

Government system and institutions of Australia

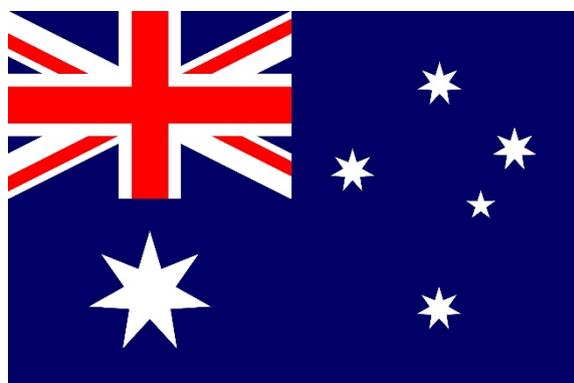
SUMMARY

The Commonwealth of Australia, as Australia is officially known, was established on 1 January 1901 with the federation of six former British colonies. The Constitution, which came into effect on the same day, provides the rules by which Australia is governed and divides government responsibilities into three separate branches: parliament, executive and judiciary.

In addition to being a federation, Australia is also a representative democracy and a constitutional monarchy. Queen Elisabeth II, who resides in the United Kingdom (UK), is the official head of state of the Commonwealth of Australia.

Australia's system of government is modelled on the Westminster system deriving from the British tradition. The Commonwealth parliament, made up of the Queen and the two Houses of Parliament, in addition to holding the legislative power, is at the heart of the tradition of responsible government. This means that government ministers, who all must be members of parliament, are accountable to, and must answer to, the parliament for their actions.

There are three levels of government within the country, namely the Commonwealth (federal), state or territory, and local level. Under Australia's federal system, the powers of government are divided between the federal and the state governments. Out of the 10 territories that are part of the Commonwealth, two have been granted a level of self-government by the federal parliament. Consequently, Australia has a federal parliament, as well as six state and two territory parliaments. It also has a federal executive government, as well as six state and two territory executive governments. A third, local level of Australian government was established by state and territory governments. The High Court of Australia is the highest court in the judicial system.

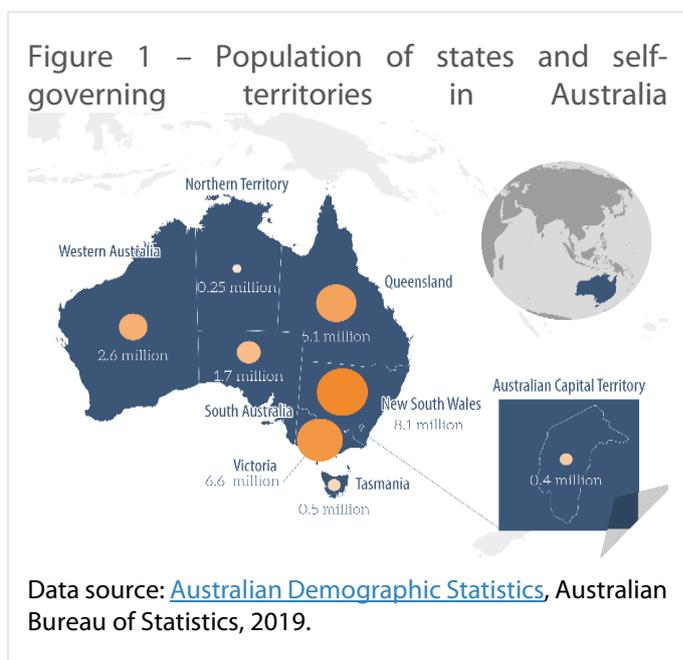


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Introduction

Australia is an [island country situated](#) between the Indian and Pacific Oceans. Covering approximately 7.69 million square km, it is the world's sixth largest country. It has a population of close to [25 million](#) people, living [mainly](#) in the coastal regions. By way of comparison, Australia covers almost twice the area of the European Union, and its population is approximately the same as the combined population of Romania and Slovakia.



Australia is a [culturally diverse country](#), with an [important heritage](#) from its Indigenous population. The country has [six states and ten territories](#).¹ Territories are areas lying within the borders of Australia that are not part of any state. There are wide discrepancies in terms of population and size between states and territories. The two most populated states (New South Wales and Victoria) are inhabited by more than half the Australian population.

The country is one of the [major advanced economies](#) globally. It was the world's [13th](#) largest economy in 2018, with growth in gross domestic product (GDP) at [2.9 %](#). Since 1992, economic growth has been consistent, although annual growth rates [have fluctuated](#)

over this period.

