

SOUTH AUSTRALIA

**JOINT SITTING OF THE TWO HOUSES TO RECEIVE AN ADDRESS FROM
THE STATE FIRST NATIONS VOICE**

WEDNESDAY, 27 NOVEMBER 2024

1. *Meeting of the Houses -*

The Houses of Parliament met at 11.00 a.m. in the Chamber of the Legislative Council in answer to summons of the President of the Legislative Council, issued in pursuance of section 38 of the First Nations Voice Act 2023 and by virtue of Joint Standing Order of the Houses No. 16.

The Hon. T. J. Stephens (President of the Legislative Council) took the Chair.

The Hon. L.W.K. Bignell (Speaker of the House of Assembly) occupied a chair to the right of the Chair.

The President acknowledged Aboriginal and Torres Strait Islander peoples as the traditional owners of this country.

2. *Admission of Presiding Member of State First Nations Voice -*

A Presiding Member of the State First Nations Voice was admitted to the Chamber and to deliver an Address to the two Houses.

3. *Opening Remarks -*

The Hon. K. J. Maher, Leader of the Government in the Legislative Council made opening remarks to the joint sitting.

4. *Address by State First Nations Voice -*

Mr Leeroy Bilney, a Presiding Member of the State First Nations Voice delivered an Address to the joint sitting of the two Houses.

5. The President, at nineteen minutes to 12.00 o'clock declared the Joint Sitting closed.

MEMBERS PRESENT

All Members of the Legislative Council except the Hon. J.M.A. Lensink and all Members of the House of Assembly except Hon. S. C. Mullighan, and Ms Hurn, Ms O'Hanlon, Ms Stinson and Messrs Basham, Bell, Fulbrook and Whetstone.


C. D. SCHWARZ,
Clerk of the Legislative Council


R. CRUMP,
Clerk of the House of Assembly

SOUTH AUSTRALIA
JOINT SITTING OF THE LEGISLATIVE COUNCIL AND THE HOUSE OF ASSEMBLY TO
RECEIVE AN ADDRESS FROM THE STATE FIRST NATIONS VOICE

WEDNESDAY, 27 NOVEMBER 2024

The two Houses of Parliament assembled at 11am in the chamber of the Legislative Council in answer to a summons of the President of the Legislative Council issued in pursuance of section 38 of the First Nations Voice Act 2023 for the purpose of receiving a report and an address from the Presiding Member of the State First Nations Voice.

The PRESIDENT of the Legislative Council (Hon. T.J. Stephens) took the Chair.

The SPEAKER of the House of Assembly (Hon. L.W.K. Bignell) occupied a seat on the floor of the council to the right of the Chair.

HER EXCELLENCY THE HONOURABLE FRANCES ADAMSON AC the Governor of South Australia having been announced by the Usher of the Black Rod entered the President's Gallery.

The PRESIDENT of the Legislative Council (Hon. T.J. Stephens) acknowledged Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and their connection to the land and community, and paid respects to them and their cultures and to the elders both past and present.

The CLERK of the Legislative Council (Mr C.D. Schwarz) read the notice summoning the Joint Sitting.

The PRESIDENT of the Legislative Council (Hon. T.J. Stephens): I now call on the Leader of the Government in the Legislative Council to make introductory remarks.

The Hon. K.J. Maher (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): Firstly, I acknowledge the traditional owners of this land. In this chamber, we are on Kurna country, the traditional owners and custodians who have thrived for thousands of generations in perfect balance with the land. Where we are now is Kurna country, but wherever you wake up, wherever you go to sleep, you are on Aboriginal land.

Just from where we are, if you are high enough, you would see the nations around us: the Ngarrindjeri, the Ramindjeri, the Peramangk, the Nukunu, the Ngadjuri and the Narungga across the seas. They are just the ones that surround us, let alone the four dozen or so Aboriginal nations that make up just the state of what is now South Australia. I extend my respects to all Aboriginal and Torres Strait Islander people and acknowledge all of your cultural authority that you bring here today.

The last year has not been an easy one for Aboriginal people, but in South Australia, we have continued a very proud tradition of listening to the voices and aspirations of Aboriginal and Torres Strait Islander South Australians and reflecting upon those in what we do as a government and as a parliament.

