



New South Wales Bar Association Statement of Commitment to Reconciliation with NSW First Nations and First Nations People

The New South Wales Bar Association:

ACKNOWLEDGES that the First Nations and First Nations people of the place now known as the State of New South Wales and nation state of Australia owned, occupied, possessed and governed the people and territory of their respective First Nations whose languages, religion, spiritual manifestations, art, ceremony and ritual, and ancestral occupation and connection, arise in First Nations' culture and belief from the beginning of time;

ACKNOWLEDGES that First Nations systems of governance, religion, laws and customs continue to exist within First Nations groups;

ACKNOWLEDGES that reconciliation with First Nations and First Nations people in New South Wales requires satisfaction by the relevant First Nations, the State of New South Wales and the Commonwealth of Australia that reconciliation has been achieved;

AND ACKNOWLEDGES that the actions and statements required to achieve reconciliation between First Nations and the State of New South Wales and the Commonwealth of Australia call for the adoption of affirmative action, policies and strategies;

RECOGNISES the role of the New South Wales Bar Association and its members in the peace, order and good governance of the State of New South Wales and their capacity to assist in the process of reconciliation;

AND RECOGNISES that the under-representation of First Nations people at the New South Wales Bar and on the benches of the NSW judiciary reflects historical failings in access to education, significant rates of inter-generational trauma and poverty, and the historical absence of a widely observed professional culture designed to promote and welcome cultural diversity;

UNDERSTANDS that respect is a fundamental element of reconciliation and is the cornerstone to building trust with First Nations people;

AFFIRMS that the current rates and known trends of incarceration of First Nations people and removal of First Nations children and young people from their families are unacceptable, inconsistent with the International Conventions guaranteeing rights to equality before the law and, together with the known determinants of social disadvantage, demand urgent and ongoing action;

CONFIRMS its commitment to the United Nations Declaration on the Rights of Indigenous Peoples, including but not limited to:

- The right to self-determination
- The right to exercise free, prior and informed consent to any act affecting the rights of Indigenous people
- The right to be represented by the political bodies of their own choice
- The right to exercise their culture and speak their language



- The right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child.

COMMITTS to taking the following actions in support of the development of a real and lasting reconciliation between the New South Wales and Australian communities and the First Nations and First Nations people of New South Wales and Australia:

Symbolic Recognition

On any occasion that the Australian flag is flown at an official event, the Aboriginal and Torres Strait Islander flags will also be flown;

Commencing all significant meetings with an acknowledgement of the First Nations on whose traditional land the meeting is occurring;

Including the use of First Nations languages for formal and ceremonial purposes, where apposite to the nature of the ceremony;

Displaying this Statement of Commitment publicly in prominent locations at the New South Wales Bar Association offices, on the New South Wales Bar Association website and in New South Wales Bar Association publications;

Maintaining a Roll of First Nations barristers and First Nations members of the Judiciary to acknowledge and celebrate the achievements of early leaders of the First Nations Bar and Judiciary in New South Wales, which will be displayed in the NSW Bar Association's Common Room (or other venue) and on the NSW Bar Association website;

Considering the making of public statements, as recommended by the First Nations Committee, regarding matters of public importance affecting First Nations or First Nations people.

Structural Commitments

Ongoing maintenance and support of the:

- First Nations Committee of the New South Wales Bar Association;
- The Indigenous Barristers' Trust - The Mum Shirl Fund;
- The First Nations Committee's programs and initiatives which aim to encourage and support First Nations pathways to the bar, including:
 - The First Nations Mentoring Program;
 - The First Nations Clerkship Program;
 - The First Nations Bar Exam Support Program;
 - The UNSW Indigenous Pre-Law Program; and
 - The First Nations Employment Scheme.

Providing appropriate support to Ngalaya Indigenous Corporation (NSW Indigenous Lawyers and Law Students Association) on request in relation to the coordination and organisation of the National Indigenous Legal Conference when held in New South Wales.



Reserving space, where required, in each edition of BarNews for the discussion of legal policy and practice issues impacting First Nations and First Nations people, and/or to promote programs and initiatives of the First Nations Committee.

Respect and Awareness Commitments

Developing and continuing to support First Nations cultural competency training during introductory courses (the Bar Readers Course), continuing professional development (CPD) seminars and courses, and for New South Wales Bar Association staff.

Relationship Commitments

Developing and maintaining mutually beneficial relationships with First Nations organisations and communities;

Raising internal and external awareness of the New South Wales Bar Association's commitments across the New South Wales Bar;

Participating in Sorry Day, National Reconciliation Week and National Aboriginal and Islander Day of Observance (NAIDOC) Week;

Providing recommendations for membership of the Law Council's Indigenous Legal Issues Committee and contributing to national law and policy discussions;

Celebrating National Reconciliation Week by promoting and supporting suitable public events conducted by the NSW Bar or external content or events providers.

First Nations Committee Action Plans

Performing First Nations Committee Action Plans as approved by Bar Council from time to time.

Monitoring and Reporting

The performance of the actions set out in this Statement of Commitment will be monitored by the First Nations Committee.

The New South Wales Bar Association's Annual Report shall include this Statement of Commitment and contain a report on the performance of the identified actions.

This Statement of Commitment expires five (5) years from the date of its adoption by the Bar Council.