Freedom House ranks Australia as 'free' in its [Freedom in the World 2019 report](#), with a score of 98 out of 100 points. It notes Australia's 'strong record of advancing and protecting political rights and civil liberties'. Among the challenges to these freedoms the report states 'the threat of foreign political influence, harsh policies toward asylum seekers, and ongoing difficulties ensuring the equal rights of indigenous Australians'. In the [2019 World Press Freedom Index](#) Australia is placed 21st out of 180 countries in terms of the level of freedom afforded to journalists. The index also states that investigative journalism is in danger, due to tough laws on defamation, as well as counter-terrorism and national security. The [2020 World Report](#) produced by Human Rights Watch describes Australia as 'a vibrant multicultural democracy with robust institutions', while voicing criticism of, among other things, unprecedented pressure on freedom of expression and the country's policy on refugees and asylum seekers.

Australian political system

The Commonwealth of Australia is a **federation of states**. It was established on [1 January 1901](#), when six British colonies joined together in a [federation](#) and became states of the Commonwealth.² The [Constitution](#) that came into force on the same day sets out the rules concerning the Australian government's operation and its law-making. The Constitution details just some [citizens' rights](#), such as the right to religious freedom. In Australia, the [federal parliament](#) and the [courts](#) play a key role in the protection of these rights. The Constitution can only be [changed](#) by referendum, after the approval of the proposal for change by both Houses of Parliament.

Australia's official name is the [Commonwealth of Australia](#). Australia is also one of the 54 members of the [Commonwealth](#), a voluntary association of independent states. The Head of the Commonwealth is Queen Elizabeth II. Finally, there is a group of countries within the Commonwealth, including Australia, that, despite being independent, recognise Queen Elisabeth II as their monarch. These 15 countries, together with the UK, are traditionally known as the [Commonwealth realms](#).

Australia is also a **constitutional monarchy**. Despite being an independent nation, the country [shares a monarchy](#) with the UK and other countries that were part of the former British Empire. Although this constitutional status as a monarchy is a contentious issue in Australia, voters rejected a proposal for a republic in a [national referendum](#) held in 1999.

Australia is a **representative democracy** and voting at federal, state and territory elections, as well as – with the exception of certain states – at local elections, is [compulsory](#). The [core values](#) of

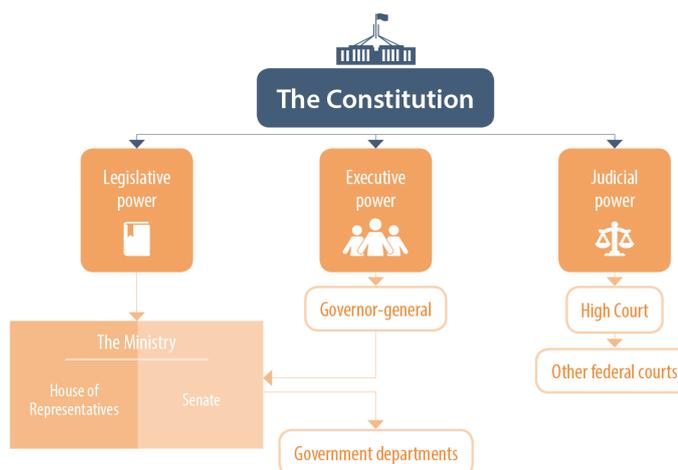
Australian democracy are defined as the freedom of election and being elected; freedom of assembly and political participation; freedom of speech, expression and religious belief; rule of law; and other basic human rights.

Federal government

The Australian Constitution provides the [basis](#) for the Commonwealth (federal) government by providing for the **separation of the three branches of government**.

It should be noted that the Australian government system developed from the Westminster model originating in the UK. Key concepts underpinning this model are parliamentary government and responsible government. Accordingly, members of the executive government – i.e. the prime minister, cabinet ministers and other ministers – [are drawn from](#) the parliament (parliamentary government); and the executive government is responsible to the parliament (responsible government). Therefore, under the Australian government system **the separation of powers is not complete**. For instance, the prime minister and ministers, as well as the governor-general, [are part](#) of both the parliament and the executive.

Figure 2 – Branches of government in Australia



Data source: [Parliament and Government](#), Parliament of Australia.

However, conforming to the **responsible government** principle, the work of the ministers is closely examined by other members of the parliament under the leadership of an officially recognised [opposition](#), and the Government is [accountable and responsible](#) to the parliament. Moreover, the Government must maintain the support of the majority of the members in the House of Representatives to remain in office. Should a [motion of no confidence](#) be accepted by the House of Representatives, by convention, the Government should resign in favour of the official opposition or advise a dissolution of the House of Representatives. It should also be mentioned that the Government does not necessarily also have a majority in the Senate which has a strong role in the system of government.

