

Midwives have a different set of skills but they still come to their profession with the care that both sides of this Parliament would want of people who are caring for our community. I want to thank nurses and midwives for their work and their continuing commitment to the people of New South Wales.

Finally, I note the bill obviously makes consequential changes to New South Wales' legislation and follows amendments to the schedule to the Queensland Health Practitioner Regulation National Law, which is an applied law in New South Wales. The changes to the Queensland schedule follow on from a review of the National Registration and Accreditation Scheme [NRAS] and a decision by health Ministers to include paramedics as the fifteenth registered health profession. All the Ministers—Coalition Liberal-Nationals and Labor—across the country agreed to that at a Council of Australian Governments meeting earlier this year.

The changes to the Queensland schedule will automatically apply in New South Wales except where the changes relate to complaints handling. This is because New South Wales joined the NRAS as a co-regulatory jurisdiction and, therefore, did not adopt the national provisions relating to complaints handling. The changes applying in New South Wales as a result of the Queensland amendments require consequent amendments to New South Wales' legislation, which the bill before the House, which we have now debated, sensibly implements. The bill will ensure that New South Wales continues to successfully implement NRAS as a co-regulatory jurisdiction. Again, I thank all members in both places for their contributions to debate, and I commend the bill to the House.

**The ASSISTANT SPEAKER:** The question is that this bill be now read a second time.

**Motion agreed to.**

### **Third Reading**

**Mr BRAD HAZZARD:** I move:

That this bill be now read a third time.

**Motion agreed to.**

### **CRIMES (SENTENCING PROCEDURE) AMENDMENT (CHILD SEXUAL OFFENCES) BILL 2015**

### **JUSTICE LEGISLATION AMENDMENT (COMMITTALS AND GUILTY PLEAS) BILL 2017**

### **CRIMES (HIGH RISK OFFENDERS) AMENDMENT BILL 2017**

### **Returned**

**The ASSISTANT SPEAKER:** I report receipt of a message from the Legislative Council returning the abovementioned bills without amendment.

### **ABORIGINAL LANGUAGES BILL 2017**

### **Second Reading**

**Mrs LESLIE WILLIAMS (Port Macquarie) (17:21):** On behalf of Mr Rob Stokes: I move:

That this bill be now read a second time.

I acknowledge the traditional owners of the land on which Parliament now stands, the Gadigal people of the Eora nation, and pay my respects to their elders both past and present and extend that respect to the first peoples of New South Wales present here today. I also acknowledge Aboriginal elders in my own electorate on the mid North Coast, in particular, my dear friend Uncle Bill, OAM. Uncle Bill is highly decorated and respected across our community, not because he has broken a record, represented the nation or achieved pursuits beyond others, but because of his storytelling, his imparting of knowledge, his cultural leadership and his advocacy. There are few events hosted in our community that are not preceded by Uncle Bill's Welcome to Country. His Welcome to Country is so colourful, so expressive and so meaningful. I will never tire of his words and I proudly stand beside him on many of those occasions appreciating each time the opportunity to reflect on our indebtedness to the custodianship of our Indigenous elders.

Uncle Bill mixes the Biripai language with English to welcome us to his country, Biripai country. In doing so, he asks us to respect the ocean, land, rivers and the many natural splendours, as this respect ensures the health of our country and its people. His wise counsel and guidance have been personally enriching. He has developed my cultural understanding and strengthened my beliefs about the imperative of building strong partnerships that are the fundamental foundation of reconciliation and equity. I strongly support this bill and feel privileged, humbled and proud to have played just a small part in its passage to this Parliament and this place.

I know that the passing of this bill will likely not be surpassed by anything I do in this place in the years I will spend here. That is because I have learnt from my many conversations with Aboriginal people the

significance and strength of this bill. Conversations with Uncle Stan Snr, Hayleen from Aboriginal Affairs, local language teacher Rhonda Radley, Dennis from Walgett, and Uncle Michael, one of the Stolen Generation. Their counsel and that of so many others has guided and nurtured me and taught me so much, and for that I am enormously grateful.

I would like to reflect on the historical introduction of the bill into the Legislative Council on Wednesday, 11 October, which featured a message stick ceremony. That message stick currently sits on this Table and will remain there while this bill is debated in this place. After a ceremonial procession into the Legislative Council Chamber, a group of distinguished elders and emerging young leaders spoke from the floor of the House in their language. A message stick was passed between them, symbolising the passage of language and culture across generations, across first nations and across first peoples' traditions and the traditions of this Parliament.

For tens of thousands of years, message sticks have been used by first peoples to communicate good news and bad, to welcome and to give warning. As the Minister for Aboriginal Affairs said in her second reading speech, message sticks are "physical manifestations of the languages that this bill seeks to acknowledge, nurture and grow." The message stick used in the bill introduction ceremony will stay in the Legislative Council as a permanent reminder to its members of this State's 60,000 years of history and about their duty to honour that history and to share and celebrate this State's unique and valuable first peoples' culture and languages. Like all histories, there has to be an origin story, the spark that became the fire. In the case of Aboriginal languages, they are the embers that lingered and the fire has burnt long and strong.

In 2011, the Hon. Victor Dominello set up the ministerial task force on Aboriginal affairs to examine the state of Aboriginal affairs in New South Wales. When the task force conducted statewide consultations in 2012, there was a very strong call to increase government efforts to work with communities to revive the Aboriginal languages. In response, OCHRE, the New South Wales Government plan for Aboriginal affairs, included a number of Aboriginal language initiatives. The five Aboriginal language and culture nests are an OCHRE initiative and across the five nests are 67 schools delivering Aboriginal language programs to more than 6,300 students, employing 55 language teachers and tutors. OCHRE also committed to renewing the 2004 Aboriginal languages policy.

When I became the Aboriginal affairs Minister in April 2015, there was little to show for this commitment. Reviews found that Aboriginal languages policies lacked accountability mechanisms and authority to achieve their objectives. Simply writing a new policy would not meet the ambitions of communities or the Government's commitment to work in partnership with communities. I recall a discussion with Jason Ardler, head of Aboriginal Affairs, about this quandary. A new policy could be quickly formulated but its long-term impact and whole-of-government reach would be limited. Jason spoke about legislation to recognise Aboriginal languages in similar jurisdictions, particularly in New Zealand and Canada. I set Jason the challenge for Aboriginal Affairs to explore a legislative model for first languages in New South Wales. Together we travelled to New Zealand in January 2016 to learn from our neighbours across the ocean.

In March that year I met with key first language stakeholders from around the State in Parliament. They spoke of their ambitions for their languages and how legislation could help meet those ambitions. It was in November 2016 that I announced the drafting of a New South Wales Aboriginal Languages Bill and community consultations on the bill. From January 2017, Minister Sarah Mitchell continued this journey, taking the draft bill through Cabinet and out across the State. The Aboriginal Affairs' community conversations held between May and August consisted of 32 workshops in 16 locations across New South Wales in two rounds. The 16 locations were Lightning Ridge, Bourke, Moruya, Wilcannia, Broken Hill, Dubbo, Wagga Wagga, Griffith, Dareton, Tamworth, Lismore, Coffs Harbour, Taree, Sydney, Mount Druitt and Moree.

The workshops included a demonstration of local language and culture and also stories of the personal impact of first peoples' reconnecting with their languages. There was strong support for legislation at the workshops and in the media coverage, but I also understand that there were some concerns with the draft bill. The bill before the House significantly improves on that draft bill, reflecting the input of community members, Aboriginal organisations and other institutions.

The objects of the bill are: to acknowledge that Aboriginal languages are part of the culture and identity of Aboriginal people; to establish an Aboriginal Languages Trust governed by Aboriginal people that will facilitate and support Aboriginal language activities to reawaken, nurture and grow Aboriginal languages; and to require the development of a strategic plan for the growth and development of Aboriginal languages. The bill includes a preamble which will replace the recognition statements in the draft bill. It states:

#### **WHEREAS**

- (a) The language of the first peoples of the land comprising New South Wales are an integral part of the world's oldest living culture and connect Aboriginal people to each other and to their land;

- (b) As a result of past Government decisions Aboriginal languages were almost lost, but they were spoken in secret and passed on through Aboriginal families and communities;
- (c) Aboriginal people will be reconnected with their culture and heritage by the reawakening, growing and nurturing of Aboriginal languages;
- (d) Aboriginal languages are part of the cultural heritage of all people in New South Wales; and
- (e) It is acknowledged that Aboriginal people are the custodians of Aboriginal languages and have the right to control their growth and nurturing.

I note that the Legislative Council amended paragraph (d) to remove the words "of all people". This and other minor amendments arose from a meeting between the Minister for Aboriginal Affairs, key Aboriginal language stakeholders and representatives of the New South Wales Aboriginal Land Council, and the New South Wales Aboriginal Education Consultative Group. The amendments improve the bill, giving greater clarity and the intention that first peoples must control the growth and nurturing of their languages. I note the draft bill proposed a centre for Aboriginal languages in New South Wales within Aboriginal Affairs. This was not supported during the community conversations. Instead, there was strong support for an independent statutory body led by an Aboriginal board. This bill establishes an Aboriginal Languages Trust. The trust will provide a focused, coordinated and sustained effort on Aboriginal language activities at local, regional and State levels.

The functions of the trust are: to bring together persons with relevant professional qualifications in languages and persons with knowledge of Aboriginal languages; to provide advice and direction for Aboriginal language activities; to promote effective Aboriginal language activities; to identify priorities for Aboriginal language activities; to manage the funding for, coordination of and investment in Aboriginal language activities at local, regional and State levels; to promote education and employment opportunities in Aboriginal language activities; to develop resources to support Aboriginal language activities; to provide guidance to the Government and its agencies on Aboriginal languages; to liaise with the Geographical Names Board on the use of Aboriginal languages and the naming of geographical places; and, finally, to encourage the wider use and appreciation of Aboriginal languages.

