

COVENANTER' S NEWSLETTER

An occasional newsletter for Covenanters

November 2010

No.28

Dear Covenanters,

This has been a difficult year. Uncle Ken has been busy around Australia speaking to meetings in every state about the proposed Preamble in his role as the National Chairperson of the Congress. He has been heartened by the response. All Synods and nearly every Presbytery have given assent to the proposal. As in South Australia there have been issues raised which still need some resolution by Assembly, however the message from the church has been clear. Needless to say this has been a punishing time for Ken.

We need to remember that Uncle Ken is in the role of Covenanting Coordinator only half time. He has been able to get around to a number of local congregations and speak. He has also been working with some of our congregations in a more determined manner to seek their engagement with the Congress at a deeper and more practical level. Unfortunately the pressures of funerals and other factors have told on his health and he has had to take leave at the end of this year.

You will excuse your correspondent for the dearth of information flowing this year. He has been tested for time and found wanting. Nevertheless he has been able to get a few Newsletters and short Newsletter Specials out during the year. Please also excuse this letter for its spartan quality and lack of illustrations.

There have been only a few people withdrawing from the Covenanter's list and some new members so we are assuming you, dear reader, are still interested in our cause. We hope that there are a few things below you can chew on and take action about. Please still write, ring up and pester your local member whenever possible so that real action can occur to close the gap, help Aboriginal people find real jobs and right the wrongs of the NTER. As in the words of the Rev Dr Djiniyini Gondarra –

“The day is justice for me when I am treated the same way as others . . .”

...

SA Presbytery Synod AGM

At the recent SA Presbytery Synod AGM at the end of October 2010 the following proposal was agreed to by consensus. The address that follows was the made to the meeting in support of the proposal. Please encourage your congregation and church council to take up and act on these recommendations.

PROPOSAL 6

That the Presbytery and Synod:

encourage congregations to make links with Congress congregations, appoint a Covenanting contact person and advise the Secretary of the Covenanting Committee of contact details for receiving the Covenanting newsletter.

Peter Russell Secretary Covenanting Committee
Andrew Clarke Covenanting Committee

Moderator and members of Synod,

You are already aware that our Aboriginal brothers and sisters, both inside and outside of the church, are at a disadvantage in our society on so many fronts. We do not need to remind you what these disadvantages are.

What is more important is taking positive action. Too often our communities have seen the body on the road and passed by helplessly on the other side, leaving it to others to take action. And those that do take action, our governments included, have tended to take a patronising attitude of knowing what's best for the patient. Few take the time to develop the relationships necessary for real understanding, real healing and real progress to occur.

On the 25th September 2007 the General Secretary of the Presbytery and Synod, Graham Humphris, signed, on behalf of this church, the Close the Gap Organisational Pledge committing this church to call on all governments to take positive action to assist Aboriginal people to “close the gap” in health in the next 25 years – now 22 and counting.

In November 2007 this Presbytery and Synod passed a proposal to, and I quote, “Join with the Northern Synod in its call upon the Federal Government to enter into a real partnership with Aboriginal people in the Northern

Territory by enacting legislation that upholds human rights, affirms self-determination and builds the capacity of individuals and communities to contribute to solving issues of concern within their own lives.”

This latter call has still not been heeded by our Federal Government. These are two examples of what our Synod has done and must continue to do if it is to be faithful to our Lord.

But if practical reconciliation is to occur we must get closer to our people. We want to mention a few practical things members and congregations can do, and what some of you are already doing. This is not an exhaustive list so if anyone feels left out I apologise. Please add your own ideas to the list.

Make friends with some local Aboriginal people and/or arrange to visit a Congress Church and listen to their stories. The key here is to keep this shut <point to mouth> and these open <point to ears>. Talk to members of *Journey* who have made a trip to Port Augusta Congress. Contact the Congress community at Kalparrin, near Murray Bridge, and organise a picnic. You don't even have to leave Adelaide to arrange a visit to Salisbury. See Pastor Denise Champion and Nelson Varcoe, who are here today, about coming and sharing worship with them on a Sunday.

Get involved in a Congress Project or offer your skills and talents to the Congress. Aberfoyle Park has made a commitment to take working parties to the APY Lands. You need not belong to the organising congregation to join such a party. Other churches have organised working parties to different locations.