Legislature

The Commonwealth (federal) parliament consists of the Queen, represented by the governor-general, and the two Houses of the Parliament, the House of Representatives and the Senate.

Legislative power of the parliament

Sections 51 and 52 of the Constitution list areas where the parliament has the power to make laws. Exclusive powers of the parliament can be found in [Section 52](#). They are limited to the government's seat, federal public services and other matters as stated by the Constitution. Powers described under [Section 51](#) are powers exercised by the Commonwealth concurrently with the states, as well as exclusive federal powers. This includes external and internal trade, external affairs, family law, enforcement of civil and criminal judgments, taxation, postal and telecommunications services, as well as matters referred to it by state parliaments. In the last case, a law applies only to the state whose parliament referred the law. The Constitution envisages a situation where a law created in this way may be adopted later by other members of the federation.

Since 1942 Australian legislation has only allowed the federal government to impose [corporate and personal income taxes](#). As a result, [around 50 %](#) of states' and territories' revenues come from federal grants, which can be unconditional or conditional. [Section 96](#) of the Constitution provides a basis for conditional grants. This ability to impose conditions on grant spending allows the federal government to influence areas where there is no direct federal power.

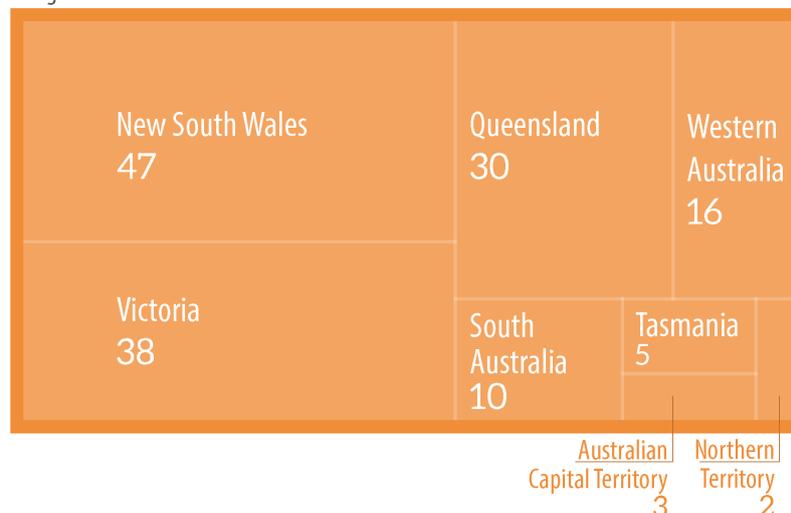
Structure

Australia has a bicameral [parliament](#). The lower house, the [House of Representatives](#), with 151 members, is directly elected in single member constituencies for a three-year term, using the [preferential voting system](#) (alternative vote system). Each voter orders candidates by preference. Should none of candidates reach the 50 % majority, the last candidate is eliminated and his or her votes redistributed according to voters' preferences. Therefore, seats are not always allocated to the candidates who come out top according to the first count.³ The seats in the House of Representatives are allocated to states and territories in proportion to their respective populations.

Figure 3 – Summary of electoral rules and their effects on the composition of the two Houses

HOUSE OF REPRESENTATIVES

- Number of seats depends on population size
- Single mandate electoral districts



SENATE

- Fixed number of seats for states and territories
- Proportional political representation



Source: EPRS.

The upper house, the [Senate](#), with 76 senators, is directly [elected](#) by proportional representation. Each state elects 12 senators for six years, with half the seats representing states – six per state – expiring every three years. The two self-governing territories each elect two senators for the term lasting until the next general election. Elections for both Houses of Parliament usually take place on the same day. The different rules for seat allocation, in combination with the important position of the Senate in the political system, mean that the positions of smaller states are better protected.

The opposition, whose official function, deriving from convention, is to oppose the government, is an essential component of the country's democratic system. It is formed in the House of Representatives by the largest represented party or coalition of parties that does not have the support of the House's majority. It is led by the [leader of the opposition](#), who is a member of the House of Representatives and selects shadow ministers who, in turn, closely examine the work of the ministers. Should the opposition win the support of the majority in the House of Representatives, it could form a government. The opposition also has members in the Senate.

Parliamentary sittings usually take place from Monday to Thursday. Two session weeks frequently follow one after another. In [2020](#) there will be 72 sitting days in the House of Representatives and 57 sitting days in the Senate. In the [past 20 years](#), the annual number of sitting days in the House of Representatives has ranged from [45](#) to [76](#) per year, with electoral years always having a significantly lower number of sitting days.