The trust will be managed by a board of between five and 11 members appointed by the Minister. The Minister can only appoint Aboriginal persons with relevant skills, expertise or experience and appropriate standing in the Aboriginal community. The Minister has limited powers to intervene in the affairs of the trust and in appointing trust members, approving its strategic plan and issuing directions to the trust. Ministerial directions must be published. These powers are appropriate and do not undermine the trust's independence. Within two years, the trust must prepare a draft strategic plan and submit it for approval by the Minister. The trust also prepares an annual report of its achievements against the strategic plan. Again, there were minor amendments to the bill in the Legislative Council, mostly concerning the strategic plan. I cannot overstate the significance of the bill. Members should not listen to me but rather the voices of Aboriginal people. I refer to Aunty Rhonda Ashby who spoke to the General Purpose Standing Committee No. 3 as one of the Stolen Generation. Aunty Rhonda said:

... it's a part of our identity; it's a part of our soul. Language is a part of our culture, culture is a part of our language—the two are married. If we did not know where we come from, we do not know where we are going. It is like a tree without roots; it won't grow.

Stan Grant junior reflected on the importance of language and the impact of its loss in an article published during NAIDOC Week this year. Its theme this year was *Our Language Matters*. I read his words onto *Hansard*:

To speak my father's language ruptures the Australian imagination that has seen us variously as doomed, archaic, displaced...

I am far from fluent in my father's language and that is the legacy of our history; a history of culture destroyed or denied. My father, Stan Grant senior, as a young boy saw his grandfather Wilfred Johnson jailed for speaking it to him in the main street of town.

He went on to note:

But there is a resurgence of language as an expression of belonging and an act of defiance in the face of assimilation. My father has devoted much of the later years of his life to reviving Wiradjuri. With linguist John Rudder, he wrote the first Wiradjuri dictionary. He has taught the language and inspired a new generation of teachers. Charles Sturt University now offers a graduate certificate in Wiradjuri language, culture and heritage.

My father says language does not so much tell you who you are but where you are. It is a crucial distinction.

He further wrote:

Today our politics is dominated by talk of "Australian values", "patriotism"; the price of citizenship is the ability to speak English. The resurgence of Indigenous languages is a counter to the triumphalism of the Australian settlement. It is a profound statement of sovereignty—this is, was and always will be Aboriginal land and these are the languages of the land.

Indigenous languages also present a tantalising opportunity for all the people of Australia to find a deeper sense of belonging. The empty space of terra nullius could be filled with the voices of people of all backgrounds speaking the first languages of this land.

In closing, I thank the Minister in the other place for facilitating the ongoing journey of language revitalisation. I thank the team in Aboriginal Affairs for their determination, commitment and dedication. I have no doubt they

will ensure the continued advancement of Aboriginal language revitalisation in this State. It is with great pride and privilege that I commend the bill to the House.

**Mr DAVID HARRIS (Wyong) (17:35):** I acknowledge that we meet on Gadigal land, part of the Eora nation. I pay my respect to elders past and present. I too acknowledge the significance of the Aboriginal Languages Bill 2017 and hope that all members of this place also understand the significance of the legislation that we will pass this afternoon.

Ngaya David Harris, MP for Wyong, yagunda acknowledge nyurabiyn Darkinung ngura-ga and pay respect to nguraki past and present. I, David Harris, MP for Wyong, today acknowledge all people on Darkinyung country and pay respect to elders past and present. I thank Aunty Bronwyn Chambers, Darkinyung descendant and chairperson of the Darkinyung Language Group, for giving me permission to use the Darkinyung language to acknowledge country in my electorate. The Darkinyung language was virtually lost. Together with a group from the Murrumbidgee Aboriginal Language and Cultural Cooperative, the Darkinyung Language Group has sought to revive that language through the publication of the Darkinyung language dictionary. Through talking to Aunty Bronwyn Chambers I now have a deep understanding of the complexity of reviving an Aboriginal language. Last night many members in the other place spoke about how Aboriginal languages across New South Wales and Australia have vanished. Approximately 10 Aboriginal languages are spoken in New South Wales. It sets the scene for the complex challenge, which hopefully will be assisted by this legislation. In 1996, Dr Graham McKay of Edith Cowan University stated:

Recognition of Indigenous languages and support for Indigenous language programs stand alongside land rights, health, justice, education, housing, employment and other services as part of the overall process of pursuing social justice and reconciliation in Australia.

He further stated:

One might go so far as to say that without recognition of the Indigenous people and their languages, many other programs will be less effective, because this lack of recognition will show that the underlying attitudes of the dominant society have not changed significantly.

That wisdom frames why this is an historic initiative for any Australian jurisdiction. For most of our history, our governments, the government of the colony and later the State of New South Wales, have legislated in many cruel ways the destruction of Aboriginal languages.

Like the Parliamentary Secretary, I have spoken with Uncle Michael about his experiences, and they were discussed last night in the Legislative Council. He told me that young members of the Stolen Generation were stolen from their families, sent to a centre known as Kinchela, and banned from using their given name. They were given a number instead. When the Stolen Generation legislation went through the House, Uncle Michael said that dogs and cows had names but the Aboriginal boys had a number and were not allowed to use their name.

Until our Australian society understands how profound that is, we cannot understand the journey that Aboriginal people have been on since colonisation in this State. A lot of people say that it was a long time ago, but it is in living memory and the waves of policies have continued to conflict families today. It is one of the reasons why there is such a lot of mental illness and drug and alcohol abuse in Aboriginal communities, not only in New South Wales but across Australia. It is through that lens that we understand that this legislation is a continuation of more recent attempts to correct the injustices done to Aboriginal people by our governments in the past.

It is important to acknowledge that within the framework of this foundation Indigenous cultural rights have been formally ratified through the international covenant, the United Nations Declaration on the Rights of Indigenous Peoples, which was adopted by the United Nations General Assembly on 13 September 2007 and formally endorsed by Australia on 3 April 2009. Of the 46 articles stipulated in the United Nations declaration, articles 11, 13 and 14 expressly assert rights directly relevant to us as we work to recover, re-voice and re-practise our mother tongues and mother cultures. Article 11.1 states:

Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

Article 13.1 states:

Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

Article 14.3 states:

States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

The profoundness of this legislation is that this Parliament now recognises what is contained in those articles. This is only the start of the journey. Australia's Commonwealth Government has affirmed a national commitment to our Indigenous Australian cultural rights through the "Our Land Our Languages" report, which was produced by the House of Representatives Standing Committee on Aboriginal Affairs. In this report, the standing committee formally recommended that we give due constitutional acknowledgement of the status of our Indigenous mother tongues and by assumption our Indigenous mother cultures. This legislation will enable that in New South Wales. Recommendation 8 of the committee stated:

The Committee recommends that the Commonwealth Government support Constitutional changes to include the recognition of Aboriginal and Torres Strait Islander languages, as recommended by the Expert Panel on Constitutional Recognition for Indigenous Australians.

The governmental journey to protect Aboriginal language in New South Wales began with the funding of a local community language revival in the early part of the first decade of this century by the former Labor Government, leading to the Aboriginal languages policy of 2004 and the establishment of the Aboriginal Languages Research and Resource Centre. I agree with the comments of the Parliamentary Secretary that whilst that was well meaning, there was no measurement and no way to ensure that those programs and resources were meeting the needs. Responding to a strong desire on the part of communities for greater opportunities to grow the knowledge of their languages, this policy worked with the community in developing the Aboriginal Language and Culture Nests—networks of communities connected to a base school, united by a connection to an Aboriginal language, in five locations across the State.

I acknowledge the role of the former Minister, the member for Port Macquarie, in bringing forward the concept of this legislation, and the current Minister, the Hon. Sarah Mitchell, in the Legislative Council for bringing it to this next stage. On behalf of the Opposition, I acknowledge that their work has been important. As the Parliamentary Secretary said in her second reading speech, concerns were raised by the New South Wales Aboriginal Land Council and the Aboriginal Education Consultative Group. I refer to the community consultations final report by Professor Jack Beeton. On page 8 of that report under "Ownership and authority" he stated:

This was one of the biggest concerns raised at the consultations. It was raised at each consultation, and repeatedly throughout every session within consultations. Participants said Aboriginal ownership and authority in regard to Aboriginal languages must be at the heart of the languages legislation. Participants wanted it stated clearly up-front and then to underlie every clause of the Bill, being the driving principle behind its intent and actions. Discussion on this theme also included concerns about rights, oversight, control, the role of the Minister, the role of the Government, and mechanisms for authority and decision-making. It was stated that ownership and authority of Aboriginal languages rests with each language group. Ideas for representative bodies were discussed, with much of the discussion also linking to topics raised when addressing the idea of a Centre for Aboriginal Languages NSW. Concerns were raised about the possibility of having any true Aboriginal ownership and control considering legislation puts authority in the hands of parliament and the Minister. A treaty was seen as one way of addressing this issue.

I raise that issue because the Minister, in her meeting with both the New South Wales Aboriginal Land Council and the Aboriginal Education Consultative Group, agreed to five amendments. Those amendments, which were supported unanimously last night in the Legislative Council, went to the heart of community concerns around ownership. Paragraph (e) of the preamble states, "It is acknowledged that Aboriginal people are the custodians of Aboriginal languages and have the right to control their growth and nurturing". Those two representative groups strongly recommended that the words "and use" be inserted at the end of paragraph (e). For technical reasons, that was not agreed to.

I congratulate the Minister on undertaking to look at this issue in the strategic plan and through regulation. When we talk about consultation, it has to be understood that Aboriginal groups have a low level of trust in government. I have learnt that from discussions with a whole range of Aboriginal groups. Aboriginal people have never ceded sovereignty. White people's law and policy have taken their land and languages from them. When dealing with the Stolen Generation in this place, we saw that it was far more perverse than that. As the Parliamentary Secretary rightly said, Aboriginal people were jailed for using their language.

Aboriginal people were rightly concerned about the concept of putting Aboriginal language into legislation. They saw the possibility of white people's law taking ownership of their language. And whilst they support the legislation in principle, they have grave concerns about the "use" factor. If we use Aboriginal language we should get permission from the elders to do so—I also told this to my colleagues in caucus when we were discussing this bill. We should all follow that custom. In teaching Aboriginal language intellectual property is very important. Who actually owns the language? Aboriginal people were concerned that if this legislation passed without clear direction about that an opportunity would exist for non-Aboriginal groups that were probably well meaning in trying to teach language to create products and take the language away from them.

