

**Collection of Government
Documents Relating to the
Aboriginal Tent Embassy of 1972**

CONFIDENTIAL

PROGRAMME OF ACTION

1. Police Inspector to hand as soon as possible to a representative of campers a copy of the proposed amendments to the Trespass on Commonwealth Lands Ordinance and to advise them that when it becomes law they will be required to cease camping. The officer should state that the campers will be advised when the amendments have become effective.
2. The Minister for the Interior will sign the amending Ordinance on or before the 23 June 1972.
3. Ordinance to go to Executive Council for its meeting on 29/30 June 1972 (to Ex.Co. Secretariat by 26.6.72).
4. Ordinance gazetted by Gazette of 6.7.1972 (copies of the Ordinance to be available also).
5. Police to advise campers that law now provides that they are committing an offence and that they are required to remove their tents and equipment within a reasonable time.
6. Reasonable time - to be judged by the need to dismantle tents, arrange transport, alternative accommodation etc.
7. Police to offer immediate assistance in these matters (e.g. dismantling transport, accommodation and other assistance) and to require campers to commence steps to remove the camp - if this is not complied with Police may remove the tents and equipment but it must be left to discretion of Police whether to remove the camp after a reasonable time has elapsed and such factors as the size of demonstrations and the threat of violence are factors to be taken into account.
8. The strategy will be to see that the equipment on the encampment is removed, not to arrest anyone unless there is substantial assault or obstruction.
9. In all action under the Ordinance the police will act without force except to protect personal safety. Any prosecutions for the offence of camping will proceed by way of summons and not by arrest; thus there will be an interval of from two weeks to several months before the matter was heard.

CAMPERS ON PARLIAMENT HOUSE LAWNS

- 26.1.72 Began camping.
- 14.2.72 Interdepartmental Committee recommended action to remove be deferred and that the "move on" provision in the Gaming and Betting Ordinance should not be used in view of public criticism of its use in the Merhav case a little earlier. It was then decided to recommend the strengthening of the Trespass on Commonwealth Lands Ordinance.
- 24.3.72 Minister wrote to Prime Minister indicating intention to amend Ordinance.
- 2.5.72 Prime Minister raised it in Cabinet (Decision 932). Decision noted intention to secure legal backing for removal of the Aboriginal campers; Cabinet expressed the view action should be taken to remove the campers but this should be done with reasonable notice and tactfully and with the least disturbance. It approved the amendment and noted that the Minister for the Interior, the Minister for the Environment, Aborigines and the Arts and the Attorney-General might co-ordinate and consult with the Prime Minister as to the manner in which the campers are removed.
- 11.5.72 Minister made a statement in the House (repeated in Senate). Cleared with Prime Minister and Deputy Prime Minister and Attorney-General.
- 19.5.72 Minister saw Newfong and Senator Bonner.
- 25.5.72 Bryant and Cross saw Minister (indicated wish to disengage from commitment to physically support campers).
- 6.6.72 Minister saw Bryant, McGuinness (FCAATSI) and Newfong. They made it clear the question of an Aboriginal Centre in Canberra had nothing to do with the campers on the lawns - that campers were going to stay there for land rights campaign at least until the elections. McGuinness investigated with Department conditions of possible lease. Has written to say further considering.
- 13.6.72 Proposed amendment to Trespass Ordinance discussed with A.C.T. Advisory Council. Advised against it (vote on political lines).
- 22.6.72 Letters to Sir Alan Hulme (for Mr Howson) and Attorney-General outlining proposed action programme for removal of camp. Sir Alan Hulme, Senator Greenwood in favour of action. Attached programme being further considered - to meet Senator Bonner's position Item 1 may be deleted. Amending Ordinance has gone to Executive Council.

Issued by:-

The Minister for the Interior

The Minister for the Interior, Mr Ralph Hunt, and the Minister for Environment, Aborigines and the Arts, Mr Peter Howson, have appealed to Aborigines and their supporters to avoid any form of demonstration in Canberra on Sunday which could possibly lead to violence.

The Ministers said they recognised the rights of Aborigines to demonstrate, but asked them to do this within the law and to avoid any friction with police.

Both Ministers said they would take up in a meeting of Commonwealth Ministers tomorrow, arrangements for discussions with Aboriginal organisations to ensure more effective consultation between the Government and Aborigines.

However, no arrangements in this respect would be made by the Government until the views were known of the conference of official Advisory Councils on Aboriginal Affairs from the States and the Northern Territory which is to be held in Canberra on August 10 and 11.

The Ministers said they were prepared to meet tomorrow in Canberra with the organisers of the proposed demonstration to explain the Government's position.

28 July 1972

FOR PRESS

The Commissioner of A.C.T. Police, Mr R.A. Wilson, said tonight he was still hopeful that the Aboriginal demonstration in front of Parliament House tomorrow would not be violent.

Among the demonstrators there could be people who, for calculated purposes, sought to provoke a confrontation leading to police action under the eyes of selective television cameras and then to make allegations of violence by police.

Police will not accommodate such people by allowing themselves to be provoked so that violence and police brutality could be alleged.

Police will ensure the law is upheld and on their part will act in a reasonable way.

CANBERRA,
29 July 1972

CONFIDENTIAL

C A B I N E T M I N U T E

Canberra 2 May 1972

Decision No. 932

Without Submission - Aboriginal Campers on lawns in front
of Parliament House

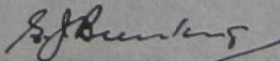
The Cabinet noted that the Minister for the Interior was proposing an amendment of the "Trespass on Commonwealth Lands Ordinance 1932-1966" to prevent camping on unleased Commonwealth land in the city area - the immediate purpose of this amendment being to secure legal backing for the removal of the aboriginal campers from the lawns in front of Parliament House.