The parliament works in committees, as well as parliamentary networks and country groups. There are currently 71 parliamentary committees, divided into three categories: House of Representatives and Senate committees, as well as joint committees with representatives from both Houses. Committees of note include the [Joint Standing Committee on Foreign Affairs, Defence and Trade](#), and the [Senate's](#) standing committee dealing with the same matters. Each Senate standing committee is composed of two committees: a legislation committee dealing with bills (proposed laws) and budget proposals, and a references committee dealing with other issues referred by the Senate. One example of this is the current inquiry into opportunities for strengthening Australia's relations with [France](#). The Australian parliamentary networks and country groups are responsible for maintaining relations with foreign parliaments.

There are 11 [parliamentary networks](#). Their composition reflects the United Nations (UN) groupings of macro geographical regions. For this reason, while the European Parliament, together with France, Germany and the Netherlands belongs to the Australia-Western Europe Parliamentary Network, Greece, Italy and Spain belong to the Australia-Southern Europe Parliamentary Network and Denmark, Ireland, Sweden and the UK to the Australia-Northern Europe Parliamentary Network.

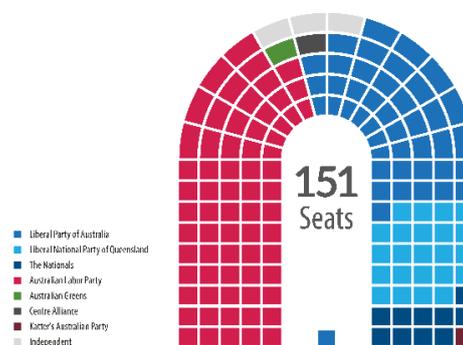
Passing laws

An identical form of each bill has to pass both Houses of Parliament; amendments tabled by one chamber have to be approved by the other. In order to become an [act of parliament](#), a bill must receive royal assent from the governor-general. Failure to reach a compromise on a bill between the two chambers can lead to the dissolution of both Houses – by the governor-general on a discretionary proposal by the prime minister – as was the case [in 2016](#).

Latest election

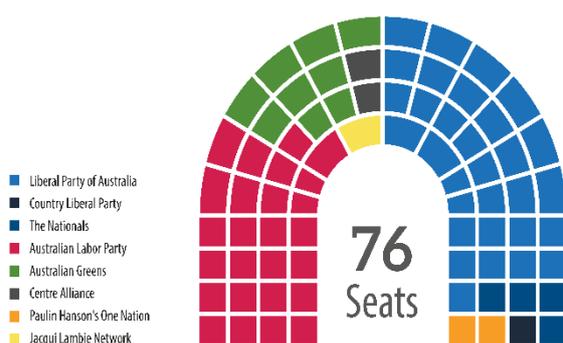
Australia has a largely [two-party system](#), dominated by the right-wing [Liberal Party of Australia](#) and the left-wing [Australian Labor Party](#). Smaller political parties include the [Liberal National Party of Queensland](#), [The Nationals](#), the [Australian Greens](#) and the [Country Liberal Party](#). The most recent [parliamentary elections](#) took place in May 2019 and were won by the Liberal-Nationals coalition. The coalition won 77 seats in the House of Representatives (the Liberal Party has 44 seats, the Liberal National Party of Queensland 23 and the Nationals 10). While the coalition majority has increased slightly, the Nationals lost six seats. The opposition Labor Party holds 68 seats in the lower house, a decrease of one compared with 2016. It is noteworthy that the speaker can vote only if the vote is tied.

Figure 4 – House of Representatives



Data source: Parliament of Australia.

Figure 5 – Senate



Data source: Parliament of Australia.

The situation in the Senate is different, as the coalition has no majority and has to rely on cross-bench senators.⁴ In the Senate, the coalition holds 36 of the 76 seats (four more than in 2016) and the Labor Party controls 26 seats (no change). The current Senate numbers 14 cross-benchers, including nine senators from the Australian Greens, two senators from the far-right Pauline Hanson's One Nation party, two senators for the Centre Alliance, and one independent member.

