together*, 2007, by the Museum of Australian Democracy in association with Wangka Maya Pilbara Aboriginal Language Centre and photographer Tobias Titz.

The exhibition, commissioned to commemorate the 40th anniversary of the 1967 Referendum, explores how the people of the Pilbara have engaged with democratic process and how significant developments in Aboriginal affairs have influenced their life. In their own words, the subjects of the portraits reflect their ongoing work for social and political change at a community and national level.

### Rose Murray, 2007

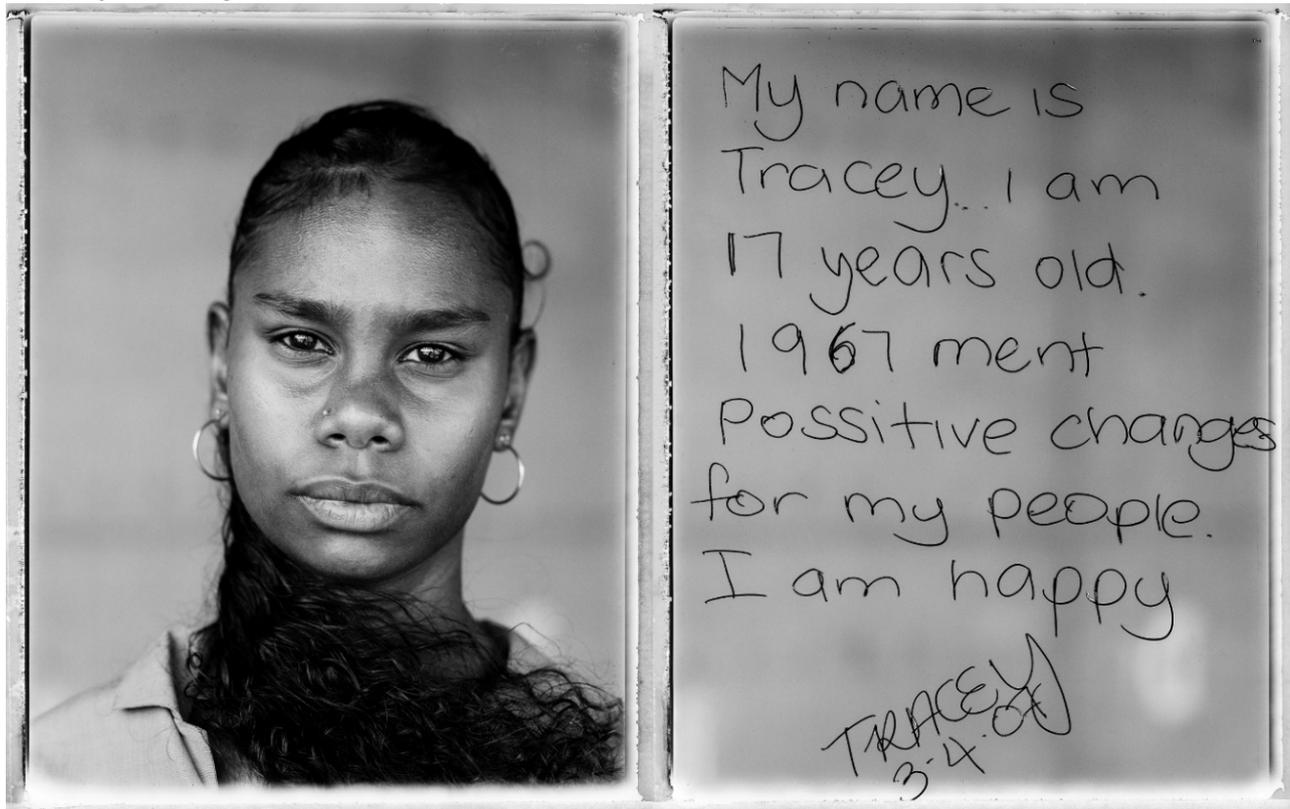


## The late Sylvia Clarke, 2007



Sylvia Clarke [deceased] worked at Wangka Maya Pilbara Aboriginal Language Centre on special media projects such as DVDs, recordings, plays and radio broadcasts. She was a graduate of Theatre Arts from WA Indigenous Performing Arts and had worked in groundbreaking productions such as the original theatre musical *Bran Nue Dae* [1990] as Aunty Teresa, and the award-winning SBS series *The Circuit* [2007–09] as Elder Phyllis.

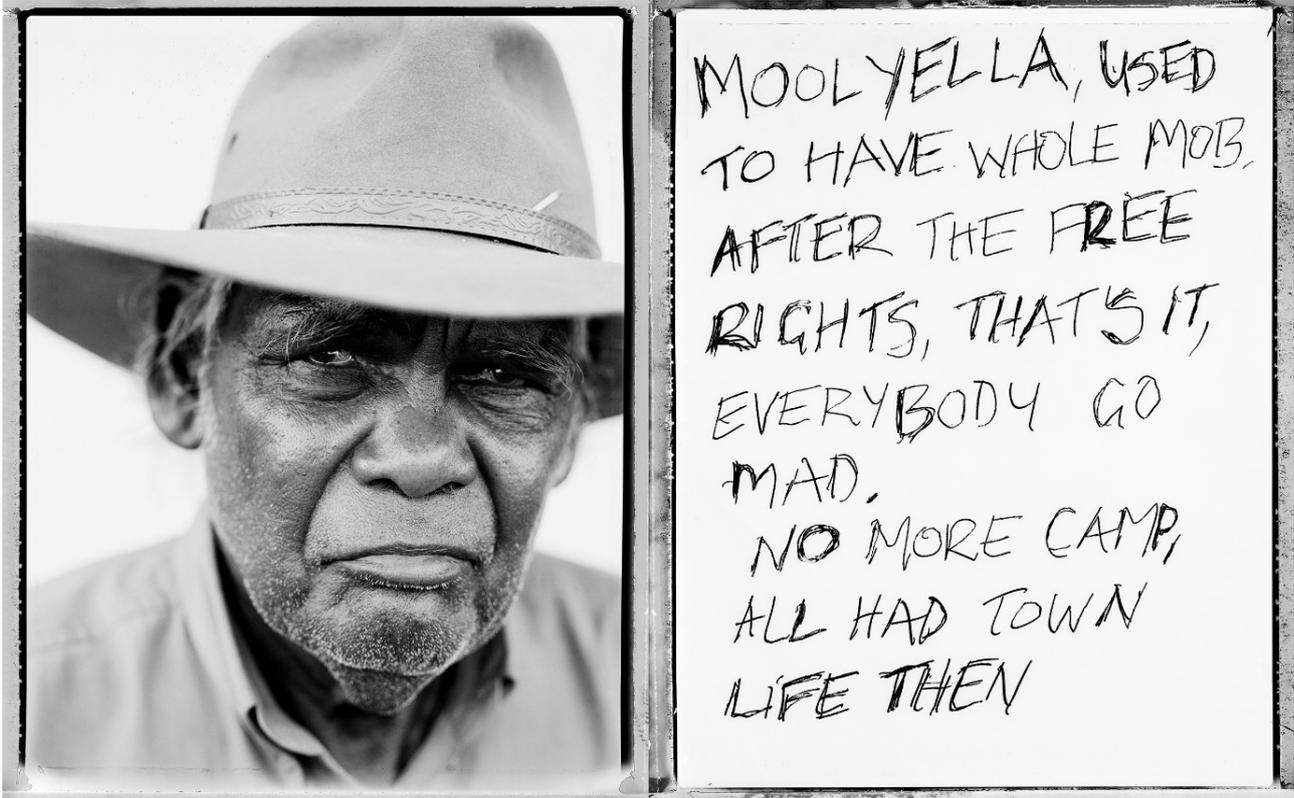
Tracey Monaghan, 2007



The late Ginger Bob, 2007



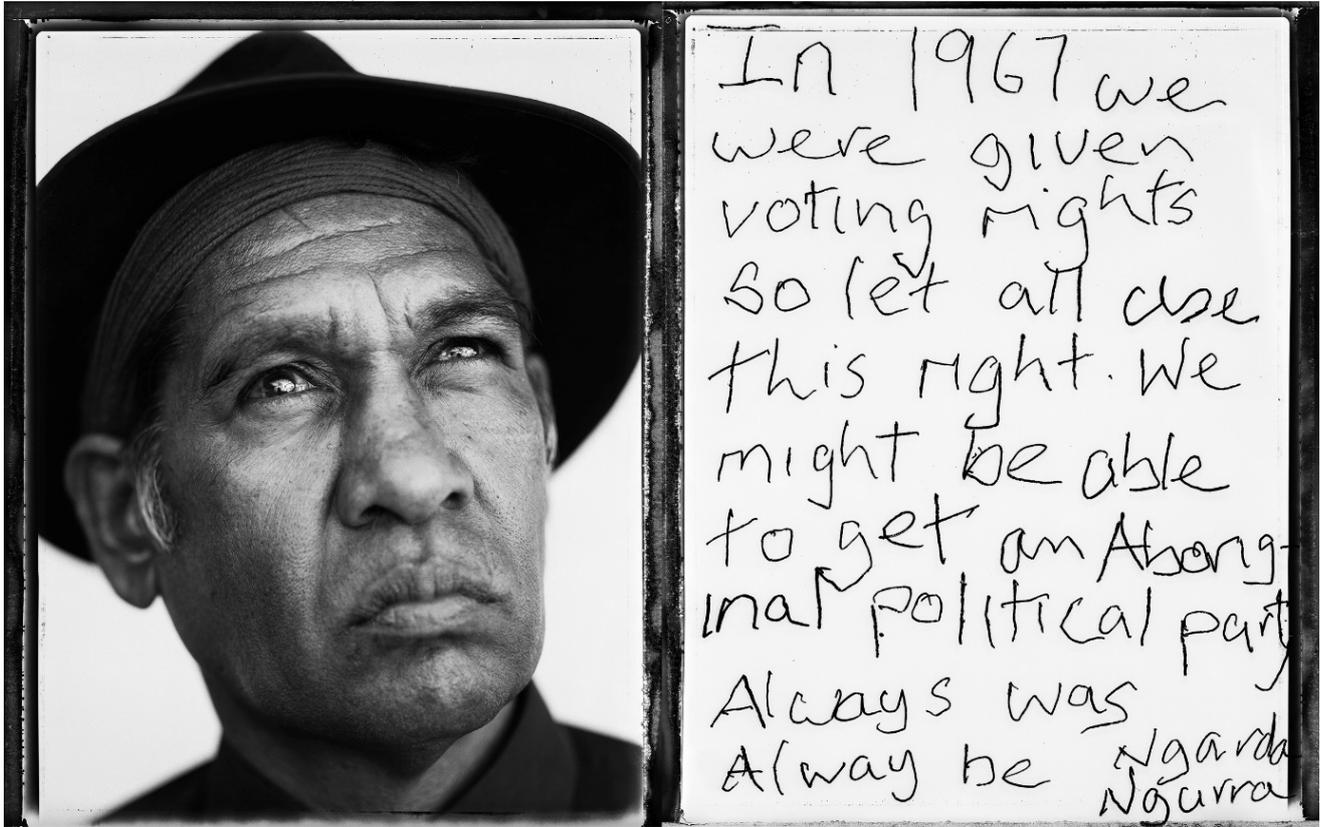
## Charlie Coppin, 2007



At the time of the Referendum, Charlie Coppin—born in 1935 at De Grey Station and cousin of the Pastoral Workers’ strike leader Peter Coppin—was working on the Moolyella Station. He went on to work for the Pilbara Native Title Service, where he became Senior Liaison Officer.

On 30 May 2007, he and other Ngarla Elders were recognised as Native Title holders of land east of Port Hedland in the Pilbara. Charlie Coppin said ‘It has taken a long time, but I’m happy that us elders can pass this on to the next Generation’. In 2009 Coppin signed an important agreement in his role as native title holder to preserve and protect the culturally significant Mikurrnya site.

## The late Alum Cheedy, 2008



Yindjibarndi man Alum Cheedy (deceased) worked as an Aboriginal Liaison Officer and then Regional Manager for the Pilbara Native Title Service. He left in 2007 to become Manager of Marnda Mia, an independent company he helped develop, owned by the Traditional Owners of the Pilbara. It provides a 'platform for Indigenous people to develop regional standards with companies and improve government service delivery in areas such as education, employment, housing and health.' He was a Court Officer in the Aboriginal Legal Service, Roebourne Court.

## Reflections recorded by the Aboriginal History Research Unit

Patrick Dodson



Image: Senator Patrick Dodson by Michael Lawrence, 2016.

**Senator Patrick Dodson was a 19 year old school student at Monivae College in Victoria at the time of the 1967 Referendum. His family did not vote.**

*I was a schoolboy at Monivae College in Victoria when the 1967 Referendum was passed overwhelmingly by the people of Australia. I remember feeling this was a moment when the “dying race” myth was gone forever; when our people were at last recognised as part of the Australian people. It was a time of turbulence, and our voices were now being heard.*

*I recall Dodgeroo Noonuccal’s [poet and political activist Kath Walker] words at the time that “we had won something... we were visible, hopeful and vocal.” There was a sense that the federal government would now start to fix things for our people. For my family, they believed it marked the end of Native welfare control over our lives.*

*I believe it was a high point of acceptance of the Aboriginal and Torres Strait Islander peoples’ rights as the first Australians. It also gave the Federal Government not just the power but the moral obligation to act on the issues confronting our people. The poverty, the poor health, the shocking housing, the racism and discrimination could now be addressed in a bipartisan way.*

*Today people are confused as to why the Aboriginal people of Australia continue to look to the federal government to redress our adversities. There are so many issues not attended to. The best intentions have not achieved change. For many of us, Constitutional Recognition is the priority area, with increasing acceptance of the notion that a treaty or treaties is unfinished business, whose time is coming.*

*“But in every area of life for our people, inequality persists. Much more needs to be done.”*

## Jedda Carter

### **Aboriginal woman Jedda Carter was not old enough to vote in the 1967 Referendum.**

*My grandfather was a Stolen Generations Aboriginal but lived as per citizenship rules [under the Aborigines Act 1905] as a white man. Our extended family was not allowed to discuss being of Aboriginal heritage for fear of our family being taken away from our grandfather, so my family did not vote in the Referendum. My grandfather was of the view that nothing would change, and very little did change in WA, the Government would not protect Aboriginal people and banks and Government could not be trusted. I was too young to understand.*

*The result had no impact to our family at all. We were not raised in or with the community we had nothing to do with other Aboriginals as per the citizenship rules, which our family legally prescribed to. Until the death of my grandfather in 1983, my grandfather, mother and uncles were still subject to racism.*

*Very few people from White Australia even know that it occurred. They don't know why we are kicking up such a fuss, and they have zero knowledge about Aboriginal history in WA. I think it has taken a very long time for any change in Western Australia, and we have a long way to go:*

- The 1967 Referendum was the first step.
- Mabo Decision 1992.
- The 2008 'Sorry' apology to the Stolen Generation by the Prime Minister, Kevin Rudd.
- Aboriginal history introduced in the School Curriculum.

*We need more Aboriginal history taught in schools, both good [Different mobs and languages, tools used, oldest living society, history of culture and agriculture, dreamtime stories] and bad [massacres, racism, church and institutions, slavery]. Raising awareness to the younger generation, of Australia's past, will reduce racism and allow Aboriginals to be proud of their culture and our place in the world.*

*"Like in past wars, if the atrocities are not brought to light then how can the healing begin and how can we stop it from happening again?"*

## Ken Wyatt

### **Hon Minister Ken Wyatt AM MP was a 15 year old school student at Corrigin District High School in Corrigin Western Australia at the time of the 1967 Referendum.**

*I was too young to vote. I was only fifteen at the time the Referendum was held, but my mother and father both voted 'Yes'.*

*I vividly remember the campaign and seeing Aboriginal leaders speaking for the 'Yes' vote. I recall the role of the churches being prominent and promoting the 'Yes' vote and the need for Aboriginal people to be counted. I remember some individuals having strong views opposing the campaign based on their prejudices and their views about Aboriginal people. However, equally I remember more people supporting it. At the time I thought it was about fairness and a fair go.*

*As with all Constitutional change people had a sense of understanding of the reason for the change but in terms of the 67 Referendum a mythology evolved around what the question really meant. This has continued to prevail since the 67 Referendum.*

*"At the time I remember my great Uncle George Abdullah talking about the Commonwealth making laws that would improve opportunities for Aboriginal people. I recall that my mother was cynical and saying 'nothing would change'."*

*The overwhelming 'Yes' vote sent a clear message that Australian people were supportive of change for Indigenous Australians but nothing in our daily life really changed. We were still governed by the Western Australian Native Welfare Act, but the 'Yes' vote left us with a sense of hope that things would change. I don't recall any discussion in the classroom about the Referendum.*

*The Referendum's legacy is that the Commonwealth under the Head of Power accorded to it by section 51(26) of the Constitution enabled the Commonwealth to provide programs and services and pass legislation in respect to Aboriginal and Torres Strait Islander People. It has enabled the Commonwealth to take a leadership role in the affairs of Aboriginal and Torres Strait Islander people and to fund programs that have been implemented that would improve the lives of Aboriginal and Torres Strait Islander People. These include education, employment, training, health, land issues-Native Title and economic opportunities etc.*

*The community will recall the 67 Referendum but if asked, many would not be able to tell you the detail because of the time lapse. They would however, appreciate the importance of it.*

*[I would like to see Aboriginal Affairs address], Constitutional Recognition, the right to better educational and health outcomes, and the intended outcomes of Native Title - achieving economic and cultural independence for Aboriginal people.*

## Shaye Hayden

**Aboriginal man, Shaye Hayden was not born at the time of the 1967 Referendum, however comments on its impact.**

*It is not something that I have actually discussed with my family, but I do believe it would have had a positive impact on them and their communities at the time. I think the result would have reflected that the majority supported Aboriginal rights, which would have provided hope to the Aboriginal community. I do think that the Referendum created some progress for Aboriginal rights that enabled many Aboriginal people to eventually build successful lives based on independence and autonomy. It certainly led to me eventually having the same opportunities as many other Australians with regard to education, housing and medical treatment. I think that there are a few misconceptions about the Referendum question but I think the community would mostly believe that overall it afforded Aboriginal people additional rights.*

*The gap between Aboriginal and non-Aboriginal people across many social indicators remains a significant issue that I think needs to be seriously addressed. I also think that Constitutional recognition is another significant issue, much like the 1967 Referendum was, that perhaps could close the gap.*

## Joan Coffin

**Joan Coffin is an Aboriginal woman who was living in Port Hedland at the time of the 1967 Referendum.**

*I was seven years old at the time, so too young to vote. It is unknown to me whether my family voted and I have no recollection of the attitudes at the time. The impact of the result at the time on myself or my family is a faded memory, however its legacy is that it has allowed me rights [federally]. Many of those affected in those days are no longer alive, so we might [not] get their opinions on what the change has brought since. Today, I would like to see Aboriginal People recognised as the First Australians by the wider Australian Community, I would like to see it acknowledged.*

## Phil Ramsay

**At the time of the 1967 Referendum, Phil Ramsay had not yet been born. His parents had not yet immigrated to Australia.**

*The Referendum was a significant milestone towards recognition of Indigenous rights. I think the broader community understand the Referendum as the right to vote, equality under the law or at least movement towards it and as community support for Indigenous people's rights. Today we need to work on closing the gap, and providing support for greater autonomy.*

## Glenn Shaw

**Glenn Shaw, an Aboriginal man, was living in Launceston, Tasmania, at the time. Glenn wasn't old enough to vote in the 1967 Referendum, as he was only nine years old.**

*"The overwhelming 'Yes' vote sent a clear message that Australian people were supportive of change for Indigenous Australians."*

Both my Father and Mother [Aboriginal] voted. Tasmania was a very racist place in the 1960's and my mother always found it difficult living with the overt racism of the time. My father, who was a strong unionist, was supportive of the Referendum and I believe both my parents voted 'Yes' in the Referendum. Unfortunately my mother left the family and relocated to Victoria shortly after the Referendum and I did not see her for several years so I am unsure what she felt about the outcome.

I can't remember detailed conversations at the time, but my father spent a long time talking with family [both Aboriginal and non-Aboriginal] on the importance of the Referendum and openly encouraged them to vote 'Yes'. My mother was much quieter on the subject but did actively participate in family and community discussions on it but not necessarily at the same level. I remember the elation of both my parents at the time and the belief things would change for the better. Unfortunately it took a long time to get any real change in attitude, and I don't think it was the catalyst for change many Aboriginal people thought it would be, but it did start a conversation in the Tasmanian Aboriginal community which led to the establishment of Aboriginal community organisations in the

early 1970's. This was a positive flow on from the Referendum. It is unknown if the Referendum was the trigger for the establishment of organisations or whether it was a change of political attitude, and the start of political activism in the Aboriginal community.

However I think there is still confusion within the Aboriginal community about the 1967 Referendum and what it actually provided. There is an ongoing debate about what benefits, apart from being counted in the Census. The Constitutional amendments to s51 [xxvi] and s127 while being positive did not necessarily create the breadth of change many Aboriginal people thought it would. This is why we now have the conversation on Constitutional Recognition by the Commonwealth Government and Treaty and Sovereignty within the Aboriginal community. There is much still to be done and the Referendum while making Constitutional reform, did not necessarily deliver to Aboriginal people, what Aboriginal people really wanted.

There are many issues which need to be addressed and for me they are consideration of a Treaty, Aboriginal and Torres Strait Islander elected representatives in both the State and Federal parliaments, along with a change in process whereby Aboriginal and Torres Strait Islanders have meaningful 'self-determination' through having a formal role in the development and implementation of policies which directly affect us.