In 1966, then Attorney-General and Aboriginal affairs minister Don Dunstan enacted the very first Aboriginal land rights legislation anywhere in the country with the Aboriginal Lands Trust. The landmark hand back of freehold land with the passage in 1981 under the Liberal Tonkin government of the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act was a historic point in this country's history, as was continued in 1984 by the Bannon government with the Maralinga Tjarutja Land Rights Act. In May 1997, then Liberal Aboriginal affairs minister Dean Brown apologised to the stolen generations in this parliament, just two days after the Bringing Them Home report was handed down in the federal parliament.

In 2015, South Australia was the first mainland state to introduce a Stolen Generations Reparation Scheme. In the next year, 2016, we were the first place in the whole of this nation to start Treaty negotiations. In 2021, the then Liberal government introduced legislation to create a partly elected, partly appointed Aboriginal representative body. Today is the continuation of that bipartisan

tradition, with the very first address at a Joint Sitting of parliament by the South Australian First Nations Voice, another nation-leading reform here in South Australia.

To the elected members of the SA First Nations Voice—aunties, uncles, brothers, sisters—many of you I have known for decades. Some of you have been there with me during some of the most important moments of my life, and for others of you it has been a distinct pleasure getting to know you better over the last few months. I want to acknowledge your resilience, your fortitude and courage as the 46 first elected members of the South Australian First Nations Voice.

Putting your hand up to serve as an elected member of anything is not an easy task, as all of my colleagues who are in this chamber here now know, but putting your hand up to become leaders of your Aboriginal communities is a remarkable thing, particularly after your communities, your families, your collected histories were scrutinised in such a way during the referendum campaign. But, like your recent and ancient ancestors, your resilience and leadership has shone through as we see you here today.

Embarking on any new initiative for the first time is going to throw up challenges. We have seen some already with our First Nations Voice, and no doubt we will see more, but we will rise to that challenge. I am really heartened by the palpable sense of optimism from Aboriginal people surrounding the Voice. I am grateful for the commitment of you, the inaugural members, in establishing the Voice and laying the groundwork that I am certain will benefit our future generations to come.

For far too long, governments of all persuasions, sometimes despite the best efforts and best of intentions, have failed to make meaningful change that is required for our First People. Doing the same thing that we have done before is not an option. Aboriginal people in South Australia make up 2.5 per cent of the population but make up 10 times that—25 per cent—of those who are incarcerated in this state.

When the life expectancy of an Aboriginal man born on the APY lands is 48 years in a state as prosperous as we are, we know we are not doing things as well as we can do. When there are suicide rates double or triple the rates of non-Aboriginal communities in the general population, we know we need to make a change. The status quo is not good enough. I have absolutely no doubt that the direct lines of advice, the Voice that will be provided to cabinet, to parliament, to government departments, will make change and will make lives better, and we will see that gap being closed.

The Voice has already provided valuable input to government. There have been numerous bills that have been changed and altered already on the way to coming to parliament because of representations by the Voice. We had a historic meeting of the State First Nations Voice and the state cabinet only a few weeks ago, where we talked about some of the priorities that we want to see change.

For 188 years, the institutions of the state of South Australia and the colony that preceded it have done much to discriminate, disadvantage and disempower Aboriginal people and Aboriginal communities. With the simple act of listening, better taking advice from the wisdom of Aboriginal leaders, we seek to use those laws and these institutions to do better and make up for past and continuing injustices. Thank you, Leeroy, and thank you to the team who are the 46 inaugural members.

Honourable members: Hear, hear!

The PRESIDENT of the Legislative Council (Hon. T.J. Stephens): I now invite Mr Leeroy Bilney, Joint Presiding Member of the State First Nations Voice, to give an address to the Joint Sitting.

Mr LEEROY BILNEY (Joint Presiding Member of the State First Nations Voice): We acknowledge and pay our respects to the Kurna nation, sovereign owners and custodians, whose lands we are on today. This is where Kurna ancestors lie in their resting places and where present-day Kurna reside and speak in their authority. From this place, and as far as your eyes can see, it always was, is and forever will be Kurna country. We pay respect to all First Nations people here today and watching online and acknowledge their past, present and ongoing connection to country.