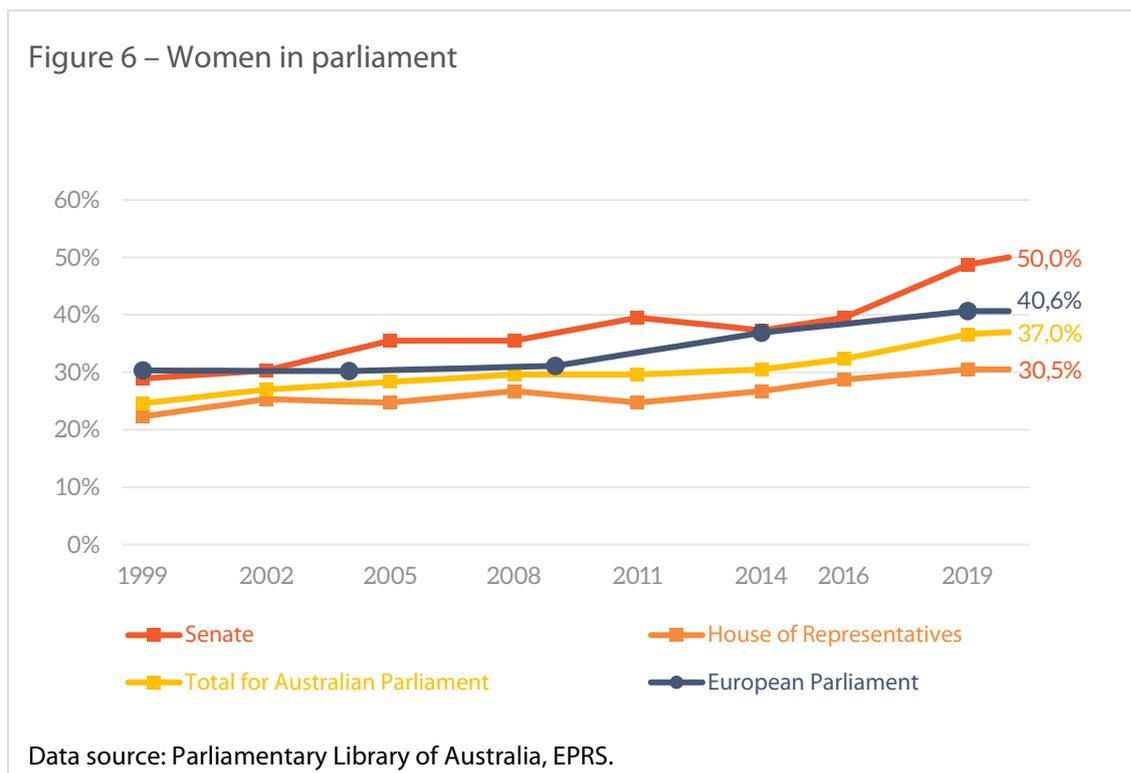
The lack of governmental majority in the Senate has been common in recent decades. This situation enables the Senate to be a House where government is scrutinised carefully, detailed inquiries are made, inconvenient questions are asked and amendments to bills are approved.

There are currently a total of 84 women parliamentarians, accounting for 37 % of all elected members. While the 38 women in the Senate represent 50 % of the senators, the proportion of women in the House of Representatives is 30 %. Historically the differences between the houses have been smaller: in 1999, the figures were 29 % for the Senate and 22 % for the House of Representatives. The above-mentioned differences, taking into account that elections take place on the same day, involving the same voters, clearly proves that while proportional representation succeeds in achieving gender balance, progress in individual electoral districts is much slower.

The situation in the European Parliament is similar to the average for the Australian parliament as a whole. While in 1999 women made up 30 % of MEPs, the number exceeded 40 % in 2019.

As at the end of June 2019, women filled [47.9 %](#) of Australian government [board](#) posts. This overall result was the highest since reporting on gender balance began in 2009.

In 2010, [Julia Gillard](#) became Australia's first female prime minister.



EU-Australia inter-parliamentary relations

The [European Parliament delegation](#) for relations with Australia and New Zealand (DANZ) was [established](#) in 1979. It is also mentioned as one of the vehicles for bilateral dialogue envisaged by the [EU-Australia Framework Agreement](#) signed in 2016. European and Australian parliamentary delegations meet on an annual basis and discuss bilateral relations, recent developments in their respective regions, and cooperation in multilateral forums (UN, World Trade Organisation). A number of high-level visits also take place. In recent years several Australian officeholders, such as the President of the Senate, the Speaker of the House of Representatives, the Governor-General, the Minister for Foreign Affairs and the Minister for Trade, Tourism and Investment have visited the European Parliament.

Executive

Queen Elisabeth II is Australia's **head of state**. The Constitution vests the executive power of the Commonwealth in the Queen and delegates her powers to the **governor-general**, her representative. The Queen appoints the governor-general on the prime minister's recommendation, usually for a five-year term. By convention, the [governor-general](#) acts as advised by the [prime minister](#) and [ministers](#). This means that in practice the prime minister and ministers hold the executive power. However, in exceptional circumstances, the governor-general is empowered to act independently in some matters (referred to as 'reserve powers'). Beside ceremonial and social duties, his or her tasks include assenting to laws passed by the parliament and starting the process for a federal election. The [Federal Executive Council](#), formed of ministers and assistant ministers, provides the governor-general with advice.

