



The Balnaves Foundation is a philanthropic fund (Private Ancillary Fund) that donates \$2.5-\$3m annually to non-for-profits working in the Arts, Medicine and Education with a focus on young people, disadvantage and Indigenous affairs.

Thank you for the opportunity to make a submission in regards to the Co-Design Interim Report. It is our view that the Interim report has satisfactorily explored possible models for how a Voice to Parliament could work and that the matter should now proceed to a referendum. That referendum should be a vote on whether to enshrine in the constitution an Indigenous Voice to Parliament. The exact nature and form of the Voice can then be legislated in parliament.

We believe the principle that the Indigenous people of this land have a right to a Voice to Parliament based on the following logic:

1. It is a fact that the Indigenous Australians occupied and had ownership of this land prior to white settlement. There is no basis for white settlement on the grounds of Terra Nullius.
2. It is a fact that the British in 1788 took possession and declared sovereignty over the land now known as Australia.
3. The Indigenous people never ceded their sovereignty to the British.
4. There has been no treaty to resolve both parties claims to sovereignty.
5. Through the Uluru Statement the Indigenous people have proposed that a First Nations Voice to Parliament, enshrined in the constitution, would recognise their ancient sovereignty of this land. Such constitutional change would lay the path to truth-telling and treaty making.
6. The Indigenous people have an inherent, moral and legal right to this land and the governing of it.
7. As such a Voice to Parliament enshrined in the constitution is entirely appropriate and the first step in resolving the injustice that has occurred and continues to occur since white settlement.

Recognition and a Voice to Parliament enshrined in the constitution sets the stage for treating making. Reconciliation without treaty making is hollow. Treaty making is essential if Australia is going to make right the injustice that has occurred.

It is deeply sad that a Voice to Parliament and the Uluru Statement is politically controversial. It is not so amongst the Australian people. Australians want this change.