

Indigenous Voice Community Consultation

Consultation session details

Gimuy Walubarra Yidinji and Yirrganydji Gurabana country,

Cairns, 13 April 2021, 12.00pm, session 2

Number of participants: 39

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 39 participants who were welcomed to country by Aunty Henrietta Marie. Key points discussed are summarised below.

Overarching points

- All participants agreed on the need for a Voice and for community to come together to advance this proposal.
 - One participant said “we need to put aside our differences and go forward and get our voice heard. It is about community coming together. We need to listen to the co-design members. The faster we do this, the better for our future generations.”
 - Another participant said they encourage people to look at the proposals and encourage other people in community, organisations, and families, “this is a big opportunity”.
 - A participant said that “this won’t be something we get right straight away. This is something that is not new, it is something we’ve been wanting for a long time. If we don’t try, if we don’t stand up, all is lost. This is about the greater good for Aboriginal and Torres Strait Islander people. This is about change, and this happens over generations.”
 - One participant said “we need to proceed with a Voice and with legislation, considering the complexities of referendums and constitutional change. We need a meaningful seat at the table, where we are equal partners. I am sick and tired of being invisible, of my community being looked over. I hope to live to see a day where there is constitutional change and removing that racist provision. But I am a pragmatist and a realist.”
 - A participant said that “we need to grab this opportunity and we need to stand together. Every issue affects each and every one of us in some form, I hope this goes further.”
- One participant said that “we need to build a model that is scalable for our next generation, and to build the capability of our next generation and hand it down to the youth. The Voice need to become an institution.”
- Participants raised the need for training and capability building for community to ensure the model succeeds.
- One participant said Indigenous people are in critical need of economic growth because “we don’t want to see our people struggling for another 100 years”.
- Three participants raised questions relating to the Uluru Statement. One queried why the Co-design Process doesn’t support the Uluru Statement. Another said that when the Referendum Council process held a dialogue in Cairns, all of the proposals were rejected, and when the Voice was proposed at Uluru it was a



shock to this participant. Another said that if the Voice is enshrined in the Constitution it will be there forever, but if it is not in the Constitution, it could be gone in a day.

- Co-design members clarified that the co-design process is building on the recommendations from a parliamentary committee, which recommended the design of the Voice occurs before consideration of its legal form. And this parliamentary committee looked into the proposals called-for in the Uluru Statement. Therefore, this co-design process is dealing with one part of the Uluru Statement.
- One participant said that ATSIC was a good model for how to get ideas and concerns from community to the regional and local level. Co-design members added that unlike ATSIC the Voice models proposed would not handle funding to provide services, as this caused problems in ATSIC.
- Norman Miller spoke to presenting the Boomerang Petition to Warren Entsch MP, who presented it to Parliament. The petition, with over 5000 signatures, called for a change to the Constitution to remove the current discriminatory sections and include recognition of Aboriginal and Torres Strait Islander people. Mr Miller said the Voice would assist with recognition process.
- One participant asked how the co-design process will come to a majority view with a clear solution. They asked how people will know their issues have been heard.
 - The co-design members responded that the co-design process is being transparent, with the notes from the consultations being published online, just as the Interim Report is published online, as will the Final Report.
- One participant raised that Closing the Gap responds to social and economic policy but doesn't respond to cultural aspects and issues. They asked how the Voice would include cultural issues, when some Indigenous people say that culture is the cause of all the negative issues in community?
 - Co-design members responded that it was difficult to include cultural targets in Closing the Gap as targets must be measurable and so much of culture can't be measured. But the revival of languages can be measured for example. However, Closing the Gap is not a good vehicle for protecting, reviving, and supporting culture. At the moment, native title bodies deal with culture by protecting native title rights. Further, the National Voice would play a role in preserving culture.

Local & Regional Voice

- One participant noted there are a lot of organisations in Cairns, who handle a lot of funds, but there is not a voice here. "We need a grassroots voice and this needs support through resourcing, but how will this happen if organisations dominate?" Another participant said there are a lot of non-Indigenous charities receiving funding to deliver services on behalf of Aboriginal and Torres Strait Islander people.
 - Co-design members responded that at the Local and Regional Voice level there will be shared decision making to overcome this problem.
- One participant said there will need to be resources for the community to design and develop the Local and Regional Voice, "grassroots need support and resources". The participant said they were worried the funding will go to non-Indigenous organisations to undertake this work.
- One participant said they were concerned about how the Inclusive Participation principle would actually work when people are already excluded in Cairns.
- One participant said they need the Torres Strait Regional Authority to service Islanders living on the mainland, but they can't because of their establishing Act. "We want a Voice through that existing body."

National Voice

- One participant asked if the National Voice would operate under the CATSI Act? How would the Native Title Act fit in?
 - Co-design members responded that they didn't think a Voice would be established under the CATSI Act. There are lots of pieces of relevant legislation and the Native Title Act is just one of them. The Native Title processes are separate and a Voice is likely to provide advice but will not take the place of any existing body in this policy space.



- A participant said that “we have excellent governance frameworks overseen by ORIC, and we can use this as leverage.” They said the National Voice should play a role in Closing the Gap targets to hold the government to account.
- One participant asked if the National Voice will have teeth?
 - Co-design members responded that the National Voice would deal with national priorities only, and is proposed to be able to table its advice in parliament, on bills that affect Aboriginal and Torres Strait Islander people, as well as a parliamentary committee to scrutinise all bills, and a statement of consultation presented with bills to explain if the National Voice was asked for advice.
- One participant asked if the ‘obligation to consult’ element of the proposal is only on the bill once it is tabled in Parliament, or if the engagement with the National Voice can happen earlier?
 - Co-design members responded that before a bill is tabled in parliament, there is a policy and legislative development process. The National Voice would give really early advice. This is the intention of the Voice, to work in partnership with the parliament on legislation and amendments from early in the process. The proposals also intend for the National Voice to work in partnership with other national bodies, like the Coalition of the Peaks, but the Voice would have a separate role of tabling formal advice in the parliament. This will not interfere with parliamentary sovereignty.
- One participant asked about the option for an ethics council and how it would be established, if it would be government establishing the ethics council?
 - Co-design members responded that the idea for the ethics council option arose from the issues experienced by ATSIC towards the end of its existence, when a couple of members were behaving improperly. The National Congress had an ethics council which operated for a while. The proposal for an ethics council would ensure people are fit and proper people to be members to stand, and then be a complaints body for ongoing integrity. This would ensure the National Voice is sustainable and durable.
- One young participant asked the co-design members how Aboriginal and Torres Strait Islander youth can continue this work into the future. Co-design members said that it would be great to hear from more youth through submissions. It was also added that in the National Voice proposal there is a Youth Advisory Group which would operate as a standing committee to the National Voice, where young people are encouraged to participate.