

23 April 2021

I write to express my profound desire for the Australian Government to ensure the appropriate recognition of Australia's First Peoples in the Australian Constitution and further to:-

1. honour its election commitment to a referendum once a model for the Voice has been settled;
2. Pass enabling legislation for the Voice after a referendum has been held in the next term of Parliament;
3. Ensure that the membership model for the National Voice provides the ability for previously unheard Aboriginal and Torres Strait Islander people to have the same chance of being selected as established leadership figures.

Our relationship with First Nations people and the drastic social, political and economic conditions that they exist under are our most pressing political issues and the lack of Constitutional recognition is a disgrace, which must be urgently addressed to ensure Australia – like all developed nations, appropriately recognises its First Peoples.

A Constitutionally enshrined Voice to parliament represents an essential opportunity for the entire Australian community to confront and address these issues and I believe that it is vital to ensure that Constitutional recognition is provided by ensuring that any Voice is enshrined in the Constitution.

I do not agree with the proposition that such recognition provides any conflicting duality or unfair weighting between Indigenous Australians – as the nation's first people, above that of any other Australian citizen.

As has been demonstrably shown internationally, the cycle of entrenched disadvantage suffered by First Nations people is reflected in their exclusion from decision-making and representation in our Constitution. Addressing this disenfranchisement through the provision of a constitutionally enshrined Voice is a vital and powerful step in correcting this disgraceful and obvious entrenched disadvantage.

Former Chief Justice of Australia the Hon Murray Gleeson AC QC has made clear that any constitutional entrenchment would be subject to legislative controls, thus concerns about it representing a "third chamber" are spurious and diversionary from the intent and nature of the necessity to enact Constitutional recognition through the Voice to Parliament.

An amendment to the Constitution to enshrine a Voice will importantly allow for the widespread public awareness and support from the community that is required to make the reform succeed and as the 1967 referendum clearly demonstrated, Australians do understand the necessity to appropriately acknowledge and honour indigenous Australians.

While it is clear that Government has to date not demonstrated the necessary resolve to make this important change, this illustrates the vital need for the matter be put to the people to decide on moving forward with Constitutional recognition rather than using the 'risk of failure' as the excuse for inaction.

I urge the government to transcend the political differences across Australian society and have the vital and urgent ambition in its social and political aims for the nation.

The clear pathway offered by the Uluru Statement, created at the request, encouragement and urging of our national Government to Indigenous Australians, provides a roadmap for Australia.

I believe that it is vital for the Government to honour its own earlier electoral commitment made to the nation and bring forward legislation for the Voice after holding a referendum in the next term of Parliament.

To enshrine a Voice to Parliament in the Constitution will be a fundamentally important step for Australia and I am of the firm belief that - as set out in the Uluru Statement from the Heart: "With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood."

Yours faithfully,

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Ian Scobie AM

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