## Fred Chaney

### **Fred Chaney AO was 26 at the time, living in Claremont and working as a Solicitor.**

*Yes I voted. I was politically active at that time as a member of the Liberal party. My father was at that time the Member for Perth in the House of Representatives. I was therefore actively involved in campaigning, pamphleteering, and manning polling booths. All of my family including my wider family of voting age voted.*

*My recollection is that there was little discussion about the details of the Referendum and of the particular changes being made to the Constitution. The emphasis was on affording Aboriginal people equal treatment. The Referendum certainly was seen by many as an issue of admitting Aboriginal people to full citizenship. The Aboriginal campaigners campaigned cleverly on the emotion around the idea of equality.*

*I had been concerned about the attitudes to Aboriginal people at the time since first meeting an Aboriginal person in 1955. Over the next few years I established contact with a number of Aboriginal people in the Swan Valley and whilst a university student I visited Aboriginal reserves in the South West. I was aghast at many of the attitudes I came across and was conscious that we were basically segregated legally and socially. The attitudes of many otherwise decent people were extremely harsh although there were many exceptions to that. I then began to have some contact with Aboriginal people through legal practice and again saw Aboriginal people as being without the protection of the law.*

*We all thought the Referendum had a great result. My wider family were less interested than I was in Aboriginal affairs but respected my interest while my wife and I had a strong interest in race issues and Aboriginal issues in*

*particular. Clearly the Referendum was a trigger for subsequent Commonwealth intervention in Indigenous affairs. It was one of the significant turning points.*

*Seven years later I was a member of the Australian Senate and over the next two years we were closely involved in Commonwealth interventions such as the Racial Discrimination Act 1975, the Land Rights (Northern Territory) Act 1976 and over the following 10 years significant clashes between Commonwealth and state governments on Aboriginal issues. It would be bold to claim that everything since 1967 that was authorized by the Referendum has been positive but the changes transformed Australia from a segregated society to a society where Aboriginal people were entitled to full political and civil rights while still struggling to achieve social and economic equality.*

*We need to work on the continuing failure of governments to work in partnership with Aboriginal people and communities, to do things TO Aboriginal people rather than WITH Aboriginal people, is the main reason why progress in closing the gaps is so slow. Institutional reform of the governance of governments is central to making greater progress and to treating Aboriginal people justly. At the same time governments need to meet their responsibility for providing necessary services to Aboriginal people, which they often still fail to do, there is a need for strong Aboriginal leadership of Aboriginal people and communities so that they make the contribution to change that only they can make. The opportunities, not least those provided by native title, for Aboriginal people to use their stakeholder status to regain control of their lives require leadership that builds coherent responses within the Aboriginal community to the opportunities available.*

## Gavin Dunn

**Gavin Dunn, a non-Aboriginal man, was 13 at the time of the Referendum, living in Sydney NSW. Gavin was too young to vote, and is unsure if his family voted.**

*I think the result of the Referendum showed that the questions were generally understood. However the result had very little impact on our family as we had very little contact with Aboriginal or Torres Strait Islander people at that time.*

*The Referendum was a milestone in non-Indigenous people's acceptance and recognition of Indigenous rights. However I think many people misunderstand the result, such as what changed for Indigenous people as a result of the Referendum.*

*"[I think the next step] is compensation for the stolen generations and proper funding for infrastructure long needed in Aboriginal communities."*

## Chris Puplick

**Chris Puplick was a 19 year old student at the time, living in Dee Why, New South Wales.**

*I did not vote as voting age was then twenty-one years, but both parents voted in favour. I was personally involved in the 'Yes' campaign via my local Member of Parliament William Charles Wentworth MP and I took part in campaigning actively.*

*"It showed that the Australian community is basically an open and generous one which does not support discrimination or injustice, especially when issues are explained intelligently."*

*However, I'm not sure that it has addressed the fundamental and continuing injustices or disparities, which continue to blight national reputation and agenda. I think most people think that the Referendum "gave equality to Aboriginals" – very few people have any idea about it in terms of the Constitution or public policy.*

*Today, the first and most important issue is dealing with health inequalities, without good health then educational, housing, human rights and other issues cannot be addressed. Second is the need for attention to be paid to interactions/impact of the criminal justice system on Aboriginal people and communities.*

## Anonymous

### **Non-Aboriginal person who was four years old at the time.**

*Once I'd learnt of the Referendum it broadened my understanding of the hardship endured by Aboriginal people knowing that the Traditional Owners of the land were not included in the census up until so recently. The Referendum highlights both the resilience of the Aboriginal community and their determination to keep pushing through barriers. I think the impact has been immense, however it is still one hurdle of many that has been overcome, and still needs to be overcome. I think it has helped the broader community accept that broad scale racism was endemic. [When thinking about contemporary issues] I cannot separate the big three: the high level of incarceration; access to health; and access to education.*

## Robyn Corbett

### **Robyn Corbett, an Aboriginal woman who was not yet born at the time of the 1967 Referendum.**

*The 1967 Referendum result was a positive step forward for my people. Every little step of achievement for equal rights and respect for First Nations People is a step along the journey of struggle for our mob.*



Women and children, Jigalong Mission between 1967 and 1969  
Courtesy State Library of Western Australia: 139014PD.

## Mark Chambers

**Mark Chambers was 11 years old and living in Boyup Brook at the time. He was too young to vote.**

*Given that my family were recent immigrants to Australia my parents could have been somewhat distant as to the requirement to vote. My father worked alongside an Aboriginal person who had been granted Citizenship Rights in 1951. They were to a certain extent, workmates who were simply earning a living with the dual aims of supporting their families and creating a sound financial base for their futures. As far as I can remember the subject of race or inequality was never raised as an issue.*

*I doubt whether the questions or the result [of the Referendum] had much if any bearing in the small country town where I lived and where people were treated on their own merits. The one or two Aboriginal families residing in the town were relatively long term residents in the district [post war settlers] whose efforts, particularly as laborers, was generally well regarded. There were, from time to time, possible exceptions.*

*I'm not sure if there was any impact of the Referendum result at all. Life simply went on with little if any discernable change in the conditions endured and the attitudes towards the few Aboriginal families residing in the district.*

*The position of the Aborigine within the wider Australian community was destined to improve over time irrespective of whether a Referendum had been held or not.*

*International pressures plus the growing and inevitable integration would have results in a changing ethos leading towards equal footing. To a certain extent, the Referendum can be viewed as somewhat symbolic.*

*"I am of the opinion that little thought has been devoted to the subject by the broader Australian community, who, to a large extent will view the Referendum as no more than a symbolic gesture marking yet another milestone in race relations in this country."*

*I also doubt whether there is any overwhelming appreciation as to the magnitude of the event and/or the resultant ramifications.*

*In a contemporary sense, we need to address the lack of any long-term sustainable State and/ or National well-structured plan to address the acknowledged growing disparity between the Aboriginal community in general and the wider community with a particular emphasis on economic well-being. There is also a lack of coordinated all-inclusive approach at a grass roots level to address growing impoverishment.*

## Rose Murray

**Rose Murray (nee Osbourne), an Aboriginal woman, was a 14 year old student living in Melbourne, Victoria at the time of the Referendum. She was too young to vote.**

*My mum felt the Referendum was an important part of social justice for people. As a Stolen Generation person she thought the WA government had really done her wrong. She did think that there was a chance the federal government would do better. I think Mum thought that Australia was becoming a bit kinder and thoughtful. If you look at the statistics around the geographical areas, you will find there is still a lot of rednecks in the northern parts who voted 'no'. The Northern Territory did not vote and they would have said no.*

*I remember we had a huge party at Bill Onu's Aboriginal artefact shop in Belgrave Victoria. I had no memory of ever seeing so many Aboriginal people together in one place. There was only one other Koori student at school. Everyone was happy. I guess it was another step in the right direction. It also was a vehicle for the community and our supporters to campaign together.*

*[In Aboriginal affairs today we need] to tackle the lack of opportunities for personal change whilst incarcerated, and to provide access for all to relationship counselling.*

## Anna Haebich

**At the time of the Referendum Anna Haebich was too young to vote.**

*In 1967 I was living in a migrant community of German and Northern Europeans. I can't recall talk about the Referendum but I was only young. My brother was at Sydney University and knew about the Freedom Rides.*

*I know from my research about assimilation and citizenship in WA for my book *Spinning the Dream* 'that things were certainly happening here but differently to over east. WA legislation that deprived Aboriginal people of their rights was being repealed during the 1960s and was gone by 1972, but I don't know who was involved from WA in the Referendum.*

*A major change from the Referendum was that the federal government could now legislate for Aboriginal state matters. A breath of fresh air. Federal intervention meant the federal government could support Aboriginal child and family initiatives, such as developing the Aboriginal Child Placement Principles and calling the 1997 Bringing Them Home inquiry.*

*With the election of Whitlam this brought new policies of self-determination, expert bureaucrats and lots of funding that helped the network of Aboriginal community service organisations (eg Aboriginal Legal Service, Aboriginal Medical Service) to develop further and advances in family rights including the Aboriginal Child Placements Principles.*

*Children are the future. Their rights, enshrined in Australia's laws and UN declarations, must be honoured and protected. This means growing up with their families, cultures and languages, and having all the benefits of healthy living, schooling and wellbeing.*

## Aboriginal poet Kath Walker [now Oodgeroo Noonuccal]

The following excerpt was featured on page 2 of the June 1970 issue of *New Era Aboriginal Fellowship* (NEAF) Inc – Vol.1 No.1 of their quarterly bulletin. The NEAF Inc describe themselves as “a non-political, non-secretariat West Australian organisation of Aboriginal and other citizens devoted to Aboriginal advancement.”

*“...Much that we loved is gone and had to go,  
But not the deep, indigenous things.  
The past is still so much a part of us,  
Still about us, still within us,  
We are happiest  
Among our own people. We would like to see  
Our own customs kept, our old  
Dances and song, crafts and corroborees.  
Why change our sacred myths for your  
sacred myths?  
No, not assimilation but integration,  
Not submergence but our uplifting,  
So black and white may go forward together  
in harmony and brotherhood.”*

## **MY PERSPECTIVE: THE 1992 MABO DECISION**

**The landmark Mabo Case and subsequent Native Title Act promised a lot for Aboriginal people. Many saw it as the final recognition that the Australian nation always was Aboriginal country and that Aboriginal people had distinct governing laws and traditions.**

**The following provides reflections from the Aboriginal and non-Aboriginal community with regard to the High Court Mabo Decision of 1992, Land Rights and Native Title. All reflections were recorded between November 2016 and April 2017 unless otherwise stated.**

## Patrick Dodson

**Senator Patrick Dodson was 44 at the time of the Mabo Decision. He was living in Broome and working with the Kimberly Land and Sea Council.**

*I remember a time of joyous celebration that the Highest Court in the land had finally recognised that the lie of terra nullius was dead. When the common law of this country recognised the laws, customs and traditions of the people of Mer it transformed our legal and social landscape for all time.*

*“It was a feeling that truth had found its way into the law.”*

*Many non-Aboriginal people were, I think, surprised and uncertain. Others thought it was a simple statement of the historical reality of Australia. It was important that it was not a matter of largesse by the Commonwealth, but was inherent in the common law.*

*At the time, the Mabo Decision opened up for us a series of national debates that focused on the security of title for non-Aboriginal, the land holdings, particularly pre-1975 and questions of compensation. There was little discussion of what Native Title really meant beyond the issues of land tenure and property. For us,*

*Native Title meant a whole range of things, including recognition of our sovereignty, our culture and our law.*

*The ruling also opened the door for the Yawuru people to have our own Native Title rights in our land recognised. We were, are and will always be the owners of Yawuru lands, within the confines of the broader social and legal framework. We do now have legal rights that can be exercised as part of our identity as Yawuru people. They give us some measure of a say on the impacts of policy and program design that comes from Government policies and legislation.*

*The history of Parliamentary changes to Native Title has been challenging. The Howard amendments made to the Keating Act, disillusioned Aboriginal people, with its focus on extinguishment. This legislation reinstated terra nullius, for the legal and political expediency of the Crown.*

*We have many areas of the country where our people are yet to achieve the recognition of their historical and traditional rights in their land. While that injustice continues, the struggle for native title and land rights cannot be paused. Justice is still to be achieved.*

## Ken Wyatt

**Hon Minister Ken Wyatt AM MP was 39 at the time of the Mabo Decision. He was living in Perth and working as Director of Aboriginal Education at the WA Department of Education.**

*I remember the High Court handing down the decision that overturned the concept of Terra Nullius giving Aboriginal Australians the opportunity to negotiate agreement on land subject to claim and where it was established that Native Title existed.*

*“I remember the hype that the decision generated and especially the negative outpouring relating to the assumption that peoples’ backyards would be affected.”*

*Thank goodness this was but a temporary distraction and that a more rational understanding prevailed. The judgement did not initially impact on me until I had an increased understanding of the enormity of the decision and how it varied from attempts to introduce a form of land title in Western Australia a decade or more earlier.*

*I remember sitting down with the late Rob Riley and Peter Yu and many other great leaders talking about what the decision would mean and the opportunities it would create. But the other important element was empowerment and empowerment in many forms - not only in the use of land but the economic opportunities it would create for Aboriginal people.*

*It is important that broader Australia has an understanding of the High Court decision, and the importance of country to Aboriginal people from a cultural perspective and why Eddie Mabo fought for recognition of the traditional ownership of land, and that his legacy lives on today.*

## Chris Puplick

**Chris Puplick was 44 at the time of the Mabo Decision, working in Cremorne, New South Wales as a Public Servant.**

*I followed the legal debate very closely after having participated in earlier parliamentary debates about land rights legislation. I remember a deliberate scare campaign by the National Party and others that this decision was a threat to “ordinary Australians” and that as a result they would have lands expropriated. I was disappointed at the political discourse around Aboriginal land rights in general, much of it was shameful.*

*There was very little understanding in the broader community. Most people would not know what it is or was, or its relevance. Much of the public debate about land rights is now confined to more specialist discourse with only occasional public exposure. Very few people understand the centrality/importance of the decision [recognition] to ATSI community members. Most of my family see it as a natural progression in terms of extending human rights and recognising fundamental rights, and that it has no impact on their own daily lives or concerns.*

*In relation to land rights today, firstly, there is a need for a better explanation of how different land rights claims are actually managed – plus Courts change their decisions all the time about interpreting legislation. Secondly, we need clear evidence of how ATSI communities have benefited from the passage of lands rights legislation.*

## Glenn Shaw

**Aboriginal man Glenn Shaw was 34 at the time of the Mabo Decision. He was working as a Legal Aid Field Officer at the Tasmanian Aboriginal Centre, Aboriginal Legal Service. He moved from Tasmania to Western Australia in 1993 during the Court process.**

*While there was excitement around the decision, there was also a lack of understanding of what it meant in real terms for Aboriginal and Torres Strait Islander people. It did start a long conversation on what the benefits might be particularly in a debate on National Land Rights and/or a possible treaty. The introduction of the Native Title Act in 1993 complicated the conversation because there was a lack of understanding of the difference between what Native Title and Land Rights could offer the community.*

*Tasmania never embraced the concept of Native Title and preferred to progress discussions through the development of state Land Rights legislation as it was seen to offer a mechanism for land returns without being party to a contentious legal process, which created internal conflict in the Aboriginal community. Tasmania got its Land Rights legislation in 1995 and the process of land returns remains in place. I however moved to Western Australia in 1993 and later became the Executive Officer of the Land and Heritage Unit as the ALSWA and was part of several successful Native Title Claims with the main one being the Miriuwung-Gajerrong case. I later participated in the formal discussions on the Native Title amendments following the Wik Decision in 1996. In 2014 I again became involved in Native Title while employed as the*

*Land Unit Manager with the South West Aboriginal Land and Sea Council (SWALSC) and participated in the negotiation of the South West Native Title Settlement.*

*I think there has been a change in attitude within the non-Aboriginal community, but for many they still don't necessarily understand the complexities of Native Title and complex legal framework [litigious] under which it operates. For the resource industry they have adjusted to consider Native Title into their modelling and it is not necessarily of major concern but many in primary industry [farming etc] still see it as unnecessary complication to them getting on with business. My family remains committed to the need for Aboriginal people to have access to country and whether it comes through Native Title, Land Rights or an Agreement based process, the focus is on the outcome and the process under which it is reached varies depending upon the circumstances.*

*While there have been changes through Land Rights and/or Native Title there is still no Aboriginal specific tenure in place at a National level which affords Aboriginal people a form of freehold title which reflects traditional connection and ownership of natural resources. There is a need to consider the current Native Title Act consistent with the principles established in Mabo and change the onus of proof to reflect that decision where Aboriginal and Torres Strait do not need to demonstrate ongoing connection or articulate their claimed bundle of rights (which may or may not be agreed by the court), but that Government needs to have the onus to demonstrate valid extinguishment.*

## Robyn Corbett

**Robyn Corbett, an Aboriginal woman, was 23 at the time of the Mabo decision, living in Perth**

*I remember thinking it was an historical event for our people that would have a flow on effect to the way land would be dealt with in Australia. I don't recall any negative attitudes to the decision but that is probably because we didn't have social media at that time. These days comments on news articles via social media certainly lets us mob know what some non-Aboriginal people really think of us and that there is a huge challenge with reconciliation in Australia.*

*"The hatred in their words honestly makes you feel not a part of your own country."*

*I think non-Aboriginal's believe we shouldn't be given any Native Title rights as it is ALL our country. I remember our mob thinking that there was going to be money paid to them for the taking of our land. I have also sadly seen Native Title tear families apart, as they all fought to be the leader of their family's name in the belief they would financially benefit.*

## Joan Coffin

**Joan Coffin, an Aboriginal woman, was 22 and living in Port Hedland during the Mabo Decision.**

*Many non-Aboriginal people used to ridicule Aboriginal people for Eddie Mabo standing up for his rights. The Mabo Decision caused a bit of a divide between non-Aboriginal people and Aboriginal peoples. We were still treated as we were normally. We were treated with the usual respect as always. But non-Aboriginal people don't believe in Land Rights for Aboriginal people. They probably don't give it much thought as it happened quite a while ago, I don't hear many discussions on the topic these days.*

*I believe Aboriginal Land Rights should be respected, we get restricted from our traditional hunting lands, where we used to catch food or gather plants because the lands have been taken up by farmers and station owners. They don't like it if we trespass on their lands. It seems that Big Business has more rights where minerals are concerned; Aboriginal rights are not as important, money talks.*

*"I would like to see our people have access to their Traditional lands for hunting and gathering as well as just getting back on country. The land heals our souls."*

## Anonymous

**Non-Aboriginal person, was a 21 year old student in Sydney and Darwin at the time of the Mabo Decision.**

*The Mabo Decision put Aboriginal Affairs at the front and centre of a lot of things for the first time in my living memory, so it was quite big. I was studying sustainability at the time so most of the people in my circle of friends were positively excited by it. Had a few mates from rural areas too who were less excited and thought they'd lose 'their' land. I was attending country Native Title meetings within a few years of the decision which really influenced the direction of the work I wanted to do so it had a huge impact on me. My family was also very positive toward the decision as was my immediate community in Darwin. However I still don't think the Mabo decision and Native Title is well understood by the broader community.*

*"Aboriginal people need a greater say in decision making with regard to activities on land, and I mean real decision making, as well as the freedom to be on country without being removed due to government policy."*

## Jedda Carter

**Jedda Carter, an Aboriginal woman, was 23 and working as a Vehicle Loan Assessor in Perth at the time of the Mabo Decision.**

*I thought it was ground breaking, and really hoped that it went through successfully, and was really pleased that it did. I remember racist views, and anger that it could possibly be considered or passed, but it provided hope that things might actually change for Aboriginal people.*

*In the broader community, there are negative views or people don't understand what it's about. Aboriginals belong to the land and were the first people in Australia. They should have a say in what happens with the land. Appropriate family groups are consulted/included even if they are not currently living in the area. Aboriginal people and families need to be included if they have Aboriginal heritage. Even if they cannot prove they are from that Mob, where records are not available because they were destroyed or those people were part of the Stolen Generations.*

## Fred Chaney

**Fred Chaney AO was 51 at the time of the Mabo Decision. He was living in Perth and working as a research fellow.**

*I have very clear memories that it was a time of celebration for me as I had been involved in these issues and followed the attempts to get recognition through the Courts from the Gove land rights case in 1971 [Milirrpum v Nabalco] onwards, a time of panic for others in politics and in industry. I was still in Parliament at this time and the panic response at both State and Federal levels was alarming in itself. John Hewson made a goose of himself and Richard Court in WA was alarmed but not as much as the mining industry. There were vile reactions by people like Hugh Morgan and indeed my then parliamentary leader John Hewson and cries of backyards at threat spread alarm.*

*However, it cheered me and my family immensely.*

*“I regarded it and still regard it as the most important readjustment for Indigenous people since 1788.”*

*It altered the balance of power in the Indigenous direction while preserving the power of Parliament and the primacy of the settler society.*

*The important change was that thereafter Indigenous people could come to the table with governments and industry as stakeholders rather than as supplicants. For a time it was torrid defending the decision but over a period of years the panic subsided as backyards seemed to remain sacrosanct. I think there is a broad comprehension that Aboriginal and Torres Strait Islander people have some form of ongoing rights to land which are distinct from the rest of the community, that they have opportunities for negotiation. After a long period I think there is broad understanding that native title does not impinge in any significant way on the rights on non-Aboriginal and Torres Strait Islander people.*

*We need greater use of Native Title and Land Rights to be used as a basis for negotiating outcomes, which ensure social economic and cultural gains, which meet Aboriginal and Torres Strait Islander aspirations, in the spirit of the preamble to the Native Title Act. [To accompany this] long-term support for capacity building and further operational support for PBCs.*

## Rose Murray

**At the time of the Mabo Decision, Rose Murray (nee Osbourne), an Aboriginal woman, was a 39 year old Community Worker living in Port Hedland.**

*I remember huge celebration, a momentous time. I went to Teacher's college with Koiki Mabo. I was sorry he wasn't alive to feel victorious.*

*I remember divided peoples, cranky miners and pastoralists going off. But there were also happy Aboriginal people with a 'wait and see' attitude. I think there is a broad range of beliefs about the Mabo Decision. Some non-Aboriginal people have no understanding about cultural links to country.*

*"The getting something for nothing view is still there. The way we relate and use the land is so different, others struggle with that."*

*[After the result] some just got organised [to make a claim]. Others didn't quite believe it was happening. My family is divided into two sides and I was traumatised by being told that my family was not included in both of the land claims, only the Martu one.*

## Gavin Dunn

**Gavin Dunn was 38 at the time of the Mabo Decision, working in Perth as a Project Manager.**

*I remember huge scare campaigns by conservatives, pastoralists and mining companies, uncertainty and angst generally.*

*"Many people were very apprehensive because of the political scare campaign around it."*

*I think the broader community need to be educated on Native Title and its implications for Aboriginal people, as these are not in the news much anymore because it is a settled process. It is time for Governments, State and Federal, to sort out who will be paying Native Title compensation in the future [this is the next big thing] and take responsibility for past actions, which have impacted on Native Title rights and interests.*

Phil Ramsay

**Phil Ramsay was a 15 year old Perth school student at the time of the Mabo Decision.**

*I remember inherent racism and fear mongering about the impacts of the decision. While [the result] was divisive, I think it was an excellent change for Aboriginal relations. There is still minimal understanding [about the Mabo decision and Native Title today], reflected by the fact that major decisions result in major concerns of impact on the broader community.*

*Working in the area has led to my family being increasingly supportive of recognition. [From here, we need to address] compensation for past extinguishment and the resolution of native title claims still in the system.*



Courtesy National Museum Australia.

## Chris Owen

### **Chris Owen was a 25 year old student in Sydney at the time of the Mabo Decision.**

*The general sense was that this legal judgment was a momentous occasion for Aboriginal people of Australia yet many people were not entirely sure what the decision actually meant. There was widespread fear mongering amongst the more conservative politicians that was filtered through right wing newspapers and radio suggesting people's private property was at risk of being taken by the 'Aboriginals.' In the more politically and socially conservative states like Western Australia there was wide spread fear mongering (if not wide spread panic) about what the ramifications of the Judgment meant. Native Title would especially affect Western Australia (being so hugely dependent resource mining focused and dependent). There was a concerted effort by mining companies as well as pastoral interests in perpetuating falsehoods about the Aboriginal people 'claiming popular beaches' and 'people's back yards'. The Native Title Act itself did not help matters much with it being incredibly legalistic and technical. Aboriginal people were celebrating Native Title yet they too were confused about what it meant for them. Finally [Aboriginal people] had been identified as legally existing in their own country. Symbolically then it was enormously important for Aboriginal people and helped mend a lot of hurt. Practically however the vast majority of Aboriginal people will reap nothing from Native Title even if their Native Title is proved.*

*Some 25 years after Mabo there is still alarming widespread ignorance about what Native Title really means and delivers.*

*Native Title generates a limited number of rights, held under pre-sovereignty laws and customs. It does not deliver freehold land and the wealth and equity that would come with that. Native Title cases are also invariably long drawn out court cases where the only people who make any money are lawyers and consultant anthropologists. The most important thing about Native Title is the acknowledgement of Aboriginal people's country.*

*In hindsight the way Native Title has operated (generating complex court cases often over decades) has been a widespread failure. Many older Aboriginal people die before they see anything tangible out of the process. The requirements to connect Aboriginal families genealogically to certain areas of a claim has created calamitous Intra-Aboriginal conflict. Australian governments at both a State and Federal level have effectually neutered the Native Title Act so much (especially with the 1998 Amendments under John Howards Government) that Aboriginal people have to go to absurd and unreasonable lengths to prove their Native Title. And in addition vast confusion still exists about what Native Title can deliver. It remains confused and conflated with other issues such as Land Rights and notions of 'Sovereignty.' This is such a serious problem that, for example, the current Noongar settlement (that promised a great benefits package to the Noongar people in an area where 99% of their native title has been*

*extinguished] in the South West of WA has been derailed on a legal technicality.*

*“Land Rights are different to Native Title rights. Native Title does not generate Land rights. In 1985 the Western Australian government was going to introduce land rights but following pressure from mining and pastoral industries it was abandoned.”*

*As a consequence Western Australia is probably twenty five years behind other states and territories when it comes to land rights for Aboriginal people. Historically Aboriginal people have been so marginalised, traumatised and underpaid for their labour they have not been able to purchase land (or prohibited from purchasing land) that would have generated equity for themselves and their descendants. This has left an enduring legacy of intergenerational poverty. Land Rights are essential for Aboriginal people in both the symbolic and practical sense.*

*[In the future] Land Rights that generate freehold title should be established in Western Australia and Aboriginal people should have a greater share of mining royalties.*



State Library of Victoria, Box 12/6, Council for Aboriginal Rights [Vic.] Papers, MS 12913.

