

4.6. Debunking myths and addressing misinformation

Knowing how to address misinformation and arguments from all sides of politics in conversations about the Voice is an important part of public education.

Whether intentional or otherwise, there has been much misleading information put out into the public domain, confusing citizens. Let's debunk and unpack the misinformation fruitfully, together.

“There's no detail”

The 2021 [Final Report to the Australian Government on the Indigenous Voice Co-design Process](#) is a 260 page report that makes significant recommendations for the implementation of the Voice. It is the result of extensive consultation with First Nations peoples and communities in urban, regional and remote Australia. The proposed Indigenous Voice detailed is an integrated system of 35 Local and Regional Voices, and an overarching National Voice. Local & Regional Voices would be community-led, community-designed and community-run to set strategic directions to improve policy, program and service delivery outcomes that affect them. The National Voice will comprise 24 members who will be selected by Local & Regional Voices. The Voice would advise on matters relating to Aboriginal and Torres Strait Islander peoples social, spiritual and economic wellbeing to ensure their perspectives are considered throughout policy and legislation development. Representatives will include specific representation for Torres Strait Islanders and remote communities due to their unique needs.

The Referendum Working Group has recommended a set of principles for the Voice:

The Voice is a body that will:

- 1) Provide independent advice to Parliament and Government
- 2) Be chosen by First Nations people based on the wishes of local communities
- 3) Be representative of Aboriginal and Torres Strait Islander communities
- 4) Be empowering, community led, inclusive, respectful, culturally informed and gender balanced, and includes youth
- 5) Be accountable and transparent
- 6) Work alongside existing organisations and traditional structures.
- 7) The Voice will not have a program delivery function, or a veto power.
- 8) The structure and role of the Voice would be decided by Parliament through legislation, with members to be chosen by First Nations people.

There's also more detail coming

Before a referendum is held both houses of a Commonwealth Parliament must pass legislation outlining the proposed changes to the Constitution.¹ So before Australians vote on the Referendum, there will be clear legislation drafted. The referendum must then be held no sooner than two months and no later than six months after the legislation is passed by Parliament.

“Treaty first, vote no to the Voice”

There is a small movement that is emphasising the importance of a Treaty over a Voice to Parliament.

A [Treaty](#) is an essential next step in acknowledging and giving legal effect to the historical and contemporary cultural rights and interests of First Nations peoples, which is why the Uluru Statement from the Heart calls for a Treaty as well as a Voice to Parliament, and a national process of Truth-telling. A Treaty and a Voice to Parliament are not mutually exclusive, and they can both happen in parallel. State-based Treaty legislation and processes have commenced in [Queensland](#), [Victoria](#), and the NSW Labor government has committed to a Treaty if they are successful in the March 2023 NSW election.

This argument lacks clarity and has the potential to mislead those that support Aboriginal and Torres Strait Islander rights to vote no. However, the legislation and political conversations that need to happen for Treaties at all levels can and should continue to progress in parallel to Voice and Truth-telling activities called for in the Uluru Statement. The Voice is what's on the table before us now. “The Voice proposal is a [once-in-a-lifetime opportunity](#) for Australia to fill a gaping hole in our Constitution – to recognise our first history and the first peoples who bear it and the painful legacy of its collision with the second history of colonisation.”² Those who support a Treaty and believe it is a stronger mechanism for self-determination than a Voice to Parliament should be empowered in that opinion, however there is nothing to lose from voting ‘yes’ in a once-in-a-lifetime opportunity to Constitutionally enshrine an Indigenous Voice in the Constitution. Also, as has been seen in similar democracies like the United States, Treaties can be broken, and all faith should not be put into one piece of legislation. Both Constitutional recognition and a Treaty will be stronger in conjunction with one another. We will not get another

¹ “Referendums Overview,” Australian Electoral Commission, Updated 6 June 2011, https://www.aec.gov.au/Elections/referendums/Referendums_Overview.htm

² Robert French & Geoffrey Lindell, “Voice is low risk but high return”, *Financial Review*, Feb 4 2023, <https://www.afr.com/politics/federal/voice-is-low-risk-but-high-return-20230201-p5ch8e>

opportunity for a Referendum for a long time (if ever), so let's harness it, whilst also progressing conversations and legislation for Treaties, which the Uluru Statement emphasises.