As legislators we are often frustrated in using the right words but to Aboriginal people it was vital that this legislation was framed correctly. The New South Wales Aboriginal Land Council and the Aboriginal education consultant group were passionate about this because they are answerable to their members as the peak bodies. So they fought as hard as they could to make sure the legislation properly identified the ownership of Aboriginal language. I acknowledge that the Minister is seated in the Speaker's Gallery. I genuinely thank her for understanding and offering to recognise this through regulation, because ownership was a key sticking point. The other amendments were passed and Labor supported them. I hope we can address any lingering doubts Aboriginal people may have through regulation. The Parliamentary Secretary spoke about the significance of the ceremony that was held in the Legislative Council. Like many others, I was moved by that ceremony. No doubt the Minister and the Parliamentary Secretary will agree that Aboriginal people are very accepting. They invite you in and make you part of their ceremonies and their culture—that is part of who they are. As the shadow Minister for Aboriginal Affairs I feel privileged to be able to take part in Aboriginal ceremonies.

I thank everyone who took part in the smoking ceremony on 11 October. In particular, I thank the traditional language speakers: Dr Ray Kelly, Uncle Ray Davison, Ray Ingrey, Rhonda Ashby, Jaycent Davis, Auntie Di McNaboe, Uncle Gary Williams, Auntie Irene Harrington, Murray Butcher, Ronan Singleton and Auntie Salter. I acknowledge the President of the Legislative Council for allowing the standing orders to be changed—against opposition in some places—to allow that significant ceremony to take place. That showed a genuine willingness to make sure that this legislation will work.

People who know nothing of Aboriginal culture do not understand how the Aboriginal language is interconnected and how their songlines work. I was privileged to do the Spirit Walk across the Somersby Plateau and be shown the carvings and some of the cultural sites. That does not happen very often. To the untrained eye they appeared to be lines on a rock but those who understand the stories, songlines and language understand the complexity of the Aboriginal people. Sadly, in Australia we do not acknowledge that complexity as much as we should. I again congratulate the Hon. John Ajaka on being open to new and modern procedures and on allowing members of the Aboriginal community onto the floor of the Chamber. It was a very worthy precedent.

It is not simply government action but a persistent desire of the first peoples of this land to know their language, to preserve and pass on their language, and to overcome the imposed barriers and stop their languages from dying. Language is central to culture and how people see themselves fitting within it. When languages are not passed on, a loss of cultural identity is felt. Language is how we describe our experiences and the world around us. It is a gateway into culture and the primary means of communicating the shared experience of all the world's peoples. In the case of Aboriginal people, language is how we come to understand the experiences of the world's oldest continuous cultures that began 65,000 years ago. This legislation is the next big step in allowing those experiences to stay alive and to be passed on. As I said earlier, it will build on previous efforts to correct historical wrongs committed since European settlement.

The Parliamentary Secretary very ably outlined the objects of the bill—namely, to acknowledge that Aboriginal languages are part of the culture and identity of Aboriginal people; to establish an Aboriginal Languages Trust governed by Aboriginal people that will facilitate and support Aboriginal language activities to reawaken, nurture and grow Aboriginal language; and to require the development of a strategic plan for the growth and development of Aboriginal languages. This bill alone will not ensure that Aboriginal languages are protected and maintained. It is up to the Aboriginal community to take advantage of the funds this bill will hopefully appropriate and use them to do what is needed. We all say there are never enough funds, but this needs to be properly resourced. It is our responsibility to make sure this bill allows Aboriginal people to lead this effort with as little obstruction and as much resourcing as possible from the Government.

However historic this legislation is, it is not an easy task ahead to achieve its aims. We should not rejoice upon its passing only for it to slip from our consciousness later. We must never forget that speaking in language was forbidden. Laws were passed in this place that led to people being arrested and subject to criminal sanctions for speaking their language in public. Children were removed from family, and from country, because of it. By supporting Aboriginal people to know and to grow their language we will be able to help address some of the wrongs done by reconnecting them with their culture and identity. The choice of language, the use of words to describe what to do, is so important. It frames how those actions are perceived and influences how they are carried out. Leader of the Opposition in the other place the Hon. Adam Searle said:

I note that legislation does not seek to protect or to preserve Aboriginal languages, rejecting the language of past colonial injustice, but rather seeks to reawaken them, as if they were a strong flame that has been caused to die down to embers, but not extinguished, continuing to glow and to smoulder until given oxygen and nourishment, to be given support, they grow back into their full glory once more.

I thought it appropriate to read those words onto the Legislative Assembly *Hansard*. This is the hope and the aspiration in this legislation for the estimated 35 first languages, and the more than 100 dialects of those languages, spoken across the rich, wide lands of this State that we all share.

Over the past few months I have had a lot to do with the Bawurra Foundation, in particular with co-founder, managing director and proud Gamilaraay man Jesse Slock. The foundation is a not-for-profit organisation that uses technology to preserve and share Indigenous culture and help close the literacy gap. It is growing a digital library of Aboriginal languages, as well as Dreaming stories, art, songs, and history shared by Indigenous elders and community leaders. The digital library is accessed on tablet devices that are donated to school libraries in remote at-risk communities. On its most recent trip to rural communities in September, the Bawurra Foundation team reconnected with the Aboriginal community at Tingha and developed new relationships with community leaders in Moree. The trip was coordinated to donate tablets to Tingha Public School and Moree East Public School, both schools with a large number of Indigenous enrolments.

The team spent time in the schools workshopping with teachers, hosting classroom demonstrations and participating in culture and language classes. The introduction of the Aboriginal languages legislation will allow Bawurra Foundation to have a lasting impact on the educational landscape of all Indigenous students. The Bawurra library is rapidly growing with rich community-made content that enables the reawakening and continuation of Aboriginal languages. To the Bawurra Foundation, this bill means giving Aboriginal people control over the future of Aboriginal languages and providing them with the tools necessary to preserve and reawaken their languages across the State.

There is no shortage of examples of organisations and academics whose work shows support for these initiatives. Language has significance. Wade Davis is a professor of anthropology and BC Leadership Chair in Cultures and Ecosystems at Risk at the University of British Columbia. In his 2001 plenary address he eloquently showcased the beauty and importance of cultural diversity. He has coined the term "ethnosphere", which we might define as "the sum total of all the thoughts and dreams and ideas and beliefs and intuitions, myths brought into being since the beginning of time." He highlights its decline and says:

The ethnosphere is being eroded at a far greater rate than indeed is the biosphere. No biologist would dare suggest that per cent of all species or more are on the brink of extinction, and yet the most apocalyptic scenario in the realm of biological diversity represents what we know to be the most optimistic scenario in the realm of cultural diversity. And the great indicator of that is language loss.

In a *New Yorker* article Davis agrees that language is more than just words and can encapsulate a way of thinking and being. He said:

A language is not just a body of vocabulary or a set of grammatical rules, it's a flash of the human spirit. It's a vehicle for which the soul of a culture comes through to the material world. Every language in some sense is an ecosystem of ideas, a watershed of thought, an old growth forest of the mind.

I conclude my remarks with a quote from Gillian Bovoro, language coordinator and member of the Adnyamathanha language group from the Northern Flinders Ranges. She said:

Australians and the rest of the world need to know that Aboriginal languages are still here and need to be encouraged and preserved to keep our people strong. We have a voice that make us uniquely Australian. We have a language that goes on for thousands of years, and some are still as fluent as it was all those years ago. I think it's important and should be brought forward for all Australians to see and hear and respect.

I thank my colleagues from the other place the Hon. Adam Searle, the Hon. Mick Veitch and the Hon. Shaoquett Moselmane, along with Stephen Fenn, for advising and assisting me with this bill. I thank Professor Jack Beeton, the New South Wales Aboriginal Land Council and its staff, and the Aboriginal Education Consultative Group. I also pay thanks and respect to the Minister, her staff and the staff of Aboriginal Affairs for their work on this bill. Like the Parliamentary Secretary said, this is one of the most significant things that we will do. Some people will not recognise that but it is some of the most important work parliamentarians can do.

**Ms FELICITY WILSON (North Shore) (18:02):** I acknowledge the traditional owners of the land on which Parliament now stands, the Gadigal people of the Eora nation. I pay my respects to the traditional owners of the lands I now represent in the electorate of North Shore, believed to include the Cammeraygal, Wallumedegal and Borogegal peoples. I am proud to represent a community with rich Indigenous history and heritage, notably with impressive and well-preserved engravings, paintings and other artefacts. I also to pay my respects to Aboriginal elders, both past and present. I also commend the Minister for Aboriginal Affairs, the Hon. Sarah Mitchell, who is in the Speaker's Gallery, for leading the development and introduction of the historic and important Aboriginal Languages Bill 2017.

I acknowledge the support of the Parliamentary Secretary, the member for Port Macquarie, for her long standing support of the development of this legislation. I also acknowledge the shadow Minister, the member for Wyong. Both of their contributions reflected their deep commitment to and engagement with our Aboriginal

community and I appreciated listening to them as they spoke about the history behind this legislation. I am new to it but I have just as much respect for, and awareness of, the significance of this bill. I am proud that New South Wales will be the first State in Australia with legislation to recognise the importance of Aboriginal languages, though I believe that this should not be limited to Aboriginal people in New South Wales.

This continues our State's leadership on reviving and protecting Aboriginal languages. This legislation has been brought about after many decades of work by many people, and I am proud to play a small role in the last step of this historic legislation. I was particularly moved today when the message stick that is sitting on the table was brought into the Chamber. It is right that this symbol join us as we commit to supporting Aboriginal people's custodianship and preservation of their language. We know that approximately 1,800 people speak an estimated 35 original Aboriginal languages across New South Wales, with dozens of dialects and varying levels of fluency. But we also know that for a long time the speaking of Aboriginal languages was discouraged by institutions across our society—a history ably articulated by the shadow Minister—which left its impact on generations of Aboriginal Australians.