If you own a business, offer a real job to an Aboriginal person, and/or contact UnitingCare Wesley – Port Adelaide to see if you might take on an Aboriginal trainee in your organization or even in your local church office. Geoff Revill provides excellent and ongoing support for those that do. Contact him to explore this option and others.

Start a Covenanting group in your congregation and make sure Reconciliation Sunday is on your congregation's worship plan.

Make your own commitment as a whole congregation to acknowledge the custodians of the land on which your church was built – remember the land was stolen property. Talk to a church that has already done this.

If you have not seen the movie, **OUR GENERATION** presented by Jeff MacMullan and including past Moderator of the Northern Synod and a Congress minister, Rev Dr Djiniyini Gondarra, with Yolngu from North East Arnhem Land, buy a copy of the DVD. Watch it with some friends from your congregation. Become informed about the realities of the NT Emergency Response. Don't take just what you read in the mainstream newspapers without question. Be open and willing to have your prejudices overturned.

And there is no excuse for anyone not to take action because these last two things everyone can and should do.

1. Pray continually for our Aboriginal brothers and sisters, for the Congress Congregations & communities, and their leaders and families.
2. Appoint a Covenanting Contact Person for your congregation and sign up for the Covenanting Newsletter.

Thank you.

Covenanting Committee Report to Synod

The Covenanting Committee exists to support the Covenant made by the Uniting Church at its Assembly in 1994 and which was remembered by the Assembly in 2009. At a local level the committee seeks to:

- a. provide oversight of the Covenanting renewal process and progress in the Uniting Church in SA, its congregations and agencies and provide an annual report and recommendations to the annual meeting of the Synod
- b. assist with implementation of covenanting policies and plans approved by the Council of Synod.
- c. provide advice and support to the Covenanting Coordinator
- d. promote the building of relationships between Congress ministries and local Uniting Church congregations.
- e. support the Covenanting Coordinator in a watching brief on draft legislation and other government and non-governmental action affecting relationships between Aboriginal and non-Aboriginal people and where possible assist in the preparation of draft submissions in consultation with the UAICC Regional Council and the General Secretary on behalf of the Synod and Congress.

Discussion /Summary of Key Activities and Outcomes achieved since October 2009

At the beginning of 2010 the committee realised that it needed to revisit its origins as its formal links with the Presbytery and Synod had become unclear.

The committee was originally established by the Synod of 1994 following on from the Covenanting Statement made at the Assembly in the same year. The Committee's role was to assist the Synod to engage in the Covenanting process. Originally members were elected onto the committee from each of the Presbyteries.

The General Secretary regularly attended the meetings and subsequent General Secretaries also, even if on a less regular basis. The committee has been active over the years in promoting the Covenant and particularly in submitting proposals to the meetings of the Synod. Members have also been active in promoting the Transfer of Assets process and in speaking to and supporting proposals coming from the Congress.

The Committee campaigned for a long time to get a Covenanting Coordinator appointed and put up a proposal to that effect. Synod appointed Peter Russell as 0.5 Covenanting Coordinator in 2006. The Committee helped draft the Job and Person Specification, part of which states, "*To consult with the Covenanting Committee on the development and recommendation of policy proposals for presentation to the Council of Synod.*"

With the move to one Presbytery a number of the previously appointed persons gradually dropped away. These numbers were made up by co-opting interested members of the UCA(SA) and members from the Congress congregations. With the appointment of the Covenanting Coordinator in 2006 the Covenanting Committee saw its role extend to support the Covenanting Coordinator in his/her role. In 2010, Rev Ken Sumner, Resource Minister for the Congress in SA and National Chairperson of the UAICC has taken up the 0.5 position.

The Covenanting Committee has enjoyed strong support from the current and previous Moderators. In a recent meeting with some committee members the Moderator, Rod Dyson, assured us that we were a Synod Committee and thus we have an official rep to Synod and that we should submit official reports to the Synod. (This happened in 2009.)

The committee has since drafted an updated committee structure and terms of reference which was submitted to the Standing Committee for approval. The committee also elected joint chairpersons at its first meeting in 2010, one Indigenous and one non-Indigenous. Rev Ken Sumner and Dr Marelle Harisun filled these positions respectively. Peter Russell was elected as Secretary. The outgoing secretary, Andrew Clarke, was in this position for many years and his service and contribution was duly noted and appreciated.