## Ian Rawlings

### **At the time of the Mabo Decision, Ian Rawlings was 38 and living in Adelaide.**

*I recall it as a great leap forward for Australia, and a huge burden lifted from our colonial psyche. It was a time of optimism for me. In 1993 I travelled extensively through rural and remote WA staying in country pubs. Conversations were extremely heated and divided. I remember elation for the supporters and fear and dread from the others. There was enormous community backlash on the back of a shameful scare campaign launched by the WA State Government and the mining sector.*

*“Personally it lifted a weight of national shame. But the misinformation that was around meant that the wider community struggled to come to grips with the reality of what it meant.”*

*I think Keating as Prime Minister was a great champion for native title but Howard quickly turned the tide.*

*The wrong doing of the initial smear campaign of conservative governments and miners and pastoralists has never been addressed so community understanding is poor. In reality, the mining industry now sees native title as a part of doing business and generally deal with it, some better than others. Conservative governments still see it as a problem and progressive governments struggle to rise above conservative pressures.*

*Aboriginal rights and land rights are very important to my immediate family. My wider family has varying views but they are generally supportive.*

*Although it's a bit late, the burden of proof in Native Title needs to be shifted from the claimants to the State. The wider community also needs to be educated on the issues from an honest and unbiased position.*

## Mark Chambers

**Mark Chambers was 36 years old at the time and based in Port Hedland. He was working as a Coordinator and Land Officer for the Western Desert Puntukurnuparna Aboriginal Corporation.**

*I had no TV or radio at the time and relied on a Sunday paper to gain a basic understanding of what was happening around me. If anything I viewed the discussion as being somewhat remote with little implication for Western Australia. I was extremely pessimistic for having been involved in two State Land Rights regimes that ultimately failed I may have seen a challenge to, and the overturning of the decision. On a professional work related level I was then over-preoccupied with the more pressing challenges on a day to day basis, including Aboriginal access to National Parks, outstation and infrastructure development, the establishment of an Aboriginal Medical Service and uranium issues.*

*I had very little interaction with the wider Australian community with most of my time spent in a semi-remote office and in remote Aboriginal Communities and / or on the road. I also distanced myself from the closest town [that I infrequently visited for work purposes] and viewed the townsfolk as generally anti-Aboriginal and unsympathetic. My understanding of the prevalent attitudes at the time was gained from a cursory reading of newspaper reports that I tended to view as reactionary and not well founded.*

*Neither I nor my immediate family [who lived well over a thousand kilometers away from me] or the community within which I resided were affected in any way by the decision despite the existence of unfounded and unwarranted fears. In many ways it was best regarded as being somewhat remote with little, if any, implication for Western Australia. All this was to change with the first of the successful determinations within this State within three years [of the Mabo Decision].*

*I am still of the conviction that the overwhelming portion of the community has little if any understanding of the Mabo decision [that is at best now seen as somewhat symbolic] and the extremely limited rights that accrue with successful determinations.*

*“I believe that the ‘rights to negotiate’ as well as the impact of agreements between Claimant groups and developers (that were destined to occur with the passage of time irrespective of any legislative decision) have to a large extent overshadowed the tenets upon which the issue was raised initially.”*

*At a local level Native Title has divided once united communities and split families. Overall the majority of successful determinations in Western Australia have resulted in extremely disappointing outcomes despite the initial hype.*

*Although I cannot speak for the rest of my immediate family I believe that I am still as passionate about Land Rights as I was when I first became involved in the process in 1983. Whilst saying this I am saddened by the loss of so many senior Aboriginal people who contributed to the process as well as those who could have contributed but for one reason or another were overlooked. I have at the same time become extremely disenchanted by the extremely onerous burden of proof required to attain a successful determination as well as the resultant lowly outcomes. I honestly believe [and have maintained this line for that last twenty years] that the whole issue could have been undertaken in a more succinct and professional manner in the true spirit of reconciliation and equal rights.*



National Library of Australia: MS 8256/11, Box 175.

## ABORIGINAL HEROES

The 50th anniversary of the 1967 Referendum and the 25th anniversary of the Mabo Decision, offers an opportunity to celebrate some of the Aboriginal Australians who have dedicated their lives to justice and rights for their people throughout the twentieth and twenty-first centuries. Significant national and Western Australian Aboriginal heroes and their legacies have been explored in this section. A list of the major committees and councils that some were involved in along the way also provides further information about their tireless work and campaigning.

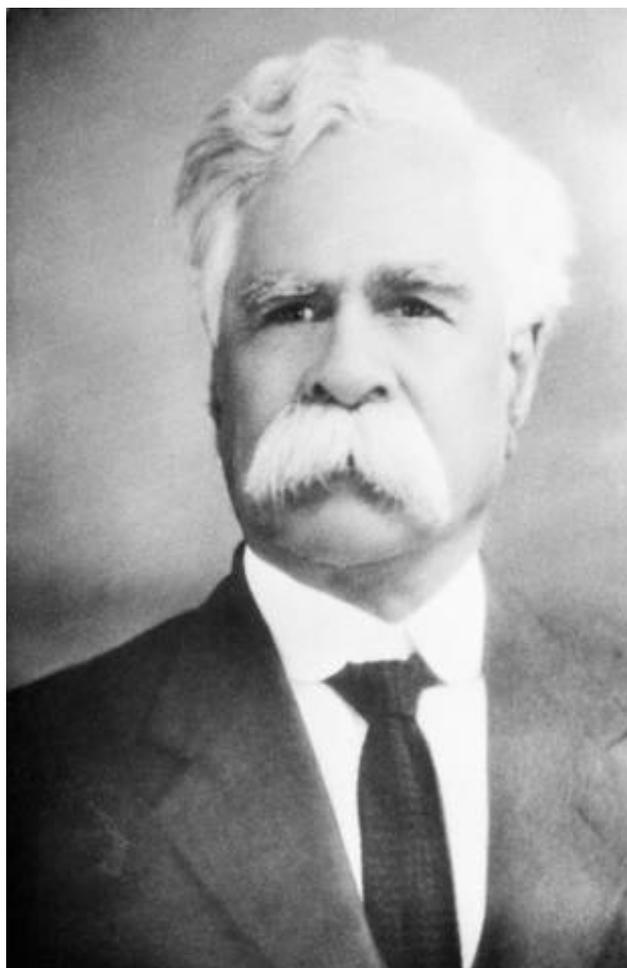
## **WILLIAM COOPER**

### **[1861-1941]**

William Cooper was a Yorta Yorta man from Victoria who was born on 18 December 1860. He was heralded as a hero and one of the earliest campaigners and activists for Aboriginal rights and justice in Australia's history. William spent most of his life in the Cummeragunja community working as a pastoral labourer in slave-like conditions, where he was a spokesman for the Yorta Yorta in their ongoing battles for land justice against the New South Wales government.

As well as leading the first Aboriginal deputation to a Commonwealth Minister in 1934, and the first deputation to the Prime Minister in 1938, William started petitions for Aboriginal representation in Parliament, enfranchisement and land rights. Despite gaining 1,814 signatures on the petition for representation in Parliament, it failed. Dissatisfied with the Commonwealth in regard to the lack of progress around this issue, William then wrote a letter to King George V stating 'to prevent the extinction of the Aboriginal race, better conditions for all, grant us power to propose a member of parliament'.

William established the Australian Aborigines League and organised the Day of Mourning to draw attention to the destructive effects of settlement and invasion. This was an Aboriginal-only protest meeting, which corresponded with the 150<sup>th</sup> anniversary of the British colonisation of Australia. It initially took place on Australia Day 1938 in Sydney and was the first combined interstate protest by the League.



Courtesy AIATSIS, Jackamos.A04.BW, N03746\_04a.

At that time repressive government policies severely limited the movement and rights of Aboriginal people. The League chose Australia Day for its symbolism.

In 1939 William was involved in the 'Walk Off' at Cummeragunja NSW. On 4 February 1939, when Jack Patten was arrested and removed from the Cummeragunja Mission after trying to address the local people, as many as 200

residents of the Mission walked out and crossed the Murray River, leaving the state of NSW. This was in contravention of rules set by the NSW Aboriginal Protection Board. To Yorta Yorta people, the Walk Off is still seen as a defining moment in their ongoing struggle for self-determination, civil rights and rights to traditional lands. The next generation and many later activists were inspired by the Day of Mourning, particularly William's nephew Douglas Nicholls [known as Pastor Doug] who formed the Federal Council for the Advancement of Aborigines and Torres Strait Islanders [FCAATSI - see 'councils and committees' in this section for more information].

## DID YOU KNOW?

On 6 December 1938, several weeks after Kristallnacht in Germany, William led a delegation of the Australian Aboriginal

League to the German Consulate in Melbourne to deliver a petition which condemned the 'cruel persecution of the Jewish people by the Nazi Government of Germany.' This protest has been referred to as 'the only private protest against the Germans following Kristallnacht.' The German Consulate did not accept the petition. In 2002, a plaque was unveiled at the Jewish Holocaust Centre in Melbourne in honour of 'the Aboriginal people for their actions protesting against the persecution of Jews by the Nazi Government of Germany in 1938.' The story of the protest is featured in the Jewish Holocaust Centre's permanent museum. William is remembered by the Jewish community today for his efforts in being the only private protest against this particular Holocaust event.

FCAATSI tirelessly lobbied for Constitutional change to alter perceived racist elements of the Australian Constitution via plebiscite. The campaign was a success and resulted in the Australian Referendum of 1967.

In addition, and perhaps his most noteworthy success, William established the National Aborigines Day, which has now become National Aboriginal and Torres Strait Islander Day [NAIDOC] Week- a nation-wide celebration of Aboriginal and Torres Strait Islander peoples, history and culture.

## Kristallnacht

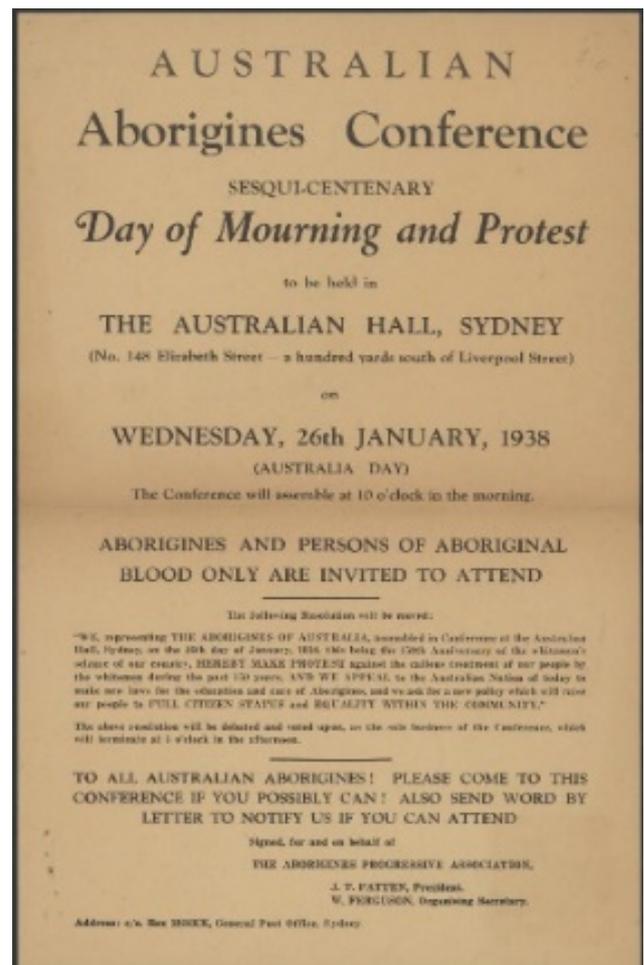
Kristallnacht- the Night of Broken Glass, was an act of mass murder and state terrorism by the Nazi's in Germany. The organised mass violence against Jews saw the destruction of thousands of synagogues, Jewish businesses and homes, and the murder of nearly 100 people and the internment of 36,000 others in camps.

## NAIDOC Week

NAIDOC Week celebrations are held across Australia each July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. NAIDOC stands for 'National Aborigines and Islanders Day Observance Committee', the committee responsible for organising national activities during NAIDOC Week and its acronym has since become the name of the week itself. NAIDOC Week is celebrated not only by Aboriginal communities, but by Australians from all walks of life.

## TIMELINE

- 1860** Born 18 December in Yorta Yorta territory around the intersection of the Murray and Goulburn Rivers in Victoria, Australia.
- 1881** Started and created a petition for Aboriginal land rights.
- 1887** Created a petition for greater representation in Parliament, enfranchisement and land rights.
- 1934** Wrote a letter to King George V- 'Letter from an Educated Black' to King George V, 'to prevent the extinction of the Aboriginal race, better conditions for all, grant us power to propose a member of parliament...'
- 1934** Established the Australian Aborigines' League [in Melbourne] with Margaret Tucker, Eric Onus, Anna and Caleb Morgan and Shadrach James - to plan action on behalf of Aboriginal people. This League became the Aborigines Progressive Association.
- 1934** Led the first Aboriginal deputation to a Commonwealth Minister.
- 1938** Led the first Aboriginal deputation to the Prime Minister.
- 1938** Organised the Day of Mourning for Aboriginal people.
- 1939** Involved in the Walk Off Cummeragunja [NSW].
- 1940** One of William's major successes was the establishment of National Aborigines Day. It was first celebrated in 1940. This has become NAIDOC week.
- 1941** William Cooper passed away on 29 March at Mooroopna, Victoria aged 80. He was survived by his third wife and six children.



National Library of Australia: Broadside 405.

## FANNY BALBUK YOOREEL

### 1840- 1907



Fanny Balbuk [Yooreel] at the Perth Zoo, circa 1902, Courtesy State Library of Western Australia, 025341PD.

Described as the last of the Perth tribe, Noongar woman Fanny Balbuk Yooreel came to prominence through the writings of anthropologist Daisy Bates. Born in 1842 in the Upper Swan region, Fanny experienced the effects of European settlement firsthand, as she watched her bountiful country disappear beneath the infrastructure of colonial settlement. A very forthright woman, she is now recognised as both an agitator and defender of the rights and values of a fast disappearing people.

*One of her favourite annoyances was to stand at the gates of Government House, reviling all who dwelt within, in that the stone gates guarded by a sentry enclosed her grandmother's burial ground.*

*To the end of her life she raged and stormed at the usurping of her beloved home ground. .... Through fences and over them, Balbuk took the straight track to the end. When a house was built in the way, she broke its fence-palings with her digging stick and charged up the steps and through the rooms.*

Fanny passed away in 1907 at the Perth Public Hospital [now Royal Perth Hospital] and is buried in an unmarked grave at Karrakatta Cemetery. When an unnamed relative heard of her passing he uttered "Goord-al-win ja-ga" ["her heart has ceased to beat"].

## WILLIAM HARRIS [1867-1931]



Deputation to the Premier 1928. Back [left to right]: Wilfred Morrison, Norman Harris, Edward Jacobs, Algernon Kickett and William Bodney. Front [left to right]: Edward Harris and William Harris. Courtesy Freshwater Bay Museum, 07.99.

William Harris, a Noongar man, was born in 1867 in Williams, WA. In his early life William worked at the ports and stations in the Ashburton and Gascoyne districts of WA. It was here that he witnessed the brutality and cruelty exercised over local Aboriginal people. After seeing the devastation of starvation, disease and poverty, William became extremely concerned and directed his cause towards activism and justice for his people.

In 1904, following published accounts of the ill treatment of Aboriginal people in the North West of WA by the Times [London] and Australia press, William entered public debate about the issue. He wrote a letter to the

Australian press accusing Colonial Secretary Walter Kingsmill of willful hypocrisy and misrepresentation. William also criticised the Chief Protector of Aborigines for WA, Henry Charles Prinsep, for turning Aboriginal people off their land.

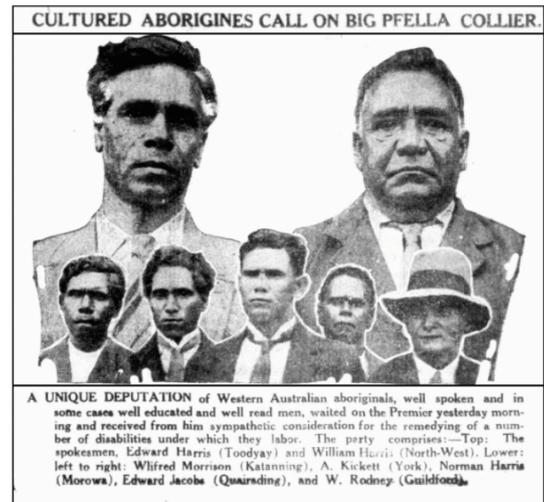
In 1913, writing to a local newspaper he again denounced the appalling treatment and unequal conditions his people were subjected to. In one incident in Paynes Find, police, unprovoked, shot Aboriginal peoples' dogs, which were needed for hunting kangaroos as the skins were a major source of income.

William is most remembered for the historic 1928 deputation, in which he led the first Western Australian Aboriginal deputation to meet the WA Premier, Philip Collier, to fight for better Aboriginal rights and repeal the *Aborigines Act 1905* [WA]. His brother Edward Harris, his nephew Norman Cleaver Harris, Algernon Kickett of York, Edward Jacobs of Quairading, Wilfred Morrison of Toodyay and William Bodney of Perth also accompanied William. The men argued their case in a deliberate and scholarly manner. William and his group asked the Premier to repeal the Act and give the same rights as others to Aboriginal people. They also implored the Premier to close Mogumber Mission [Moore River Settlement] due to its inhumane and demoralising conditions. Here, families were split up and treated callously under police control.

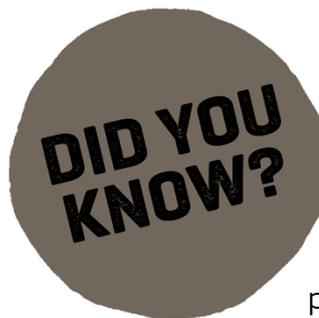
Sadly, despite recognition by Premier Collier, of a 'great obligation to do justice to the Aboriginal, because [the white man] had deprived him of his country', legislative change did not occur until after World War II.

Throughout his life, William remained undaunted by the task of confronting public dignitaries and seeking to redress injustice. His tenacity and strength were remarkable. For twenty-two years he fought against the *Aborigines Act 1905*, which restricted civil liberties.

Mirror (Perth, WA : 1921 - 1956), Saturday 10 March 1928, page 1



National Library of Australia.



William's nephew Norman Cleaver Harris [1889-1968] played a similar role in protesting for

Aboriginal rights. He worked with his uncle and participated in the Union formed by William Harris in 1926. William's brother Edward Harris was also an activist for Aboriginal rights.

## Deputation

A deputation is a group of people appointed to undertake a formal process to raise an issue with authorities and governments on behalf of a larger group. William Harris headed an Aboriginal deputation to the Premier of WA to represent the Western Australian Aboriginal people in their fight for better rights.

## TIMELINE

- 1867** Born in Western Australia.
- 1904** Entered a public debate about mistreatment of Aboriginal people.
- 1906** William and Goldfields MP Patrick Lynch MLA met with the State Premier Mr Cornthwaite Hector Rason. Argued with the Premier for government assistance for Aboriginals on North East Goldfields. He handed Rason a letter signed by local justice of peace lending support.
- 1906** Met with Henry Prinsep to persuade the Aborigines Department to supply rations, clothes and medicine. Harris claimed Aboriginals' economic dependency resulted from denudation [strip something of its covering, possessions or assets] of native game by miners. Demanded provision of food and medicine from funds designated for Aboriginal use under the Commonwealth Constitution.
- 1913** Wrote to the Kalgoorlie Miner denouncing appalling conditions. During subsequent debate, William denounced the *Aborigines Act 1905* in the Sunday Times [6 April].
- 1926** Formed the Aboriginals Union [WA]. Intended to unite similar groups throughout the South-West. Aims of the union were voting rights for southern Aboriginals, a uniform law for Aboriginals and whites, and 'justice and fair play'.

- 1927** Central Perth declared a prohibited area where Aboriginal people required passes to enter.
- 1928** On 9 March led the first Aboriginal deputation to meet the WA Premier [Philip Collier] for those who'd suffered under the *1905 Act*.
- 1931** On 13 July, William Harris passed away unmarried, buried at Utacarra Cemetery in Geraldton.

Why shouldn't a native have land? The country belongs to him.  
 Why shouldn't he have a vote in the making of the laws?  
 Why shouldn't a native mother demand freedom for her child?  
 How many scholars have they turned out of missions and settlements?  
 Why is it that the heathen are the blocked?  
 Is it so that all girls and boys are found a job by the Department?  
 Who got the reserves and what were they sold for? Who got the money?  
**THEY MEET THE PREMIER.** On the morning of 9th March 1928 members of the union met the leader of the Government, Mr. Phil. Collier. They were well dressed and self-assured. The members were William Harris, his brother, Edward and his nephew Norman, Arthur Kirkham of York, Edward James of Quairading, a full-blooded Wirrali, and W. Kinkry, a West Indian negro. In stating the case for the deputation William Harris showed, both by his bearing and his hearing, that he was more than a match for the Premier. He told the Premier that natives objected to being caged body and soul by the British, and to being herded into settlements that were no better than prisons.  
**EQUAL PUNISHMENT, BUT NOT EQUAL REWARDS.** Natives were punished under British laws but were otherwise treated like wild men and were not even allowed into the capital city of their own country. He said: "We want to be allowed to live our own lives our own way. What is to prevent the Native from living like other free citizens of the Commonwealth?"  
 Harris went on, "The Department established to protect us is clearing us up." He said that the Commissioner for Native Affairs (Mr. Beckler) and Harry Rason were the aborigines' worst enemies. If Daisy Bates had not encouraged natives at Dorado to lodge they might be looking for themselves.  
**PREMIER ACKNOWLEDGES SETTLERS OBLIGATIONS.** Later Collier, the Premier, said that in Western Australia, more than in any other part of the world the white man was under a great obligation to do justice to the Aborigine, because he had deprived him of his country.

present in, the state declared over on the Helms every year; and the secret service' and away with my troublesome Helms without being open to blood-guilt.  
**WHERE THE DICKENS IS SPARTAN?**  
 On March 10th 1928, the Minister under the heading 'Who didn't know his onions?' told of the native deputation and Edward Harris's contribution to it. Edward Harris had been educated at Bishop Hale's school in Albany and was a great reader. When it came to him to speak he concluded his impassioned appeal for more humane treatment in those words:  
 "The Helms of Sparta were better acquainted in their native soil than are the aborigines of Western Australia."  
 "The Minister for Native Affairs looked a little puzzled," said the Minister, "but with his highly trained faculty for grasping and assimilating obscure problems he is doubtless alleged to have said:  
 "Yes that's so, but I have not yet had the time to visit that place as the sparse settlement does not yet warrant the building of a State Hotel there. In any case that point is one for my colleague the Hon. Minister for Agriculture, who tells me that he is about to initiate some experiments in shallot growing in the South-West."  
 to hang better like an apple  
 Before the pounce of death,  
 It hangs like the cloud  
 That may pour its torrent of wrath,  
 So sinister, so devastating it obdurate,  
 It is mightier than the winds  
 That created it.  
 Its fingers will peck the far corners of  
 the world;  
 It shall run silent as the winds,  
 But immortality is in its breast;  
 The sun will rise beyond the horizon red,  
 Tamed with the blood of life,  
 The eyes of humanity will gaze unseeing,  
 At the slope of day, in terror and in horror,  
 The leaves of grass will fall unwept,  
 As like an Autumn barn,  
 But the life of men has fled,  
 Only their images remain, but they are poor,  
 And only the winds will sing their last  
 farewell.

