



Reconciliation  
NSW

## Indigenous Voice Co-Design Process

### Submission to stage two of consultation

March 2021

Voice Secretariat  
Reply Paid 83380  
CANBERRA ACT 2601

Via email: [Co-designVoice@niaa.gov.au](mailto:Co-designVoice@niaa.gov.au)

#### **Re: Submission to Indigenous Voice Co-Design Process - Support for a VOICE to Parliament, enshrined in the Constitution**

Dear Indigenous Voice Co-Design Groups,

Reconciliation NSW welcomes the opportunity to make a submission to the Indigenous Voice Co-design process and in response to the interim report released in October 2020.

Reconciliation NSW thanks the work of the Advisory Team in creating the Interim Report to the Australian Government on the Indigenous Voice Co-Design Process and detailing how this National Voice would be established and reflective of local, regional and national Aboriginal and Torres Strait Islander voices.

#### **1. Summary**

Reconciliation NSW:

- Supports a National Representative Voice to Parliament that amplifies and engages with Aboriginal and Torres Strait Islander voices across local, regional and national communities
- Supports the implementation of the National Voice and Local and Regional Voices and its advisory role as detailed in the Interim Report
- Recommends a commitment by government to educate the Australian public on the role of the Voice and how the Voice will operate preceding a referendum for Constitutional amendment for enshrinement of the Voice.
- Advocates for a Voice protected and legitimised in the Australian Constitution that is representative of national, regional and local levels of Aboriginal and Torres Strait Islander Peoples and communities, and for the government to commit to enshrining the Voice through a constitutional amendment.

## 2. Our Background

Reconciliation NSW is the peak body for reconciliation in NSW, since its inception in 1997. Our members include First Nations and non-Indigenous people working together to advance reconciliation in their communities. The vision of Reconciliation NSW is to create a reconciled, just and equitable community for Aboriginal and Torres Strait Islander peoples and other Australians in NSW. We work to support, educate and inspire the people of NSW to engage in reconciliation.

Reconciliation means recognising the dispossession, persecution and oppression experienced by NSW First Peoples because of Australia's colonisation. Reconciliation cannot only be symbolic. For reconciliation to be achieved there needs to be a series of real, practical outcomes in relation to the ongoing racism and systemic disadvantage experienced by Aboriginal and Torres Strait Islander peoples.

Reconciliation involves acknowledging and accepting our true shared histories and valuing and celebrating Aboriginal and Torres Strait Islander cultures as a proud part of a shared national identity. Reconciliation means building relationships of trust and respect for Aboriginal and Torres Strait Islander cultures, rights and experiences. In a reconciled Australia Aboriginal and Torres Strait Islander peoples and cultures are supported to thrive and always treated with dignity and respect.

Reconciliation NSW supports the calls over many decades by Aboriginal and Torres Strait Islander peoples to move past Australia's colonial legacy by being recognised and heard in their own countries, and with the right and capacity to practice self-determination.

Reconciliation NSW notes the numerous models and attempts of successive governments to deliver recognition and the right to be heard in a self-determining manner.

## 3. Comments on the Interim Report on the design of an Aboriginal Voice

**Reconciliation NSW advocates for a Constitutional Amendment** that enshrines a National Advisory First Nations Voice that is representative of national, regional and local levels of Aboriginal and Torres Strait Islander Peoples and communities.

Whilst Constitutional enshrinement was outside of the terms of reference of the co-design team, Reconciliation NSW believes Constitutional enshrinement is needed to ensure the Voice's stability, certainty and flexibility, and to ensure that there is no threat of the Voice being abolished or ignored. Constitutional enshrinement provides legal mechanisms for the Voice if the Parliament fails to engage with it. That it was removed from the scope for the Indigenous representation co-design process is regrettable, given that it is not consistent with the Uluru Statement from the Heart, which called for the establishment of a First Nations' Voice enshrined in the Constitution.