The committee continues to facilitate contacts between parties to assist with the resolution of a number of issues raised by Congress members. These included facilities at Salisbury and Port Augusta, UC Schools, bus drivers, prisons, Port Augusta manse, the Mobile Aboriginal Patrol (MAP), Treaty, sharing assets, and the Ingle Farm property.

The question was posed concerning "Covenanting" in all the ministry areas of the Congress communities in terms of their relationships with local Uniting Church Congregations and vice versa. How are these relationships progressing? The question is to the reader, what is your congregation doing personally, to build relationships and support the ministry of the Congress?

Members of the Covenanting Committee also worked with the Covenanting Coordinator to produce worship resources for Reconciliation Sunday 2010. (*These and resources from past years are still available on the Web site: <http://mrm.sa.uca.org.au/covenanting/reconciliation-sunday.html> Ed.)*

Forward Thinking

In 2011 the committee will consist of 5 non-Indigenous members elected by the Presbytery-Synod and 5 Indigenous members elected by the Congress, with some additional ex-officio members being the Covenanting Co-ordinator, Social Justice Officer, a member from the Leadership College and the General Secretary or nominee. Meetings are usually held 4 times a year with visits to the 3 Congress communities, Salisbury in Adelaide, Kalparrin near Murray Bridge and Port Augusta/MAP. The meetings run from around 10am – 2.30pm. As the committee is largely an advisory body it is important on equity grounds to hear the stories from each community in situ. **The meetings are open and anyone may attend.**

The results of the elections for the 5 non-Indigenous members of the committee for 2010 are as follows: Dr Marelle Harisun, Peter Russell, Andrew Clarke, Barbara Horne and Rev Phil Hoffman. The first meeting for 2011 will be at 10am on Monday 14 February 2011 at the Congress Church, Bedwin Street, Salisbury North.

NATSIEC Briefing Note – The Northern Territory Intervention and the Re-instatement of the Racial Discrimination Act (RDA)

NATSIEC is the National and Torres Strait Islander Ecumenical Commission. This report was the result of an extensive tour and consultation by members of the commission representing all the mainline denominations

Background

In 2007, the Federal Government introduced the Northern Territory Emergency Response (NTER), also known as the Intervention, ostensibly to address sexual abuse of Aboriginal children in the NT as identified in the Little Children are Sacred report¹.

The Intervention brought in a suite of policy directives which included:

- Alcohol and pornography bans;
- Compulsory acquisition of five year leases over townships;
- Health checks for children;
- Compulsory income quarantining for those on welfare;
- Removal of permit system (to gain access to Aboriginal land).

Significant resources were attached to these measures; however the Intervention was introduced without any consultation with Aboriginal people and was a blanket approach to some very complex issues. At the time NATSIEC welcomed the Government's recognition that urgent action needed to be taken, but raised several serious concerns related to the implementation of the NTER and the complete lack of consultation with Aboriginal people. In particular NATSIEC was concerned about linking issues such as land tenure to child abuse².

Of great concern was the fact that to introduce the NTER package the Government also had to "roll back" the *Racial Discrimination Act 1975* (Cth) (RDA). Although the NTER legislation was aimed only at Aboriginal people, the Government argued that it was not discriminatory as these actions were "special measures" and were designed for the benefit of Aboriginal people. According to the Australian Human Rights Commission³ a "special measure" that meets the requirements of the RDA must comply with the following criteria:

- The measure must confer a benefit on some or all members of a class of people;
- Membership of this class must be based on race, colour, descent, or national or ethnic origin;
- The sole purpose of the measure must be to secure adequate advancement of the beneficiaries so they may equally enjoy and exercise their human rights and fundamental freedoms;
- The protection given to the beneficiaries by the measure must be necessary for them to enjoy and exercise their human rights equally with others; and
- The measure must not have already achieved its objectives.

According to a report prepared for the advocacy group 'concerned Australians'⁴ describing NTER measures as "special measures pre-empted judicial scrutiny of them". The incoming Rudd Government, although in Opposition had supported the passing of the legislation, committed to restore the RDA to its full operation during the election campaign in October 2007.