**IVAN**  
**THOUGHTS OF**  
**AN ABORIGINE**  
**IN THE SHADOW**  
**BIGGERS**

**NATIVE UNION NEWSLETTER, January 1928**

Native Union newsletter 1928, Harris pictured center of article, Department of Aboriginal Affairs: Consignment 1667, 1970-0934.

## EDWARD HARRIS (1867-1931)

Edward Harris, the younger brother of William Harris, was also heavily involved in fighting for rights and justice for his people.

Edward was born at Williams in 1878 to an Aboriginal woman from the Busselton area, Mary Madeline Buxnuro (Mattalan Campbell) and William Harris, a Welsh expirree. Mary was the daughter of King Campille who was head of the Williams Tribe.

Edward was the second youngest of six brothers Arthur, Jim, Jack, David, George, Fred and William, and had one sister Alice May. He was placed at Annesfield School in Albany and further educated at the Swan Boys Orphanage in Middle Swan, later known as the Swan Native Half-Caste Mission. Edward's father encouraged all of the children to seek knowledge and keep well informed, and Edward's high level of education is evident by the well-articulated articles he and William wrote for the Native Union Newsletter. Edward was particularly close with his brother William and they used to refer to themselves as 'freedom fighters', along with their nephew Norman. The three could always be found together fighting for rights for Aboriginal people. Whilst residing in Toodyay in 1943, after many failed attempts, Edward was awarded a certificate of exemption by the State.

In March 2017 the Aboriginal History Research Unit conducted an interview with Shirley Kickett (nee Harris), Edward's granddaughter, to gain a snapshot perspective of his story and his legacy that lives on.

### Reflections by Shirley Kickett (nee Harris),

**Recorded by the Aboriginal History  
Research Unit, March 2017.**

*My father Lyndon Charles Harris, born in 1907, kept the legacy of the freedom fighters within the Harris family alive as well as passing the legacy onto the wider community. He was a member of the Coolbaroo Club and became very active in the community campaigning for rights for our people, following on from my grandfather Edward's legacy. My mother is Kathleen Ryder and her mother was Catherine Egan.*

*I was part of the first mob of Aboriginal people born at King Edward Hospital in 1941. When I was a child we used to camp down in the bush in Embelton, we had rushes to lay on for our mattress, and had a little tin house. The police used to come in every Saturday or Sunday on horseback and they would be banging on things and all the kids would be hiding. My father used to tell us to run out the back up to the high hill where the yellow sand was and that's where we hid so we wouldn't be taken away, otherwise we would run to the swamp and make tracks through the bulrushes and have a little area that was safe and we couldn't be seen from outside. That was our 'safe space' amongst the bulrushes.*

*To protect us, mum and dad knew we would get anxious about it, so they would tell us to play a game, which would be to go and hide until we heard them whistle. That way we felt like it was fun. This was when I was about*

seven years old. It is only later that we realised what was actually going on.

I remember my grandfather Edward, he used to come to the bush where we were living and we would sit outside, my father would be kneeling down in the sand and I would be sitting on his knee, listening to all of the yarns.

We had a lot of the Aboriginal community visiting where the old fellas would come down and speak to the young fellas. And that's how we would really practice our culture in those days. We would go down and get yornas or gilgies or turtles from the creek and bush tucker and cook them all in ashes with a big fire going and dampers being made. It's a way of getting together, that's what community is, there was never any drink back then.

What I would like to see is people to stop trying to own areas and own sites and work with each other and treat each person as equal. Working together for the betterment of everyone.

The thing about Native Title today is that it has divided Aboriginal families and communities more than it has done any good. Besides the claims for land, which are based on some incorrect information, it makes the inequality breed further, instead of looking at us as equal. We are all part of this country and our ancestor's country and it makes us feel disconnected like we are different and we are not equal. That's in regard to my fellow Aboriginal people and non-Aboriginal people. We should all work together.

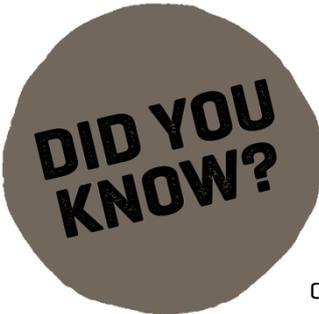
I have things to say about inequality because to me our forefathers did the right thing and you can't take discrimination or racist comments coming your way, you have to stand up for your rights. Although their legacies prevailed and things have gotten

slightly better, we really still don't have equality in our community, and the freedom fighters are all gone. That's the sad thing about it.

I didn't vote in the Referendum because I wasn't old enough. The thing is my father always voted. Although the government told him he couldn't back in the early days, he did anyway as he was on the electoral roll as well as my mum. All of my family were on the electoral role because they wanted a say.

I made a choice when I was growing up. To be an agitator I suppose, because of what my father and his father were doing, who they were. When I was growing up my Noongar people didn't have a say and it seemed to me that if we had to get anywhere, we had to have a good education and that's why I went to school and went back to complete my tertiary studies as a mature age person. I started at Technical College in Perth and I completed my Bachelor of Arts when I had a family, which was hard as a woman back then especially because I had to work.

I'm educated but I also have community education, which is what I know my community to be and what happens to my people on my country - Wadjuk Noongar country. I still get involved in these community things, it's something that keeps me going and is important because I want to see all of the right things done, and maybe it will wipe out all of the wrong things and bad memories. It would be better for the kids growing up nowadays because they have no concept of it. Of culture, community. My grandson is seven and he has to fight for himself all of the time, and this shouldn't happen in schools today but it does. He has a nature similar to me where he stays true to himself, and, well, I got that from my father. Being Aboriginal, Noongar, that's my culture and my spirit and who I am.



## DID YOU KNOW?

### **Exemption certificates**

were issued in most parts of Australia from the late 1930s onwards to afford certain 'citizenship' rights to

Aboriginal people. In WA, however, the first type of 'exemption' was introduced within a clause of the *Aborigines Act 1905*, in which the Minister for the Aborigines department could exempt individuals from the strict provisions of the Act and enable them to enjoy the rights and privileges of non-Aboriginal society. This type of exemption was far and few as the Minister's decision was generally made upon advice of the Chief Protector of Aborigines.

The second exemption certificate, introduced in WA in 1937, was for 'citizenship' rights and paralleled the conditions of most certificates issued in other states. In line with the government of the day's assimilationist policies this included the right to leave the state, go to school, receive some government benefits (including the old age pension, which was denied to people who lived on reserves or stations), live with less interference from the Protection Board and to drink alcohol.

Some Aboriginal people sought exemption certificates as a way of shielding their children from removal by the Chief Protector of Aborigines. From 1937 to 1944, 276 certificates were issued covering approximately 600 individuals and seventy-five certificates were revoked.

Those who had an exemption certificate had to abandon association with their Aboriginal communities and were not allowed to enter or stay on Aboriginal reserves and stations, even if visiting relatives. It broke connections to family and country, and discouraged the practice of any forms of traditional culture. The need for the certificates to be shown to police officers and officials was a source of humiliation, earning them the nickname 'dog tags'.

## DAISY BINDI (1904-1962)

Daisy Bindi, a Nyiyaparli woman, was born circa 1904 on a cattle-station near the Jigalong Aboriginal Reserve, WA. The daughter of Aboriginal parents 'Jimmy' and 'Milly' she worked on Ethel Creek Station, learning household skills, without gaining a formal education. As a child she witnessed the indignities of the police who regularly shot the dogs that the community needed for hunting kangaroos.

Responding to the call of Don McLeod who urged Aboriginal people working on the large sheep and cattle stations in the area to come together and strike against the conditions. Daisy organised a meeting to convey the message. She demanded and received wages from her employer at Roy Hill station and used the money to hire a truck to collect local workers when the strike began on 1 May 1946.

En-route to join the main body of strikers, Daisy talked her way through a police confrontation when she claimed that she had never heard of McLeod. Her initiative was largely responsible for spreading news of the strike to other stations, changing the structure of labour relations in the north of the state.

In the late 1950s Daisy was diagnosed with diabetes, however was able to live in relative comfort at the Pindan cooperative settlement in Port Hedland, one of the early Aboriginal ventures of its kind and a product of the strike. At this settlement, the residents worked in the mining industry and received equal pay for their labour.

Despite having her leg amputated as a result of an accident in the bush, Daisy maintained her activism, successfully lobbying parliamentarians for a school at the Pindan cooperative. During this trip she also visited and spoke at meetings of the WA branch of the Union of Australian Women, which supported Aboriginal rights.

In the late 1960's, Daisy left the cooperative after the group split over thoughts that McLeod's struggles against mining interests were counterproductive to the Aboriginal cause. Daisy passed away on 23 December 1962 at the Native Hospital Port Hedland, and was buried in the local cemetery.



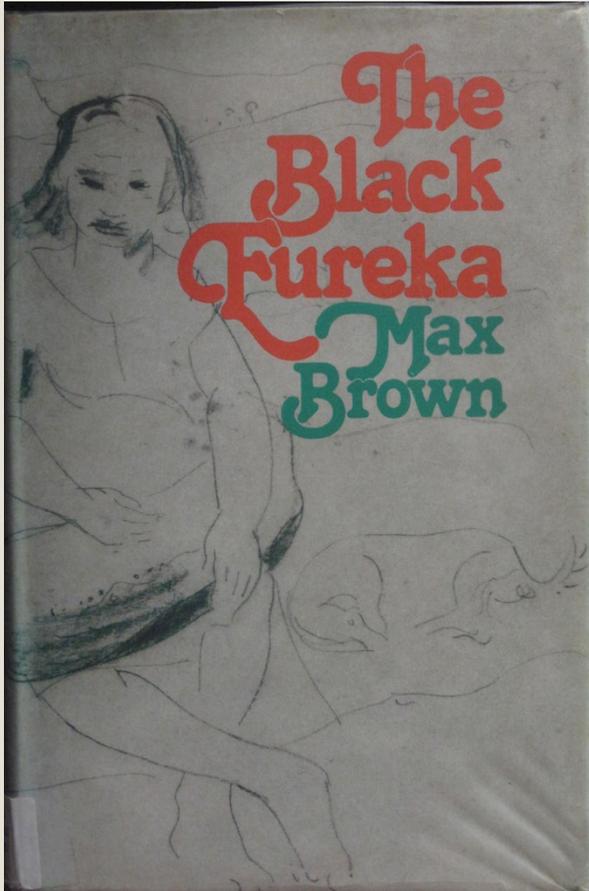
Image: Brown, Max & Hewett, Dorothy [1976].  
*The Black Eureka*. Australasian Book Society,

## TIMELINE

- 1904** Born around 1904 on a cattle-station near Jigalong Aboriginal Reserve, WA.
- 1945** Aware of the unfairness of working for no regular pay, Daisy responded to the call made by Don McLeod at Marble Bar station.
- 1946** Roy Hill station strike began 1 May.
- 1950s** Suffered from diabetes, living at the Pindan Pty Ltd cooperative settlement.
- 1950s** Had a leg amputated; visited Perth and successfully lobbied parliamentarians for a school at the Pindan cooperative; also visited and spoke at meetings of the WA branch of the Union of Australian Women.
- 1960s** Left the Pindan cooperative.
- 1962** Daisy Bindi passed away on 23 December from uremia at Port Hedland.

## Excerpts from the story about Daisy Bindi's involvement in the 1946 Pastoral Workers' strike

From *Black Eureka*, Max Brown [1976]. 'The story of Don McLeod and the Aboriginal miners' strike in the Pilbara Strike 1946-1949'.



### Pg 213

"Daisy Bindi?"

"From Roy Hill- she outfoxed Alex Spring and brought in 96 people!"

"A week or so before, Daisy Bindi had wired McLeod for a truck, and McLeod had sent a Ford 4x4 with trailer, which had arrived opposite Roy Hill about 11am. The crew had waited on the road and while Daisy Bindi dickered with the manager, man, woman and child had trooped out and climbed aboard. Then the Ford had made it 65 miles through Nullagine and was pulled off the road when the police utility sailed through bound for the Bar [Marble Bar]. The Ford then shadowed the police vehicle for another 70 miles before pulling up short of the Bar for the night. Next morning the party landed at Try Shot!"

**Pg 214**

“Which one is Daisy Bindi? Asked Clancy”

“Several people pointed and Clancy caught sight of a print frock. Then he saw a straight legged girlish Aboriginal woman of average height, walking hand-in-hand with an Aboriginal stockman. She was built like a Winchester rifle and looked at the ground as she walked, tossing her slim feet out a little in front, and then lifting her head as if seeing into the distance! She came across and immediately asked if he had everything he needed. Did he have enough petrol? She asked, and carted him off to get something to eat.”

**Pg 222**

“Then, back in Perth in 1959, I had the good fortune to meet Daisy Bindi, the desert woman who led the 96 people off Roy Hill station late in the strike. Daisy was down to get a wooden leg, and having heard of how one or two people had died after the failure of credit, I asked her how she had got on during that time of hardship”.

“I was gang boss at Mt Frisco, sixteen in the gang, men and women, she replied. We had nothing. We had no truck, no nothing, none of the stores we had in the working camps when you left. We was starving on ‘roo and water for eighteen months and in that eighteen months we moved all the Yandeyarra people to the Bore hole. Some was working close by for Perron Bros. I was washing clothes for all the whitefellas. Don McLeod was away trying to break the squatters in the Kimberleys.”

“I was out chasing kangaroo. When I come in, Bindi’s [Daisy’s husband] waving his hat in the road and my mummy’s standing with my suitcase in her hand. Where do you reckon you’re going? I asked them. We going Port Hedland! That’s how my mineral gang finished up collecting grass seed at Peedmarer. They wanted wages and I paid them.”

## BARBARA JACKSON (NEE HAYWARD) (C1909 – 1976)



Barbara Jackson nee Hayward in Katanning, circa 1920. Courtesy *Nyungar Tradition Glimpses of Aborigines of South-Western Australia 1829-1914*, Louis Tilbrook, 1983, p.117.

**The story of Barbara Jackson as told to the Aboriginal History Research Unit by her grandson, Steve Jackson, 2017.**

*“It’s got to be told not just by historians. Our old people are dying you know, and they’re the ones that know the stories. Especially in the South-West.”*

Steve Jackson

Barbara Jackson, a Noongar woman, is an unsung Aboriginal hero from the South-West of WA. She was a strong advocate for Aboriginal rights during her lifetime. Barbara lived in Perth, where she opened her home to all family from far and wide and helped raise her grandchildren.

When it came to Aboriginal rights, Barbara was a proactive and passionate woman, who devoted years to working to improve the lives of her people. She was involved with a number of Aboriginal rights committees throughout her life, including the New Era Aboriginal Fellowship Council Inc and Training Centre for Work Release Prisoners.

In the early 1970s, Barbara single-handedly started the Aboriginal Youth Training Centre. This was situated on Beaufort Street in Northbridge, near the Aboriginal Advancement Council (AAC) building, which still remains at 201 Beaufort Street. At the Centre she taught young Aboriginal people specific skills that would help them in their lives.

Her grandson, Steve Jackson, remembers it was *'mostly to teach all us young blokes and girls something we could put our hand to'*. For example, leatherwork, making coffee tables, dress making and art. Barbara taught the skills herself, but sometimes had people to help take some of the lessons.

Notably, Revel Cooper, a talented artist (one of the Carrolup children artists of the Stolen Generations) taught the children art at the Youth Centre for a period of time. Some of the workers for the Centre came from prison.

Sadly, Barbara only lived for 12 months following her establishment of the Aboriginal Youth Training Centre. She did not live to see its growth, or the positive impact the Centre had in the life of many young Aboriginal people. Many Aboriginal children at the time missed out on an education, so Barbara's work was invaluable for those with little to no educational or skill development opportunity. Barbara's grandson Steve was a young man of 18 when she passed away and learnt a lot from the Centre she dedicated to helping her people.

During her life Barbara also volunteered countless hours at a soup kitchen in East Perth. She was readily available whenever they needed help. *'She was there all the time, working and helping out. Any time they had anything like that she put her hand up to do it'*.

Barbara always spoke up for Aboriginal rights and would stand up to others, to educate on the importance of ending the inequality experienced by her people. She was particularly concerned with Aboriginal health. *'She was always talking about Aboriginals having more rights and things like that you know. Anything that come up she would...talk about it, especially on health.'* Unsurprisingly, Barbara voted a strong 'Yes' in the 1967 Referendum, along with the rest of her family.

Barbara's legacy for pursuing Aboriginal rights lives on in her family. Her grandson Steve believes there is still a long way to go and the importance of education for improving Aboriginal rights cannot be emphasised enough. *'I still think Aboriginals haven't got enough voice and there's not enough taught about history in our schools... I don't know if that's funding or something else.'*

## GEORGE ABDULLAH (1919-1984)



Courtesy National Museum of Australia.

*“My people are not going to be swept under the carpet.”*

George Abdullah, undated

George Abdullah, a Noongar man, was born in 1919 at Guildford WA, and was educated at the New Norcia Benedictine Mission. He later worked as a labourer, truck driver and served in the military between 1940-43 [defence of Australia and Papua New Guinea].

During the 1940s George was heavily involved in the Coolbaroo Club/League [Perth], where he did interstate public speaking tours and in 1947 he was granted citizenship.

In 1956 George married Vera Alwyn Moore at her parents' residence in North Perth. This marriage was the first formally recognised mixed-race marriage in Western Australia [although there were other 'mixed-race'

marriages, they were not formally recognised if the Aboriginal person was not granted citizenship].

Throughout the 1960's George was instrumental in the establishment of WA Native Welfare Council [became known as Aboriginal Advancement Council of WA from 1963 onwards]. This was affiliated with the FCAATSI.

During this time, George was also heavily involved in the 1967 Referendum 'Yes' campaign in WA as well as becoming a member of the United Nations Committee on Human Rights and working on the Allawah Grove Settlement. In September 1962 George organised an all-Aboriginal conference on citizenship rights. The conference adopted a motion to call on the government to repeal the *Natives [Citizenship Rights] Act*, and repeal Section 127 of the Australian Constitution so Aboriginal people could be included in the census. From the various committees he was a part of, George was best known for his role as Chair and Senior vice Chair of National Aboriginals Publications Foundation from 1972-81.

The path for Aboriginal rights that George paved through his tireless efforts of activism have been realised in Aboriginal leaders of today. In particular, George's nephew, Ken Wyatt, was the first Aboriginal person elected to the Commonwealth House of Representatives, and the first Aboriginal Minister in the Commonwealth Government. This is especially significant since George was unsuccessful in entering parliament.

## DID YOU KNOW?

### **The Allawah Grove Settlement**

was thirty-three temporary houses, established for an

Aboriginal Community near Guildford in 1957. This was administered by the Native Welfare Department until responsibility was handed to the Coolbaroo Club. When it closed a little over a decade later in 1969, the people of Allawah had established their own administration, the Women's Committee, Progress Committee and Advancement Council.



Courtesy West Australian Newspapers Limited.

Aboriginal Rights Council president George Abdullah (left) checks results over the telephone with the WA Electoral Office, while Vice-president Jack Davis lists them on a tally board, assisted by Charles Pell, the manager of the centre.

## TIMELINE

- 1919** Born at Guildford WA.
- 1940s** Heavily involved in Coolbaroo Club/League [Perth].
- 1944** On 6 December married Gladys Martha Kelly from the Moore River Native Settlement. They were together a short time.
- 1947** Granted citizenship in January.
- 1956** On 15 June married Vera Alwyn Moore. First formally recognised mixed-race marriage in WA.
- 1958** Established the Western Australian Youth Club, which catered for both Aboriginal and non-Aboriginal children and adolescents.
- 1962** In September George organised an all-Aboriginal conference on citizenship rights.
- 1966** Managed the Aboriginal Advancement Council's Centre for a few months at Beaufort St, Perth.
- 1960s** Instrumental in establishment of WA Native Welfare Council [became known as Aboriginal Advancement Council of WA from 1963 onwards]. This was affiliated with the FCAATSI.
- 1960s** Became the Coolbaroo League representative on Native Welfare Council.
- 1960s** Campaigned for the 'Yes' vote for the 1967 Referendum.
- 1960s** Manager of the first Aboriginal Centre [Beaufort St, Perth] and with his wife Alwy, spoke publicly about issues facing Aboriginal people.
- 1970** Became the founding member of The National Tribunal Council.
- 1970** Initiated Aboriginal Rights Council [later became Aboriginal Rights League]. He organised the first Aboriginal debutante balls in Perth to demonstrate equality.
- 1970** A founding executive member of the National Tribunal Council and of the Aboriginal publications Foundation [1972-81]. He also established the Aboriginal Development and Cultural Council at Geraldton.
- 1972-1981** Chair and Senior vice Chair of National Aboriginals Publications Foundation
- 1975** In December George stood unsuccessfully for Senate as an Independent at the Federal election.
- 1977** Active in National Aboriginal Consultative Committee.
- 1970s** Employed as a liaison officer with Commonwealth Office of Aboriginal Affairs, Canberra.
- 1970s** Organised National Aborigines Day Observance Committee [NAIDOC] events.
- 1984** George Abdullah passed away in Perth on 6 August and is buried at Guildford Cemetery.

## EDDIE MABO (1936-1992)



Eddie Mabo and Jack Wailu on Mer, 1989, Image: National Archives of Australia: A6180, 9/3/94/23

*"One day... all of Australia is going to know my name."*

Eddie Mabo, undated

In May 1982, Eddie Mabo and four other Meriam people of the Murray Islands began action in the Australian High Court to legally confirm their traditional land rights. They claimed that the Meriam people of Murray Island [Mer] could prove continuous possession of the island. On 3 June 1992, the High Court ruled by a majority of six to one,

that the Meriam people were '*entitled as against the whole world to possession, occupation, use and enjoyment of [most of] the lands of the Murray Islands*'. The High Court found that Native Title rights withstood settlement, and the judgement, at long last, rejected the colonial 'terra nullius' legal fiction. Read more about Land Rights and the Mabo Case in section six of this toolkit.