Reconciliation NSW's comments in this submission address aspects of the Interim Report, the 2017 Uluru Statement From the Heart and Australian public opinion as evidenced by the 2020 Australian Reconciliation Barometer Report. Reconciliation NSW acknowledges that the process of forming a National Voice cannot be decoupled from the Uluru Statement.

**Reconciliation NSW stands with 86% of the Australian general community<sup>1</sup>, and in solidarity with 91% of Aboriginal and Torres Strait Islander Peoples<sup>2</sup> who believe it is important for a representative Indigenous Body to be established to share the views of Indigenous Australians regarding Indigenous affairs and policies.**

We support the two-way interaction of the Voice outlined in the Interim Report, where the Voice can advise Parliament and Government, and Parliament and Government can refer any matter to the Voice.

The Interim Report on the Indigenous Voice Co-Design Process has detailed the actualization of creating a representative Voice that represents First Nations voices from regional, national, and local levels. Reconciliation NSW supports the next step in the process that calls for the Australian public to give their opinion. 81% of the general community and 88% of Aboriginal and Torres Strait Islander peoples believe it is important to protect an Indigenous Body within the Constitution, so it cannot be removed by any government.<sup>3</sup>

**Reconciliation NSW supports calls for a Referendum**, echoing the calls within the Uluru Statement from the Heart, to seek constitutional reform to empower Aboriginal and Torres Strait Islander Peoples, and for them to take their rightful place as the First Peoples of this Country.

We believe that Australians will need to understand how a Voice will operate before they are likely to support a Constitutional amendment through a referendum. The government must, therefore, commit to preceding a referendum with educating the public on the role of the Voice and how the Voice will operate in Parliament and government. This education must be informed by a range of voices, with emphasis placed on Aboriginal and Torres Strait Islander perspectives.

Reconciliation NSW believes that the establishment of a National Voice as outlined by the Interim Report represents a change in Australia's cultural identity to becoming respectful of Australia's First Nations Peoples, which is reflected by changing opinions in the Australian Reconciliation Barometer Report 2020.

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<sup>1</sup> Reconciliation Australia, *2020 Australian Reconciliation Barometer*, p. 14. [https://www.reconciliation.org.au/wp-content/uploads/2020/11/australian\\_reconciliation\\_barometer\\_2020\\_full-report\\_web.pdf](https://www.reconciliation.org.au/wp-content/uploads/2020/11/australian_reconciliation_barometer_2020_full-report_web.pdf)

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

The Voice Representative Body needs to capture and strengthen the identity and diversity of Australia's First Nations. To do this, the Voice needs to be created according to how Aboriginal and Torres Strait Islander Peoples want to be represented. Following calls from the Uluru Statement from the Heart, Reconciliation NSW advocates for a Makaratta Commission to supervise the creation of the advisory First Nations Voice.

The purpose of the National Voice Body is to enhance the legislative process and amplify the voices of Aboriginal and Torres Strait Islander Peoples, so they have determination over matters that affect them. 95% of Aboriginal and Torres Strait Islander people and 94% of the general community believe it is important for Aboriginal and Torres Strait Islander people to have a say in matters that affect them.<sup>4</sup> The creation of the Voice would therefore reflect the popularity of the motion and the priorities of both the general Australian public and Aboriginal and Torres Strait Islander Peoples.

Yours Sincerely,



Joshua Gilbert  
Indigenous Co-Chair



Annie Tennant  
Non-Indigenous Co-Chair

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<sup>4</sup> Reconciliation Australia, *2020 Australian Reconciliation Barometer*, p. 62. [https://www.reconciliation.org.au/wp-content/uploads/2020/11/australian\\_reconciliation\\_barometer\\_2020\\_-full-report\\_web.pdf](https://www.reconciliation.org.au/wp-content/uploads/2020/11/australian_reconciliation_barometer_2020_-full-report_web.pdf)