While this legislation will not right the wrongs of the past, it allows us to make a clear statement that we respect and value the voices of our first peoples. We know that language is linked to culture and belonging and the ability to tell stories, convey histories and enunciate identity. For many, language has a power of restorative justice. While this year marks 50 years since the landmark 1967 constitutional referendum recognising Indigenous Australians, we still have further to go to close the gap. That is why the Government has worked hand in hand with Aboriginal communities in New South Wales on this legislation. Aboriginal languages play a unique and essential role across our community. I emphasises the value language has, how it connects Aboriginal people to country, transfers spiritual and cultural knowledge, and sustains cultural identity and wellbeing.

Aboriginal languages are critical to Aboriginal people and too important to lose. They are part of our country's collective heritage and we must look after them not only for today's communities but also for future generations. It is Aboriginal people who own and control their languages. It is the New South Wales Government's role to support the revival and maintenance of Aboriginal language through legislation such as this and programs such as the Aboriginal language and culture nests. We know that to develop meaningful and effective legislation we must listen to Aboriginal people. That is why, between May and August of this year, Aboriginal Affairs held community conversations on the draft bill at 32 workshops in 16 locations in New South Wales in two rounds. The 16 locations were Lightning Ridge, Bourke, Moruya, Wilcannia, Broken Hill, Dubbo, Wagga Wagga, Griffith, Dareton, Tamworth, Lismore, Coffs Harbour, Taree, Sydney, Mount Druitt and Moree.

Independent facilitator Professor Jack Beetson, facilitated the round one conversations and Mr Joe Boughton-Dent was the independent scribe. The round one workshops commenced with a demonstration of local language and culture, including songs and storytelling, demonstration language classes and students telling their personal stories. Participants also spoke of the transformative effect of language on them, their family and community. The round one conversations attracted 269 participants and generated more than 60 media items. There was strong support for legislation at the workshops and in the media coverage. Participants said that the bill had to be easily understood and meaningful to Aboriginal people. All workshops also said that Aboriginal ownership and control must be fundamental to the bill.

Professor Beetson documented these and other concerns and made a number of recommendations in his independent report on the round one conversations. Aboriginal Affairs then held a second round of community conversations on the proposed changes to the draft bill. Round two conversations attracted 108 participants. Aboriginal Affairs also sought written submissions throughout the community consultation period. As acknowledged by the previous speakers, this bill reflects the deep community conversations that took place in the led up to its introduction to the other place. Those conversations will continue after it becomes law this evening. I am proud to be a part of a Government that is enacting another first for and with Aboriginal people.

New South Wales is also the first State to apologise to the stolen generation for past government practices that have had a profound and enduring effect, some of which we heard about in the contributions of the Parliamentary Secretary and the shadow Minister this evening. Today's legislation is another step towards closing the gap between Indigenous people and the rest of the community. It is an historic piece of legislation and I am very proud to participate in the debate this evening. I commend the bill to the House.

**Mr GREG PIPER (Lake Macquarie) (18:09):** I commence my contribution to debate on the debate on the Aboriginal Languages Bill 2017 by acknowledging the Gadigal people of the Eora nation on whose land we meet. I also pay my respects to the people of the lands I represent, the Awabakal people of the Awabakal nation. I pay my respect to elders past and present and, most importantly, to the members of the Aboriginal community who live with us today. I always like to point out that Lake Macquarie has one of the largest Aboriginal populations in New South Wales outside of the Sydney metropolitan area; it is a very important part of our community.

I acknowledge the member for Port Macquarie, and Parliamentary Secretary, who introduced this bill to the House. I acknowledge her friendship that I have enjoyed since she came to this House and the good working relationship that I had with her in her former role as Minister for Aboriginal Affairs. I also acknowledge the presence in the Speaker's Gallery of the current Minister for Aboriginal Affairs, the Hon. Sarah Mitchell, and acknowledge her work on this important piece of legislation. The bill provides a practical methodology for Aboriginal people to take control of the re-establishment of the languages that have been either lost or at risk of being lost, and does not reflect the traditional paternalism that has been the bane of the first peoples of Australia and New South Wales and in many cases brought about the loss of their language.

It has been mentioned that not allowing Aboriginal language to be used was institutionalised. There is no quicker way to destroy a people than to take away their language. The spoken language is at the core of people's understanding and it is incredibly important for the transfer of knowledge through a community that does not have a formal written language. For whatever reason, the early settlers used a very effective tool to attack the core of Aboriginal culture. Yet the strength of the Aboriginal people is such that those early settlers did not succeed. It is wonderful that so many people have retained some of their language and that through this mechanism their understanding will be strengthened.

In the Lake Macquarie area we have been dealing with this issue for some time. Many years ago I met a gentleman by the name of Darren McKenny, who was inspired to address the loss of the Awabakal language in our area. Darren McKenny is a Kamilaroi man but he was raised on Awabakal land. He felt that he wanted to do this for those peoples, and he had a very good starting point. I am not sure if many people know much of the history of the early Aboriginal settlements around our area, but Reverend Lancelot Threlkeld was a Methodist missionary who came to Australia and established a number of settlements in Lake Macquarie in the 1820s and 1830s. He became very important and basically established the first village at Belmont and was subsequently central to the establishment of Toronto—both of which are major residential and commercial centres in Lake Macquarie.

A local leader and warrior of the Awabakal people by the name of Biraban ably assisted Lancelot Threlkeld in trying to establish a mission to convert the Aborigines of the area to Christianity. I imagine Biraban was probably to Threlkeld and our area much as Bennelong was to Lachlan Macquarie and the establishment of the Sydney settlement. Biraban was obviously an influential man. He helped Lancelot Threlkeld to produce a translation of parts of the *King James Bible* into the Awabakal language. They collaborated on many other writings as well, including Threlkeld's interpretation of the grammar and pronunciation of Awabakal. As a result, the echoes of the Awabakal language still exist even though others tried to wipe it out. Because of a good working relationship between them, Lancelot Threlkeld and Biraban helped to retain a burning flame of the Awabakal language. I would think that members of the Aboriginal community and the surviving Awabakal people in the area would appreciate that.

The name of Biraban has been respected in my electorate. The local public school at Toronto West is named after Biraban. In addition, after the Koombahtoo Local Aboriginal Land Council was placed into administration it was ultimately resurrected under the name of Biraban. It is fitting that these names are remembered and are part of the commemoration of the Awabakal language. Once again, I pay my respects to all those people who have been involved in the development of this legislation. Other people have articulated in detail what the bill does and have referred to the wonderful ceremony held in the other place. I acknowledge the Government, the Minister and the President of the Legislative Council for doing that and for bringing in wonderful Aboriginal leaders and elders such as Dr Ray Kelly to join with members not in a subservient or patronising way, as was done in the past. Hopefully we have matured beyond that. In a very practical way this bill shows that to be the case.

It is wonderful to be able to support this bill. I also acknowledge the shadow Minister for Aboriginal Affairs, the member for Wyong, who has developed a genuine working relationship with the Aboriginal community in his area and more broadly. I see things working much better in the relationships we have established with the first peoples here in New South Wales.

**Mr KEVIN ANDERSON (Tamworth) (18:18):** I acknowledge the traditional owners of the land on which the Parliament now stands, the Gadigal people of the Eora nation, and I pay my respects to their elders past and present. I also pay my respects to the many first peoples of New South Wales present today and to those in the New South Wales Parliament who identify as Aboriginal.

I support the Aboriginal Languages Bill 2017. I come from Tamworth, which is Kamilaroi country. I am enthralled at every event I attend when people perform the welcome to country ceremony. It is a privilege to be part of such a ceremony at the commencement of key events in the area. One elder for whom I have enormous respect is Mr Len Walters, a Kamilaroi man who has a passion for sharing his culture. Len takes people on a spiritual journey from the ancient to the contemporary every time a welcome to country ceremony is performed. He relays stories

about everyday things to give a comparison between nowadays and the time when he was a boy, as well as that of his ancestors. It is fascinating and I always look forward to catching up with Len. He is a good mate, who is doing so much for Aboriginal language across the electorate of Tamworth.

Len has a website, Len Walters Aboriginal Cultural Tours, which I urge members to visit. He does a fantastic job taking language into schools. Indeed, he teaches not only the kids but also the teachers—the Minister knows this as has visited Hillvue Public School—basic words, how to count, how to form sentences and common, everyday phrases to help them appreciate animals, plants and trees. He teaches them how to say "good morning" and "good evening". He teaches them how to say "hello" and "welcome"—which is yaama yamanday in Kamilaroi—to integrate the whole learning experience and the cultural sensation of being one nation. I encourage Len and thank him. I learn something every time I catch up with him. He is a proud Kamilaroi man.

The Kamilaroi are the traditional Aboriginal custodians of the area that extends from northern New South Wales to southern Queensland. The area now includes the present-day centres of Singleton in the Hunter Valley through to the Warrumbungle Mountains in the west up through Quirindi, Gunnedah, Tamworth, Narrabri, Walgett, Moree, Lightning Ridge and Mungindi in New South Wales to Nindigully in south-west Queensland. I congratulate and thank Len, as well as many others in the Tamworth electorate who are helping us to understand and learn more about Aboriginal culture and keeping the traditions. When we pay our respects to elders past and present I always include the youth because they will carry on those traditions and cultures when we are long gone, which is really important.

We have some outstanding young Aboriginal leaders who are going into schools and teaching our children Aboriginal culture, language and dance. I refer to young fellows like Marc Sutherland and the Gomeri Dance Company. First, they explain the dance in English and then they start to dance. It is wonderful to be part of that experience. They have my full support for what they do not only in Tamworth and the Kamilaroi country but also on the traditional land of the Gadigal people of the Eora nation, where we stand today. I have listened intently to a number of speakers, and I also support the bill. I urge everyone to get behind it. I was thinking about songs that have been written by great Australian bands. I shall quote a verse from one song, thinking about where we are today, where we were yesterday and where we will be tomorrow. I spent some time in Warrnambool with resident Shane Howard from the band Goanna. The first verse of the song *Solid Rock* states:

Out here nothin' changes, not in a hurry anyway  
You feel the endlessness with the comin' of the light o' day  
We're talkin' about a chosen place  
You wouldn't sell it in a marketplace ...

