

Response to the Interim Report of the Voice Co-Design Group

The Institute of Cultural Affairs

The Institute of Cultural Affairs (ICA) Australia is concerned to advocate for and actualise the fundamental right of all peoples to define and shape their own futures.

We believe and have experienced that sustainable development occurs when people are meaningfully engaged in the change process that impacts their lives and the organisations and communities they are a part of. A major part of ICA Australia's work is developing and facilitating participatory processes to enable individual, organisational and community enhancement.

ICA Australia is a statutory member of ICA International, the international association of 25 autonomous Institutes of Cultural Affairs around the world. This international collaboration enables an ongoing development of our approaches to keep them of the highest standard.

ICA Australia has been taking action with Aboriginal people since it's founding in 1967. For us the historic and current exclusion and oppression of Aboriginal people is the major contradiction facing our society's future development.

In Australia a major dimension of our work has been to directly engage with Aboriginal people, to understand their culture, gifts and aspirations and to raise the question of improving the situation with non-Aboriginal people. We share our methods of participatory human and community development with them through consultations, teaching and direct involvement in supporting communities and organisations around Australia. This supports their action to overcome the factors blocking their vision and bring about the results they are seeking. Their response and action demonstrate how much they can develop their power to act corporately and individually, particularly when their cultural and social gifts are recognised and affirmed. Over the years we have had to witness with great pain the many attempts of government and social organisations to speak and act for Aboriginal communities, but neither involve them in decisions about their community and organisational development nor support them in developing what they identify as the needed solutions to the issues they face.

The Uluru Statement from the Heart gives a wonderful opportunity to establish a national framework, which will support the self-determination of Aboriginal people concerning their own affairs as well as allowing other Australians to learn from their rich history, culture and social and environmental practices.

The Statement is a practical invitation to all Australians to engage together learning about our whole history, creating agreements about how we will relate and work together in the future, and provide a means for Aboriginal individuals and communities to speak powerfully to our Parliament, government and nation on what is needed to ensure their well-being. We have seen a succession of Aboriginal advisory groups created and disbanded over the past several decades, usually through the vagaries of the political process. Therefore it is clear that the Voice needs to be enshrined in the Constitution through the referendum the Parliament has already committed itself to.

We find that the interim report of the Indigenous Advisory group contains many significant elements and congratulate its members for their contribution to clarifying how a Voice to Parliament and government could work on a national, regional and local level. This would enable the legislation, policies and practical implementation efforts to have the best chance of doing what is needed for a healthy, prosperous and admirable society in our country.

A Voice to Parliament is the highest priority for Aboriginal people and for an overwhelming majority of all Australians

The Voice to Parliament is the only thing that Aboriginal people have proposed to be included in the Constitution, and Australians should be given the chance to decide on whether to do so.

The proposal for the Voice to Parliament has had the highest level of support by all 13 of the regional consultations with local communities and was consensed on as a priority in order for agreement making and a deep and comprehensive truth telling to take place. Placing a Voice to Parliament in the Australian Constitution would demonstrate that the Australian people have decided to right the wrongs of the past and end current unjust structures. It would also show that we all want to work together and accept the invitation of First Nations people to walk together in creating our future.

A Voice to Parliament, as well as a Voice on the Regional and local level protected in the Constitution would also be essential for a fair and equitable agreement making or treaty process in all jurisdictions and with all Aboriginal nations and clans.

As the current environmental crises have made clear our nation as a whole needs to learn much from the First Nations people to both care for nature, and even more to create the social and cultural patterns that will enable us to live well on this continent and planet for the next 60,000 years.

The Report's Voice Model needs to be more proportional and inclusive

We find that the proposal to have only 18 members of the National Voice would prevent adequate participation of the diversity of Aboriginal people and communities to be represented. In addition the model proposed of two people from each State or Territory would be grossly disproportional, for example the people of the Australian Capital Territory, Tasmania and the Torres Straits Islands would have a much greater representation than the people of New South Wales, Victoria, or the rest of Queensland. As well there needs to be provision for the people living in remote areas, particularly in the Northern Territory and Western Australia to be represented and consulted with.

The restriction to only a small group would prevent the significant participation of those voices which are heard too little and will only reinforce the current pattern of consultation being limited to established and well known individuals and organisations, risking distrust and suspicion. We recommend that alternative options that provide more fairly for voice across the many Aboriginal nations that make up Indigenous Australia be developed in consultation with the widest possible cross section of Aboriginal peoples.

Advice to Parliament

The voice should be able to provide advice to Parliament on its own initiative. The description on pp44-45 and pp52-53 seem to imply that the Voice would only be giving advice to Parliament when requested to do so by the Government or the Parliament. This would be a significant limitation on the value of the Voice. There is no reason given for this limitation.

Even though neither the Government nor the Parliament has to abide by any advice given, the Parliament and the government should be required to say whether they received advice from the Voice and what it was. If the advice was not included then they should have to explain specifically why it is or was not included.

Resourcing the Voice

There needs to be adequate funding for the Voice on all levels to obtain information, analysis and advice of its own and not be dependent on government or other pre-given sources.

In conclusion

We urge those involved in developing the model for the Voice to include these considerations and the many more that come from others in the final report, especially those that urge the government to propose

1. An Indigenous Voice directly to Parliament that is embedded in the Constitution.
2. The membership model for the National Voice must ensure previously unheard Aboriginal and Torres Strait Islander people have the same chance of being selected as established leadership figures.
3. The Government must honour its election commitment to a referendum once a model for the Voice has been settled.
4. Enabling legislation for the Voice must be passed after a referendum has been held in the next term of Parliament.

Thank you for the opportunity to put this submission to you.

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