In 2009, the Rudd Government finally introduced legislation which it claimed would reinstate the RDA. In doing so the Government sought to either modify the legislation to remove its discriminatory nature or define those aspects of the NTER which would be deemed "special measures" to continue their exclusion from the provisions of the RDA.

Income Management

Compulsory Income Management has been modified to ostensibly remove the discriminatory nature of the policy. Rather than applying to all Aboriginal welfare recipients in prescribed areas it now applies to certain categories of welfare recipients in areas designated by the Government as disadvantaged (see *Loss of Rights*, p 20 for details).

While the legislation broadens the impact of income management and allows some Aboriginal people to remove themselves from income management (with cash incentives to remain in the system), the reality is that the legislation will still have a disproportionate affect on Aboriginal people. In the NT the majority of welfare recipients are Aboriginal and elsewhere in places that may be geographically defined as "disadvantaged" it is likely that there will be a higher proportion of Aboriginal people. Therefore this measure is still considered discriminatory⁵.

The Government relies on "special measures" to maintain other aspects of the NTER legislation. There are specific definitions of special measures contained both in the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) as well as Australian domestic law⁶. Concerned Australians make the point in their report "*Will They Be Heard*"⁷ as well as their submission to CERD that the Government has a duty

to ensure appropriate consultation has taken place to ensure that the wishes of the Aboriginal people have been taken into account.

The Government's claim to have undertaken a comprehensive consultation process has been disputed (see for example *Will They be Heard*). The issues with the process include a lack of translators and a lack of genuine dialogue. Instead a discussion paper was presented which gave some few options but which asserted the continuation of the NTER. The Government has not released concrete evidence which supports their claims of agreement from Aboriginal people affected by the NTER.

Nicholson et al (2010) conclude that the "so called special measures contained in the 2010 legislation are thinly disguised versions of what went before"⁸. This report draws attention to the following issues:

- Controls of alcohol and pornography apply to no other ethnic group in Australia, despite issues of drunk and violent young people in Australia's capital cities, pornography and inappropriate sexual imagery of women and a higher rate of sexual abuse of children in the White community;
- Aboriginal lands are acquired compulsorily on five year leases for no apparent purpose or benefit to Aboriginal communities;
- Schools are understaffed and unsupported which contributes to attendance problems yet the solution is deemed to be depriving parents and carers of "meagre social security support";
- Communities are pressured into signing long leases in return for promises of housing which they are entitled to anyway;
- Aboriginal people are being forced off their traditional lands into "hubs";
- Control of Aboriginal lands has been taken over by the Federal Government and administered by bureaucrats funded by mining royalties paid to Aboriginal people;
- The CDEP (Community Development Enterprise Programme) has been phased out without the establishment of real jobs to replace it causing hardship to individuals and having severe impacts on the ability of communities to provide basic services;
- Aboriginal offenders (who are disproportionately represented in the justice system) are dealt with under a "different and more punitive code" than other people because their own law and culture is not taken into account.

The RDA today

In June 2010, the Federal Government passed new legislation to "reinstate" the RDA. It was contained in a raft of changes introduced in the *Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of the Racial Discrimination) Act 2010*. While the changes to the income management took effect in July 2010, the suspension of the RDA to existing measures does not take effect until December 31st 2010.

The new legislation has drawn some harsh criticism. For example, the Committee on the Elimination of Racial Discrimination (CERD) has expressed "its concern that the package of legislation under the Northern Territory Emergency Response (NTER) continues to discriminate on the basis of race as well as the use of so called "special measures" by the State Party."⁹

CERD also says it is "concerned by the continuing difficulties in using the Act to challenge and provide remedies for racially discriminatory NTER measures"¹⁰.

In addition to these criticisms NATSIEC is particularly concerned at the loss of control over communities and land. We are concerned at the move towards establishing "hub" towns and moving people off homelands. The Intervention is causing previously functioning communities and projects to fall apart. During a recent visit to the NT every community we visited reported that life had become worse since the Intervention and that people felt they were losing control over their lives and in particular the land that they had fought so hard to regain.

Where to from here?

The RDA as it is amended in the *Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of the Racial Discrimination) Act 2010* will come into effect in December 2010. However, NATSIEC considers this legislation to be incomplete and that we can not leave such vital aspects of the NTER as "special measures". The Act as it stands will not provide protection against racial discrimination and in fact actively promotes racial discrimination.

