

# Indigenous Voice Community Consultation

## Consultation session details

**Muwinina country;**

**Hobart, 16 April, 9.30am, Session 2**

**Number of participants: 19**

## Key points raised

*Please note, this is a summary of the discussion and the views and opinions expressed by participants in consultation sessions. It is not intended to be an exhaustive summary of all points raised, but draws out the key points.*


The session was attended by 19 participants and started with acknowledgement of local traditional owners by Professor Tom Calma. Key points discussed are summarised below.

### *Overarching points*

- In response to a participant's question co-design members explained Tasmanians appointed to the co-design process were Maggie Walter, Emma Lee and Kerry Sculthorpe, with all members appointed as individuals in recognition of their expertise, rather than to represent their state or organisation. It was also clarified that the co-design process is at the public consultation stage, with nothing decided as yet.
- Clarification was sought regarding the relationship between the design of the Voice and constitutional recognition. Co-design members indicated that these were separate issues, and discussed some of the challenges in respect of a referendum, including the 'no' campaign which under the referendum provisions would need to be funded by the government.
- It was also clarified that the Voice could be established by legislation, with constitutional issues addressed later down the track.
- A participant expressed their view that the priority should be to have the Voice established, as there is nothing currently playing this role.
- Another participant supported working together with the Uluru group and the Coalition of the Peaks to develop a way that is more inclusive and united. They felt combined voices are more powerful, and that way wedges could not be driven between different groups. They noted that this required individuals and organisations alike leaving egos at the door and aim to address common goals.

### *Local and Regional Voices*

- A participant suggested there could be three regions in Tasmania. It was noted the Interim Report talks about future processes for determining regions including further co-design with communities.
- A participant asked if there will be mechanisms to guarantee state and territory governments work with the Local and Regional Voices. Co-design members suggested that under the proposals there could be complementary legislation in each state and territory and arrangements would need to be transparent, noting nothing will absolutely guarantee such relationships. It was noted that this legislation would be a matter for state and territory governments to consider.

- 
- There was discussion about the Inclusive Participation principle. It was noted Local and Regional Voices will be for everybody, not just members of organisations, with each region to decide their own mechanisms for inclusiveness and how members will be selected – for example, through election, selection of representatives by organisations or clan groups, an expression of interest process, or a combination of these.
  - Participants discussed the links between the National Agreement on Closing the Gap and the Indigenous Voice, noting both required fundamental shifts in how governments work and think, including educating the broader public and shifting away from just the deficit based conversation. Co-design members noted that while these processes are complementary, the Coalition of the Peaks represents only their members. One participant suggested they see the Indigenous Voice as overarching, encompassing the Coalition of the Peaks and Closing the Gap arrangements.
  - A participant raised a key role for local governments in any arrangements, given that many issues, such as those related to land, rest with them. They also discussed the importance of having a focus on young people.
  - A participant raised a concern that the Voice arrangements would mean people usurping the right to talk on others' behalf. They noted that in Tasmania some groups are not accepted as Aboriginal, referring to a Federal Court case on proof of Aboriginality and mentioning that some people still don't accept the umpire's decision. At the same time, they expressed hope the proposals would get up and wished it well.
  - Participants discussed fractures in communities, which are likely to present challenges to applying the principles in a genuine way. It was felt this was a key risk to the Voice arrangements, and something was needed to ensure principles are adhered to – such as assessing Local and Regional Voices' performance, not just by Voices themselves but the community and people most affected. Co-design members indicated the Interim Report discusses the need for dispute resolution mechanisms, as well as proposing a recognition process for Local and regional Voices based on meeting principles.

#### *National Voice*

- A participant raised a concern about the proposed gender equality, explaining that Aboriginal Tasmania was a matriarchal society, and as a woman she would be offended if not appointed on capability and merit alone.
- Some participants felt that the National Voice with only an advisory role would not be strong enough, and queried its value if it meant the advice does not have to be acted on. Co-design members highlighted the legal sovereignty of Parliament which means it cannot be compelled to act on advice.
- In response to a question about the ability for the Voice to advise on many rules and regulations that are made by public servants, co-design members clarified that the Voice input would start early on when bills are being prepared. It was also made clear that under the proposals the Voice would also be able to engage on policy, including the early stages of policy development, with the government and bureaucrats across all agencies - including mainstream. This was supported, noting that sometimes it is non-legislative changes that most affect Indigenous people.
- There was a suggestion that to ensure women are involved provisions may be needed for part time roles and perhaps two election processes, one for men and one for women.
- There was a query about the involvement of people who identify as non-binary, or other gender, with co-design members indicating there could be scope for extra advisory committees as required.
- It was suggested that rather than the Indigenous Voice a name such as 'First Nations Voice' could be used.