## **IMPORTANT ABORIGINAL LEADERS OF TODAY**

**For over a century, there has been growing perception that the Government has made decisions for Aboriginal people, with the voices and cultural needs of Aboriginal people ignored.**

Growing representation in Parliament has seen a greater Aboriginal voice in federal decision-making, and appropriate input into issues that affect the lives of Aboriginal people. Linda Burney and Ken Wyatt have both made history for their election into the Australian Parliament and are symbols of progress and hope for Aboriginal people across Australia.

**Aboriginal and Torres Strait Islander people who are members of the 49th Federal Parliament:**

- **Hon Linda Burney MP**
- **Senator Patrick Dodson**
- **Senator Jacqui Lambie**
- **Senator Malarndirri McCarthy**
- **Hon Ken Wyatt AM, MP**

In addition to those members of Federal Parliament, there are many Aboriginal leaders today who are also working tirelessly for their communities and to progress the rights of their people.

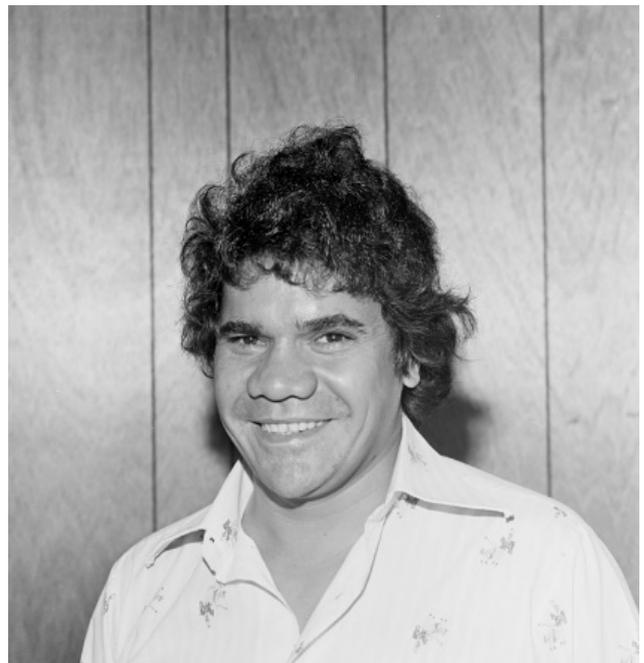
## MICHAEL 'MICK' DODSON (1950-)

Mick Dodson AM, a Yawuru man, was born in April 1950 at Katherine in the Northern Territory. Both of his parents passed away in 1960, when Dodson was just 10 years old. His aunt and uncle fought for and won custody of Dodson and his siblings, which included his brother Patrick Dodson, now a federal senator.

After earning a scholarship in 1963 to stay at Monivae College, Mick was able to attend Monash University, graduating from law school with a Bachelor of Jurisprudence and Bachelor of Laws degrees. Mick has also earned an honorary degree of Doctor of University from University of Canberra.

Throughout his life he has worked with the Victorian Aboriginal Legal Service in Melbourne, and as a senior legal advisor and director of the Northern Land Council. His tireless efforts campaigning for Aboriginal rights were recognised in 2009 when Mick was admirably awarded Australian of the Year. Since then he has participated in the drafting of the text for the *Declaration on the Rights of Indigenous Peoples* in the United Nations Working Group on Indigenous Populations [WGIP], an inter-sessional Working Group of Human Rights Commission which was adopted overwhelmingly in 2007 by the United Nations General Assembly. Mick was also involved in conducting the hearings for the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families [Stolen Generations], which resulted in the *Bringing Them Home Report*.

Mick is a prominent advocate for land rights and other issues affecting Aboriginal and Torres Strait Islander peoples as well as vigorous advocate of justice and interests of Indigenous peoples around the world. He equates land rights with the rights of equity, non-discrimination and prohibition of racial discrimination. Mick has argued for formal recognition in the Australian Constitution of Aboriginal and Torres Strait Islander people as original owners, occupiers and custodians of the land.



Courtesy National Archives of Australia: A6180, 18/2/80/14.

## TIMELINE

- 1950** Born in Katherine, NT.
- 1963** Earned a scholarship to Monivae College [a boarding school] in Victoria. Mick then attended Monash University.
- 1976** Began at Victorian Aboriginal Legal Service in Melbourne- devoted particular attention to land rights and native title rights.
- 1978** Graduated from law school [Monash University] as the first Indigenous person to graduate from law in Australia.
- 1981** Admitted to the Victorian Bar as a barrister.
- 1984** Joined Northern Land Council as Senior Legal Adviser.
- 1990** Became Director of the Council.
- 1993** In April was appointed Australia's first Aboriginal and Torres Strait Islander Social Justice Commissioner with Human Right Commission.
- 1993** Was Co-Deputy Chair of Technical Committee for 1993 International Year of the World's Indigenous People, was chairman on UN Advisory Group for the Voluntary Fund of the Decade of Indigenous Peoples.
- 1998** Awarded honorary Doctor of Letter from University of Technology Sydney in 1998.
- 1988-1990** Counsel assisted Royal Commission into Aboriginal Deaths in Custody.
- 2009** Named Australian of the Year by the National Australia Day Council.
- 2010** Awarded honorary Doctor of University from University of Canberra in recognition of his contribution to human rights, social justice and Indigenous affairs in both Australia and around the world.
- 2011 - 2012** Harvard University Malcolm Fraser and Gough Whitlam Harvard Chair in Australian Studies and a Visiting Professor, Harvard Project on American Indian Economic Development.

## Past involvement on boards/committees:

- Former Director of Indigenous Law Centre at UNSW.
- Former Chairman of National Aboriginal Youth Law Centre Advisory board.
- Former member of National Children's & Youth Centre Board and advisory panels of Rob Riley and Koowarta Scholarships.
- Has been member of Victorian Equal opportunity Advisory Council and secretary of North Australian Legal Aid Service.
- Former member on board of Reconciliation, was Co-Chair until recently.
- Founding member and chairman of Australian Indigenous Leadership Centre.
- Served 5 years as member of Board of Trustees of UN Indigenous Voluntary Fund and in January 2005, commenced 3 year appointment as member of UN Permanent Forum on Indigenous Issues- was subsequently appointed for further three years to December 2010.

## Current involvement on boards/committees:

- Director of National Centre for Indigenous Studies at ANU and Professor of Law and ANU College of Law, Director of Dodson, Bauman and Associates Pty Ltd- Legal and Anthropological Consultants.
- Current chair of Council of the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) and member of AIATSIS.
- Member of the publications Committee for University of New South Wales' Australian Indigenous Law Review [formerly Australian Indigenous Law Reporter].
- On editorial Board of Australian Aboriginal Studies publication.
- Member of NSW Judicial Commission [former special commissioner with the Law Reform Commission of WA].
- Chair of ANU Reconciliation Action Plan [RAP] Committee.
- Member of the Board of the Lingiari Foundation.



Mick Dodson - AHRC RightsTalk 14 November 2016, Image: Australian Human Rights Commission.

## HON LINDA BURNEY MP (1957-)



Courtesy Linda Burney's Office.

*"If I can stand in this place, so can they [Young Indigenous people] – never let anyone tell you that you are limited by anything."*

Hon Linda Burney, MP, 2016

Wiradjuri woman Linda Burney was the first Aboriginal person to serve in the New South Wales parliament and the first Aboriginal woman to be elected to the Australian House of Representatives when she won the seat of Barton in the 2016 federal election.

[Linda's maiden speech.](#)

## HON KEN WYATT AM MP (1952-)



Courtesy Ken Wyatt's Office.

*"The decisions we make determine our destiny and the choices we make shape our personal future."*

Hon Ken Wyatt, AM MP, 2016

Minister Ken Wyatt, a Noongar/ Yamatji man from WA, was the first Aboriginal Minister in the federal parliament (2017) and the first Aboriginal man to be elected to the Australian House of Representatives as the member for Hasluck. He also chaired the joint select committee on Constitutional Recognition in 2015.

[Ken's maiden speech.](#)

## COMMITTEES AND CLUBS

There are many committees and councils that have been formed by Aboriginal people, with the intention of improving Aboriginal rights, equality, and living and working conditions. The committees and councils mentioned throughout the hero profiles are listed below:

- Aboriginals Union [est. Nov 1926]
- Australian Aborigines League [AAL] [est. 1927-1932]
- Australian Aborigines Progressive Association [AAPA] [est. 1924]
- National Aborigines Day Observance Committee [est. 1956- was an all Aboriginal board for the first time in 1974].
- Coolbaroo Club [est. 1947]
- FCAATSI: Federal Council for the Advancement of Aboriginal and Torres Strait Islanders [1958]
- WA Native Welfare Council: became Aboriginal Advancement Council from 1963
- Aborigines' Advancement Council [1965]
- Aborigines Centre Perth, [est. 1960s, exact year unknown]
- United Nations Committee on Human Rights [est. 1976]
- Aboriginal Rights Council, became Aboriginal Rights League, [est. 1970]
- National Tribunal Council [est. 1970]
- National Aboriginal Consultative Committee [1973-1977- initiative of Whitlam government. Denounced when the Fraser government announced creation of a new body, the National Aboriginal Conference]
- Aboriginal Development and Cultural Council [est. 1970s, exact year unknown.
- Aboriginal Publications Foundation, founded by Jack Davis in 1973
- Council for Aboriginal Rights [est. March 1951]
- New Era Aboriginal Fellowship Inc. [pre 1976]. Today's Aboriginal Medical Centre in Perth, and the Aboriginal Legal Service of WA developed from the Justice Committee of the New Era Aboriginal Fellowship Inc.

# THE FEDERAL COUNCIL FOR THE ADVANCEMENT OF ABORIGINES AND TORRES STRAIT ISLANDERS (FCAATSI)



Indigenous delegates and observers at the 1967 FCAATSI conference in Canberra. Courtesy AIATSIS: JACKOMOS.A04.BW-N03746\_04a, N4416.34

The FCAATSI was a significant and instrumental council in the lead up to the 1967 Referendum, and the general recognition of Aboriginal rights. Many of the heroes in this section were closely involved in or affected by the work and mission of FCAATSI. It was a national council, with its influence reaching across the country to WA.

## History

- In February 1958, a federal council was formed in Adelaide to unite existing state bodies to press for greater Commonwealth involvement in

Aboriginal affairs, and to work for the removal of discriminatory state legislation. The official Federal Council for Aboriginal Advancement (FCAA) elected a committee and established a set of principles to guide the new body. The first core executive members of the council (1958) were:

President: Charles Duguid  
Vice Presidents: Herbert S Groves,  
W Grayden and Ada Bromham  
Secretary: Stan Davey  
Secretarial Consultants: Doris  
Blackburn and Shirley Andrews

- The FCAA held annual national conferences (1958-1972) to bring together Aboriginal people and non-Aboriginal supporters. The meetings featured prominent Aboriginal activists and people who fought for, or were willing to fight and stand up for Aboriginal rights. This committee and its meeting certainly created a new wave of activism in Australia that would be realised in the 1967 Referendum. The members were responsible for promoting and publicising the 'Yes' vote for the Referendum.
- The committee was divided into different areas, including:
  - Wages and Employment
  - Education
  - Land and reserves
  - Legislative reform
  - Publicity
  - Housing
  - Fundraising
  - Aboriginal Industries
  - Publications
  - Trade Union
  - Cultural Development (later called Arts and Crafts)
  - Health
  - Abschol (scholarships to help Aboriginal people go to university)
- Initially called FCAA, requests were made from Torres Strait Islander people of Torres Strait Far North Queensland to be included and to be given a voice as well.

- In 1965 the FCAA was renamed to Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAATSI) to include Indigenous people from the Torres Strait. It took over responsibility for keeping the Constitutional amendment issue politically alive.

## The 1967 Referendum

- The work and establishment of the FCAATSI is largely responsible for the success of the 1967 Referendum. On March 2nd 1967 Prime Minister Harold Holt introduced legislation for a referendum to be held on May 27, 1967.
- In April 1967, FCAATSI organised a deputation to Canberra to seek support for a 'Yes' vote on the Aboriginal question. FCAATSI feared that voters would not understand the effect of a 'yes' or 'no' vote and wanted to check on what politicians had done in their electorates to support a 'Yes' vote.
- FCAATSI was helped by the heads of churches who also supported a 'Yes' vote, distributed how-to-vote cards and tried to explain to voters what it was all about.
- FCAATSI played a significant role in pushing for the Referendum, publicising the 'Yes' vote, and the general pursuing of Indigenous rights.
- The Federal Government suddenly cut funding from FCAATSI in 1978- in this event, it was forced to close/finish.

## JOE MCGINNESS

*“[Joe was a] tireless worker for the 1967 Referendum [and that while] his vision and tremendous commitment might not be replaced ... it will leave many throughout this country in good tread to continue the work for reconciliation”*

Faith Bandler, undated

Joe McGinness was a well-known campaigner for Aboriginal rights in Australia and throughout his life, was a significant member of the FCAATSI.

Joe was born in 1914 the son of Alyandabu, a Kungarakany woman from the Northern Territory, and Stephen McGinness, an Irish immigrant. In 1943 Joe enlisted and served with the Australian Imperial Force in Borneo with the 2/13 Field Ambulance during the Second World War. Following his service he worked on the wharves in Queensland, where he was a member of the Waterside Workers Federation [WWF] during the 1950's and 1960's.

Joe and Faith Bandler were the first Aboriginal presidents [co-chaired] of the Federal Council for Aboriginal Advancement in 1961 [later known as the FCAATSI]. In 1967 during the Vote 'Yes' campaign for the Referendum Joe travelled throughout Australia putting the 'Yes' case forward.

In 1973 Joe McGinness became a member of the National Aboriginal Consultative Council, the first federal government body of Aboriginal advisers. He was manager of the North Eastern Region of Aboriginal Hostels from 1975 to 1979. He continued to work, through the 1970s and 1980s, in a number of Aboriginal organisations. He was widely known and loved across northern Australia as 'Uncle Joe' and was awarded an Order of Australia in recognition of his work for Aboriginal Australians. His autobiography *Son of Alyandabu: My Fight for Aboriginal Rights* was published in 1991.

## THE COOLBAROO CLUB

The Coolbaroo Club was an influential and significant organisation based in Perth. It was established in 1947 and catered specifically for the Aboriginal community at a time when Aboriginal people were not allowed to enter regular social clubs and organisations. It now represents the active resistance of the community against oppressive policies of the day. When the State Government prohibited Aboriginal people from entering a large area or zone of Perth city, the club was established to have somewhere for Aboriginal people to enjoy themselves socially and meet others. It was unique in that it was created and run by and *for* Aboriginal people, although it was open and inclusive of all people, of any race.

- The Coolbaroo Club was profoundly successful in bringing Aboriginal people together (as well as supporters of Aboriginal rights who were non-Aboriginal). The Club held many weekly dances and annual balls attended by hundreds of people and became an influential political activist body, which saw important messages and information about Aboriginal rights communicated out to the community.
- The Club played a major role in raising awareness for rights, activism, promoting the 'Yes' campaign for the Referendum. It was an influential organisation for the local community.
- The Club closed in the early 60s. Many of its leaders like George Abdullah went on to form the Aboriginal Advancement Council (1965) - the same year Aboriginal workers won the right to equal pay.

Access the [City of Perth's Coolbaroo Club catalogue](#).

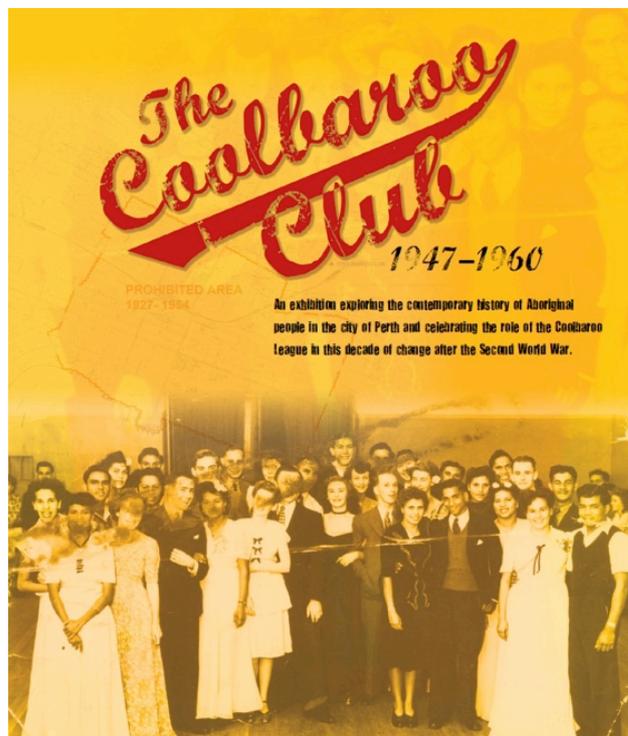


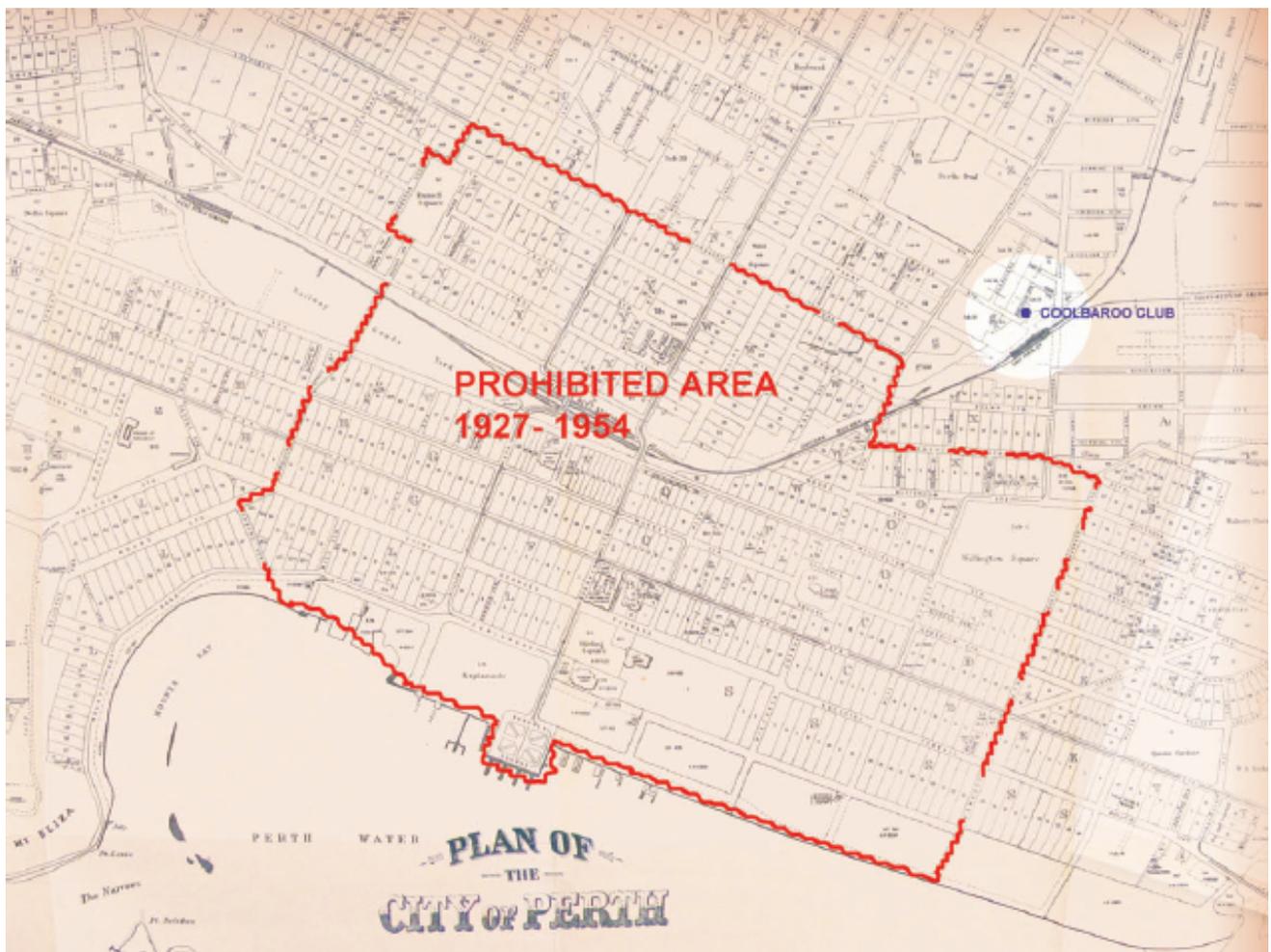
Image: City of Perth History Centre Collection.

## DID YOU KNOW?

Perth's CBD was a prohibited area for Aboriginal people between 1927 and 1954. On 18 March

1927, the Governor of

Western Australia relied on the *Aborigines Act 1905* to declare the City of Perth a prohibited area for Aboriginal people. This particularly affected Noongar people who lived and worked in the area and could no longer visit the town. They were required to have a pass for work and entering the area, in the event officials stopped them. In Perth, there was a 6.00pm curfew, which made it illegal for Aboriginal people to be in town past that time of day.



Prohibited Areas map, image redrawn from the original Map of the Prohibited Area of Perth  
Courtesy Department of Aboriginal Affairs.

## Research Questions:

**What are some commonalities between all of the heroes mentioned in this section?**

**Do you think the Aboriginal heroes from Western Australia are well known to the broader public? Why or why not?**

**What do you think the Referendum result meant (or would have meant) to each of the Aboriginal heroes featured in this section?**

## Activities:

**Biography.** Using the material provided and your own research, write a biography for a Western Australian Aboriginal hero, including a timeline of events.

**Creative writing.** Imagine you are one of these heroes. Create a 'dear diary' entry, as if this person is writing in their diary after the result of the Referendum was announced. Think about the emotive language that would have been used at that time and the freedom and justice this event would have symbolised, socially.

Please see 'Teachers Resource' section for more resources and project suggestions.

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## HUMAN RIGHTS

**This section will look at Australia's position on the world stage during important international advancements in human rights, and how this has shaped local decision-making. It is important to note that Australia has been a member of the United Nations (UN) since 1945 and is therefore affected by the decisions, conventions and declarations made by the international community. There is, however, no universal definition or rule of law on what constitutes human rights and it is ultimately up to each individual society to determine their principles. The progress made in Aboriginal rights since the Referendum will be explored by looking at the 1997 Bringing Them Home Report, in which 2017 marks its 20th anniversary, and the Closing the Gap campaign.**

## List of Definitions

**Human rights:** Human rights are rights inherent to all human beings, regardless of nationality, place of residence, sex, national or ethnic origin, religion, language, race, or any other status. Everyone is equally entitled to human rights without discrimination. These rights are all interrelated, interdependent and indivisible. This means whether they are civil right such as equality, or social or collective rights such as education or self-determination, the improvement of one right facilitates the advancement of others, and on the contrary, a deprivation of another right adversely affects the others.

**Civil and political rights:** Civil and political rights refer to a class of rights that protect individuals' freedom from infringement by government, social organisations and other members of society from the threat of persecution, discrimination or repression.