The First Nations Voice to Parliament represents two thousand generations of kin who thrived on our lands for over 60,000 years. Our history speaks of having and maintaining the peace expressed through our distinct identities. I stand here today as a proud Barngala, Wirangu, Kokatha,

Mirning, Kuprun and Noongar man and alongside the nearly 50 First Nations people elected to this historic advisory body.

About 170 years ago, the first meeting of the South Australian parliament took place. While Aboriginal men had the right to vote, there is no record of Aboriginal men registering to vote at the time. South Australia's Aboriginal women gained the right to vote in 1894, but with the federation of Australian colonies, all non-whites were barred from voting in federal elections. The federal parliamentary debates on who should and should not be able to vote reflected the racist temper of the times, with references to savages, slaves, cannibals, idolaters.

While provisions in South Australian law meant Aboriginals should have retained their right to vote, many are believed to have lost that right as debate about the interpretation of the constitution continued. From 1857, when the first meeting of state parliament took place, to today, we have only ever seen one First Nations politician elected, and only one appointed Minister for Aboriginal Affairs. Even though that member, the Hon. Kyam Maher, grew up in the South-East of this state, his people are from Tasmania. This, again, highlights the challenges of having our voices heard.

There has never been an elected member to this parliament whose origin story begins in the story lines of First Nations people of South Australia. In this place, politicians capture our stories and then pass them on. Stories are triaged into material for committees, for submissions, for debates. It is transactional, though. It is about us, not with us. And now, having parliament and having government hear First Nations voices telling stories of lived experiences from across South Australia is more important than ever before.

The First Nations Voice Act brings us into parliament, into government buildings, and offers us a seat at the table where decisions are made. We understand our communities. We know too well both the conscious and unconscious bias and racism towards First Nations people. We come here today knowing the work we do to close the gap of knowledge must be done with evidence and truth-telling. We seek to advise on laws and policies in a way that empowers us.

If this is done, our children flourish. They will walk in two worlds, and the First Nations foundations from which our culture and peoples stand proudly will be a gift to all South Australians. Our members are connected to each of the more than 30 First Peoples groups that make up the Indigenous population of South Australia. We come from the farthest reaches of the Far North of the State, from the Murraylands, Riverland and South-East, greater Adelaide, from the Flinders and the Upper North, from the Yorke Peninsula and the Mid North, from the West and West Coast, and not to mention the ongoing connections that cross borders.

We are mothers, we are fathers. We are uncles, we are aunties. We are elders, and we are young. We come from all walks of life, with different perspectives and lived experiences. We include members of the stolen generations, and nearly all of us are connected to a former mission or government reserve, places community have since reclaimed for their own. Our cultural ties, our ties to land and to our ancestors, spread far and wide. And we are here today speaking with one voice and united with one purpose. We are here for truth-telling and to ignite within you an understanding of the plight of our people.

You may not walk in our shoes, but since the state we know as South Australia was formed and every day since, we are being asked or told to walk in yours. We are here to change that, to lift our state out of ignorance and into a movement building our voices by having a say on the laws you debate and talking about what we can all do to elevate a nation of people and their communities in a way that is different to make the future better for First Nations people and all South Australians. Because, sadly, we are a portion of the South Australian community that is unfairly disadvantaged when it comes to the things that most South Australians take for granted.

Less than a third of First Nations children starting school in South Australia are developmentally on track. Only 65 per cent of First Nations people aged in their mid-twenties have completed year 12, and less than half between 25 and 34 years old have some form of tertiary qualification. Aboriginal and Torres Strait Islander people are 3 per cent of the population yet 25 per cent are incarcerated. In health, in criminal justice, in housing, across the board, the story is the same.

And yes, we are seeing progress. The last Closing the Gap annual report indicated that of the 17 socio-economic targets, eight of them are improving, and I acknowledge SAACCON and other organisations working with government to improve progress. But we are a long way from achieving these targets, and it is clear that many of the policies implemented by successive governments at a state and federal level have not worked.

Often, policies were driven by governments and imposed on our communities. Sometimes our solutions have been taken by government and then run by non-Indigenous organisations. We are frustrated because our community misses out on receiving a better service. Maybe by trying something new, by working together, by having an honest and open talk about where we are, what is working and what isn't, we can make them better—not just for First Nations people, but for all South Australians because, yes, the problem directly hurts First Nations communities, but it affects us all, Indigenous and non-Indigenous South Australians.