Amendments to the legislation "reinstating" the RDA are urgently needed. NATSIEC calls on the Government to urgently address the discriminatory nature of the legislation and to introduce amendments which will ensure the rights of Aboriginal peoples are protected and respected.

In particular we urge the Government to:

- Introduce amendments to reinstate the RDA in full;
- Ensure that any welfare reform is just, non-discriminatory and does not impinge on the rights of any recipients;

- Review the NTER measures to ensure that they fully comply with the RDA and our obligations under human rights standards such as the Convention on the Elimination of all Forms of Discrimination and the United Nations Declaration on the Rights of Indigenous Peoples.

Send an email to the Prime Minister - http://www.pm.gov.au/PM_connect

Write to your Member of Parliament - <http://www.aph.gov.au/house/members/index.htm>

For more information about the Northern Territory Intervention

<http://www.ncca.org.au/departments/natsiec/advocacy/issues>

1 Anderson, P and Wild, R., (2007) *Ampe Akelyernemane Meke Mekarle "Little Children are Sacred: Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse,*

<http://www.inquirysaac.nt.gov.au/> accessed 9/11/10

2 Read NATSIEC's initial statement on the Intervention at

http://www.ncca.org.au/files/Natsiec/NTER_position_statement_July_07.doc

3 Australian Human Rights Commission, (2009), Draft Guidelines for Ensuring Income Management Measures are Compliant with the Racial Discrimination Act (p7).

4 Nicholson, A., Harris, M., Gartland, G., (2010), *Loss of Rights – the Despair of Aboriginal Communities in the Northern Territory. A submission to the UN Committee on the Elimination of Racial Discrimination – Australia,* for concerned Australians (p19), <http://concernedastralians.com.au/>

5 For a full discussion about this area see: *Loss of Rights* (above); Australian Human Rights Commission (2009), *Draft Guidelines for Ensuring Income Management Measures are Compliant with the Racial Discrimination Act* and Parliamentary Bills Digest, Australian Parliamentary Library.

6 *Loss of Rights* p 24.

7 Nicholson, A., Behrendt, L., Vivian, A., Watson, A., Harris, M., (2009) *Will they be Heard? - A response to the NTER Consultations June – August 2009*

8 Ibid p26

9 CERD (2010), Consideration of Reports submitted by States parties under article 9 of the convention. Concluding observations of the Committee on the Elimination of Racial Discrimination – Australia (p4).

10 Ibid p4.

International Convention on the Elimination of All Forms of Racial Discrimination

Covenanters will remember we reported in our August Newsletter that the revered and elderly statesman of the Uniting Church and the UAICC, Rev Dr Djiniyini Gondarra OAM, was on his way to the UN in August.

This is his report.

Report written by Rev Dr Djiniyini Gondarra OAM on behalf of himself and Rosalie Kunoth-Monks OAM, both of whom attended the Committee on the Elimination of Racial Discrimination - 77th Session August 2010

I want to begin by expressing my thanks to the Quaker United Nations Office whose personnel accompanied Rosalie and myself in Geneva.

I also want to thank members of the NGO team, the Australian Racial Discrimination Commissioner Graeme Innes and his staff, Les Malezer from FAIRA, and the representatives from the National Association of Community Legal Services, Amnesty International and the National Native Title Council, for hearing our story and helping us to put this in our report to the Committee.

I want to thank the CERD committee itself, with the rapporteur Jose Calitzay, for truly hearing our personal experience of what is happening in the Northern Territory (NT) for the First People of Australia, and then sharing that concern back to the Australian Government delegation when they appeared before the committee.

Finally I wish to thank 'concerned Australians' who negotiated our appearance before CERD and enabled our travel to Geneva from our communities in the NT.

It was encouraging for us to meet people interested in our struggle for justice and peace. We were able to meet many individuals personally. They are people who will stand in solidarity against this system that has made us victims.

The trip to the UN headquarters in Geneva was very worthwhile for us because it allowed the world to hear what is truly happening to the First People of Australia in isolated communities in the NT, places that have not been represented well by media and government reporting. We have repeatedly tried to bring attention to our cause through the government, and other organizations. This has not been a possible doorway.

We have not received any response from the Government - this was a good time to go to the UN. The UN was able to hear us express that the NTER and intervention are not special measures. It shows that what the Australian Government is trying to do is target the First Peoples of this country. By going to the UN, we are asking the Australian Government to take our concerns seriously.

