



# PROOF *OF* BIRTH

Published in *Proof of Birth* in 2015 by Future Leaders ([www.futureleaders.com.au](http://www.futureleaders.com.au))

## Foreword

Mick Gooda

*Aboriginal and Torres Strait Islander*

*Social Justice Commissioner*

From time to time I begin speeches with the words of Oodgeroo Noonuccal's poem 'A Song of Hope'.<sup>1</sup> The poem captures both the challenges and the promise of a truly reconciled Australia. It is an Australia where Aboriginal and Torres Strait Islander peoples share in the exercise and enjoyment of their human rights to the same extent as their fellow citizens. The poem speaks of hope in a 'dawn breaking' and the 'world waking to a bright new day' where 'new rights will greet us' and 'new mateship meet us'.

I have worked in Indigenous affairs for all of my professional life, but prior to my appointment as the Aboriginal and Torres Strait Islander Social Justice Commissioner, I didn't see myself as a human rights activist. However, as a colleague pointed out, you can't work in Indigenous affairs without being a human rights activist. Working on Indigenous issues means that you are working with human rights day in and day out.

The Prime Minister's annual report on progress in closing the gap<sup>2</sup> and the biannual *Overcoming Indigenous Disadvantage* report are public reminders that Aboriginal and Torres Strait Islander people continue to be over-represented in every negative socio-economic indicator. They remind us that on a systemic level, Aboriginal and Torres Strait Islander people do not enjoy human rights that many Australians take for granted.

This book shines a light on an often-neglected human rights issue — the right to birth registration and a birth certificate. In fact, this issue is so neglected in the public conscience in Australia that the right to birth registration was omitted from the Victorian Charter of Human Rights.<sup>3</sup> The rationale for this omission was that the right was deemed not to be relevant to modern Victoria.<sup>4</sup> The assumption presumably was that all Australian births are registered and a certificate is subsequently issued.

A birth certificate, certifying the registration, is critical for an individual to engage in society and access basic citizenship rights. While the majority of Australians take this as a given, a small but not insignificant section of the population are unable to obtain a birth certificate and therefore its flow on benefits. Evidence suggests that this disproportionately affects Aboriginal and Torres Strait Islander people and other vulnerable groups. This book seeks to shine a light on this reality.

The essays in this book are based on presentations from the Symposium on Australia Achieving Universal

Birth Registration held in Melbourne in December 2014. They build upon a body of work undertaken by the Closing the Gap on Indigenous Birth Registration project.

The book is comprehensive and holistic. It examines the impediments to registering a birth and obtaining a birth certificate, and the subsequent negative impacts this has upon an individual. It also examines possible strategies and solutions to achieving universal birth registration. In doing this, the book traverses legal and regulatory regimes, the role of cultural and societal norms, service and program delivery mechanisms, and international perspectives. The book identifies six interrelated aspects of the birth registration system that require reform: education, multi-stakeholder solutions, outreach, technology, financial assistance, and reducing reliance on the birth certificate as proof of identity.

This book details practical and tangible actions that can be taken to address this often neglected human rights issue. If its insights are acknowledged and implemented, they can help Australia take a collective step closer to the world imagined in Oodgeroo's poem, particularly her final words:

To our fathers fathers  
The pain, the sorrow  
To our children's children  
A glad tomorrow.

## Endnotes

- 1 Oodgeroo Noonuccal, 'A Song of Hope', 1966.
- 2 *Closing the Gap — The Prime Minister's Report 2015* can be found at <http://www.dpmc.gov.au/pmc-indigenous-affairs/publication/closing-gap-prime-ministers-report-2015>
- 3 The *Overcoming Indigenous Disadvantage* reports can be found at <http://www.pc.gov.au/research/recurring/overcoming-indigenous-disadvantage>
- 4 *Charter of Human Rights and Responsibilities Act 2006* (Vic).
- 5 See A Gargett et al., 'The right to birth registration in the Victorian Charter: seek and ye shall not find', *Monash University Law Review*, vol. 36, no. 3, 2011, pp. 1–32.