**Inalienable human rights:** Something that is not transferable from one person to another, or capable of being repudiated is inalienable. That which is inalienable cannot be bought, sold or transferred. Human rights are seen as inalienable. They should not be taken away except in specific situations and according to due process. For example, the right to liberty may be restricted if a person is found guilty of a crime by a court of law

**Treaty:** Treaty refers to a formally ratified agreement between countries or states. It is a legally binding document. Treaties within a country are generally made between the government and the Indigenous peoples. Therefore, to achieve a treaty in this sense, the Indigenous peoples of a nation must first be considered an independent nation or people.

**Eurocentric:** A focus on European culture and history, with the exclusion of worldviews that are not in line with European culture. Dominated Colonial era thinking, particularly in the eighteenth and nineteenth centuries.

## INTERNATIONAL CONTEXT

### The United Nations Universal Declaration on Human Rights (UDHR)

**The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights and was adopted by the UN General Assembly in Paris on 10 December, 1948. It was formally drafted by members of the UN with different legal and cultural backgrounds. The UDHR deals with the protection of human rights and has been translated into more than 500 different languages.**

The UDHR is not a treaty and therefore has no legally binding status. In effect it cannot create legal obligations for nations to uphold its principles. It is however an expression of the fundamental values shared by all members of the international community, ensuring that UN member states uphold moral and ethical obligations. The UDHR was unanimously supported by Australia and forty-seven other countries in 1948, even though Australia did not immediately adopt all thirty of its principles.

The UDHR is available [online](#).

*"As an international instrument, the Declaration (UDHR) provides a blueprint for Indigenous peoples and governments around the world."*

Mick Gooda, descendent of the Gangulu people of central Queensland, 2010

Upon Australia's ratification of the UDHR in 1948, the Department for the Interior claimed that the declaration would compromise the way the Australian government could exercise statutory power and policy over Aboriginal people. As a response the Australian government identified inconsistencies with at least five of its obligations, being the power to:

**remove children** under the 'half-caste' policy (Aborigines Act 1905);

**restrict movements** of Aboriginal people in the Northern Territory;

**control/permit marriages** between Aboriginal and non-Aboriginal persons;

**deny** Aboriginal people **voting rights**; and

**control** the right of Aboriginal people to **work** in licensed premises and the mining industry.

The UDHR has influenced the creation of a range of international agreements that are legally binding for the countries ratifying them, such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). These two covenants were raised for discussion with the UN General Assembly in 1954 and at the 10th UN General Assembly the following year. During the proceedings Australia's delegates contended that these covenants would **not** be applied to the Aboriginal population.

## International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)

The ICESCR came into force on 3 January 1976, committing all parties to work towards the granting of economic, social, and cultural rights including the rights to health, education, and an adequate standard of living. Australia signed the covenant on 18 December 1972 and ratified it on 10 December 1975.

The ICCPR came into force on 23 March 1976. It commits signatory parties to respect the civil and political rights of individuals, including the right to life, freedom of religion, speech and assembly, and the rights to due process and fair trial. At the federal level, Australia remains the only democracy not to have passed a law directly implementing the ICCPR.

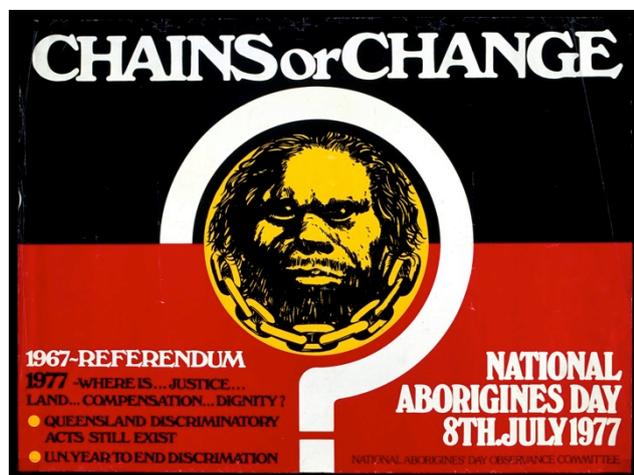


Image: Museum Victoria, Item XM 5119

## The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

The UDHR implemented global human rights standards, which paved the way for the creation of the United Nations Declaration for the Rights of Indigenous Peoples (UNDRIP). In September 2007, the UN General Assembly adopted the UNDRIP. This was the culmination of more than 20 years of negotiation between the Indigenous peoples and governments of the world. It draws existing rights from other international laws and conventions such as the UDHR and explains how these apply to Indigenous peoples, including rights to culture, identity, language, land, employment, education and health. The UNDRIP affirms the minimum standards for the survival, dignity, security and wellbeing of Indigenous peoples worldwide and enshrines Indigenous peoples' rights to be different. The Declaration is a framework for countries to help reduce levels of disadvantage and discrimination experienced by many of the world's 350 million Indigenous peoples.

*"The value of human rights is not in their existence; it is in their implementation. That is the challenge for the world and for Australia with this Declaration."*

Mick Dodson, Yawuru Elder, 2010

The UNDRIP covers all areas of human rights as they relate to Indigenous people and can be categorised into four key principles:

1. Self determination
2. Participation in decision making
3. Respect for and protection of culture
4. Equality and non-discrimination.

These principles provide guidance on how the Australian government [at all levels] can apply the Declaration to help fully realise the human rights of Aboriginal and Torres Strait Islander peoples.

When the UNDRIP was adopted by the UN General Assembly in 2007 a majority of 144 countries were in favour. Australia was one of only four votes against the UNDRIP [Australia, Canada, New Zealand and the United States].

In a speech to the Australian Senate in September 2007 [the same month the UNDRIP was adopted by the UN General Assembly], Marise Payne, Liberal Party Senator for New South Wales, outlined the Australian government's objections to the Declaration, being:

- Concerns about references to self-determination and their potential to be misconstrued.
- Ignorance of contemporary realities concerning land and resources.
- Concerns over the extension of Indigenous intellectual property rights under the declaration as unnecessary under current international and Australian law.

- The potential abuse of the right under the Declaration for indigenous peoples to unqualified consent on matters affecting them.
- The exclusivity of Indigenous rights over intellectual, real and cultural property that "does not acknowledge the rights of third parties – in particular, their rights to access Indigenous land and heritage and cultural objects where appropriate under national law."
- Furthermore, that the Declaration "fails to consider the different types of ownership and use that can be accorded to Indigenous people and the rights of third parties to property in that regard."
- Concerns that the Declaration places Indigenous customary law in a superior position to national law.

On the 3 of April 2009, following a change of government, Australia formally endorsed the UNDRIP. Each of the forty-six articles listed in the UNDRIP provide clear guidance to advancing reconciliation between Aboriginal peoples and the wider Australian community.

The UNDRIP is accessible [online](#).

## NATIONAL CONTEXT

*"[The Referendum] will contribute to Australia's international standing by demonstrating to the outside world our overwhelming desire to give full acceptance to the Aboriginal people within our community."*

Prime Minister Harold Holt, 28 May 1967

Although inhabited by Aboriginal people for approximately 50,000 years, Australia was colonised by the British in 1788, from which point it developed upon transnational colonial ideals. Social ideals paralleled the Eurocentric worldviews of the time. Certain laws and policies were enacted, which are now seen to have been attempts to keep the nation 'as white as possible'. Due to the policies at the time [see 'White Australia Policy' in Introduction], the lives of Aboriginal people were increasingly controlled and oppressed, and subjected to inhumane living and working conditions imposed by the government of the day. Throughout the eighteenth and nineteenth centuries, some Australians chose to 'look the other way', and the plight of Aboriginal people was overwhelmingly ignored. In 1901, the major political parties united to support and create a 'White Australia' policy.

Such policies, practices and beliefs have resulted in intergenerational disadvantage for Aboriginal people. In the past decade a number of significant events have worked to repair the trauma caused by the exclusionist legislation of the state and federal governments, and to promote a deeper understanding of the issues facing Aboriginal people.

In 1991 the report of the Royal Commission into Aboriginal Deaths in Custody revealed a complex and devastating picture of the effects of dispossession, colonisation and institutional racism on Aboriginal people. Partly in response to the findings of the Royal Commission, the Federal Parliament established the Council for Aboriginal Reconciliation which had as its goal the 'transformation of Aboriginal and non-Aboriginal relations in this country'.

## LOCAL CONTEXT

The *Aborigines Act 1905* WA signified a change in government policy for Aboriginal people in WA. The Act appointed a Chief Protector of Aborigines, who enforced protectionist policy over the lives of Aboriginal people. A.O. Neville became the third appointee in 1915. During his time in the role he enforced the controversial policy of removing Aboriginal 'half-caste' children under 16 years of age and becoming their legal guardian. This resulted in many children being taken from their families and kept in Missions, or other institutions. Today, these people are known as the Stolen Generations. The intergenerational social and cultural trauma caused by the Stolen Generations still greatly impacts on the community [see '*The WA Aborigines Act 1905*' in Introduction].

During this time the government ignored the basic human rights [as listed in the UDHR] of Aboriginal people.

The 1960's saw the beginnings of social change. By this time, the Aboriginal community had begun to demand equality and rights, advocating for a referendum became a realistic objective. Activists from WA were extremely influential in the national campaign for Aboriginal rights, and the journey to the 1967 Referendum. The heroes mentioned in the previous section are significant Australians (mostly West Australians) who have played a key role in raising awareness for Aboriginal rights and equality. These heroes campaigned for the 'Yes' vote in the Referendum. More recently, other Aboriginal people have carried on the work of early heroes and activists to seek further recognition for Indigenous peoples today.

## Timeline

**Below is a timeline that presents the milestones in Aboriginal affairs from a human rights perspective. The following points are mostly WA specific:**

- 1904** Royal Commission into the 'condition of the natives' found abuse of Aboriginal people was widespread, and recommended the protection of Aboriginal people by strict controls. The report detailed the criminal justice system operating in the Kimberley as 'a brutal and outrageous' state of affairs. This report led to the *WA Aborigines Act 1905*.
- 1905** *WA Aborigines Act 1905* is passed by the WA State government.
- 1908** Royal Commission to inquire into the treatment of Natives by the Canning Exploration Party on the Canning Stock Route in the East Kimberley.
- 1927** Royal Commission into the Killings and Burning of Bodies of Aborigines in the East Kimberley.
- 1928** The first WA Aboriginal deputation to the Premier, Philip Collier, to demand better rights for Aboriginal people and the repealing of The *WA Aborigines Act 1905*. The group included William Harris, Edward Harris, Norman Cleaver Harris, Algernon Kickett, Edward Jacobs, Wilfred Morrison and William Bodney. They were not successful.
- 1934** Royal Commission into Aboriginal Affairs lead by Mr. M D Mosely inquired into the 'social and economic conditions of Aborigines; the law relating to Aborigines; the administration of the Aborigines Department; and allegations of ill-treatment of Aboriginal people.' Known as the Mosely Royal Commission.
- 1962** *Commonwealth Electoral Act 1918* was amended, giving all Aboriginal people in WA the right to vote in federal elections.
- 1972** *Aboriginal Heritage Act 1972* was proclaimed in WA.
- 1972** *Aboriginal Affairs Planning Act 1972* was proclaimed in WA.

- 1973** Aboriginal Land Commission or Woodward Royal Commission investigated the various ways to recognise Aboriginal Land Rights in the Northern Territory.
- 1975** *Racial Discrimination Act 1975* was passed in Federal Parliament.
- 1975** Laverton Royal Commission was established to inquire into and report upon certain incidents involving Aboriginal people and the police in the North-East Goldfields region.
- 1979** *Aboriginal Communities Act 1979* was proclaimed, enabling the establishment of by-laws that govern conduct on an access to community lands.
- 1982** Noongar Elder, Ken Colbung, received the Order of Australia Medal for his services to the Aboriginal community.
- 1984** Report of the Aboriginal Land Inquiry by Paul Seaman [Seaman Report] was tabled in the State Government.
- 1985** *Aboriginal Land Bill 1985* that would create Aboriginal Land Rights was tabled in State Legislative Assembly but defeated in the Legislative Council.
- 1987** Royal Commission into 'Aboriginal Deaths in Custody' instituted in response to the high rate of Aboriginal incarceration and deaths in custody.
- 1987** Commonwealth Government launched the Aboriginal Employment Development Policy to assist Aboriginal people to achieve equity with other Australians in terms of employment and economic status.
- 1990** *Inquiry into Service and Resource Provision to Remote Communities* was conducted by Mr Peter Alexander.
- 1991** Royal Commission into "Aboriginal Deaths in Custody" was tabled to Federal Parliament.
- 1991** Both houses of Federal Parliament unanimously passed the *Council for Aboriginal Reconciliation Act 1991*.
- 1992** High Court Mabo Decision ruled in favour of Edie Mabo and other Meriam people in the landmark Mabo vs Queensland [No. 2] case, legally confirming Native Title rights.

- 1992** The Council of Australian Governments endorsed a *National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal Peoples and Torres Strait Islanders*.
- 1993** Dr Richard Walley, Noongar Elder, awarded the Order of Australia Medal for his services to the community and contribution to Noongar culture.
- 1995** *National Enquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* is established.
- 1995** *Purnululu Claim*, in the East Kimberley, became WA's first positive determination of Native Title.
- 1995** Under Section 5 of the *Flags Act 1953*, the Aboriginal flag was proclaimed by the Australian government as an official 'Flag of Australia'.
- 1995** The Human Rights and Equal Opportunity Commission (HREOC) launched its Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families.
- 1997** *Bringing Them Home Report* was tabled in Federal Parliament.
- 1997** *Provision of services to Aboriginal people in Western Australia - an action plan and proposed legislation* was released in January.
- 1998** First *Sorry Day* was commemorated on 26 May.
- 1999** Federal Parliament issued a statement of sincere regret over the forced removal of Aboriginal children from their families.
- 2001** Carol Martin, of Noongar/Yamatji heritage, became the first Aboriginal woman to be elected to the parliament of an Australian state when she won the seat of Kimberley.
- 2002** The Aboriginal and Torres Strait Islander Social Justice Commissioner, Dr William Jonas, presented the *Social Justice Report 2001* and *Native Title Report 2001* to the Federal Parliament.

- 2003** In July the report, *Putting the Picture Together: Inquiry into response by government agencies to complaints of family violence and child abuse in Aboriginal Communities* [The Gordon Inquiry] was tabled in Federal Parliament.
- 2004** The National Indigenous Council was appointed to be an advisory body to the Australian government, chaired by Dr Sue Gordon, a WA magistrate.
- 2005** The Single Noongar Claim was the first successful determination over a capital city in Australia.
- 2008** For the first time in history, Aboriginal people performed a Welcome to Country at the opening of the Federal Parliament.
- 2008** On 13 February, the Australian Government publicly apologised to the Stolen Generations.
- 2009** The WA Government announced the formation of the Indigenous Implementation Board to improve social and economic outcomes for Aboriginal people.
- 2009** Australian supported the UN Declaration on the Rights of Indigenous Peoples [UNDRIP].
- 2009** The Australian Government allocated \$4.8 billion to Aboriginal affairs, the largest amount of funding for a single year since Federation.
- 2010** Aboriginal academic and Cobble Cobble woman, Megan Davis, became the first Aboriginal person appointed to a UN body when the Australian government nominated her for the UN Permanent Forum on Indigenous Issues.
- 2010** Noongar/Yamatji man, Ken Wyatt, became the first Aboriginal Australian elected to the House of Representatives in the federal parliament, after successfully contesting the seat of Hasluck.
- 2011** Australia appeared before the UN Human Rights Council's first Working Group on the Universal Periodic Review. It received 145 recommendations covering a wide range of human rights issues including the treatment of asylum seekers, Aboriginal peoples, multiculturalism and racism, and the status of Australia's obligations under international human rights law.

- 2012** WA renamed the '*Foundation Day*' public holiday as '*Western Australia Day*', the first time that Aboriginal people were formally recognised as the original inhabitants and traditional custodians of the state.
- 2013** The Australian Parliament passed the *Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012*.
- 2013** The WA Government replaced the word 'Indigenous' with 'Aboriginal' following consultation with the WA Aboriginal Advisory Board.
- 2015** Noongar Elder, Dr Robert Isaacs, was named Western Australian of the Year.
- 2015** Legislation recognising Aboriginal people as WA's first people passed by State Parliament and incorporated into the preamble of the constitution.
- 2016** A record number of 13 Aboriginal candidates ran in the federal election, with Linda Burney a Wiradjuri woman from NSW elected as Australia's first Aboriginal female Member of Parliament.
- 2017** The City of Fremantle became the first city to move Australia Day celebrations to the 28 January.
- 2017** Noongar/Yamatji man Ken Wyatt became the first Aboriginal Australian Minister elected to the frontbench of the Australian parliament.
- 2017** June Oscar AO, a Bunuba woman from Fitzroy Crossing became the first female Aboriginal and Torres Strait Islander Social Justice Commissioner.
- 2017** Noongar/Yamatji man Ben Wyatt became the first Aboriginal Treasurer and Minister for Aboriginal Affairs in an Australian state or federal government following the WA state election in March.

## THE BRINGING THEM HOME REPORT (1997)

The rights of Aboriginal Australians were recognised by the revealing 1997 *Bringing Them Home Report* (the Report), a national inquiry commissioned by the Australian Government into the '*Separation of Aboriginal and Torres Strait Islander Children from Their Families*' (the Inquiry). The Inquiry was a response to rising concerns that the forced removal of children who are known as the Stolen Generations had never been formally recognised or investigated, and its long-term effects had never been analysed. 2017 commemorates the 20<sup>th</sup> anniversary of the Report.

The Inquiry visited every state and territory capital and most regions of Australia, and took evidence in public and private sittings from various stakeholders, including Aboriginal people, government and church officials, health professionals, police, missions and foster staff. A total of 777 people and organisations provided evidence or a submission and 535 Aboriginal people gave evidence or submissions about their experiences.

The Inquiry found that the removal of Aboriginal children was usually authorised by law, but that those laws violated fundamental common law rights which should have been enjoyed equally by all Australians. As subjects to the British Crown, Aboriginal people should have been allowed the same freedoms and protections that are fundamental to the Australian constitution.

The Report made fifty-four recommendations for reconciliation, of which twenty-three dealt with family history, reunion, information collection and access to records. The Report acknowledged that '*Indigenous children have been forcibly separated from their families and communities since the very first days of the European occupation of Australia*'.

In July 1997, in response to one of the Report's recommendations, the WA Department of Aboriginal Affairs expanded their Aboriginal History Research Unit that uses archival records to assist Aboriginal people in accessing their heritage information.

These services are critical in supporting the healing within the community and helping to mitigate the effects of past government policies that displaced Aboriginal people.

On 13 February 2008 Prime Minister Kevin Rudd delivered a formal apology to the Stolen Generations, their families and communities on behalf of the Commonwealth Government. National Sorry Day, held annually in Australia on 26 May since 1998, acknowledges the Stolen Generations and marks the important date that the Report was released.

**To see the full list of recommendations made by the *Bringing Them Home Report*, visit the [Australian Human Rights Commission website](#).**

## CLOSING THE GAP

*Closing the Gap* is a government strategy, which began in 2008, that aims to reduce disadvantage among Aboriginal and Torres Strait Islander peoples with respect to life expectancy, child mortality, education and employment. It is a commitment made by all Australian governments to achieve Aboriginal health equality by 2030. The following statistics were taken from the Australian Bureau of Statistics (ABS) and offer a useful indicator of where Australia is at with regard to Aboriginal disadvantage and the challenges still faced today.

*"Closing the gap between Indigenous and non-Indigenous Australia is not just about grand speeches or moving Australia Day, it is about empowering Aboriginal communities to make their own changes and overcoming racism — one bigot at a time."*

Kia Dowell, a Gija woman, 2016

### Health

- In 2012-2013, Aboriginal Australians were 4 times more likely to be hospitalised for chronic conditions compared with non-Aboriginal Australians.
- In 2012 the rate of disability for Aboriginal Australians was 1.7 times the rate for non-Aboriginal Australians.
- In 2012-2013, Aboriginal Australians were 3 times more likely to suffer from diabetes compared with non-Aboriginal Australians, and the death rate for diabetes among Aboriginal people was 7 times higher.
- The maternal death rate for Aboriginal women was almost 3 times the rate for non-Aboriginal women who gave birth between 2006- 2010.
- The suicide rate in Aboriginal people has increased from 5% of total Australian suicide in 1991, to 50% in 2010, despite making up only 3% of the total Australian population.
- For young people, aged 10-24 years old, Aboriginal youth suicide rose from 10% in 1991 to 80% in 2010.
- The hospitalisation rate for intentional self-harm for Aboriginal Australians increased by almost 50% from 2004-05 to 2012-13.
- Aboriginal adults were 3 times more likely to experience high/very high levels of psychological distress in 2012-13 compared with non-Aboriginal adults.
- In 2010 it was estimated that up to 40% of Aboriginal youth aged 13-17 will experience some form of mental illness.

## Life Expectancy

- In 2008-2012, infant mortality rates for Aboriginal children was almost double that for non-Aboriginal children (6.2 infant deaths per 1,000 live births, compared with 3.7 per 1,000 live births).
- Non-Aboriginal women born in 2010-2012 in Australia can expect to live a decade longer than Aboriginal women born the same year (84.3 years and 73.7 years respectively).
- The gap for men is even larger, with a 69.1 year life expectancy for Aboriginal men and 79.9 years for non-Aboriginal men.
- Death rates for Aboriginal Australians in some age groups were 5 or more times higher than for non-Aboriginal Australians between 2009-2013 in South Australia, Western Australia and the Northern Territory.

## Education and Employment

- The proportion of Aboriginal 20-24 year olds who completed year 12 or equivalent was 59 per cent in 2012-13 compared with 86 - 88 per cent for non-Aboriginal Australians.
- In 2013, 7.3% of the Aboriginal potential year 12 population achieved an ATAR of 50.00 or above, compared with 44.3 per cent non-Aboriginal young people.
- In 2012, the unemployment rate for Aboriginal Australians was around five times the rate for non-Aboriginal Australians.

## Family and Community

- In 2011, 19.3% of Aboriginal people were living below the poverty line, compared with 12.4% of other Australians.
- 23% of Aboriginal Australians lived in overcrowded households in 2012-13. In very remote areas the proportion was 53-63%.
- The proportion of Aboriginal households living in houses of an acceptable standard (including structural issues and working facilities) was just 78% in 2012-13.
- The median income for Aboriginal households was just over half that of non-Aboriginal households in 2011-13 [\$465 compared with \$869].
- Between 2004-05 and 2012-13, hospitalisation rates for family violence-related assault for Aboriginal Australians in NSW, Victoria, Queensland, WA, SA and the NT were between 25.1 and 32.8 times the rates for other Australians.
- The rate of Aboriginal children on care and protection orders was 49.3 per 1000 children at 30 June 2013, compared with 5.7 per 1000 non-Aboriginal children.

## Incarceration

- Although Aboriginal Australians make up only 3% of the adult Australian population, they accounted for over a quarter (27.4%) of the adult prison population in 2013.
- In 2013, Aboriginal adults were 13 times more likely to be imprisoned than non-Aboriginal adults.
- In 2012-13, the average detention rate for Aboriginal young people was around 24 times the rate for non-Aboriginal young people.
- In 2008, almost half of Aboriginal males (48%) and 21% of females aged 15 years or over had been formally charged by police [over their life time].

## CONSTITUTIONAL RECOGNITION

### **Constitutional recognition is a movement to recognise Aboriginal and Torres Strait Islander peoples in the Australian Constitution.**

The Australian Constitution currently does not contain any reference to the First People of Australia. No Aboriginal people were consulted during the drafting of the Constitution in 1901, and were not permitted to be involved in the ratification process.

