

29th April 2021

Dear Co-Design Body

Submission to Co-design process

My name is Yasmin Jarman. I am a saltwater Larrakia, Yawuru and Wadjigan woman from Darwin, Larrakia country. I have lived and worked in the south on Ngunnawal and Bunurong country for the last 17 years, before returning home to Darwin last year. I am in my first year of studying Bachelor of laws at Charles Darwin University (CDU) and am a member of the CDU First Nations of Australia Law Student Society. I am also a member of NT Shelter and Darwin Aboriginal & Islander Women's Shelter.

The Uluru Statement from the Heart is important because it represents the wishes of First Nations Australians to have true self determination. First Nations were not involved in the writing of the Constitution, which is an issue that can be addressed by having a local, regional and national Indigenous Voice body. First Nations people are still living in two worlds and two laws; Australia and First Nations Australia. As Dr Darryl Cronin writes, the incorrect eighteenth-century assumptions of 'terra nullius' and First Nations people not having organised society, laws, land ownership or sovereignty. This needs to be reckoned with because these incorrect beliefs are still ingrained in our government institutions, policy making bodies and judicial decisions. It's important that we address the wrongs of the past and the government does not perpetuate the attempted erasure of First Nations peoples. First Nations people want truth telling and a voice to government because we know what is best for our people and First Nations countries.

The Constitution is one of the founding documents of the Australian state and one of the most important binding authorities which governs us, yet does not recognise First Nations sovereignty or right to self-determination. Where legislation can change with a change in government in the election cycle, the Constitution cannot be changed so easily. Australia needs stability not uncertainty due to First Nations Voice only recognised in legislation. First Nations Voice to Parliament needs to be enshrined in the Constitution because it is the right thing to do. Were it not for Australia being incorrectly classified as 'terra nullius', First Nations laws would have remained unless altered by the King/Queen. We need to right this

wrong and mend the relationship with First Nations people and the Australian state by having First Nations voice enshrined in the Constitution.

A Voice to Parliament can improve the lives of my family and community by enabling greater agency. First Nations led solutions, priorities and projects can have appropriate consideration. My community would have a better respect for the government and Australian laws if we knew that Indigenous Voice has a role in government when policy is being made, because we would have more trust that our say has been considered.

It's important that First Nations people have the right to self-determination and a proper say in matters affecting our lives and country. We have been custodians of this land and sea country for over 60,000 years, with knowledge passed down from generation to generation for time immemorial. It is a lost opportunity not to be able to share First Nations expertise and wisdom with policy makers. There is an impasse in the colonial relationship between the Australian state and First Nations people. To move forward, we need recognition of First Nations people and voice in our government institutions and in decision making. We know what is best for our people and the country, land and waterways. It's time for truth telling and true recognition of First Nations peoples in this country's governance.

I am personally supportive of having designated spots for each First Nations Australian language group in local Voice bodies because each group have their own interests and sovereignty. The national voice body would appropriately have a smaller number of members and have equal gender balance representation.

First Nations people come with an open heart but we need to be heard with open ears. First Nations and other Australians deserve to gain some of the wisdom and knowledge of the oldest surviving peoples in the world. It's time to right the wrongs of the past and to come together in truth telling, sharing and mutual responsibility.

Yours sincerely,

Yasmin Jarman