

FACT SHEET

CONSTITUTIONAL RECOGNITION OF ABORIGINAL AND TORRES STRAIT ISLANDER AUSTRALIANS

WHY SHOULD THE CONSTITUTION BE CHANGED TO INCLUDE RECOGNITION OF ABORIGINAL AND TORRES STRAIT ISLANDER AUSTRALIANS?

When the Constitution was drafted in 1901, Australia was very different country compared to today.

The Constitution was written by elected delegates from each of the colonies who were all men, wealthy and mainly from the political establishment. There were no Aboriginal, Torres Strait Islander or women delegates.

In many respects the Constitution has served Australia well but it does not recognise the first peoples of this land.

Without the recognition of Aboriginal and Torres Strait Islander peoples in the Constitution, an important element of who we are as a nation is missing.

Recognising Indigenous Australians is a positive step towards reconciliation and building a nation based on mutual respect between Aboriginal and Torres Strait Islander Australians and other Australians.

It would acknowledge that Aboriginal and Torres Strait Islander peoples are the original inhabitants of the Australian continent and have lived here for over 40 000 years.

Talking about how Aboriginal and Torres Strait Islander peoples can be recognised in the Constitution gives all Australians the opportunity to expand our knowledge of Aboriginal and Torres Strait Islander peoples' cultures and the great contribution they make to our nation.

HOW ARE CHANGES MADE TO THE CONSTITUTION?

The Australian Constitution is the legal and political foundation on which our nation is built and functions and can only be changed by the people through a referendum.

The formal process begins with a Bill being debated and passed by the Australian Parliament. Between two and six months later a proposal can be put to Australian voters at a referendum.

For the Constitution to be changed there must be a double majority. This means that the majority of all Australian voters must vote 'yes' to the proposal and a majority of voters in at least four states must vote 'yes'.

The votes of people living in the Northern Territory and the Australian Capital Territory are counted in the national total but not in any state figure.

So the power lies with the Australian people and not with any government of the day.