Those words remain relevant today. It is a cracker of a song.

**TEMPORARY SPEAKER (Mr Lee Evans):** Sing a few bars.

**Mr KEVIN ANDERSON:** I need some sticks and a didgeridoo. I congratulate the Minister on bringing the bill to the House. It has my full support.

**Mr JIHAD DIB (Lakemba) (18:25):** I begin by acknowledge the Gadigal people of the Eora nation and pay my respects to elders past and present.. I acknowledge any Indigenous people in the Chamber and those tuning in via the Parliament's webcast. I acknowledge my local community who spoke the Dharug language, and continue to do so. I acknowledge Uncle Harry, who is a part of the community. He is not considered the local Indigenous person; he is part of our community and gives us the welcome to country. He is incredibly popular with young people and, as the member for Tamworth said, young people are the future of this country.

People are captivated by Uncle Harry. He tells them stories about the areas in which they live—what is now a drain was once part of a creek. He tells stories about the fish he caught as a kid and the different games he played. He talks about the schools, the hills and the mountains. We cannot see all that now because of the concrete and tar, but Uncle Harry has the ability to transcend time in his storytelling. It is phenomenal. I come from one of the most multicultural communities in New South Wales so there is nothing more exciting for me than seeing kids from different cultural backgrounds listening to a local elder.

I add my weight to the comments made by previous speakers and acknowledge the efforts of the Minister for Aboriginal Affairs, the Hon. Sarah Mitchell; the Parliamentary Secretary and former Minister, the Hon. Leslie Williams; and the shadow Minister, my dear friend the member for Wyong, David Harris. The Legislative Assembly is a pretty tough place sometimes. We talk about a lot of things but more often than not we draw a line down the middle and, whether or not we like it, we spend a lot of time throwing barbs at people; we look for reasons to argue with one another. We do a lot of good things and the significance of what is happening in the Chamber today will resonate in the community. It speaks volumes about democracy, our Australian values and the benefits that can flow when people work together, so I acknowledge those three members.

At a time when people have little trust in the political system, bills such as this can reassure them that we are doing the right thing. Such work is always difficult but it is important. The message stick is symbolic. Parliament commences each day with an acknowledgement of country and the Aboriginal flag is proudly displayed in the Chamber. We celebrate what it means to be Australian. I will not repeat what other members have said, but there is a lot of background about the historical impact of European settlement in Australia. My colleague and Federal member of Parliament Tony Burke and I often talk about the two Australian stories: the Indigenous story that started with the First Peoples in Australia and the other story of migration to this great country.

It is important to recognise that this nation is made better by every cultural contribution. It is not so much a multicultural Australia as a modern Australia that weaves together the fibres of different parts of the world. We all bring something to the table and if we work together we can enrich this nation. It is now common practice, and expected, that we start any gathering with an acknowledgment of country. In the first few years it was about the acknowledgment, but now there is a story and a history lesson built into the acknowledgment. It is not tokenistic. Members have spoken about the value of language. It is not just being able to speak in a different tongue; it is part of who you are, your heritage, history and culture. The Indigenous spirit has persevered through persecution that almost wiped out Aboriginal culture. It shows the strength of 65,000 years in country. It is not about speaking a word or two of an Aboriginal language but about understanding the history and heritage that makes you who you are as a person.

My experiences as a teacher and as a member in this place have shown me the importance of languages. This Parliament has committed to reintroduce languages into primary schools. I used to teach history and during that time I noticed a discernable shift in the way that Indigenous history was taught. We invited local community members to talk to the kids and give them an experience. You can provide a text book but it is much more powerful to provide an experience that will help kids understand why things are the way they are. Now when I visit schools I see kids immersed in Aboriginal culture and language. In the middle of last year I visited Newcastle High School with Nathan Towney and experienced the yarning circle. Several schools have integrated the yarning circle into their program. We must take in Indigenous culture and language and do something with it. To make this nation better we must view it as part of our nation and not as a practice by one group or another.

Indigenous culture has taught us which native plants we can eat and which we can make into medicine. Late last year I visited Lake Mungo with students from across New South Wales, Victoria and South Australia. It was dusty and warm, but it was a beautiful experience. I saw kids from Wiley Park who had never been out of Sydney sit down and listen intently to Aboriginal elders tell them their family stories, their history, the reason for a smoking ceremony and the difference between an acknowledgment of country and a welcome to country. That is what makes this country great. This Parliament has the ability to shape the way we move forward as a society. This bill takes us one step forward—only one step—but it is an important step. In years to come people will look back and realise that the recognition of our history and heritage was a step towards healing. There has been a need for healing and this is the place it must begin.

It is impressive that the Minister, the shadow Minister, the Parliamentary Secretary and the former Minister are saying in unison that by working together as a nation we have the ability to recognise and celebrate who we are. That will give us a path to follow into the future. Our Australia is a better Australia when every single person and element of society is respected and valued. I commend the bill to the House.

**Mr VICTOR DOMINELLO (Ryde—Minister for Finance, Services and Property) (18:34):** I acknowledge the traditional owners of our beautiful land, the Gadigal people of the Eora nation, and pay my respects to elders both past and present. I acknowledge the Wallumedegal people, who are the traditional owners of the land in my electorate of Ryde. The tribe is part of the Eora nation and the Wallumedegal tribal totem is the snapper fish. When you walk along the Meadowbank River you will notice the council has, in a moment of inspiration, placed snapper totems along the foreshore. It looks fantastic. It is a visual reminder of the history and culture of this great land.

I support the Aboriginal Language Bill 2017 and I commend the great work of the Minister for Aboriginal Affairs in bringing it forward. I note that the Minister is in advisers' area. Her predecessor and Parliamentary Secretary, the member for Port Macquarie, contributed to its content. I congratulate the member for Tamworth and the Minister for Aboriginal Affairs. When I was Minister for Aboriginal Affairs we travelled the State for four years, initially with the task force and then implementing the recommendations of that task force. I visited the member for Tamworth a number of times. One deliverable from the task force was establishing an opportunity hub at Tamworth. According to the member for Tamworth, "It is smoking". That is fantastic. I will speak of my journey in relation to Aboriginal languages later.

Aboriginal language and culture nests are an initiative under Opportunity, Choice, Healing, Responsibility, Empowerment [OCHRE], the New South Wales Government plan for Aboriginal Affairs. Nests help to create learning pathways for Aboriginal students, teachers and community members. They also ensure that

Aboriginal languages, as part of the cultural heritage of New South Wales, are revitalised, taught and spoken. Each nest has a base school, language teachers and tutors, schools within the nest area teaching language and a keeping place to manage language resources. Aboriginal communities are closely involved in nest planning and decision-making.

In 2013, as Minister for Aboriginal Affairs, I was proud to launch the State's first Aboriginal language and culture nest in Dubbo to revitalise and preserve the North West Wiradjuri language. Today, we reflect on what we have achieved since that time and look forward as we make even further advancements to acknowledge, re-awaken and nurture Aboriginal languages. There are now five Aboriginal language and culture nests. They are located in: Dubbo, for the Wiradjuri language; Coffs Harbour, Gumbayngirr; Lismore, Bundjalung; Wilcannia, Paakantji; and Lightning Ridge, Gamilaraay. Across the five nests there are 67 schools employing 55 language teachers and tutors to deliver Aboriginal language programs to more than 6,300 students. The number of students has increased from 5,300 in 2016.

The nest in Dubbo includes the north-west Wiradjuri people in and around the communities of Gilgandra, Wellington, Peak Hill, Trangie, Narromine and Mudgee. The nest's base school is Dubbo Public School and more than 2,300 students are learning the Wiradjuri language across 18 schools or college campuses within the nest. Sixteen Aboriginal language tutors have been employed in the nest. In Coffs Harbour, the Gumbayngirr Language and Culture Nest engages the communities in and around Bellingen, Boambee, Coffs Harbour, Corindi Beach, Dorrigo, Ebor, Korora, Mullaway, Nambucca Heads, Sawtell, South Grafton, Toormina, Upper Orara, Urunga, Woolgoolga and Wooli. The nest's base school is William Bayldon Public School. There are 24 Aboriginal language tutors across 32 schools campuses instructing more than 2,600 students.

In Lismore, the Bundjalung Language and Culture Nest engages the Bundjalung communities in and around Lismore, Kyogle, Tweed Heads, Ballina, Evan Heads, Woodenbong, Grafton, Tabulam, Coraki, and Casino. The base school for the language and culture nest is Goonellabah Public School, and Bundjalung is taught in six schools to more than 860 students by six Aboriginal language tutors. In Wilcannia, the Paakantji Language and Culture Nest engages the communities in and around Bourke, Broken Hill, Commealla, Dareton-Wentworth, Menindee and Wilcannia. Wilcannia Central School is the base school for the nest. Four Aboriginal language tutors teach more than 160 students in five schools. Finally, the Gamilaraay Language and Culture Nest engages communities in and around Lightning Ridge, Walgett, Goolooga and Collarenebri. The base school for the nest is Lightning Ridge Central School. Six schools are involved in the nest, employing five Aboriginal language tutors and engaging more than 330 students.

Some positive stories are emerging from the teaching of Aboriginal languages. In all the nests there is strong community interest in delivering the language programs and developing resources. In the North West Wiradjuri Nest, at Narromine High School older students who have learnt Wiradjuri are now helping to teach younger students at Narromine preschool. That is a great example of language being passed on, growing within the community, and building pride in Aboriginal culture. Also, in Dubbo the Wiradjuri language is now being used on park and street signage. Looking forward, \$2 million in new funding will be provided through a revised funding agreement between the New South Wales Department of Education and the New South Wales Aboriginal Education Consultative Group for the NSW AECG to provide support and capacity-building services through to 2019. Significantly, this includes the establishment of two more satellite nests, located in the Moree and Kempsey areas. The additional funding will also support nest governance structures to enhance community decision-making, explore using digital technologies to create Aboriginal language teaching resources, and increase the numbers of Aboriginal language teachers.