The **head of government** is the prime minister. The prime minister is the elected leader of a party, or that of the main party in a coalition, with a majority in the House of Representatives. The prime minister, who is member of the House of Representatives, selects the ministers from both Houses of Parliament and assigns their portfolios. The prime minister and other ministers are appointed by the governor-general. The senior ministers in the government form the [cabinet](#) which, chaired by the prime minister, decides over major policy and legislative proposals. Cabinet ministers are in charge

of major government departments, while other ministers are responsible for small departments, for instance. There are currently [14](#) government departments.

The Constitution does not mention either the cabinet or the prime minister, their roles having been determined by long-established convention.

Government [responsibilities](#) include developing national policy, introducing proposals for new laws into parliament, implementing laws and making decisions on national issues. Government [revenue](#) comes from miscellaneous sources, including taxes on incomes, excise and customs duties, charges, and company profits.

Table 1 – Australia's leadership

| Position | Name | Date started |
|---|-----------------------|--------------|
| Head of state | HE Queen Elisabeth II | 1952 |
| Governor-general | David Hurley | 2019 |
| Speaker of the House of Representatives | Tony Smith | 2015 |
| President of the Senate | Scott Ryan | 2017 |
| Prime minister | Scott Morrison | 2018 |
| Chief justice | Susan Kiefel | 2017 |

Source: EPRS.

Judiciary

Under the Constitution, the Australian judiciary is [independent](#) from the other branches of government. The Commonwealth's judicial power is vested by the Constitution in the High Court and other federal courts. The [High Court of Australia](#), [comprising](#) a chief justice and six justices, is the highest court in the judicial system. '[It interprets and applies the law of Australia, decides on the constitutionality of laws and hears appeals](#)'. The Constitution empowers the federal parliament to establish other federal courts and confer federal judicial power on state and territory courts. In general, federal courts, such as the Family Court of Australia and the Federal Court of Australia, deal with [matters](#) such as corporations, migration and other areas of federal law, as well as family law matters.

Judges of the High Court and of other federal courts are [appointed](#) by the governor-general as advised by the Federal Executive Council. They are allowed to stay in office until the age of 70 and can only be removed from office by the governor-general for proved misbehaviour or incapacity.

State and territory government

The government systems of the states and self-governing territories are [similar](#) to those of the federal level.

Legislature

Each state, with the exception of Queensland, has a [parliament](#) with two elected houses. Queensland has a single-house parliament, the Legislative Assembly.

As a rule, those areas not listed in Sections 51 and 52 of the Constitution fall under state responsibility. States legislate primarily on state-related matters. Over some areas, such as roads and health, both the federal parliament and the state parliaments have law-making power. However, under the Constitution, a state law or part of a state law that is conflicting with a federal law is invalid. As mentioned above, state parliaments may hand over responsibilities to the federal parliament.

While the powers of states derive from the Constitution, territories' powers are defined through the Commonwealth law. Two mainland territories, the Australian Capital Territory and the Northern Territory, were granted a level of self-government by the federal parliament in 1988 and 1978, respectively. Each of these territories also has its own single-house Legislative Assembly. As the only one of its kind in Australia, the parliament of the Australian Capital Territory performs both the function of the state and local government. Under the Constitution, the federal parliament has the power to [override](#) territory law, as it did it, for instance, in 1997, with a territory law that made euthanasia legal in the Northern Territory.

Under the Constitution, territories can achieve statehood subject to the approval of the federal parliament. However, in 1998, a [proposal for statehood](#) for the Northern Territory was rejected by the residents in a referendum.

Executive

Each state has a [governor](#) who **represents the monarch**. Governors are appointed by the Queen as advised by the head of government of the given state, generally for [five years](#). With rare exceptions, a governor [acts](#) only as advised by the ministers. State governors, for instance, appoint the premier and the ministers, sign bills into law and preside over the opening of state parliaments. The Northern Territory has an [administrator](#), appointed by the governor-general, who plays a similar role to a state governor, with statutory, ceremonial and representational duties. The Australian Capital Territory has [neither](#) a governor, nor an administrator, the governor-general signs bills into law.

Australia has six state and two territory executive governments. State executive governments have state ministers, as well as a premier as **head of government**. Territory executive governments comprise territory ministers presided over by a chief minister. Ministers forming the governments are appointed from among elected members of state or territory parliaments, drawn from the party or parties with a majority in the lower house. State and territory executives make decisions on policy and legislative programmes, including the implementation of state or territory laws.