I can now see that the UN is the vehicle for the voice of Aboriginal people to be heard. That is before the highest council in the world. This is the same way other countries resolve issues of race, and discrimination.

The Australian Government has supported the UN Declaration on the Rights of Indigenous People and must remove the NTER measures from the legislation, and start to look at a more positive ways of working with all Australians. We must be treated equally. This is justice for everyone.

We all agree that children should be looked after, that there should not be domestic violence, that there should not be violence from alcohol. These are issues that affect all Australians. We should not have been targeted as the only people that are affected by these issues. We should be finding the solutions together.

Many Australians are concerned with how the First Australians are being treated by the Australian Government. They can see that this is unjust. Ordinary Australians can see this injustice in a democratic country and know that it shouldn't be happening. When you share with a body such as the UN – straight away they see that Australia is racist and that the Government does not govern with the spirit of peace and order.

The survival for Aboriginal people relies on changes to the Constitution and the establishment of a Treaty. The treaty needs to be borne out of the people who have a very strong connection with land, culture, spirituality and law rather than being established by government, or a committee formed by government. It should be established by the people that maintain tradition because the necessary tools are already in place.

Now that we are back in Australia, we want to establish an ongoing forum where there is a relationship between traditional peoples of central Australia, Arnhem Land and groups like the Human Rights Commission and other interested parties to continue the conversation that has been started.

Visiting the UN has helped me to see that we are not alone in the struggle for human rights. There is a platform for all indigenous people of the world where we can go and share our concerns. Both Rosalie and myself felt great relief at being able to share our pain, on behalf of our people in Central and Northern Australia, in this forum.

I can be contacted for any further information on 0427 140 232, or by email at d.gondarra@hotmail.com and dudynguw@bigpond.com, or at the ALPA office: Ph: 08 8944 6444. Fax: 08 8981 6410. Email: darwin.office@alpa.asn.au

Shalom
Rev Dr Djiniyini Gondarra OAM

Larrpan Ga Buduyurr - The Spear and the Cloud

On Sunday 28 November at 2.00pm, the Hon Fred Chaney AO launched a book by Rev Bernie Clarke, *Larrpan Ga Buduyurr - The Spear and the Cloud*, the story of the Gátjil Djerrkura, the Balamumu people of East Arnhem Land and their struggle for justice and their land. The event took place at Brougham Place Uniting Church, North Adelaide.

This book "is a reminder that in Australia there are parallel universes and the Yolgnu inhabit a universe of their own that they treasure and which gives profound meaning to their lives....It is full of clues about what we need to do...." Hon Fred Chaney, AO, in his foreword.

The challenge of the book to governments is to explain why, despite good will, present government systems are incapable of responding in an appropriate way to achieve positive outcomes for Aboriginal people without undergoing serious systemic change. This book is an important contribution to the debate about 'closing the gap'.

The book is available from Mediacom for \$29.95, free freight on all orders until 17 Dec.
<http://www.mediacom.org.au/index.php>

UCA first church in Australia to officially acknowledge Aboriginal and Islander peoples as first peoples of Australia

Thursday, 25 November 2010 12:41

The Uniting Church is the first church in Australia to constitutionally acknowledge Aboriginal and Islander peoples as the First Peoples of Australia. Uniting Church President Rev. Alistair Macrae says the change to the preamble signifies the natural and rightful extension of the covenantal relationship that the Uniting Church has with the Indigenous people of the church, and by extension of this land.

“As a church we entered into an agreement with our Indigenous brothers and sisters to foster more just, inclusive and equal relationships in the Church that recognise the place of First Peoples,” Rev Macrae said.

“We have worked closely with the Uniting Aboriginal and Islander Christian Congress (UAICC) in developing the preamble and we are proud that, as a church, we have chosen to take this important step,” he said.

“It gives us a bigger and deeper understanding of who we are as an Australian church. First and second peoples belong equally together in this great land. Hopefully this new acknowledgment might provide a strong basis to work for greater understanding, reconciliation and justice.”

The Chairperson for the UAICC Rev. Ken Sumner said, “For members of the Congress, this acknowledgement places the foundation of our relationship in truth. It also, perhaps for the first time, makes Aboriginal and Islander people feel included in this church. For the first time, our covenantal relationship is founded on truth and not the lingering denial of our historical past. This is our story. The way the Congress has experienced our relationship is now enshrined in the introduction to the law of the church of which we are all a part.”