Poor education outcomes for Aboriginal kids can set them on the wrong path. We love our families and our children, and the start of their lives must change so the middle and the end are better for our young people. Poor health outcomes for First Nations people lead to a further drain on the public health system at a time when we know resources are scarce and budgets and staff are stretched far too thinly. If we can address chronic health and disease issues in First Nations communities, we can ease the pressure.

In 2017, a group of 250 Aboriginal and Torres Strait Islander people met to make a plea to the people of Australia. In 1967, they said the Australian people voted to let us be counted. Now, they said, we are asking the Australian people to let us be heard. They wanted to see a First Nations Voice enshrined in the constitution at a national level. It was a cause taken up by the current federal government, and at a state level it was a cause taken up by the now Premier. Sadly, at a federal level, the referendum failed. But here in South Australia, legislation to establish a First Nations Voice to Parliament, a Voice elected by our state's First Nations people, made up of our state's First Nations people, was introduced and passed.

This legislation was not formed in a vacuum. Dale Agius, the former Commissioner for First Nations Voice, travelled across the state, hearing directly from First Nations people in both regional and city areas about what they wanted from a Voice. What came through loud and clear was that First Nations people wanted a Voice elected by First Nations people, representing grassroots communities, with direct access to key decision-makers in Parliament, in government and other organisations. He then sought First Nations peoples' views on the proposed legislation itself in face-to-face meetings with First Nations communities.

Once the legislation was passed, he, along with the Electoral Commission of South Australia, worked to spread the word in First Nations communities and encourage people to nominate. And now we are here, a point in history where a democratically elected First Nations man, elected by the community, can stand here and speak to the nearly 70 people who have also been democratically elected to represent the people of South Australia.

It has been a long road to get to this point, and there is still a long road ahead of us. Even now, we are still in our infancy. We had legislation to set down the basics, but the real work could only begin once all 46 of us had been elected. Once we had begun to look at the tasks ahead of us, we also met staff in a small secretariat who were to assist us. I am sure you will appreciate this was not like being elected to parliament, where there are rules, standing orders and procedures in place.

This historic body is a first for all of us. There is no precedent. A member induction guide was created for us and a code of conduct, but no rule book or procedures beyond the legislation, and there are no examples in Australia that we can look at. We had to build all of that from the ground up, and because information was untested, in this being our establishment year, we were building the plane and flying it at the same time. And then we needed to start talking to our communities to understand their views, to learn about what mattered and how best we can convey those messages to you, to ministers and to the heads of agencies.

This has been no small task. For you, the doorknocking comes before the election. For us, we are always speaking to our communities. We have existing ties to our communities, but we have needed to hear from as many people as possible to speak confidently and clearly about the views of First Nations people. That will always be a work in progress, and we will continue to do this in 2025.

Already, we have heard powerful stories that highlight why we are here and our hopes for meaningful action.

To give you an example, one member encountered an elder experiencing homelessness. I am sure you can all appreciate the high regard and esteem that elders hold in our culture. This person is not just homeless: they also have serious mental and physical health issues, including a heart condition that requires regular medicine. They had been barred from their local chemist, because they would not let security guards search their bag. That bag represents this elder's life. It is all the personal belongings they have, and searching that bag would be incredibly upsetting and an invasion of their privacy.

A Voice member was able to help this elder get their prescription sent to another chemist, but this was only the first step. The elder was unable to access support services because they closed at 4 o'clock. They had not heard from their social worker in two months and, after an assessment by the local homelessness service, they were deemed ineligible for support, leaving the elder to sleep in the bush. The only thing the Voice member was able to do by this point to help was provide a sleeping bag, an extra blanket to lie on and a suitcase to help protect their clothes from the weather.

More recently, we have seen the case of an Aboriginal man in Port Augusta who appeared to be shoved and dragged by South Australia Police. On the surface, at least, it appears excessive and confronting not only for the young man, for his family and his community, but all Aboriginal people and I am sure many South Australians. We understand our Aboriginal Legal Rights Movement incorporation is not resourced adequately to deliver meaningful engagement that can empower our communities. The incident highlights the disconnect between SAPOL and our communities, with an over-representation of First Nations people being incarcerated at an unacceptable rate.