The [responsibilities](#) of these governments cover, for instance, public transport, agriculture, schools, hospitals and consumer affairs. State and territory governments [raise money](#) from taxes and charges, for instance land tax and stamp duty. However, as mentioned before, around half of their revenue comes from the federal government through [financial grants](#). 'Tied' grants allow the federal government to have an influence in areas that are primarily state responsibilities.

Judiciary

States and territories in Australia have their own court systems. States, for instance, have [three levels of courts](#) of general jurisdiction, with the exception of Tasmania which does not have an intermediate level court. However, each state and territory has a [supreme court](#). Decisions of the federal High Court are [binding](#) on all other courts across Australia. The relevant state or territory attorney general or minister for justice is responsible for state or territory courts. At the state and territory level judges are [appointed](#) by the governor or administrator, as advised by the cabinet.

Local government

There are [more than 500](#) local councils in Australia, out of which 60-70 % are regional or rural councils. The Australian Constitution does not mention local government. The powers and roles of local councils are set out by the state or territory government. In the [Australian Capital Territory](#) the territory government manages all local government responsibilities. The [six states and the Northern](#)

[Territory](#) have established their own system of local government. As these are created and operate under state or territory legislation, there is [a variety of systems](#) overseeing local councils. The local government system may be restructured at any time by the states and the Northern Territory. The state or territory government may also overrule local government decisions.

In 2017, women made up [32.2 %](#) of councillors nationwide, compared with 29.8 % in 2015 and 28.4 % in 2010. Following the 2009 introduction of a national strategy for women in local government, monitoring of gender equity and better collection of gender-related data are part of council audits.

Legislature and executive

The role of elected councillors is to make policy decisions and to make laws in areas of local relevance. These laws are generally known as by-laws. Chief executive officers and other non-elected employees are then responsible for enforcing these decisions.

The main responsibilities of local governments include local road maintenance, building approvals and inspections, garbage collection, recreational facilities, libraries, and delivering community services. Money collected by local councils [include](#) taxes – rates – from local property owners and user charges. Local councils also receive grants from federal, state and territory governments. On aggregate, local councils collect [around 90 %](#) of their own revenue.

A series of [governance challenges](#) face local councils, including funding constraints, intergovernmental dependencies and a lack of constitutional recognition.

Intergovernmental cooperation

Cooperation is essential as 70 % of policy areas in Australia fall under a mix of federal and state level jurisdictions. A further 17 % of policy areas fall under the exclusive jurisdiction of the states, with just 13 % covered by exclusive federal competences.⁵

The [Council of Australian Governments \(COAG\)](#), established in 1992, usually meets twice a year. It is the primary intergovernmental forum in Australia. It comprises the Australian prime minister, the six state premiers and the two self-governing territories' chief ministers, as well as the president of the [Australian Local Government Association](#) (ALGA). The Council deals with issues that are of national significance or that require coordinated action by all levels of government. The work of the COAG is supported by [several](#) inter-jurisdictional, ministerial-level councils.

Multiculturalism

The 2016 national census produced detailed data on the subject of [multiculturalism](#) in Australia. According to this census, Australians are affiliated with more than 300 cultural groups. More than six million Australians were born overseas, that is around a quarter of Australia's population. People born overseas and people who have at least one parent born overseas together made up nearly 50 % of the population. The census also revealed that some 20 % of Australians speak a language other than English at home, and, in fact, on aggregate more than 300 languages are spoken by families at home. As regards religious affiliations, 52.1 % of respondents stated that they were Christian, while 2.6 % claimed to be Muslim. The third largest group, 2.4 %, were Buddhists. People who identified as being of Aboriginal or Torres Strait Islander origin represented around 3 % of the population.

From the time the Federation was set up until the latter part of the 20th century, Australia ran an [immigration policy](#) that, in effect, excluded non-European immigration. There also was an expectation that migrants should assimilate. Latterly, assumptions about assimilation were examined, and by 1973, the concept of 'multiculturalism' gained ground in Australia. Migrant groups mobilised in the interests of maintaining their cultures and promoting their languages within mainstream institutions. In 1989, a National Agenda for a Multicultural Australia was adopted, and

in 1996 the Australian parliament supported a Parliamentary Statement on Racial Tolerance. Since then, several multicultural policy statements have been released by successive governments, the [latest](#) in March 2017. This statement advocates a multiculturalism based on shared values, as well as on shared rights and responsibilities, and within this context expresses a commitment to national unity and democratic institutions in response to arising challenges. In March 2019, a [package](#) of AUD 71 million was announced by the government to fund programmes that foster social cohesion, for instance language programmes and programmes supporting integration. The Australian parliament's [2010 research paper](#) on multiculturalism notes that while at its outset multiculturalism was a policy framework developed to meet the needs of migrant communities, later it became 'a pillar of Australia's nation-building narrative'. According to the [website](#) of the Department of Home Affairs 'Australia's approach to multicultural affairs is a unique model based on integration and social cohesion'.