Since then, many Australians have advocated for changes to the Constitution and much work has been done on what form recognition should take.

In 2011 the Commonwealth Government appointed an Expert Panel to report to the Government on the options for constitutional change and approaches to a referendum that would be most likely to obtain widespread support across the Australian community. In 2015 a Parliamentary Joint Select Committee, chaired by the Hon Minister Ken Wyatt completed its work.

On 7 December 2015, in a bipartisan agreement, Prime Minister, Malcolm Turnbull, and Leader of the Opposition, Bill Shorten appointed a Referendum Council to consult widely throughout Australia and move towards achieving constitutional recognition of Aboriginal and Torres Strait Islander peoples.

The guiding principles of the Council's assessment of proposed models for constitutional recognition must:

1. Contribute to a more unified and reconciled nation;
2. Be of benefit to and accord with the wishes of Aboriginal and Torres Strait Islander peoples;
3. Be capable of being supported by an overwhelming majority of Australians from across the political and social spectrums; and

4. Be technically and legally sound.

Constitutional Recognition is distinct from a treaty or treaties, and the two are not exclusively mutual. Constitutional Recognition gives Aboriginal people recognition in the nation's law-guiding document. Regardless of a call for Treaties, Constitutional Recognition is an important step forward in progressing rights for Aboriginal and Torres Strait Islander people.

## TREATY/MAKARRATA

**Makarrata is a Yolngu word that is applied to describe a process of peacemaking and conflict resolution.**

The term Makarrata was first applied to describe the concept of a treaty in 1979, by way of resolution of the National Aboriginal Conference (NAC) committee whom requested that a 'Treaty for Commitment' (Makarrata) be executed between Aboriginal Australia and the government.

The Makarrata proposal put forward included provision for matters such as:

- the protection of Indigenous identity, language, law and culture
- the recognition and restoration of rights to land
- the conditions governing mining and exploration of natural resources on Indigenous land
- compensation to Indigenous Australians for the loss of traditional lands and to their traditional way of life
- the right of Indigenous Australians to control their own affairs and to establish their own associations for the purpose.

The 1979 Makarrata was discussed by the

Commonwealth Cabinet in 1981, however 'put on hold to await more positive proposals from NAC' to resume future discussions. The discussions did not progress.

In 2017 the Referendum Council presented its final Makarrata report to the Prime Minister, reviving the tenets of the original 1979 Makarrata. Commonly known as the *Uluru Statement from the Heart* it called for a Makarrata Commission to supervise the process of agreement making between Aboriginal people and the government, in addition to a constitutionally enshrined 'Voice to Parliament' in the form of a national Aboriginal and Torres Strait Islander representative body.

It was finalised following nation-wide consultation by the Referendum Council, which undertook 13 regional dialogue forums from December 2016 with a final national convention held at Uluru in May 2017. The report also states that the preceding work of the Expert Panel and Parliamentary Joint Select Committee, since 2011, largely informed its recommendations.

For more information on the Uluru Statement, visit: [Referendum Council website](#)

For more information on treaty campaigns in Australia, visit: [AIATSIS treaty page](#)

## Research Questions:

**What are some examples of human rights?**

**What is the United Nations Declaration on Human Rights?**

**Do you think intergovernmental organisations such as the UN are important? Why/ Why not?**

**Why do you think Australia voted against the UN General Assembly adopting the UNDRIP?**

**Why is acknowledgement of the Stolen Generations still important today?**

**Do you think the Closing the Gap campaign has succeeded? Why/Why not? What would you do if you were a Minister for Health or Education in Australia?**

**Why do you think the 1979 Makarrata agreement was not adopted by Cabinet in 1981?**

## Activities:

**Listen** to Paul Kelly's "From Little Things, Big Things Grow." This song was written about Vincent Lingiari and the Wave Hill Walk Off. How do you think Kelly's message could be applied to the issues presented by the Closing the Gap campaign?

**Explore** the Universal Declaration of Human Rights and create a list of those rights that the Australian government were breaching pre-1967.

Further resources for teachers on Human Rights, Civics and Citizenship, can be found at the Australian Human Rights Commission's [Human rights in the classroom](#) website.

Please see 'Teachers Resource' section for more resources and project suggestions.

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## MABO DECISION, LAND RIGHTS AND NATIVE TITLE

*"The victory of the 1967 Referendum was not a change of white attitudes. The real victory was the spirit of hope and optimism which affected blacks all over Australia. We had won something... We were visible, hopeful and vocal."*

Oodgeroo Noonuccal, (Kath Walker), Minjerribah woman, 1970



Demonstration in support of Aboriginal rights.  
Image: National Archives of Australia: A6180, 5/3/74/88

The Referendum result is seen by many as a catalyst for positive changes for Aboriginal people. Since 27 May 1967, laws in some states have been passed in relation to land rights, anti-discrimination and the preservation of cultural heritage.

The 1992 Mabo vs Queensland (No. 2) High Court decision is one such case, a milestone in Aboriginal people's rights. 2017 marks its 25th anniversary, which led to the Native Title Act of 1993, an important step forward in improving rights for Aboriginal Australians today.

## ᑭᑭᑭᑭᑭ ᑭᑭᑭᑭᑭ! THIS IS OUR LAND!

The British settlers took our land. No treaties were signed with the tribes. Today we are REFUGEES. Refugees in the country of our ancestors. We live in REFUGEE CAMPS— without land, without employment, without justice.

The British Crown signed TREATIES with the Maoris in New Zealand and the Indians in North America.

We appeal to the Queen to help us, the Aboriginal people of Australia.

We need land rights and political representation now. SIGNED:

*Larrakia petition to the Queen, 1972.*

Image: National Archives of Australia: A2354, 1973/86

**DID YOU  
KNOW?**

The *Aboriginal Land Rights (Northern Territory) Act 1976* was the first piece of legislation passed to legally recognise Aboriginal land through a claim process.

## The Aboriginal Land Bill (WA) 1985

In May 1983 the WA Labor Government led by Brian Burke announced an inquiry into the means of protecting Aboriginal relationships with the land under the direction of Commissioner Paul Seaman QC. As part of this inquiry a series of hearings were conducted in the north and central parts of the State. By December 1983, the inquiry had received 195 written submissions and in 1984 a discussion paper, known as the Seaman Inquiry, was released that proposed possible management processes for claims to land.

As a consequence, an Aboriginal Land Bill was introduced in the Legislative Assembly the following year but was defeated in the Legislative Council. The Seaman Inquiry submissions and reports are held at the State Archives of Western Australia.

## Vincent Lingiari and Gough Whitlam

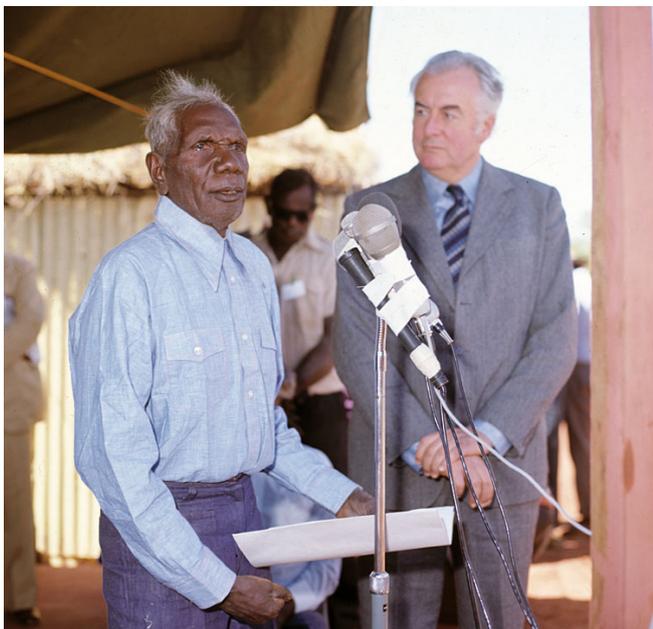


Image: Vincent Lingiari speaking at the Wave Hill handover.  
National Archives of Australia: A8598, AK21/4/80/9

**This photograph records the historic moment the Gurindji people of the Northern Territory became the first Aboriginal people to be granted leasehold title to their traditional lands.**

In 1966, 200 Aboriginal stockmen led by Gurindji Elder Vincent Lingiari, demanded equal pay at the Wave Hill cattle station and walked off the job. The station was on traditional Gurindji land and the demands soon included the return of their lands.

The presence of the then Prime Minister Gough Whitlam in the photograph above is a reminder of the crucial role that the Commonwealth Government played, who purchased the land from the British pastoral company Vestey's before handing title to the Gurindji people at a special ceremony.

Vincent Lingiari (1908–88) is pictured accepting the lease documents from Whitlam. In his speech, Lingiari stated that Aboriginal people and all other Australians should now 'live happily together as mates' and 'not fight over anything'. At the ceremony Whitlam poured a handful of soil slowly into Lingiari's hands and said,

*"I put into your hands this piece of the earth itself as a sign that we restore them [lands] to you and your children forever".*

**In 1976 the land covered by the lease was converted to full freehold title under the Aboriginal Land Rights Act 1976 (Northern Territory). This gave the Gurindji people the rights of land ownership.**

## Mabo v Queensland (No. 2)

### **The Mabo Case was a landmark decision in progressing Aboriginal Native Title rights.**

In May 1982, Eddie Mabo and four other Meriam people of the Murray Island (Mer) began action in the High Court of Australia to legally confirm their traditional Native Title rights. It was claimed that the Meriam people of Murray Island (Mer) could prove continuous possession of the island. Although it was agreed that the Commonwealth Government had settled the islands in 1879, the people of Mer argued that their rights to custodianship had not been erased by British sovereignty. On 3 June 1992, following a decade of litigation, six of the seven presiding judges found that the Meriam people were:

*'entitled as against the whole world to possession, occupation, use and enjoyment of (most of) the lands of the Murray Islands'.*

This judgement is colloquially referred to as, 'The Mabo Case.' The *Native Title Act 1993* is the legislation enacted as part of the Commonwealth Government's response to the decision.

### **The Mabo Case challenged two perspectives of the Australian legal system:**

- That Aboriginal and Torres Strait Islander peoples had no concept of land ownership before colonisation.
- That British sovereignty over Australia surrendered the ownership of all land to the Crown and abolished any existing rights to land.

## **DID YOU KNOW?**

Terra nullius is loosely defined as 'land belonging to no-one.' At the time of British settlement it was decided that the Australian continent belonged to no one. However the Mabo Case revoked this notion, as it disputed 'terra nullius' and found that Aboriginal people had existing customary laws and thus had existing Native Title rights.

## Steve Mam

*“In these contemporary times we also struggle to convey the importance of connection to country and place.”*

Steve Mam, Torres Strait Islander Elder, undated

Steve Mam was born at Moa Island in the Western group of the Torres Strait Islands. Throughout his life he was an active member of the Aboriginal community, as well as a political advocate. It is recounted that the turning point in his life was the 1967 Referendum when he became a political activist and began committing himself to fighting for the rights of Aboriginal people.

He played a significant role in numerous Aboriginal community organisations and representative bodies including Inna Torres Strait Islanders Incorporation, Born-Free Club, Kambu Medical Centre, Yalangi Preschool, the Dreamtime Cultural Centre, the National Secretariat of Torres Strait Islanders, the National Indigenous Development Alliance (NIDA) and the Wagga Torres Strait Islanders Dance Company.

In 1979 Steve became a founding member and State Chairperson of the National Aboriginal Conference (NAC - see Treaty/Makarrata in Human Rights section) and was a Native Title political supporter during the Mabo vs Queensland [No.2] High Court hearings.

Steve was a co-founding member of the Aboriginal and Islanders' Community Health Service (AICHS) in Brisbane, Aboriginal & Torres Strait Islander Legal Services, and Black Community Housing Service. He was also elected Regional Councillor of the Aboriginal and Torres Strait Islander Commission (ATSIC) from its inception in 1989 until its finish in 2004.

Steve believed that a strong foundation for individuals, families and the community was essential. He was a passionate supporter of autonomy for Aboriginal people, self-determination and economic development, and always said it was important to “listen, understand, ask questions and take action”.

## Native Title

Aboriginal people traditionally have a deep connection to the land that is core to spiritual, cultural, and religious wellbeing. Native Title rights and interests relate to land and waters that are held by Aboriginal and Torres Strait Islander peoples under their traditional laws and customs, and recognised by common law. Native Title may exist in cases where this connection has remained substantially uninterrupted since British colonisation. Particular rights and interests may include the right to live and camp in the area, conduct ceremonies, hunt and fish, build shelter, and visit places of cultural importance.

The Federal and High Courts, in conjunction with state governments and Native Title Representative Bodies [that represent Aboriginal claimants] determine whether Native Title does or does not exist in given areas and whether a claim to land has been accepted.

See if the area you live is covered under a Native Title claim:

<http://www.nntt.gov.au/searchRegApps/Pages/default.aspx>

Native Title may exist in the following places:

- vacant or unallocated Crown land;
- some reserve lands such as national parks, State forests and public reserves;
- various pastoral and agricultural leases;
- land held by or for the benefit of Aboriginal people or Torres Strait Islanders;
- oceans, seas, reefs, lakes, rivers, creeks, swamps and other waters that are not privately owned.

## Native Title Representative Bodies and Service Providers (NTRB and NTRSP)

NTRB's and NTRSP's are federally funded independent organisations, which act on behalf of Native Title claimants interests, to assist in the preparation and process of applying for Native Title claims. In WA there are five NTRB's. These are:

### **Kimberley Land Council**

Kimberley region

### **Yamatji Marlpa Aboriginal Corporation**

Pilbara and Geraldton regions

### **Central Desert Native Title Services**

Central Desert region

### **Goldfields Land and Sea Council Aboriginal Corporation**

Goldfields region

### **South West Aboriginal Land and Sea Council Aboriginal Corporation**

South West region

## Native Title Prescribed Body Corporates (PBC)

When a determination recognising Native Title is made, a PBC must be established to represent the successful applicants and their interests. If a mining company, for example, wishes to mine on land that has been determined under the *Native Title Act 1993*, the mining company must first approach the PBC for permission to enter the area.

## Aboriginal Tent Embassy

The Aboriginal Tent Embassy was established by activists on the lawns of Parliament House in Canberra on 26 January 1972, in response to the McMahon government's failure to recognise land rights. By 1992 the Embassy became a permanent fixture and remains there today. The image below depicts protestors at the Aboriginal Tent Embassy in 1974.



Image: Protestors at the Aboriginal Tent Embassy.  
National Archives of Australia, A6180, 14/3/74/338

## Research Questions:

**What is terra nullius?**

**What two perspectives of the Australian legal system did the Mabo case challenge?**

**Who was Vincent Lingiari and why was he significant to Aboriginal Australia?**

**What was the significance of the Aboriginal Tent Embassy? How is this relevant today?**

## Activity:

**Native Title:** The National Native Title Tribunal website provides detailed and current spatial data on a national, state and territory and regional level. Go to their website and explore the current Native Title claims for your area:

<http://www.nntt.gov.au/assistance/Geospatial/Pages/Maps.aspx>

Please see 'Teachers Resource' section for more resources and project suggestions.

## Sources:

Austlii, [Documents of reconciliation](#)

Australian Bureau of Statistics:  
<http://www.abs.gov.au/Ausstats/abs@.nsf/Previousproducts/1301.0Feature%20Article21995>

Australian Institute of Aboriginal and Torres Strait Islander Studies, [The MABO case and the Native Title Act](#)

Chris Owen, *'Every Mother's Son is Guilty: Policing the Kimberley Frontier of Western Australia 1882-1905'*, Nedlands, UWAP, 2016, p.452.

Department of Premier and Cabinet, [What is Native Title](#)

Department of Premier and Cabinet, [Representative bodies](#)

Kia Dowell, *ABC Online*, ['Everyone has a role to play in closing the gap between Indigenous and non-Indigenous Australia, Kia Dowell writes'](#) 9 February 2016

National Indigenous Times: [Vale Uncle Steve Mam](#)

National Native Title Tribunal

SIBW, [Uncle Steve Mam](#)

State Library of Queensland: [Yarnin' time with Uncle Steve Mam](#)

## PRIMARY SOURCE DOCUMENTS

### NATIONAL ARCHIVES OF AUSTRALIA DOCUMENTS

The National Archives of Australia in Canberra and Perth hold a range of records relating to the 1967 Referendum, that were created by the government agencies that played key roles in the planning, delivery and reporting on the results. These include records documenting Cabinet discussions, records of the Departments' of the Prime Minister and Attorney-General, and records from the Chief Electoral Office. After analysing approximately 40,000 pages of archived records, a short summary of the most significant files in relation to Western Australia and the campaign more broadly have been provided in this section.

You can view these files online at the National Archives of Australia [NAA] website, or order them for viewing from the NAA at Victoria Park. <http://www.naa.gov.au/collection/factsheets/fs150.aspx>

#### Table of Contents

File Title	File Location	Key Words
Constitutional alteration bills – Procedure in Parliament and referendum, 1967	NAA: A463, 1965/ 5445	Draft speeches, Constitutional alteration bill, legislation, administrative
Referendum, 1967: Constitution alteration – report on conduct of referendum	NAA: A406, E1967/30 PART P	Post-referendum reports, challenges, divisions
Aboriginal Affairs – Suggested referendum to transfer responsibility to Federal Government	NAA: A432, 1961/3189	Recommendations, Attorney- General's Office, Office of the Prime Minister, letters, telegrams

<b>File Title</b>	<b>File Location</b>	<b>Key Words</b>
Aborigines - Commonwealth Policy and Administration	NAA: A4940,C4604	Post-referendum, implementation of policy, Aboriginal people, 'Yes' result, Cabinet minutes, statements from the Prime Minister, policy reforms, State vs Federal
Referendum, 1967: Constitution alteration - referendum results and general returns	NAA: A406, E1967/30 PART K	Administrative, running the referendum, processes, running tally totals, national and state
1967 Referendum - Constitutional alteration - Main file	NAA: A406, E1967/30	Administrative, Commonwealth Electoral Office in Canberra, practical organisation, printing shipping ballot papers, postal votes, polling locations, voter's rights and responsibilities
Constitutional amendments 1965- Referendum	NAA: A4940, C4257	Administrative, legislative information, correspondence, Prime Minister Harold Holt, the Attorney General's Office, politicians
Proceedings in Parliament and submissions of case	NAA: A1209, 1967/7251	Letters, cablegrams, speeches, formal statements, the Prime Minister's Office, promotional material, the nexus question, transcripts, comments, Prime Minister Harold Holt, the 'Case of YES'
Requests for submission to referendum - question of treatment of Aborigines	NAA: A432, 1953/2029	Recommendations, Referendum proposal, the Attorney- General's Department, Kim Edward Beazley, Gillespie Douglas, the Aborigine Uplift Society.
Referendum 1967 Polling Place & Referendums 1967 DROS Reports	NAA: PP631/1, WE1967/538 NAA: PP631/1, WE1967/559	Commonwealth Electoral Office, Result of Count, Divisions, post- referendum reports, polling results.
1967 Referendum - DRO's [divisional returning officers] returns [Commonwealth Electoral Office]	NAA: WE67/541	Results, referendum, WA, divisions, subdivisions, Canning, Curtin, Forrest, Fremantle, Kalgoorlie, Moore, Perth, Stirling, Swan.

# CONSTITUTIONAL ALTERATION BILLS – PROCEDURE IN PARLIAMENT AND REFERENDUM, 1967

**NAA: A463, 1965/5445**

**Number of Pages: 210**

[Link to file](#)

This file contains draft speeches written for Senator N.H.D Henty for the first and second reading of the two Constitution Alteration Bills. It also includes various transcripts from the Senate readings of the bills. Most of this text refers to the proposed amendments to the Parliament, however the intermittent references to Aboriginal rights express the wish to leave in Section 51 unchanged and only repeal Section 127 on the census.

## Interesting Points

*“What should be aimed at, in view of the Government, is the integration of the Aborigine in the general community, not a state of affairs in which he would be treated as being a race apart.”*

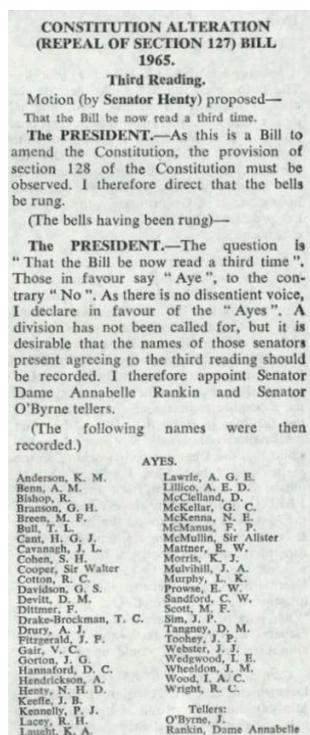
Constitution Alteration [Repeal of Section 127] Bill 1965 Second Reading Speech, Hon. N.H.D Henty, Page 29

*“As 50 senators have agreed to a third reading, I certify that the third reading has been agreed to by an absolute majority.”*

Constitutional Alteration [Repeal of Section 127] Bill 1965, Third Reading, Motion by Senator Henty, Page 189

## Pages of Interest

Page 189: Constitutional Alteration [Repeal of Section 127] Bill 1965, Third Reading, Motion by Senator Henty.



A transcript from the third Senate reading of the Constitutional Alteration [Repeal of Section 127] Bill 1965.

# REFERENDUM, 1967: CONSTITUTION ALTERATION – REPORT ON CONDUCT OF REFERENDUM

**NAA: NAA: A406,  
E1967/30 PART P**

**Number of Pages: 262**

[Link to file](#)

This file contains the post-referendum reports sent from each division in the nation. The pages referring to Western Australia are located from 208 to 229. These discuss the challenges faced by each division, such as missing ballot papers, difficulty recruiting staff and the costs of the referendum to each division. Each report also includes praise for the Commonwealth Electoral Office for implementing new provisions, such as wooden voting screens, that increased the efficiency of the voting process in the lead up to, and on the day of the Referendum.

## Interesting Points

Reports from the division of Curtin revealed that it rained on the day of the Referendum.

## Pages of Interest

Pages 208 to 229 are the WA Divisions results.

# ABORIGINAL AFFAIRS – SUGGESTED REFERENDUM TO TRANSFER RESPONSIBILITY TO FEDERAL GOVERNMENT

**NAA: A432, 1961/3189**

**Number of Pages: 38**

[Link to file](#)

This file contains recommendations to the Attorney-General's Office and the Office of the Prime Minister, in regards to the economic and social implications of amending the Constitution. These letters and telegrams range from 1961 to 1964, and include exchanges from the Anti-Slavery Society, The Methodist Church of Australasia, the Cattle Industry of Northern Australia and the Original Australians Progress Association.