The preamble to the Uniting Church constitution was passed by the 12th Assembly in 2009 and subsequently passed by the Synods and Presbyteries (the Church’s state-based and regional councils) throughout 2010, as is required for constitutional change.

Revisions to the text have been developed after extensive consultation throughout the church and in particular with the UAICC and Indigenous Uniting Church members.

<http://nat.uca.org.au/media/63-mediareleases2010/616-uca-first-church-in-australia-to-officially-acknowledge-aboriginal-and-islander-peoples-as-first-peoples-of-australia-.html>

Can Australia Afford Not to be Reconciled?

Professor Patrick Dodson, Keynote Address, UNSW November 2010

Some excerpts

The Prime Minister has in recent days announced that there will be a process of consultation and discussion in the lead up to a referendum, which will ask the nation’s voters whether there should be constitutional recognition for Indigenous people incorporated into the Australian Constitution. I welcome the announcement.

It offers the nation an opportunity to take matters that are addressed in the United Nations Declaration on Indigenous Rights and cement them into our domestic law. It’s a way that Indigenous peoples’ rights and interests can be enshrined within our Constitution in a way that is beyond symbolic, as the preamble option would be, and actually recognise and embrace the rich and vibrant nature of our Indigenous Cultures while ensuring that our rights and interests are forever protected and guaranteed in the Nation’s guiding document.

As ever, the devil will be in the details, and in this case, in whether the bipartisanship promised on the day of the Prime Minister’s announcement will be maintained up to polling day. I would strongly counsel that the referendum be held on a day not connected to a General Election, which would destroy any bipartisan position that is clearly critical to a positive outcome for Indigenous and all Australians.

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So at the end of 1997, safe in the embrace of my own Yawuru world back in my hometown of Broome, I had time to reflect on people’s inability to understand what Gandhi and Martin Luther King had instinctively understood: that while the battle for peace and justice might have a local or regional context, the impact of that battle has global consequences. In other words, we cannot stand in our own land and demand truth and justice when others in the world are being denied the same outcomes.

Read the full address here: http://ipdru.arts.unsw.edu.au/media/File/Dodson_keynote.pdf

Aboriginal Deaths in Custody Recommendations still ignored. Why?

Excerpts of an address by Race Discrimination Commissioner, Graeme Innes at the Annual General Meeting of Death in Custody Watch Committee (WA) Inc, Friday 5 November 2010

Addressing Indigenous over-representation in the criminal justice system in a lasting manner will require a fundamental change to the existing relationship between mainstream Australia and Indigenous communities. It will require that the control over Indigenous people's lives be removed from the public institutions of our mainstream society, and that the unequal basis of the relationship be remedied by addressing the profound economic, social and cultural disadvantage experienced by Indigenous peoples. Ultimately, it required return of control of Aboriginal lives and communities to Aboriginal hands.

Among the findings in the Royal Commission was the critical importance of self determination. More positively, we have had some success in developing a better understanding of the meaning of self determination through the *Declaration on the Rights of Indigenous Peoples*. Self determined peoples that are connected to culture and to country sustain healthy and proud communities.

Colonization, racial inequality, racism, and cultural chauvinism have a long shelf life. And this is a reality that we have to come to terms with in relation to decision making and public policy development.

The Royal Commission into Aboriginal Deaths in Custody was established in 1987. A consideration in the terms of reference for the Royal Commission was to consider the underlying causes of incarceration. Unfortunately, the reality then is not far from the current reality. Among the core findings of the Commission is that the Aboriginal population was grossly overrepresented in prison - and that too many Aboriginal people die in custody too often. In over twenty years, how has this picture changed?

Another year passes and there are multiple deaths in custody and multiple suicides in custody. And another year. And another year. And so on.

If we are going to be serious about eliminating preventable deaths in custody, reducing the Indigenous youth suicide rate, and closing the gap in life expectancy – then we need to be serious about changing the system that generates disadvantage, inequality and poverty. It is the same system that results in disproportionate Aboriginal incarceration rates and over-representation in our corrections systems.

Where is the comprehensive plan to reduce Aboriginal deaths in custody?

