

Submission to NIAA Co-design Process 2021

Like many white Australians, I had reached my twenties before I met anyone who identified themselves as Aboriginal. I knew about the Referendum of 1967 and was vaguely aware of leaders like Charlie Perkins and actions like the Freedom Rides in NSW, but had been taught to think about Aboriginal people as mostly belonging to some unspecified pre-history, a 'dreamtime' conveniently lacking any focus or connection to modern Australia. I was lucky enough to be a student at the Australian National University when the Aboriginal Embassy's beach umbrella went up outside Parliament House in 1972; encountering those young, angry, informed and articulate Aboriginal activists changed my viewpoint forever. A shock and a Eureka moment at the time, I now know that it was only the beginning of a lifelong journey to learn, unlearn and re-learn - to comprehend and acknowledge the horrors of the past and to listen to, understand and respect the voices of our First Peoples. While I am honoured now to include people of Aboriginal and Torres Strait Islander descent as colleagues, friends, neighbours and members of my extended family, I am still on that journey. Many of my fellow non-Indigenous Australians have not yet begun it.

The Uluru Statement from the Heart encapsulates the united voice of representatives of First Nations communities from across Australia and the Torres Strait, who gathered in 2017 for the first time in recorded history, to articulate what a meaningful dialogue with power meant to them and what must be put in place, to achieve an effective presence for our First Peoples within Australia's body politic. The Statement is a historic record of unparalleled significance. It contains a generous offer; a model for ongoing co-existence based on a strong consensus, which deserves an equally generous response from non-Indigenous leaders and lawmakers.

While the Australian Constitution is a cumbersome document and amendments are admittedly difficult to pass, proposing legislation to establish an Indigenous Voice to Parliament without enshrining such a body in the Constitution simply perpetuates condescension and inequality. There are different ways this might be managed, with Constitutional provisions to articulate principles and dependent legislation to enact specifics, including the establishment of a Makarratta Commission to conduct a truth-telling and reconciliation process. Constitutional recognition of an Indigenous Voice need not preclude subsequent initiatives including a formal treaty or treaties at a later stage; but such recognition must be a priority, approached with determination and drafted for maximum clarity. Unless proper recognition of our First Peoples is enshrined at the heart of our legal system, the country cannot heal.

A sorry parade of bad policy, botched program delivery and unsatisfactory, all too frequently tragic, outcomes has marked 'Indigenous Affairs' in what is now Australia, since white settlement. One of the few consistent factors in official efforts to 'manage' Indigenous people is a pattern of top-down decision-making based on a more or less consciously articulated sense of white superiority. This has to change. Giving Indigenous people a say in matters that affect them directly, gives us the best possible chance to at last, make a real difference. The proposed National Indigenous Voice to Parliament cannot and must not be 'managed' into becoming some purely advisory or corporate sideshow, it must have the status to ensure its

deliberations a place on the national legislative agenda. Any risk to majority interests in consequence could hardly lead to worse outcomes than what we have now. Indigenous people across Australia, including Indigenous women, must be accorded real respect, not simply 'consulted'; they must be listened to and their opinions must count. They must have real power. Without that, we cannot have real change.

A Voice to Parliament at Federal level and similar bodies responding to community in each State and Territory, would give Indigenous people visibility, a necessary if not sufficient condition for the institution of requirements, policies and procedures to ensure effective Indigenous participation in all relevant areas of government business, as well as the protection of Indigenous heritage. A Voice to Parliament would open a gateway for communication between Indigenous people and the broader community. Most importantly, it would stand as the foundation for Indigenous participation in Australian public life for the next century or so, giving coming generations of emerging leaders confidence that their presence is welcome and their voices heard.

The institution of a National Indigenous Voice to Parliament will mark the opening of new pathways and new dialogues, new ways of addressing old and entrenched inequities. It is vital that it be established in a way robust and open enough to support and effectively serve the demands, the needs and the interests of our First Nations peoples in times to come. Enshrining the Voice to Parliament in the Australian Constitution is a first but vital step on a much longer journey.

Thank you,

Alison Richards