




Speech By
Aaron Harper

MEMBER FOR THURINGOWA

Record of Proceedings, 8 September 2020

**MERIBA OMASKER KAZIW KAZIPA (TORRES STRAIT ISLANDER
TRADITIONAL CHILD REARING PRACTICE) BILL**

 **Mr HARPER** (Thuringowa—ALP) (5.16 pm): I rise today to support the Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill, meaning ‘for our children’s children’. Today we are on the right side of history for a number of reasons which I will outline in my contribution. As chair of the health committee I can say that our committee was deeply humbled and honoured to have carriage of this important bill that, in effect and once passed, will finally give Torres Strait Islander adopted children true legal recognition, something we heard Torres Strait Islander people have been fighting for for over three decades, for what is considered a sacred and cultural practice that has existed for thousands of years.

This bill is truly historic as it is the first of its kind in Australia to ever recognise Torres Strait Islander traditional child rearing practices, or ailan kastom, and to incorporate Indigenous language in an integration of lore and law. I believe this bill also signals a significant and important step in our ongoing efforts of reconciliation between Aboriginal and Torres Strait Islander First Nations peoples and the broader Australian population. Only our collective efforts of truly recognising Indigenous and Torres Strait Islander traditional language and cultural practices will move us forward together as one. This bill certainly achieves all of that.

I acknowledge the Torres Strait Islander communities of Townsville, Cairns, Bamaga, Thursday Island and Saibai Island for welcoming the committee to their communities. For many submitters, recounting their deeply personal experience of private and confidential family arrangements was a traumatic process. They spoke of the difficulties faced when applying for things we take for granted, like applying for a driver’s licence, a passport or enrolling in TAFE. We heard of the significant trauma of Torres Strait Islander people who, when applying for those basic fundamental things, also found out on their birth certificates were the names of biological parents when all they had ever known was their family and parents who raised, supported and loved them. On behalf of the committee I wish to thank each of those individuals who generously provided their own stories to the committee.

I am extremely thankful for the assistance provided by the Eminent Persons and members of the Kupai Omasker Working Party who consulted extensively with communities prior to the introduction of this legislation and for sharing their extensive knowledge of ailan kastom with the committee. We were assisted greatly by Aunty Ivy Trevallion who is here today with many other supporters. We thank you, Aunty Ivy, not only for appearing at the public briefing in Brisbane but also for being in attendance at the Thursday Island hearing. We thank and acknowledge Aunty Ivy and others for their ongoing advocacy and guidance provided to the committee.

I also thank the Hon. Alastair Nicholson AO RFD QC, Mr Charles Passi and Mr Paul Ban for their invaluable contributions to the committee’s inquiry. I personally thank Ms Cynthia Lui, the member for Cook, for her participation in the inquiry and her attendance at regional hearings at Bamaga, Thursday

Island and Saibai Island. Our committee learnt so much from those hearings. We are far better informed and deeply appreciative of the many shared personal and sacred stories told to us by Torres Strait Islanders, who also shared their rich culture and traditions with committee members.

Our committee made six recommendations and No. 1 was to pass the bill. I note that we heard feedback on where best to locate the commissioner's office. I thank Torres Strait Island elders, particularly Uncle Francis Tapim from Townsville, for their representations in relation to having more than one commissioner, to represent the many groups of the central, eastern and western islands and to locate an office in Townsville. While we might have a friendly rivalry with Cairns, we decided that Cairns was the best spot to locate the commissioner's office and to also have an office on Thursday Island. I think the issue of having all the island groups represented was best summarised in our final public hearing on Saibai Island when Councillor Getano Lui said most eloquently that there is one Torres Strait and one Torres Strait island culture. We must respect those words.

I note that the LNP members of the committee made a statement of reservation and I want to address their concerns that this has been rushed. Perhaps those members ought to review the transcript of the Cairns hearing and remember what those who spoke said. I believe it was Pastor David Gela who best addressed this issue when he said that it was not rushed as this has been worked on for over 30 years through extensive consultation with the Kupai Omasker Working Party. I also thank all members of the committee, our parliamentary secretariat staff, and Lynda Pretty and Hansard reporter Bonnie Phillips who travelled with us.

I want to remind people of what Judge Willis said in Cairns. He said not to make it complex, that this practice already happens and that we are simply putting a legal framework around it. I thank Minister Crawford. I thank the many ministers who are here for their contributions. I acknowledge all of the hard work that has been done and I also acknowledge the leadership of the Premier. We thank them for that. The words 'meriba omasker kaziw kazipa' are from the languages of the eastern and western islands of the Torres Strait and can be translated as 'for our children's children'.

(Time expired)