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I support Deaths in Custody Watch WA, the Community Legal Centres and the many NGO's that have repeatedly called for the full and effective implementation of each of the 339 recommendations of the Royal Commission. Aboriginal and Torres Strait Islander peoples are still being arrested for minor offences – particularly public intoxication at the same time as there is little investment in culturally appropriate detox services. **Aboriginal communities in Adelaide** have made consistent calls for precisely these services for over 20 years.

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So where to from here? How much longer are we prepared to ignore the existing situation, and why do we continue to not act on what we know and what we were told explicitly in 1987?

Read the full text here : http://www.hreoc.gov.au/about/media/speeches/race/2010/20101105_death_custody.html

A thought

It is reprehensible that despite all the commissions and reports from *Aboriginal Deaths in Custody* to the *Little Children are Sacred*, that governments seem incapable of reading, understanding and putting into action the recommendations made. Instead, they head off in other directions, circumvent or ignore the recommendations, and then impose, intervene and inflict old solutions on everyone as if everyone was the same instead of engaging, consulting and negotiating with each community for real change. Why is that?

Ngayuku ngura - My Desert Country

Art Gallery of South Australia 29 October - 26 January 2011

Drawn entirely from the extensive holdings of Aboriginal art from the Art Gallery of South Australia's pioneering collection, Desert Country is the first exhibition to chart the forty year evolution of the internationally acclaimed Australian desert painting movement, and to demonstrate the unstoppable reaches of this remarkable art movement.

Prayer Points

- Pray for the restoration of the Racial Discrimination Act in the NT and for fair treatment of all Aboriginal Australians. Pray that governments stop forcing "reforms" against Aboriginal people's rights and against the evidence (e.g. bi-lingual education). Pray that that true listening will occur when consulting.
- Pray for congregations that don't celebrate Reconciliation Sunday; that hearts may be opened and minds challenged.
- Pray for **Uncle Wally Fejo** and his patrol ministry and all those who minister to Aboriginal people through Frontier Services.
- Give thanks that the Matthews family has been able to go home to a rebuilt manse in time for Christmas.
- Pray for **Uncle Hohaia Matthews** who is in hospital and **Auntie Dawn** who is also not well. Pray that they may be returned to good health soon. Pray for the continuing ministry in **Port Augusta**.
- Pray for **Uncle Ken Sumner, Auntie Shelley and their family**.
- Pray for the **Kalparrin Community** and all other Aboriginal communities where Aboriginal people have lost their CDEP jobs and where there were no 'real jobs' to replace them. Pray for the decision makers that made these disastrous policy decisions that they may be honest enough to admit their mistakes and fix the problem quickly.
- Continue to pray for the **Salisbury Congress Congregation** and the leadership group as they seek a new minister for 2011. Pray for **Auntie Denise Champion** as she seeks direction for 2011.
- Continue to pray for all Aboriginal children going to school or not going. Pray that equitable funding is provided for ALL schools and that solutions may be found for those children not attending.
- Continue to pray for justice and a 'fair go' for Aboriginal people and the 'unfinished business'. Pray for a Treaty.

Palya, Shalom,

Peter

November 2010

Covenanting Volunteer
Uniting Church SA
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(Usually only in the Synod Office infrequently)

'Til we meet again,
Hold the warmth of the camp fire in your heart
And may the Creator Spirit, the God of peace,
Always walk with you.

Note: The Covenanting Coordinator position is only half time. Office hours are usually in the first half of the week, Monday to Wednesday when not out and about. The Covenanting Coordinator is able to preach at Services, and talk to Church Councils, Bible Study and Fellowship Groups. For further details contact the Covenanting Coordinator. This and past copies of this newsletter may be downloaded from the website:

<http://mrm.sa.uca.org.au/covenanting/covenanting-whats-new.html>

If this newsletter has been forwarded to you and you wish to be included on the regular Covenanter's Email Newsletter list please email me (Peter Russell: peter@pipalya.com) your request. If you wish to be removed from the list please advise me at peter@pipalya.com

The resources, events and conferences listed in this newsletter are not necessarily officially supported by the Uniting Church. Information is provided as presented by the relevant organisations. The views expressed in this newsletter may not necessarily reflect the policy of the Uniting Church.

Ken Sumner

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ON LEAVE