These stories are experienced by many in the community, not just the First Nations community. But it is far more common for First Nations people than others, and that is why we are here, to start the conversation about how we can do things differently and advocate for change that helps avoid terrible situations like this. Part of that conversation will be difficult, and it will be confronting. But if we work together, it can also be rewarding and help not just First Nations communities but South Australia as a whole.

In 2024, as we flew the plane, there have been 18 Local Voice meetings, three State Voice meetings, a member briefing and an annual meeting of Local Voices. The State Voice has held one meeting with cabinet and one meeting with agency CEOs. In building the plane, the six Local Voice regions and State Voice set up their governance structure, such as their own terms of reference, policies and procedures, and formed working relationships and determined best practice for the Voice's interactions with parliament and government under the act. This includes the forming of a memorandum of administrative arrangement with the South Australian government with the State Voice.

At the same time, in Local Voice meetings, members started to capture their own matters and views specific to their region and then ideas from their community. There were topics commonly raised in a majority of regions: health and wellbeing, education and employment, housing and infrastructure, cultural preservation, justice and policing. They had discussions on how we can prevent our people getting incarcerated and look at prevention strategies before and during incarceration and after release from prison. They had discussions about ways to increase the celebration of culture and culturally appropriate preventative mental health services.

We need reunification and not removals for our children. Some regions focused on tackling drug and alcohol-related harm in our communities, better access to rehabilitation and how we can address the significant mobility of community members and getting data that could assist with better service impact in areas affected; how to ensure cultural training for police, how we can address domestic and family violence, how we can heal through family services. Alleviating homelessness and poverty was of particular concern to one region.

Another local region said that successful outcomes of funded services should be shared at the regional level so that the community can understand the results. One region spoke of greater support to men and young men to foster cultural leadership and enable men to create their own solutions, while another region raised the current state-funded model for funerals needing alignment to First Nations practices of sorry business. These are just some of the matters raised in Local Voice

meetings so far. These are all important discussions and some of the areas where we feel that real, positive change can be made.

The State Voice has met once with cabinet and chief executives this year. In setting the scene for these initial meetings, we have highlighted these common and different views from Local Voices. With its engagement with government, the State Voice has agreed to concentrate effort on preventing our people being incarcerated and solutions to achieve this, better outcomes in health and wellbeing and improved progress concerning housing and infrastructure.

Given we only have a two-year term, we are sharpening our focus to get results in 2025. The six Local Voices are at different stages of setting their lists of views to pass to the State Voice. It is planned for this information to be finalised in 2025. They will also do more work to improve outcomes in their local regions focusing on matters raised with them, and we hope much is achieved across all regions in 2025. We have not commenced engaging with the community to establish our State Voice advisory committees. This work will start in 2025 when we have the capacity to start this work. In 2024, since our onboarding in April, we have held 25 meetings. In 2025, we are expected to hold 34 meetings as directed under the act.

There is a lot of cynicism around the creation of the Voice, and there is a heavy burden on us to prove ourselves: to prove ourselves to First Nations people who heard about the Voice and thought, 'Been there, done that,' and think we are just going to be another failed advisory group that has been established to make it look like something is being done without ever achieving anything; to prove ourselves to the critics who feel like this opportunity is giving First Nations people a special advantage that other South Australians don't have; and to prove ourselves to those people who voted for us, who believe that this is a once-in-a-lifetime opportunity to be seized.

Those of us who have been elected to the Voice realise just how incredible this moment is and how we have a great responsibility to our people as well as those who put their faith in us by supporting the legislation that has helped us come into being. So do not be discouraged, for today is a great day to be a First Nations person in South Australia.

So far, the journey has just begun, and there is a long road ahead of us. Already, we have started speaking to our communities and hearing their ideas on what we should try to address. We are a small but determined group of listeners, conscious of how important consultation is in our community. We do not have the resources politicians have, but with our Aboriginal intelligence, we will work as hard as we can to get the best for our people and for South Australia as a whole.