I am proud of where we are today and feel blessed to be a member of this House as we recognise the significance of New South Wales' first languages and reaffirm our commitment to protect and revive them for future generations. I congratulate and thank Minister Mitchell for her advocacy, and pay my respects to the many individuals responsible for securing and promoting Aboriginal languages in New South Wales. Indeed, I fondly remember my time as Minister for Aboriginal Affairs. I hasten to say that it was probably the best four years of my life. It was definitely the best four years of my public life because I learnt so much, particularly from the Aboriginal people. They are so deep in their spirituality and their love for this country and for the land. My eyes were always opening, and my heart keeps opening when I sit and listen to them.

A great source of pride was introducing in the previous session of Parliament the Opportunity, Choice, Healing, Responsibility, Empowerment—OCHRE—strategy and particularly the task force that we established in 2011-2012. At the time I remember there were myriad reports—there always are in this complex policy area—including a report from the Auditor-General about the failures of Two Ways Together. I remember visiting communities and talking about improving economic capacity and employment opportunities. We also talked about improving education opportunities, service delivery and accountability. On these visits time and time again elders would come up to me and say, "Minister, one of the most important things you can do for us is help us to revitalise

and restore our language." When I heard that for the first time it made me pause and think, "Of all the issues facing our indigenous brothers and sisters, why is language so pivotal? "

There was an aunty from the Menindee area—she was not part of the firm but she was there—who said to me, "I can't believe that in my lifetime a government is trying to help us restore our language when I remember governments tried to take it away from us." She had a tear in her eye when she said that. It was such a moving moment—I am getting goosebumps reliving it now—because I saw in this beautiful old lady a sense of hope. She had fought the good fight for so many years and her dreams were starting to be realised. The language that had been taken away was starting to return and her grandchildren and great-grandchildren would have the opportunity to learn, understand and love the language that she knew. That was very moving for me. At that point I realised we must do more. [*Extension of time*]

When the language nest concept was being developed, I wanted to call it the language lighthouse because, symbolically, that is what it is: a beacon of light that draws people in. But the Aboriginal community were absolutely firm. They said, "No, they are not going to be called lighthouses; they are going to be called nests." I quickly learnt then that for this to work we have to listen and implement what the community wants, not what government wants. I conclude on this note. This bill is far more than a simple symbolic gesture; it is absolutely critical to social cohesion and to our narrative as a nation. I am proud that this House stands united in making sure that we deliver on our part in that journey.

**Ms TAMARA SMITH (Ballina) (18:45):** I acknowledge the traditional custodians of the land on which we are meeting, the Gadigal people of the Eora country, and the traditional custodians of the land on which I live, the Bundjalung people. I pay my respects to elders past and present, and to all Aboriginal people who are here today and in Parliament. This always was and always will be Aboriginal land, and I join my colleagues in The Greens in calling for full constitutional recognition of Aboriginal people and a full treaty. I commend more than 200 years of Aboriginal people's activism and struggle against the colonisation project. Sadly, that means today we are talking about restoring languages and recognising the communities in New South Wales and across the country who have worked towards that recognition and restoration. I was proud to hear the way in which members have spoken in this Chamber and in the other place. Today I am proud to be a member of Parliament. I do not always feel that way, in light of what goes on in this place, but today I am proud that we have united in a bipartisan manner.

I commend Minister Mitchell, who has now left the advisers' area, on introducing the Aboriginal Language Bill 2017. I also recognise particularly the member for Port Macquarie, the former Minister for Aboriginal Affairs, because I know that this bill is the culmination of her work. As Minister Dominello said, it has been a long journey. I also commend the shadow Minister, the member for Wyong. I was very moved by his contribution to the debate. A friend of my family was Burnum Burnum, so I was fortunate to grow up with a very strong sense of the activism and self-determination in Aboriginal communities. This bill is the culmination of that spirit.

This bill seeks to preserve and to restore Aboriginal languages in three ways: to provide the statutory acknowledgement that Aboriginal language is part of Aboriginal culture and identity; through the establishment of an Aboriginal languages trust; and through the development of a five-year strategic plan. It is important to remember that we are talking about a living country and a living language. This is a sensitive subject for non-Aboriginal people because our language is not separate from our culture. As long as we are confident that this project is being led by Aboriginal people, it will be okay. They are the best placed to do that.

The Aboriginal language nests have been extremely successful. I taught Aboriginal studies as part of the Ballina-Cabbage Tree Island Local Aboriginal Education Consultative Group [AECG] for many years. I am very proud of the work being done in the language nests in the Bundjalung country. Others might claim ownership, but I believe that the North Coast led the way with language nests in the late 1990s at Lismore Heights Public School. Uncle Roy Gordon and Cheryl Landers, nee Done, were teaching the Bundjalung language at the school in the 1990s. Uncle Roy Gordon is very much part of the Lismore language nest. The community has worked hard for many decades to reclaim, to rejuvenate and to restore community languages. The opportunity, choice, healing, responsibility, empowerment [OCHRE] project has sought to do that and, rightly so, focuses on Aboriginal people being able to reclaim and to learn their languages in the community and at school.

This legislation will be truly welcomed by Aboriginal members of my community—the Bundjalung people—if it bears fruit. Like everyone who witnessed it, I was incredibly moved by the smoking ceremony involving Aboriginal people in the other place speaking language. I commend the President for facilitating the ceremony. While the development of a bill specifically designed to address languages has been welcomed by stakeholders and communities, I will remind the Government of a few issues that must be kept at the forefront. Concerns have been raised about the appointment of board members to the trust by the Minister and the lack of

clarity regarding the criteria. We have been told that there has been minimal consultation with the NSW AECG about the composition of the board.

When that issue was raised in the other place, members were assured that the Government is fully committed to the process. The protocols dealing with who can teach language in country are incredibly complex and nuanced. Sadly, governments have a history of flatlining cultures and cultural identity. On behalf The Greens, I urge the Minister to consult with the AECG on every aspect of this legislation. The Greens are also concerned that the strategic plan can be amended by the Minister with no requirement to refer the amendments to the trust for consultation. That may be an oversight, and The Greens look forward to seeing more detail. However, that appears to fly in the face of the spirit of the bill. Environmentalists often come up against the reality of self-determination. If Aboriginal people are in the driver's seat on this project, it seems out of step for there to be a veto power. There is no requirement in the legislation for the Government to undertake wide consultation on the design of the strategy plan, and stakeholders would like that requirement to be included in the legislation.

Apparently employees of the trust must be public servants, and I am told that that is because of the nature of the trust. I also understand that the trust will not be able to employ staff directly. That is a lost opportunity and a barrier to community employment. I urge the Government to reconsider that provision. The Greens welcome this bill. I stood beside an elder who was being interviewed by a journalist from National Indigenous Television [NITV] and who said he could not believe he was standing in the Legislative Council. Like most Aboriginal people, he would have been impacted by the stolen generations at some level. I felt proud to stand next to him and to witness the smoking ceremony. The community concerns that I have raised may have been resolved; I ask members to forgive me if that is the case. This is historic legislation that should not be downplayed, and The Greens support it.

**Ms JODIE HARRISON (Charlestown) (18:54):** I speak in debate on the Aboriginal Languages Bill 2017. First, I acknowledge that we meet on the land of the Gadigal people of the Eora nation, and that my electorate is on the land of the Awabakal people. I pay respect to knowledge-holders and community members of the land and acknowledge elders both past and present. I also acknowledge the strength, resilience and cultural identity of Aboriginal people, and the positive contribution they make to the local community. I acknowledge the work of everyone who has contributed to the development of this bill—in the consultations, the negotiations and the drafting—in this place and more broadly, including Aboriginal people, for whom it is extremely important.

The objects of the Aboriginal Languages Bill 2017 are: to acknowledge that Aboriginal languages are part of the culture and identity of Aboriginal people; to establish an Aboriginal languages trust governed by Aboriginal people that will facilitate and support Aboriginal language activities to reawaken, to nurture and to grow Aboriginal languages; and to require the development of a strategic plan for the growth and nurturing of Aboriginal languages. I said that many people contributed to the development of the bill. One of those people was Dr Ray Kelly Snr, who is an author and research academic with the Wollatuka Institute at the University of Newcastle, which is on the edge of Pambulong clan lands. Dr Kelly also has a beautiful singing voice, which I heard at a NAIDOC event at Hunter Sports High School. Dr Kelly provided a submission to Aboriginal Affairs NSW that informed the development of the preamble to the bill. The preamble states:

#### WHEREAS

- (a) The languages of the first peoples of the land comprising New South Wales are an integral part of the world's oldest living culture and connect Aboriginal people to each other and to their land:
- (b) As a result of past Government decisions Aboriginal languages were almost lost, but they were spoken in secret and passed on through Aboriginal families and communities:
- (c) Aboriginal people will be reconnected with their culture and heritage by the reawakening, growing and enduring of Aboriginal languages:
- (d) Aboriginal languages are part of the cultural heritage of all people in New South Wales: and
- (e) It is acknowledged that Aboriginal people are the custodians of Aboriginal languages and have the right to control their growth and nurturing.

The preamble combines Dr Kelly's submission, feedback from community conversations, and the original acknowledgement statements. Preambles are rare in modern legislation. However, in legislation that does include a preamble, such as the Aboriginal Land Rights Act 1983, it has both symbolic and practical meaning to all who read it. I hope that the preamble to this bill has a practical meaning in the way this legislation plays out over time. More than 250 Indigenous Australian language groups lived on the continent at the time of European settlement in 1788. Today, only about 120 of those languages are still spoken. Systematic attempts to deprive Aboriginal people of their languages have meant that the link between generations of speakers has often been broken.

Up until the 1970s—not long ago at all in the history of this nation—government policies banned and discouraged Aboriginal people from speaking their languages. As a result, many children had little or no

knowledge of their traditional language. Their parents were partial speakers and their grandparents were the few remaining speakers of a language that, as elders, they alone could pass down to the next generation. In many cases children were barred from speaking their mother tongue at school or in Christian missions. The act of removing children from their families and splitting families up created what we now know as the stolen generation and exacerbated the loss of language.