2. The Cabinet was of the view that action should be taken to remove the campers but this should be done with reasonable notice and tactfully and with the least disturbance.

3. It approved the amendment and noted that the Minister for the Interior, the Minister for Environment, Aborigines and the Arts and the Attorney-General might co-ordinate and consult with the Prime Minister as to the manner in which the campers are removed.

CIRCULATION: All Ministers
Depts: Interior
Environment, Aborigines and the Arts
Attorney-General's
Parliamentary Counsel

Certified correct



Secretary to Cabinet

CONFIDENTIAL

STATEMENT BY THE HONOURABLE R.J. HUNT,
MINISTER FOR THE INTERIOR

ON

TRESPASS OF COMMONWEALTH LANDS ORDINANCE

It is the Government's intention to bring in an Ordinance which will fill a need in relation to the law regarding trespass on Commonwealth lands in Canberra.

2. Existing legal provisions are not sufficiently definite or precise in respect of persons camping on unleased Commonwealth land within the city area. This would apply to all open spaces such as Capital Hill, City Hill, median strips, nature strips and other vacant land. The proposed Ordinance will make it generally an offence for persons to camp on unleased land in the city area and empower authorities to move their possessions away in the event that they do not comply within reasonable time with a direction to remove them.

3. The change in the law will of course apply to the areas around Parliament House.

4. Adequate public notice will be given of the coming into effect of the Ordinance.

Issued by:-

Written by WayneApproved by Sec / Minister

The Minister for the Interior

For Immediate Release

At a press conference in Darwin today the Minister for the Interior, Mr Ralph Hunt, said there had never been any suggestion by the Government that action on the Ordinance to control camping on unleased land in Canberra would be held over until after the winter recess.

Mr Hunt was answering questions about reports that Senator Bonner had said he had been assured that the proposed amendments to the Ordinance would not be put into effect during the Parliamentary winter recess.

Mr Hunt said that the Government had taken a decision on this matter and that decision was reported to Parliament in the statement made in both the Representatives and the Senate on 11 May last.

The proposed amendments to the Ordinance would apply generally throughout the Canberra City area and were necessary to remedy a defect in ACT laws.

Amendments to the Ordinance had been drafted and circulated to the ACT Advisory Council which would be meeting on Monday, 5 June.

In discussions with Senator Bonner, Mr Hunt told him that he was seeking to find a generally acceptable arrangement which, in the longer term, would provide a responsible centre in Canberra for developing practical ways of helping the advancement of Aborigines and promoting public understanding. Any such proposal would be built around, but not limited to, the Commonwealth's own administrative responsibilities in respect of Aborigines in the Northern Territory.

Some progress was being made in this direction and he appreciated the offer Senator Bonner had made to explain this aspect to interested Aboriginal groups.

Labor Govt. will help Aborigines

CANBERRA. — A Federal Labor Government would remove all discriminatory legislation against Aborigines, the Opposition leader (Mr. Whitlam) said yesterday.

He said a Labor Government would use its constitutional power to override "obnoxious" Queensland legislation which discriminated against Aborigines.

He also promised that Aborigines would be given legal aid to allow them to assert their rights.

Mr. Whitlam was speaking at the launching of a book by the London Times correspondent in Australia, Stewart Harris, *This Our Land*.

The book is strongly critical of the Government's policy towards Aborigines — and especially of the role of Country Party Ministers.

Mr. Whitlam said that, despite the 1967 referendum, which gave the Federal Parliament power to make laws for Aborigines,

the Commonwealth Government had not passed a single law which it could not have passed before.

In his policy speech before the 1969 elections, the then Prime Minister (Mr. Gorton) had promised to abolish all discriminatory legislation against Aborigines.

"This has not been done," Mr. Whitlam said.

In April last year, the Prime Minister (Mr. McMahon) had concluded a deal with the Queensland Premier (Mr. Bjelke-Petersen). Mr. McMahon accepted undertakings from Mr. Bjelke-Petersen that the discriminatory legislation would be repealed.

However, the new legislation had not yet been proclaimed — and still was not

in accordance with international conventions.

Speaking of land rights, Mr. Whitlam said Aborigines were increasingly aware that the discrimination they suffered was due to the fact that there was no place they could call their land.

"We've completely disregarded the collective tenure of these people who have lived in the continent for centuries," Mr. Whitlam said.

"The Country Party has as much contempt for the Caucasian landless as the Country Party Ministers have for the landless Aborigines," Mr. Whitlam said.

Mr. Paul Coe, a member of the former Aboriginal Embassy, said Aborigines wanted a Labor Government to give them tribal land rights.

ABORIGINAL EMBASSY - PROPOSED PROTEST

STATEMENT BY THE LEADER OF THE OPPOSITION, MR. E.G. WHITLAM, QC, MP,
FRIDAY, 28 JULY 1972

It is imperative that the aborigines and their supporters who propose to demonstrate at Parliament House on Sunday should avoid violence and ignore provocation.

The Government's high-handed action in removing the Aboriginal Embassy while Parliament was in recess has alerted the Australian people to the aborigines' just claims for land rights.

Violence could only divert attention and sympathy for the central issue - the recognition of land and mineral rights for aborigines.

The discipline and single mindedness shown by those who manned the embassy for six months should be the model for Sunday's participants.

The strength of the aboriginal case and the weakness of the Government's is the dignity and discipline shown over the past month. This was acknowledged by Mr. Hunt himself in Parliament on 23 February when he said: "I must say that they have behaved and co-operated with the police. There is no litter and there is no health problem".