We are starting to build links in government. We have been engaging with the Royal Commission into Domestic, Family and Sexual Violence to ensure that our voices, our stories and our experiences are heard, and we have been slowly meeting our obligations under the act and engaging with agencies regarding draft bills. Over the past three months, the State Voice has provided advice on four bills that have a benefit or impact on First Nations people, including the Preventive Health Bill and the Office for Early Childhood Development Bill. Changes were made to both of these based on our advice. We are considering advice on the Children and Young People (Safety and Support) Bill.

To assist us understand the Voice's engagement with parliament, the State Voice attended a training session in parliament. The training was designed and delivered by the clerks of the House of Assembly and Legislative Council. Members have been doing this work against the backdrop of their own personal and professional commitments. We are not, as some have suggested, doing this for the money: we are doing this because we believe the opportunity before us is too great to let it pass us by and we can make a real difference.

Some have decided that they must devote their energy elsewhere or not continue because of a difference of opinion, and this is entirely understandable. We each have commitments, and balancing this with everything else in our lives is a truly significant ask, and not to mention the greater cultural load this responsibility asks of us. We are conscious of caring for ourselves and how important this is for our own wellbeing. Those who have chosen to leave remain every bit as committed and passionate about improving the lives of First Nations South Australians as those who are still Voice members.

As I look across this chamber, I am heartened to see those members of parliament who voted for the establishment of the Voice. All of us will forever be grateful for the trust you have placed in us

and the responsibility entrusted to us. I hope you listen to what we have to say and respond with a similar level of trust and respect.

Since the referendum last year, I know some members of parliament who are less enthusiastic about our presence here, those who believe the money could be better spent elsewhere or that establishing a First Nations Voice is giving First Nations people preferential treatment at the expense of others, and those who, like many within the Aboriginal community itself, believe this is a symbolic gesture that will achieve nothing or who say the referendum showed most South Australians do not support a Voice: we are determined to prove you wrong, because we believe in a better future, a future where we can each put our differences aside and work together constructively.

It is often said that South Australia has been at the forefront of the progressive movement. In the 1840s, our state became the first to allow evidence from Aboriginal people to be accepted in courts of law. In the 1890s, our state became the first to allow men and women to vote. In 1975, our state became the first in Australia to decriminalise homosexuality. Now, we stand here today with another first, and yes, people are often scared of what is new, of what is unknown. But starting on any journey is difficult.

In many ways, we are fortunate that this legislation passed before the referendum vote. I realise there is every likelihood we would not be here if the government had waited until after the referendum. That referendum result hurt our people, and many of us are still healing, but it also has made us more determined to have our voices heard and to make this work, because I think every one of us here today agrees that efforts to improve the lives of First Nations South Australians to date have not worked.

So why not try something different? Why not try working together? Why not try listening to the people who are directly affected by these decisions? You may not have the answer, I may not have the answer, but together—together—we may be able to achieve something truly great. Even by being here today, we are all achieving something great. We are beginning this journey together. The question is, though, can we stay on the same path? I really do hope we can.

It does not matter which political party, if any, you belong to: we all have something in common. We are all South Australians who want to see our state succeed and our people thrive. Members of parliament, members of the Voice, we have all been elected by our peers to represent our community. It is fair to say we have all encountered our fair share of scepticism along the way. You won't need to look very far to find negative stereotypes of First Nations people or our culture, and I am sure that every single member of parliament has encountered sceptical, if not downright cynical, voters along the way, too.

But I believe you have chosen to dedicate this time in your lives to making South Australia a better place, and we are exactly the same in that regard. We want to improve the lives of South Australians, Indigenous and non-Indigenous, by giving our people a better start in life, by helping our people contribute to this great state and by preserving our cultural heritage and drawing on our knowledge, because we can all learn from each other.

Every great thing ever achieved started with a vision. I see a vision where all South Australians are living with cultural harmony based on the land we meet upon, where First Nations people have equity, access, and are prospering in all aspects of life, our differences are seen as an advantage, and this is celebrated by all South Australians. Let's work together, learn from each other, take the journey, and let's make that vision a reality.

Honourable members: Hear, hear!

The PRESIDENT of the Legislative Council (Hon. T.J. Stephens): Mr Bilney, thank you for your address. Members, I now declare the Joint Sitting closed.