Early attempts to document Aboriginal languages usually focused on simple word lists for novel items such as weapons and animals. However First Fleet officer William Dawes documented small parts of conversations that tell of the social and cultural contexts, personalities, actions and feelings of the Dharug people around Sydney. Dawes was taught by a 15-year-old Aboriginal girl named Patyegarang. In my local region, Lancelot Threlkeld keenly documented the local Awabakal language. His instructor was local Aboriginal man Johnny McGill, properly known as Biraban or Eagle Hawk. Biraban was educated at the Sydney military barracks while employed by a military officer called McGill. He spoke fluent English and several Aboriginal languages. He was extremely intelligent and helpful to Threlkeld. Over the years Threlkeld and Biraban published several books and booklets in and about Awabakal language. Some documented the spelling and grammar of Awabakal while others translated the books of the Christian *Bible* into Awabakal.

Aboriginal and Torres Strait Islander people across Australia are speaking out about the need to strengthen their languages, as they have for some time. People in many communities are working hard to learn more about language and to ensure it is passed on to the next generation. According to the 2011 Census, nearly 1,800 people in my electorate of Charlestown identify as Aboriginal or Torres Strait Islander. That is an increase of 25 per cent on the 2006 Census. School students in my electorate are learning and singing the national anthem, *Advance Australia Fair*, in Awabakal. Windale Public School, which has a high Aboriginal population, is one of many schools where students sing the national anthem in Awabakal and in Australian English at assemblies, presentations and NAIDOC celebrations.

The preservation of Aboriginal languages is a vital part of the cultural identity of Aboriginal Australians. We do not realise the fundamental significance of language to everything we do until we take the time to truly think about it. Language is how we describe and try to understand our experiences of the world around us, of other people and of ourselves and it is how we share that understanding with each other and with future generations. Language is the gateway to culture. It is vital to developing and maintaining identity as a people and as individuals within that context. Without it, individuals can become isolated and deprived of their sense of who they are.

White European settlement deprived or attempted to deprive the First Peoples of this land of their identity by first silencing their language. Nowadays it is beyond all rational understanding that those actions could ever have seemed kind or fair. This legislation is but one measure—although it is an important one—along the long road back from this tragic, historic wrong. The tragedy still remains that only 120 Indigenous Australian languages are spoken. I acknowledge that this is an historic bill. I hope it contributes to a future where Indigenous culture and language in this State are fully and properly acknowledged, nurtured, celebrated and most importantly lived.

**Ms YASMIN CATLEY (Swansea) (19:04):** I welcome the opportunity to make a contribution to debate on the Aboriginal Languages Bill 2017. I acknowledge the traditional owners of the land on which we meet, the Gadigal people of the Eora nation, and I pay my respects to their elders past and present. I acknowledge the traditional owners of the land in the communities I represent—the Darkinjung people on the Central Coast and the Awabakal people in Lake Macquarie. I also acknowledge and thank the former Minister for Aboriginal Affairs, the member for Port Macquarie, for the wonderful work she has done in that portfolio and for her continued support of Indigenous cultures in our country today. I acknowledge the shadow Minister for Aboriginal Affairs, the member for Wyong, and the great work he does. Both members have cooperated to produce great outcomes for Indigenous Australians.

When we think about culture we often think of the external aspects of culture, the things we can point to and say, "This is who I am." Music, art, dancing and language weave together with tradition, ritual, and spirituality to create a rich tapestry of identity. In the 200 years since colonisation, successive governments have worked methodically to tear apart the cultural tapestry of the Aboriginal people and to rob them of their identity. Tragically, this attack on Aboriginal people's identity has meant that some Aboriginal people have struggled to remain connected to country and culture.

This year's NAIDOC theme, "Our Languages Matter", has highlighted the vibrancy, diversity and resilience of Aboriginal culture and language. It has enabled non-Aboriginal people to reflect on how interconnected language and culture are. At each NAIDOC event I attended this year, I was moved by the power of language to transport and transform an audience, to open up a window into another culture and allow two cultures to connect. Seeing young Aboriginal children speak in language on their country—as their ancestors have done for thousands of years—was a powerful reminder of the importance of language in connecting with one another and connecting with one's culture. This bill is a chance for us to acknowledge the two centuries worth of

injustices committed by governments against Aboriginal people. It is a chance for us to take a small step towards righting those past wrongs. It is crucial that we do this correctly and that the Government's actions do not inflict further harm.

I hope everyone here understands how important self-determination is to Aboriginal people. Self-determination for Aboriginal people is fundamental for our community to work together towards healing and reconciliation. The right of Aboriginal people to self-determination is a fundamental human right enshrined in United Nations covenants and upheld by various levels of government in Australia. At its most basic, self-determination is the right to have meaningful control over one's own affairs. Meaningful control is key in this debate. Meaningful control means being empowered to drive the agenda on reconciliation. Meaningful control means empowering Aboriginal people to regain ownership over their language and their culture. Meaningful control means enabling Aboriginal communities and Aboriginal people to lead the way on issues that are fundamental to their identity. In this context, meaningful control means engaging in a robust consultation process with Aboriginal people in New South Wales to ensure that their voice is front and centre on this issue, which fundamentally affects them.

Many Aboriginal organisations around New South Wales have demonstrated leadership and have been working for decades to revitalise language and empower their communities. Awabakal Newcastle Aboriginal Cooperative Limited celebrated its fortieth anniversary this year.

That is 40 years of fighting for recognition, of empowerment and building on the legacy of the Awabakal people, with language and culture front and centre throughout that journey. Awabakal is now one of the largest Aboriginal community-owned and run organisations in New South Wales, with leaders who have dedicated themselves to fostering an environment which allows their language to thrive. It was great to see Dr Ray Kelly from Awabakal translating for Minister Mitchell in the Legislative Council last week when this bill was introduced.

At the end of the day, the passage of this bill is an historical occasion for New South Wales, and it makes me very proud to be here and to give this speech today. We have heard an ancient language being spoken in this Parliament on a bill which acknowledges just how important language is to Aboriginal culture. On that note, like the member for Wyong, I too thank and applaud the President in the upper House for allowing the language of our first peoples to be heard in that place. As always, we must remain vigilant in ensuring that we uphold the fundamental right to self-determination. It is the first peoples of this country who must be empowered to lead. I commend this bill to the House.

**Ms JENNY AITCHISON (Maitland) (19:10):** I speak on the Aboriginal Languages Bill 2017. In doing so, I acknowledge the Gadigal people of the Eora nation and their elders past, present and future; the elders of the Wonnarua people from my area of Maitland; and my local Aboriginal land council, Mindaribba. This is such an important bill. As people who work every day with words and language, who tell stories, who use words to make rules and decisions about how people will live their lives, we know the power of words. The member for Ryde spoke in his contribution about the desire of Aboriginal people to name the way that they have reawoken their languages using nests rather than lighthouses. That is an indicative story because of its themes of self-determination that the member for Swansea so articulately spoke of. That is at the heart of what we are all trying to achieve today—to allow the first nations people of our country to articulate and express themselves as they wish to.

I pay tribute to the former Minister, the Hon. Leslie Williams, who is in the Chamber; the current Minister; the member for Ryde as another former Minister; and our shadow Minister, David Harris, who is also in the Chamber. This is something that cannot be achieved by white people; it is something that has to be achieved by Aboriginal people telling us what they want from us. Language is the way in which each of us defines our world. With my background of working with the way people think and in culture and identity, I want to drill down into that idea. We know that this is important action to take. It is equally important to take this moment not just to look at the unjust practices of the past and the unjust laws that have been levelled against Aboriginal people but also to express our understanding of the importance of the action we take today.

I have travelled across the world. I have spoken a few languages at a basic level. I have read authors in other languages. I have had very close friends whose first language has not been English. From an early age I have been very interested in communication between people. I have always had a strong respect for the way language defines our relationships with each other, with our world and even with ourselves and our experiences; and the way it defines how we reach out to each other and how we turn away from each other. To take away the very thing someone uses to speak to their family takes away their experiences, thoughts and memories. It takes away their culture and their history in a broader sense, but in an individual sense it constrains thoughts and feelings.

When I worked at Immigration there was a big issue around people who came to Australia and had to learn English as adults and the way in which they would impart their culture and knowledge to their children. It

related to whether they should learn English and teach their children English or retain their language and teach that to their children. There was a lot of discussion about that at a theoretical level. There was always a school of thought that migrant parents should retain their first language and speak that to their children because it imparted a sense of the order, rules and important understandings that they as parents or elders of those families had of the world they brought with them to Australia, imparting authority and knowledge of the culture in ways that it is difficult to do in becoming a speaker of a second language.

We as a society took away the right of Aboriginal people to speak their language. It is impossible to fully understand the impact that that loss has on those families. When we take away culture from elders, it disempowers the elders, the parents, the community, the youth and, eventually, the whole society. That is why it is so important that we act to do everything we can to value the retention and the reawakening of Aboriginal languages. From the contributions made by members tonight—and I have sat in the House for quite a while tonight listening to members talk about this issue—it is clear that we all have our own perspectives as well as our shared experiences and our abilities to express those views in our own languages.

When I try to imagine what it was like for people to lose the right to speak in their own language and then suddenly be required to progress their political and cultural dialogue in a foreign language foreign, it is unthinkable. When we give back things like language and when we understand the depth of the crime that we have committed against that culture in stealing language from them, we must return the languages freely. That has been spoken of importantly and appropriately today and it is evident in some of the amendments that will ensure Aboriginal people gain the ability under the law to retain control of their own languages and to work out how they are used.

Many years ago I had a strong relationship with a woman from Cootamundra, Margaret Cossey, who was a special needs teacher. She worked with a lot of children with special literacy needs, including Aboriginal children, on what she called the Aboriginal book project, which eventually became Indij Readers. I want to share with the House something I think she was trying to achieve, although not to speak on her behalf. It was very useful for me to look at it in this process, because she was teaching kids who came from a culture which had been so abused and who had experienced multigenerational trauma. They needed to have their own stories and to value the stories of their culture. Learning about Jack and Jill going up the hill or Sparky the space chimp from my childhood reading was so far outside the realm of their experiences that it alienated them in their experience of written language and put up more barriers to their learning.