“The Voice won't represent local communities”

There is some fear within Aboriginal and Torres Strait Islander communities that the Voice won't represent local issues and local communities.

The [Indigenous Voice Co-Design Report](#) recommended the Voice to be an integrated system of 35 Local and Regional Voices, with an overarching National Voice. Local & Regional Voices would be community-led, community-designed and community-run to set strategic directions to improve policy, program and service delivery outcomes that affect them. This ensures that local communities will have representation on local issues. The National Voice will comprise 24 members who will be selected by Local & Regional Voices.

Representatives will include specific representation for Torres Strait Islanders and remote communities due to their unique needs.

“There's already enough First Nations people in Parliament”

There has been some rhetoric that there are already elected First Nations members of parliament, so why is a referendum needed to embed an Indigenous voice?

This argument is not based on factual information regarding what the role of an elected member of parliament is. In a democracy, parliamentary representatives are elected by the people in their electorate. These people are united by geographical location, not by culture or identity. The elected members represent their constituents within their electorate and often sit within a political party that further determines the political decisions they make. They cannot be expected to represent the large and diverse population of First Nations Peoples across the country. At present, Australia's electoral design does not ensure special representation for Aboriginal and Torres Strait Islander peoples, nor does it have mechanisms to achieve what the Uluru Statement from the Heart seeks.

“The Voice will divide Australia”

The Voice is about empowering self-determination, so that Aboriginal and Torres Strait Islander peoples have 'an ongoing progress of choice'³ over their own social, cultural and

³ Right to self-determination”, Australian Human Rights Commission, 2023, <https://humanrights.gov.au/our-work/rights-and-freedoms/right-self-determination#:~:text=Self%20determination%20is%20an%20'on,social%2C%20cultural%20and%20economic%20needs>.

economic needs. This does not separate Indigenous people from the rest of Australia but provides a mechanism for **Indigenous guidance** over **Indigenous matters**.

It is important to acknowledge the distinct position of Aboriginal and Torres Strait Islander Peoples as the first peoples of this continent. Their cultures, histories and contributions are a unique asset to our nation. At present the gap in life outcomes between First Nations peoples and their non-Indigenous counter parts is what is dividing Australia. The generous invitation to walk with First Nations Peoples in creating a better future is what will unite us.

“The Voice won’t help First Nations communities”

As the [Uluru Dialogues Team write](#) “A Voice will mean the Government will have better quality information about First Nations communities and issues, delivered directly by a body of First Nations representatives. Detailed and nuanced information from communities themselves will result in better quality laws and policies. This will mean resource allocation is more accurately targeted. Better laws mean improved outcomes – across all metrics, including health, housing, criminal justice and education.”⁴ It’s practical for Closing the Gap.

“The Voice isn’t what Aboriginal and Torres Strait Islander people want”

Aboriginal and Torres Strait Islander peoples hold diverse opinions, and some First Nations peoples have expressed that they do not want the Voice. This [Sydney Morning Herald article](#) captures the diversity of those opinions well. [As the Uluru Dialogues Team write](#), the Uluru Statement was the result of “First Nations represented in the First Nations Regional Dialogues and the national convention. It was an act of self-determination. Twelve large meetings, or Dialogues, took place across Australia and culminated in a National Convention at Uluru, with over 250 delegates representing those vast Dialogues and communities. Together, those delegates conceptualised, wrote and signed the Uluru Statement, agreeing to its components and reforms.”⁵

⁴ “FAQs”, The Uluru Statement, January 2023, <https://ulurustatement.org/education/faqs/>

⁵ “FAQs”, The Uluru Statement, January 2023, <https://ulurustatement.org/education/faqs/>