

29 April 2021

I am a non Indigenous, 28 year old community lawyer, living and working on Gadigal land but I grew up on Wiradjuri land in NSW. This same place I call home has been lived on and cared for by First Nations peoples for more than 60,000 years. I acknowledge their kinship, their care and their spiritual connection to the land. I make this submission for the consideration of the Indigenous Voice Co-Design Process.

The Uluru Statement from the Heart and its proposed constitutional recognition are critical if Australia has any chance of healing and progress in the future. This is a roadmap which has been gifted by our First Nations peoples to help us get to where we need to go. I see no alternative but to support constitutional recognition and a constitutionally enshrined Voice to Parliament. As a lawyer and an Australian, I do not see how substantive rights can be truly given unless they are constitutionally protected. It is a positive step forward to create lasting change for our First Nations' peoples by way of political and legal pluralism that is long overdue.

I understand the Uluru Statement from the Heart provides a way for First Nations representatives to communicate issues directly with parliament and work on creating positive change from within their own communities, being supported by the government and its resources. To my knowledge, nothing like this exists at this stage. This is a significant opportunity to have meaningful inclusion of Aboriginal and Torres Strait Islander peoples to create political empowerment for a group that has been disenfranchised for so long with resources and a platform.

I want my Parliament and my country's progress to be informed by the traditional custodians of this land. I want decisions made about our future to include the Voice of First Nations people and their experiences. All Australians benefit from the Uluru Statement from the Heart, the Voice to Parliament and the Makaratta Commission. With these steps, it is hoped we can close the gaps in systemic inequalities which exist between Indigenous and non-Indigenous Australians to create a more equal society for everyone to meaningfully participate in.

I submit to the Indigenous Voice Co-Design Process:

1. The Government must honour its election commitment to a referendum once a model for the Voice has been settled to ensure that a First Nations Voice to Parliament is protected by the Constitution;

This referendum must be well funded, advertised and fair in its representation of the issues at hand. For some Australians, this is a controversial issue, that lends itself to conservative bias and fear mongering in the media which could damage any chance at success. I go beyond my support for the Government to honour its election commitment to a referendum and call on the Government to ensure fair representation of the issue - without othering or identity politics.

2. Enabling legislation for the Voice must be passed after a referendum has been held in the next term of Parliament; and

There has already been too long a delay in the recognition of Aboriginal and Torres Strait Islander peoples in our country. There is no reason for further impediments. The Uluru Statement from the Heart is clear: referendum first and legislation on the Voice second. First Nations people are clear that this constitutional recognition cannot be symbolic, and this is imperative, it must be followed with action - with a Voice and operational, tangible results for change.

3. 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.

The membership must be diverse in its representation. It must be able to amplify the voices of community leaders at grass roots levels and to not prejudice anyone based on past criminal records . It would also need to be flexible to the different needs or cultural practices of the varied myriad First Nations communities.

I defer to First Nations communities to assess for themselves the best means that selection takes place under models 1 and 2 within the proposal.

Thank you for considering this submission.

Regina Featherstone