## Interesting Points

*"... social, cultural and economic equality, are matters of great and current concern to all Australian Governments..."*

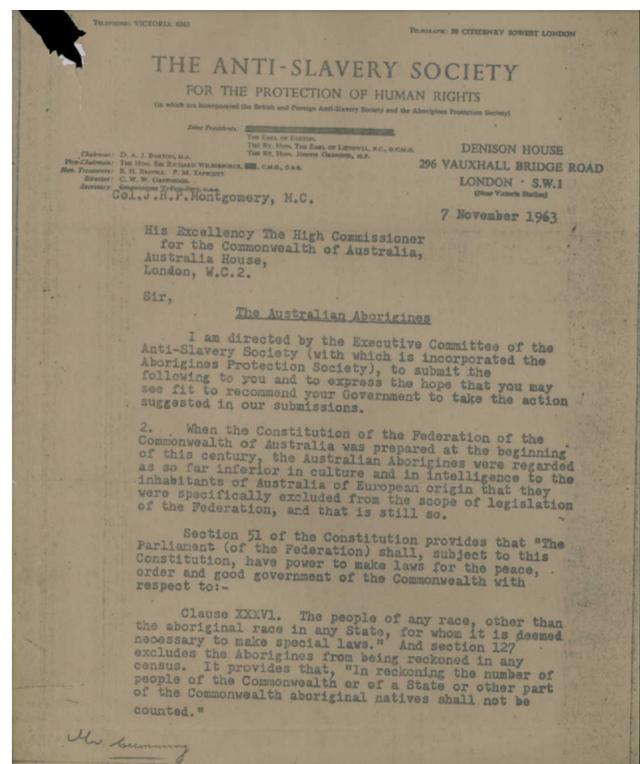
E.J. Bunting, 1964, Page 3

*"Members of our group were unanimous in condemning the injustices in the Constitution which discriminate the original inhabitants of this continent."*

E.A. Brotheridge, Page 34

## Pages of Interest

Page 35: The Anti-Slavery Society, London, 7 November 1963



A letter from the Anti-Slavery Society in London to the High Commissioner to the Commonwealth, seeking immediate action on Section 51 of the Australian Constitution.

## ABORIGINES - COMMONWEALTH POLICY AND ADMINISTRATION

**NAA: NAA: A4940, C4604** Dating post-Referendum, this file contains documents that discuss the implementation of policy for Aboriginal people, in light of the Referendum's 'Yes' result. This includes Cabinet minutes and statements from Prime Minister Harold Holt, on the possible policy reforms that could be made to satisfy the changes to the Constitution. It is debated whether formulating national policies would remove power from the state government.

**Number of Pages: 63**

[Link to file](#)

### Interesting Points

In the time between the Referendum and the next sitting of the Cabinet, a two yearly conference of Ministers was held in Perth. Their main point of business was discussing the impending constitutional amendment. They agreed that Aboriginal Affairs should be expanded into a joint Commonwealth-State responsibility, but that each state be responsible for developing and meeting small development targets to ensure advanced welfare of the Aboriginal people, page 16.

In 1972, the Whitlam Government upgraded the Office of Aboriginal Affairs to the Aboriginal Affairs Department (ADD) and introduced 'self-determination' as a key guiding principle in Aboriginal Affairs policy-making.

[Indigenous Affairs](#)

# REFERENDUM, 1967: CONSTITUTION ALTERATION – REFERENDUM RESULTS AND GENERAL RETURNS

**NAA: A406, E1967/30  
PART K**

**Number of Pages: 52**

This file contains the logistical information on the running of the referendum and the processes by which results are to be transmitted back to the head tally room in Canberra’s Albert Hall. It also includes running tally totals on a national and state level.

[Link to file](#)

**REFERENDUM – 27 MAY 1967**

**Proposed Law—“Constitution Alteration (Aboriginals) 1967”**

**Tally Sheet**  
*Finals*  
*Final Percentage - Total Votes for/against*

State	RESULTS UP TO—				RESULTS UP TO—				RESULTS UP TO—			
	Yes	No	Informal	Total	Yes	No	Informal	Total	Yes	No	Informal	Total
New South Wales <sup>16/6/67</sup>	1,949,036	182,010	38,461	2,166,507	84.17	7.86	1.53	93.56				
Victoria <sup>20/6/67</sup>	1,525,026	85,611	19,959	1,630,596	87.94	4.94	1.15	94.02				
Queensland <sup>19/6/67</sup>	748,612	90,587	9529	848,728	82.71	10.00	1.05	93.77				
South Australia <sup>13/6/67</sup>	473,440	75,383	12,021	560,844	80.21	12.77	2.04	95.02				
Western Australia	319,823	75,282	10,561	405,666	78.09	17.20	2.41	92.71				
Tasmania <sup>18/6/67</sup>	167,176	18,134	3,935	189,245	88.38	9.09	1.97	94.84				
Totals	5,183,113	527,007	91,464	5,801,584	88.84	8.52	1.48	93.84				

A tally sheet recording the vote count of the six states. This is one of many running tally sheets involved in the counting of votes for the 1967 Referendum.

# 1967 REFERENDUM – CONSTITUTIONAL ALTERATION – MAIN FILE

**NAA: A406, E1967/30**

**Number of Pages: 262**

[Link to file](#)

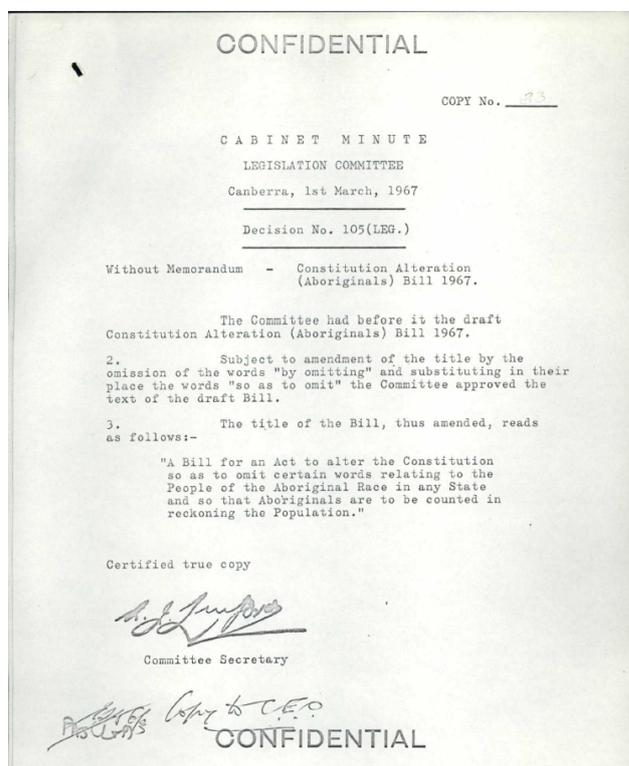
Mainly containing administrative information, this file holds material sent to and from the Commonwealth Electoral Office in Canberra in regards to the logistical organisation of the Referendum, including printing and shipping ballot papers, organising postal votes and polling locations, and ensuring electors were informed of their rights and responsibilities. These communications are dated from the Referendum year, 1967.

## Interesting Points

A telegram sent from the Commonwealth Electoral Office for Western Australia 17 April 1967 confirmed that seven reams of pink ballot-paper, which had been shipped from Sydney the day before, arrived in Perth on the 11 April, Page 24.

## Pages of Interest

Page 106: Cabinet Minutes: Ad Hoc Committee, Canberra 28<sup>th</sup> February 1967



An excerpt from Cabinet minutes, dated 1 March 1967. It details the Australian Cabinets amendments to the language of the Constitutional Alteration [Aboriginals] Bill 1967.

# CONSTITUTIONAL AMENDMENTS 1965- REFERENDUM

**NAA: A4940, C4257**

**Number of Pages: 360**

[Link to file](#)

Largely an administrative file, the contents are mostly legislative information in regards to the most successful way to achieve a 'Yes' vote on the nexus question, and the legal capacity for the Commonwealth to legislate for the Aboriginal people. This is shown primarily through correspondence between Prime Minister Harold Holt, the Attorney General's Office, and various other politicians.

## Interesting Points

The following was debated:

### **Which proposal shall accompany the Constitutional amendment in regards to Aboriginal rights?**

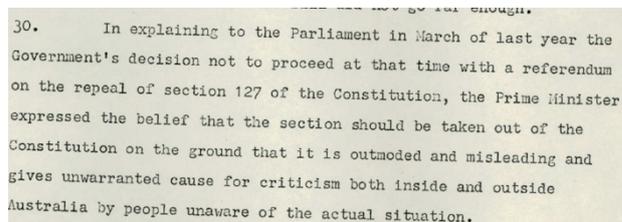
The 'nexus question' was attached to the referendum, as they knew that the amendment in regards to Aboriginal rights would pass, and they wanted to pass legislation to increase the number of seats in the House of Representatives with it.

### **The date for the Referendum**

The Chief Electoral Officer stated that the earliest the polling date would be 17 June, the Ad Hoc committee decided to keep the preferred date before 30 May.

*"Before these proposals could become law, they would have to be approved by a referendum of the people."*

Prime Minister Harold Holt page 202.



30. In explaining to the Parliament in March of last year the Government's decision not to proceed at that time with a referendum on the repeal of section 127 of the Constitution, the Prime Minister expressed the belief that the section should be taken out of the Constitution on the ground that it is outmoded and misleading and gives unwarranted cause for criticism both inside and outside Australia by people unaware of the actual situation.

An excerpt from a paper drafted for Cabinet by officers of the Attorney- General's Department, the Department of the Interior and the Prime Minister's Department, outlining various matters regarding the proposed constitutional amendments.

"The Prime Minister expressed the belief that [Section 127] should be taken out of the Constitution on the ground that it is outmoded and misleading and gives unwarranted cause for criticism both inside and outside Australia by people unaware of the actual situation."

Page 143.

## REQUESTS FOR SUBMISSION TO REFERENDUM – QUESTION OF TREATMENT OF ABORIGINALS

**NAA: A432, 1953/2029**

**Number of Pages: 25**

[Link to file](#)

This file contains recommendations and comments in regards to the Referendum proposal, made from various stakeholders to the Attorney-General's Department. Such stakeholders include West Australian politician Kim Edward Beazley and Gillespie Douglas, President of the Aborigine Uplift Society. These correspondence range in date from December of 1945 to August 1951.

### Interesting Points

*"In West Australia the conditions are deplorable."*

Gillespie Douglas, Page 15

*"May I as President of the Aborigines Uplift Society appeal to your deep humanitarianism to help me to obtain common justice for the Aborigines of Australia who have been for 150 years so cruelly treated by our own white race."*

Gillespie Douglas, Page 18

### Pages of Interest

Page 12: RE Referendum on power to legislate respecting Aboriginal People, Kim Edward Beazley, on 2 September 1947.

Page 143.

## REFERENDUM 1967 POLLING PLACE FIGURES AND REFERENDUMS 1967 DROS REPORTS

**NAA: PP631/1,  
WE1967/538 and NAA:  
PP631/1, WE1967/559**

[Link to NAA: PP631/1](#)

[Link to NAA: WE1967/559](#)

These files contain the polling tallies for the Western Australian divisions. These tallies have been included for your interest. The second file contains post-Referendum reports from the divisions which cover information such as absentee votes, lost ballot papers, administrative challenges, or any issues faced during the undertaking of the referendum. The information provided in these papers is explored in greater detail in the Introduction and Compare and Contrast sections of this toolkit.

## 1967 REFERENDUM - DRO'S [DIVISIONAL RETURNING OFFICERS] RETURNS [COMMONWEALTH ELECTORAL OFFICE]

**NAA: WE67/541**

**Number of Pages: 46**

[Link to file](#)

This file contains the tally counts for the subdivisions of WA's federal divisions. These subdivisions are Canning, Curtin, Forrest, Fremantle, Kalgoorlie, Moore, Perth, Stirling and Swan. Each of the tally counts in this file has been broken down into the tally count for their respective subdivisions. This information is analysed in greater detail in the Compare and Contrast section of this toolkit.

## STATE RECORDS OF WESTERN AUSTRALIA FILES

**The State Records Office of Western Australia (SROWA) delivers archival services to State and Local Government agencies and the general public. The SROWA holds the largest archival collection in Western Australia and is one of the most important historical and cultural resources belonging to the people of WA.**

The SROWA are the custodians for the archival records relating to the Aboriginal people of WA, dated 1886 – 1972 and administered by the Department of Aboriginal Affairs and its preceding agencies. These files contain invaluable information relating to legislation enacted and policies affecting Aboriginal people in WA. After analysing the vast number of documents under the custodianship of the SROWA relating to the Referendum, the most relevant have been extracted and summarised.

You can view these files at the State Records Office in Perth.

### Table of Contents

File Title	File Location	Key Words
Amendments to Legislation Dealing With Natives	Cons993 1965/242	Legislation, Western Australia, Northern Territory, Commonwealth, liquor laws , constitutional amendments, newspaper clipping
Departmental News Sheets	Cons1733 1967/51	Newsletter, Western Australia, Native Welfare Department, newspaper clippings

## AMENDMENTS TO LEGISLATION DEALING WITH NATIVES

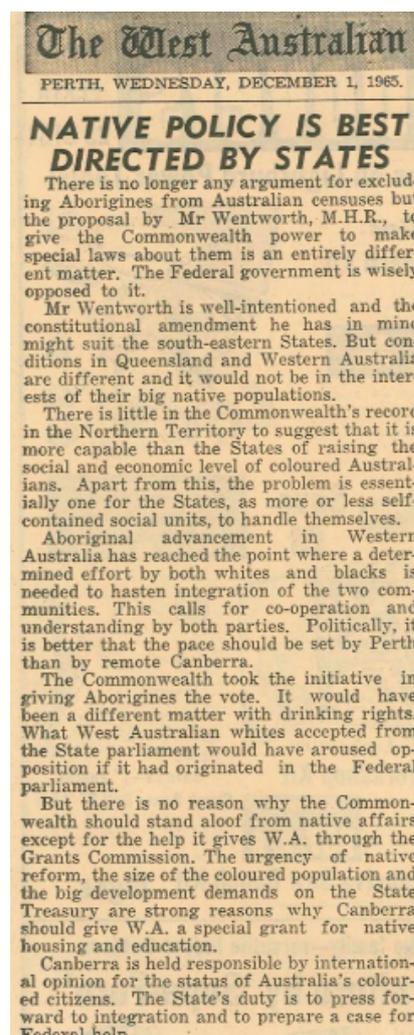
**Consignment 993; Item 1965/242**

**Number of Pages: 260**

This file contains documentation on the amendments made to various legislation regarding Aboriginal people in Western Australia, the Northern Territory and at a federal level. The vast majority of this information is related to liquor laws and the legal definition of a person from the Torres Strait Islands. However, towards the end of the document, between pages 221 and 228, the file adopts a focus on the Constitutional amendments. The file contains historical clippings from newspapers that have reported on the progress towards the Constitutional amendments.

### Pages of Interest

Pages 221- 228: Various newspaper articles from The Australian, The Sunday Times and the West Australian



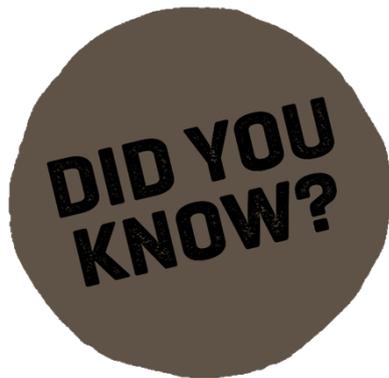
Newspaper article from the West Australian circa 1965, titled 'Native Policy is Best Directed by States'  
Image: Department of Aboriginal Affairs: Consignment 993 1965/242

## DEPARTMENTAL NEWS SHEETS

**Consignment 1733;  
Item 1967/51**

**Number of Pages: 419**

This file mostly contains documentation on the distribution of the Department of Native Affairs newsletter. This includes correspondence from the Department of Native Affairs and various schools, church groups, businesses and other stakeholders about receiving their newsletter. This correspondence dates after the Referendum and includes newspaper clippings on Aboriginal affairs. The discourse used within the Native Affairs Newsletter symbolises the beginning of the governmental transition away from assimilationist policy, and towards self determination policy.



### Self Determination Policy

This policy can be described as *'the fundamental right of Aboriginals to retain their racial identity and traditional lifestyle or, where desired, to adopt wholly or partially a European lifestyle'*, and has encouraged Aboriginal participation or control in local or community government, and in other areas of concern. This approach has been accompanied by government support programs managed by Aboriginal organisations.

### Integration Policy

The term 'integration' was used to denote a policy that recognised the value of Aboriginal culture and the right of Aboriginals to retain their languages and customs and maintain their own distinctive communities. It heavily involved the government developing new approaches for Aboriginal people.

## Research Questions:

**Why is the keeping of historical records like these important?**

**How many times is a bill traditionally read in Parliament?**

**How many Electoral Divisions were in WA at the time of the Referendum? Is this different now? If so, how?**

## Activity:

The document 'Proceedings in Parliament and submissions of case' contains Referendum propaganda from the Federal Council for the Advancement of Aborigines and Torres Strait Islanders. They were encouraging people to write campaign slogans to the tune of Waltzing Matilda. Thinking about the 1967 Referendum, try and come up with a new verse.

Please see 'Teachers Resource' section for more resources and project suggestions.

## **INFORMATION FOR TEACHERS: QUESTIONS FROM THE INFORMATION TOOLKIT**

**The following contains extracts of the research questions and suggested activities from each section of the toolkit.**

## The 1967 Referendum: A Western Australian Perspective

### **Research Questions:**

What was the nexus question? Why do you think it did not succeed?

Why do you think Western Australia recorded such a high 'No' vote compared to the other states?

Do you think conditions for Aboriginal people have improved as a result of the 1967 Referendum? Why or why not?

What do you think is the next step for Aboriginal Rights in Australia?

What does the 'Yes' vote on the 1967 Referendum ballot paper mean to you?

Why is there no reliable census data from before 1967?

### **Activity:**

A large part of achieving a 'Yes' vote on the Referendum was the campaigning that gained community support. Make a poster, or come up with a campaign slogan to rally the community to vote 'Yes' on the 1967 Referendum, in favour of Aboriginal rights

## Compare and Contrast: Fremantle and Kalgoorlie

### **Research Questions:**

Is a referendum on the same issues were to be held today, would you expect the result from your town to be any different? Why? Why not?

What does Australia Day mean to you? Do you support Fremantle's decision? Why or why not?

If you were elected as the WA Premier, what possible solutions could you offer towards providing better services for Aboriginal people in Kalgoorlie?

### **Activity:**

Stage a debate in your classroom arguing 'for' or 'against' moving the celebration date of Australia Day.

## Aboriginal Heroes

### **Research Questions:**

What are some commonalities between all of the heroes mentioned in this section?

Do you think the Aboriginal heroes from Western Australia are well known to the broader public? Why or why not?

What do you think the Referendum result meant (or would have meant) to each of the Aboriginal heroes featured?

### **Activities:**

Using the material provided, and your own research, write a biography for a Western Australian Aboriginal hero, including creating a timeline of events.

Imagine you are one of these heroes. Create a 'dear diary' entry, as if they were writing in their diary after the result of the Referendum was announced. Think about the emotive language that would have been used at that time and the freedom and justice this event would have symbolised.

## Human Rights, Bringing Them Home Report, and Closing the Gap

### Research Questions:

What are some examples of human rights?

What is the United Nations Declaration on Human Rights?

Do you think intergovernmental organisations such as the UN are important? Why/Why not?

Why do you think Australia voted against the UN General Assembly adopting the United Nations Declaration on the Rights of Indigenous Peoples?

Why is acknowledgement of the Stolen Generation still important today?

Do you think the Closing the Gap campaign has succeeded? Why/Why not? What would you do if you were a Minister for Health or Education in Australia?

Why do you think the 1979 Makarrata agreement was not adopted by Cabinet in 1981?

### Activities:

Listen to Paul Kelly's "From Little Things, Big Things Grow." This song was written about Vincent Lingiari and the Wave Hill Walk Off. How do you think Kelly's message could be applied to the issues presented by the Closing the Gap campaign?

Activity: Many of Western Australia's Aboriginal heroes fought for equal rights. Explore the Universal Declaration of Human Rights and create a list of those rights that the Australian government should consider implementing .

Further resources for teachers on Human Rights, Civics and Citizenship, can be found at the Australian Human Rights Commission's *Human rights in the classroom* website at:

<https://www.humanrights.gov.au/education/human-rights-school-classroom>

## Mabo, Land Rights and Native Title

### **Research Questions:**

What is terra nullius?

What two perspectives of the Australian legal system did the Mabo case challenge?

Who was Vincent Lingiari and why was he significant to Aboriginal Australia?

What was the significance of the Aboriginal Tent Embassy? How is this relevant today?

### **Activity:**

The National Native Title Tribunal website provides detailed and current spatial data on a national, state and territory and regional level. Go to their website and explore the current Native Title claims for your area:

<http://www.nntt.gov.au/assistance/Geospatial/Pages/Maps.aspx>

## Primary Source Documents

### **Research Questions:**

Why is the keeping of historical records like these important?

How many times is a bill traditionally read in Parliament?

How many Electoral Divisions were in WA at the time of the Referendum? Is this different now? If so, how?

### **Activities:**

The document '*Proceedings in Parliament and submissions of case*' contains Referendum propaganda from the Federal Council for the Advancement of Aborigines and Torres Strait Islanders. They were encouraging people to write campaign slogans to the tune of Waltzing Matilda. Thinking about the 1967 Referendum, try and come up with a new verse

## POSSIBLE PROJECTS:

Recreate a protest in favour of a 'Yes' vote on the 1967 Referendum, complete with posters and chants.

Using independent research, and the information provided in this toolkit create a documentary about the Referendum or Mabo Decision.

Create a mural of what the Referendum meant historically or what it means today. Include historic imagery (posters, photographs, slogans etc.) featured in this toolkit.

Create a webpage outlining the context and history of the 1967 Referendum. Provide a brief biography of the prominent WA figures involved and provide interesting facts about the Referendum throughout.

Compose a song to explain the significance of the Referendum to the wider community. Design a film clip to accompany your song.

In groups, present an oral report to the rest of the class, or the wider school community, summarising the sections of this toolkit. Be creative in your presentation, using a range of media forms.

## TOPICS FOR FURTHER RESEARCH

### Western Australia

Battle of Pinjarra [The Pinjarra Massacre]

Calyute

Carrolup Children Artists

Chief Protector for Aborigines

Forest River Massacre

Jandamarra

June Oscar AO

Legislation in regards to Aboriginal people:  
<https://www.noongarculture.org.au/list-of-wa-legislation/>

Politician Carol Martin

The 1946-49 Pilbara Strike

The 1945 Port Hedland cattle station strike

*The Aboriginal Heritage Act 1972*

*The Western Australian Aborigines Act 1905*

The Wagyl

Wadjemup [Rottnest Island] Prison

Western Australian Aboriginal Soldiers:  
*They Served With Honour*, 2015, published by the Department of Aboriginal Affairs

Yagan and his Legacy

## National

The Aboriginal Tent Embassy [1972]

The Aboriginal Flag

Albert Namatjira

The Assimilation Policy

Bennelong and Colebee

*The Bringing Them Home* report and  
National Sorry Day

Cathy Freeman

Charlie Perkins

Constitutional Recognition

Ernie Dingo

Evonne Goolagong [Cawley]

Maralinga Atomic Tests

Neville Bonner

Oodgeroo Noonuccal [Kath Walker]

Pat O'Shane

The Redfern and Palm Island Riots

The Right to Vote [1962]

Royal Commission into Aboriginal  
Deaths in Custody

Vincent Lingiari, Whitlam and the  
Gurindji people

## MORE INFORMATION

For further information on the topics covered in this toolkit, explore the following sources:

[Australian Institute of Torres Strait Islander Studies](#)

[Creative Spirits](#)

[National Archives of Australia](#)

[National Archives Virtual Reading Room](#)

[State Library of Western Australia](#)

[State Records Office of Western Australia](#)

[The National Native Title Tribunal](#)

[Western Australian Museum](#)

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City of Perth History Centre	National Museum of Australia	Western Australian Museum
	Nine News Australia	



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