Despite developments in multicultural policy in recent decades, and despite the introduction into the parliament of an [Australian Multicultural Bill](#) in 2018, there is no federal law on the issue. Contrary to this, the first federal anti-discrimination law in Australia, the [Racial Discrimination Act](#), came into force in 1975. The act, which deemed discrimination in various areas of public life illegal, was [amended](#) in 1995 to cover public acts of racial hatred. Within the framework of its new [multicultural policy](#) launched in 2011, the federal government committed to a national anti-racism strategy. This [strategy](#) was launched by the independent statutory organisation [Australian Human Rights Commission](#) in 2012, accompanied by a national [anti-racism campaign](#). The strategy, which focused on public awareness, education resources and youth engagement, was, in 2015, extended for another three years.

The parliament's 2010 research paper mentioned above notes that multiculturalism has turned into an increasingly controversial and closely scrutinised issue in Australia. This has been against a background of early 21st century security and social challenges. The [2018 evaluation](#) of the anti-discrimination strategy found that issues such as the level of overseas immigration, proposed changes to Australian citizenship laws and foreign interference with public institutions have increasingly been the focus of intense public debate. The evaluation mentions a 2017 survey according to which more than 80 % of respondents considered multiculturalism as beneficial for Australia. However, it also stated that particular migrant groups and Indigenous people are particularly vulnerable to discrimination and racism.

Aboriginal and Torres Strait Islander Australians

Today's First Australians, that is the Aboriginal and Torres Strait Islander people, are the guardians of a culture whose representatives have been living across Australia for over 50 000 years. In the first half of the 20th century and right up to the 1960s, the Indigenous community, who had already suffered the negative effects of colonisation, such as being dispossessed of their land, were particularly exposed to [assimilation policies](#). One policy, for instance, involved forcibly separating many Indigenous children, later referred to as the [Stolen Generation](#), from their parents and placing them in foster families and institutions where they were brought up.

However, [important developments](#) have taken place in recent decades, such as the removal of many discriminatory laws in the 1960s, the passage of the [1976 Aboriginal Land Rights Act](#) recognising Aboriginal landownership, and the enactment of the [1993 Native Title Act](#) recognising native title rights for land. A significant milestone in the reconciliation process was the [formal public apology](#) delivered by the prime minister Kevin Rudd in February 2008 to Australia's Indigenous people, and in particular to the Stolen Generation. In his apology the prime minister made a [statement](#) on closing the gaps in the social inequalities faced by the Indigenous community. Since 2008, a [Closing the Gap Statement](#) has been delivered by the incumbent prime minister in the parliament, accompanied by a [yearly report](#) on progress achieved.

Despite the commitment of successive Australian governments to provide better life opportunities for the Indigenous community, and although there have been [achievements](#), Aboriginals and Torres

Strait Islanders continue to face inequalities. The [gap](#) between Indigenous and non-Indigenous Australians is still large in areas such as [health](#), including life-expectancy, education, employment and [rates of imprisonment](#).

In 1971, [Neville Bonner](#) was the first Aboriginal person to become a member of the federal parliament, and in 1976, [Douglas Nicholls](#) became the first Indigenous Australian to hold the position of governor of an Australian state.

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ENDNOTES

- ¹ The six states of Australia are New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia. There are two self-governing territories: the Australian Capital Territory and the Northern Territory. The eight other territories are Ashmore and Cartier Islands, Australian Antarctic Territory, Christmas Island, Cocos (Keeling) Islands, Coral Sea Islands, the Jervis Bay Territory, Norfolk Island, Territory of Heard Island and McDonald Islands.
- ² In this briefing 'Commonwealth', if not stated otherwise, refers to the Commonwealth of Australia.
- ³ It has happened in the past that a party that received the highest number of first preference votes, was overtaken by the second party during the consecutive countings in so many electoral districts, that the latter formed government.
- ⁴ Crossbenchers are parliamentarians who do not belong either to the governing or to the official opposition parties.
- ⁵ J. Parker, *Comparative federalism and intergovernmental agreements: analysing Australia, Canada, Germany, South Africa, Switzerland and the United States*, 2016, p. 51.

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