Margaret worked with authors and illustrators who were Indigenous Australians to tell their stories and to publish readers that children from those communities could better engage with. That turned into the establishment of a great not-for-profit company to develop those aids.

Language is a tool of communication that requires trust, respect and understanding in order to get a message across. The significance of language in every human interaction is so important. I hope that all those involved in the implementation and ongoing management of this legislation and the development of the strategic plan work together to ensure that trust is engendered, respect is retained and understanding is developed. It does not matter what language we speak, if we do not listen we have no communication. I commend the bill to the House. I pay my respect to and note my appreciation of those who have been involved in the drafting of the bill and the Aboriginal people who came to Parliament House to share their culture with us. I thank them for their understanding of our inability at times to deliver what they want and for their patience in working with us until we get it right.

**Mr TIM CRAKANTHORP (Newcastle) (19:18):** I pay respect to the Awabakal and Worimi people, the traditional owners of my electorate in Newcastle. They are a tenacious and resilient group of Aboriginal people who continue to contribute a huge amount to the community of Newcastle. I also pay my respects to the Gadigal people of the Eora nation, whose land we stand upon here today, and I pay my respects to any Aboriginal past and present and those listening today or are in front of us. I pay my respects to Dr Ray Kelly Snr, who was a key participant in the wonderful ceremony that occurred in the other House.

Dr Ray Kelly Snr is an academic and contributes an enormous amount not just to the University of Newcastle but also to the community of Newcastle. His son Ray Kelly Jnr also contributes a large amount and does an enormous amount of welcome to country around Newcastle. They are a wonderful family who continue to give. In the other House, Dr Ray Kelly Snr gave a beautiful rendition of a song which was most touching and contributed to the debate in terms of Aboriginal tradition. It is wonderful to see the special ceremonial message stick in front us below the mace.

More than 250 Indigenous Australian language groups covered the continent at the time of European settlement in 1788. Today only around 120 of those languages are still spoken and many of those are at risk of being lost as elders pass away. For that reason, I applaud the Government and the Minister for Aboriginal Affairs

for bringing this legislation, which goes towards preserving these most precious languages. Unfortunately, there have been generations of systemic attempts to deprive Aboriginal people of their languages, which has meant that the link between the generations of speakers has been broken. Many children have very little knowledge of their traditional languages. Their parents often are partial speakers of an Aboriginal language. Their grandparents, the elders, are the remaining few speakers of the language and they alone can pass the languages down through the generations.

Before 1788, more than 70 Aboriginal languages were spoken across our wonderful State of New South Wales. Today, most languages in New South Wales do not have enough speakers to function properly and only 10 languages are being significantly revitalised. Aboriginal and Torres Strait Islander people across Australia are speaking out about the need to protect, preserve and strengthen traditional languages. There is currently a wave of activity, with many people in many communities working to learn more about their language and ensure those languages are passed on to the next generation before it is too late. The preservation of Aboriginal languages is a vital part of the cultural identity of Aboriginal Australians. In areas where the language has been lost, the people experience a sense of grief and inadequacy due to a loss of their culture.

In November 2016, the Government announced that it would be pursuing legislation that aimed to protect Aboriginal languages. The bill was drafted in April and consultation began in May 2017. There were 14 public consultations, which ran between 9.40 a.m. and 2.00 p.m., and 244 people took part. An additional 25 people attended the two workshops held in Moree and Wilcannia. Total participation in the consultations was 269. The method of gathering input from the participants was to show a slideshow, followed by an open discussion. Feedback consistently had a theme of ownership and authority for Aboriginal people. Some people complained about the process of consultation and simply wanted action and others had an alternate view that the process was rushed. That is a key theme. Some participants expressed a view that it was a box-ticking exercise and were frustrated at having to fit in with the Government's time line.

General apathy for the political process was also expressed in a commonly held view that the parliamentary process may not serve the Aboriginal people well. Unfortunately, elders and Aboriginal-speaking teachers were unable to participate in many of the consultation sessions. They were not allowed that time, which is deeply disappointing to me and my colleagues. The core problem with the legislation has been the process. The legislation is historic and well intended but it has been unnecessarily rushed. There are 216,176 Aboriginal people in New South Wales. It could be argued that speaking once to 269 of them is not adequate consultation. There is no need to rush the process. I question why the Government saw fit to pursue the process in this way. Regardless, I support the legislation and commend it to the House, together with the amendments that have been fought for by my shadow Minister, Mr David Harris.

**Mrs LESLIE WILLIAMS (Port Macquarie) (19:27):** On behalf of Mr Rob Stokes: In reply: I thank all members who have contributed to this debate and note their acknowledgements of the traditional owners of the land that each of them represents. The member for Wyong, the shadow Minister for Aboriginal Affairs, has continued to work in partnership with me when I was the Minister for Aboriginal Affairs and now with the current Minister, the Hon. Sarah Mitchell. This monumental bill is significant to all of us. I am pleased that we have been able to do this together.

I also acknowledge the contributions of the member for North Shore, the member for Lake Macquarie, the member for Ryde and former Minister for Aboriginal Affairs, the member for Lakemba, the member for Tamworth, the member for Ballina, the member for Charlestown, the member for Swansea, the member for Maitland and the member for Newcastle. The Aboriginal languages of New South Wales are rich and diverse. They are an important part of this State's cultural heritage and identity. That has been highlighted on many occasions in the speeches that we have heard this evening.

The 2016 census showed that nationally one in 10 Indigenous people speak an Indigenous language at home. The census reported more than 170 Indigenous languages, 69 of which had at least 100 speakers. The 2016 census also found that 93 per cent of Indigenous language speakers lived outside capital cities. It also showed that 14 per cent of persons living outside of capital cities spoke an Indigenous language compared to 2 per cent of those living within a capital city.

The census also showed that 1,792 Aboriginal people in New South Wales spoke an Indigenous language at home, which is an increase from 1,194 persons in 2011. It is interesting to note that Wiradjuri was the most common language with 355 speakers, which is an increase from 109 in 2011. Those figures reflect the success of a range of initiatives by the former Government and this Government since 2011.

This historic and momentous bill was shaped following a significant amount of community consultation and involvement. Once enacted, it will be the first Aboriginal languages Act in Australia. The objects of the bill are to acknowledge Aboriginal languages; to establish an Aboriginal Languages Trust; and to require the

development of a strategic plan. The bill includes a preamble which acknowledges that Aboriginal languages are an integral part of culture and connect Aboriginal people to each other and to their land; the impact of past government actions on languages; the importance of reawakening languages to reconnect to culture; that languages are part of this State's cultural heritage; and that Aboriginal people are the custodians and owners of their languages.

For this legislation, the New South Wales Government engaged in significant consultation with Aboriginal communities in the 16 locations that I referred to in my second reading speech. By listening to the people who hold the knowledge, we can learn about what language means to communities and understand their hopes for the future. I have certainly learnt a lot from my conversations with Aboriginal language teachers, including those from the Stolen Generations who were punished for speaking their language and the elders who have witnessed the loss of their language and with it their identity. Professor Jack Beeton facilitated round one of the workshops, which included demonstrations of a language class and storytelling. I thank him for the role he has played in the development of the bill through those consultations. Aboriginal languages are complex and, as we have heard from many members who have spoken to the bill this evening, they are geographically distinctive.

I commend the Minister, the Hon. Sarah Mitchell, and her staff for continuing the conversation as recently as yesterday. They have spoken to key language stakeholders, including Uncle Stan Grant, Rhonda Ashby, Aunty Di McNaboe, Aunty Maureen Sulter, Ray Kelly, Clarke Webb, Chris Ingreys and Ray Williams. I assure the member for Ballina that the Minister acknowledges her concerns about consultation, including during the development of the strategic plan, and she has made a commitment to ongoing consultation. I have heard Aboriginal languages spoken on many occasions, including by a young student at the opening of a preschool at Old Bar and by elders who have officially opened NAIDOC Week celebrations. It is not only powerful to hear, it is also a stark and sobering reminder of what has been lost.

All members have reflected in their speeches that not only has been lost but culture and identity as well. As the member for Wyong reminds us, it highlights the destructive impact of past government practices. He acknowledged that Aboriginal people are rightly suspicious of government because their past experiences of legislation introduced and passed in this Parliament have been far from positive. We cannot change our history but together as legislators in this place we can reflect the aspirations and hopes of the Aboriginal people in each of our electorates. We must reflect their voices, and I believe we have done that in this bill.

In closing, I mention the moving and historical smoking ceremony and thank the Legislative Council for allowing the suspension of standing orders so that speakers of Aboriginal languages could be part of the introduction of the Aboriginal Languages Bill 2017. The fact that many Aboriginal leaders and language teachers who are known to us were present reflects how important it is to our first peoples. The contribution made by each member also reflects its importance to all members of Parliament and the people of New South Wales. The support given to the bill from Aboriginal leaders and the broader community is an indication of its significance. I thank sincerely all my colleagues for their contributions this evening and for sharing this historical day in the New South Wales Legislative Assembly. Their overwhelming support for the bill shows how significant it is to this Parliament. Proudly, I commend the bill to the House.

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that this bill be now read a second time.

**Motion agreed to.**

### **Third Reading**

**Mrs LESLIE WILLIAMS:** On behalf of Mr Rob Stokes: I move:

That this bill be now read a third time.

**Motion agreed to.**

### **PAROLE LEGISLATION AMENDMENT BILL 2017**

#### **Returned**

**TEMPORARY SPEAKER (Mr Greg Aplin):** I report receipt of a message from the Legislative Council returning the abovementioned bill without amendment.

#### *Private Members' Statements*

#### **MR BRIAN JOSEPH BANNON, OAM, FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY**

**Mr STEPHEN KAMPER (Rockdale) (19:36):** I bring to the attention of the House the recent passing of a former member for Rockdale, Brian Bannon, OAM, who was laid to rest on Friday 13 October at Woronora Cemetery in the Sutherland shire. Brian was a stalwart of the Australian Labor Party. His work in the public