

# Submission to the Indigenous Voice to Parliament

2021



**AASW**

.....  
Australian Association  
of Social Workers

**Enquiries regarding this submission can be directed to:**

Dr Sebastian Cordoba  
AASW Senior Policy Advisor – RMIT Industry Fellow  
[sebastian.cordoba@aasw.asn.au](mailto:sebastian.cordoba@aasw.asn.au)

# The Australian Association of Social Workers

The Australian Association of Social Workers (AASW) is the professional body representing more than 13,000 social workers throughout Australia. We set the benchmark for professional education and practice in social work, and advocate on matters of human rights, discrimination, and matters that influence people's quality of life.

## The social work profession

Social work is a tertiary qualified profession recognised internationally that pursues social justice and human rights. Social workers aim to enhance the quality of life of every member of society and empower them to develop their full potential. Principles of social justice, human rights, collective responsibility and respect for diversity are central to the profession, and are underpinned by theories of social work, social sciences, humanities and Indigenous knowledges. Professional social workers consider the relationship between biological, psychological, social and cultural factors and how they influence a person's health, wellbeing and development. Social workers work with individuals, families, groups and communities. They maintain a dual focus on improving human wellbeing; and identifying and addressing any external issues (known as systemic or structural issues) that detract from wellbeing, such as inequality, injustice and discrimination.

## Our submission

The AASW welcomes the opportunity to make a submission and provide feedback on the Indigenous Voice proposals.

This submission was developed in consultation and direct engagement with AASW Aboriginal and/or Torres Strait Islander members, who form a pivotal part of the AASW and the broader social work professional community.

The AASW acknowledges the Aboriginal and/or Torres Strait Islander peoples, the First Australians, and pays respect to their unique values, and their continuing and enduring cultures, which deepen and enrich the life of our nation and communities. We are committed to working in partnership with Aboriginal and/or Torres Strait Islander social workers and communities to achieve reconciliation. The inclusion and advancement of constitutional recognition of Australia's First Nations peoples is a significant step in advancing the voice of Indigenous Australians.

The AASW supports the Uluru Statement from the Heart, with its key elements of 'voice, treaty and truth,' including a voice to Parliament. Public debates over Australian democracy and identity need to acknowledge the place of Aboriginal and/or Torres Strait Islander people in the past and present fabric of our nation, including their traditions and contributions, in order to move forward together.

The AASW is committed to establishing and sustaining mutually respectful, inclusive, and robust connections with Aboriginal and/or Torres Strait Islander communities, colleagues, and organisations. This is so we can work collectively to address the challenges of overcoming the legacy of past injustices; and to shape a future society that upholds the richness of our diversity of thought, knowledge and beliefs.

### **Key points in our submission**

- An Indigenous Voice and the proposals for reform have the potential to be a significant and unifying action that can help the Australian community move forward towards reconciliation.
- Without a major commitment to clear outcomes and targets, led by Aboriginal communities and stakeholders, this may prove to be another empty exercise that builds further distrust.
- Long-term commitments to action and resourcing are needed, beyond election cycles and sporadic interest from governments.
- A National Voice and building authentic partnerships require truth-telling and real understanding. Acknowledging the history of our country and the current status of Aboriginal and/or Torres Strait Islander peoples in our community is essential in building partnerships that are grounded in truth.
- AASW members endorse the position of the Uluru Dialogue and the Indigenous Law Centre that:
  - The government must honour its election commitment to conduct a referendum proposing the recognition of Indigenous people in the constitution, once a model for the Voice has been settled.
  - After a referendum has been held, enabling legislation for the Voice must be introduced into the next term of Parliament; and passed.
  - The membership model for the National Voice must ensure previously unheard Aboriginal and/or Torres Strait Islander people have the same chance of being selected as established leadership figures.

## Response

### **The impact of an Indigenous Voice**

An Indigenous Voice and the proposals for reform have the potential to be a significant and unifying action that can help the Australian community move forward towards reconciliation. If the Indigenous Voice is heard and meaningful action is taken, this proposal has the potential to address structural and systemic issues that continue to negatively impact the lives of Aboriginal and/or Torres Strait Islander peoples across Australia. Every day we witness the strength and resilience of Aboriginal people, but also the continued discrimination and racism entrenched in our political, health, educational, economic and social systems. While we recognise the important steps that this action can take, AASW members have emphasised previous efforts that have ended in empty symbolism and were not accompanied with significant and collaborative action. Without a commitment to clear outcomes and targets, led by Aboriginal communities and stakeholders, this may prove to be another empty exercise that builds further distrust.

Through our consultation forums, members continually highlighted a common concern: Will the voice be heard, and will the hearing of the voice bring actions? A voice presents the much-needed foundation, but this needs to also have a positive impact in the daily lives of all Aboriginal communities. We commend this process as in principle it seems to seek genuine consultation, but members have highlighted the disparity between language and action in this government's approaches to working with Aboriginal communities, best exemplified through the Community Development Program (CDP). The CDP is just the latest incarnation of government policies that espouse the rhetoric of working with communities and adopting a bottom-up approach, but in practice perpetuate discriminatory practices that further entrench inequality. With the CEO of the Aboriginal Peak Organisations Northern Territory, John Patterson, saying that the "CDP experiment should be abandoned and replaced with a positive Aboriginal-led model that ensures a better future for our people". An Indigenous Voice must learn from past mistakes and create systems and processes that are truly Aboriginal led.

AASW members highlighted the importance of long-term commitments to action, beyond election cycles and sporadic interest from governments. Members spoke of many instances where similar initiatives were implemented at a council and State level but were soon displaced with a change of government. Recognising the Voice is a first step, but this needs to be met with the development of funding systems and structures that allow this voice and conversation to continue. Without continuity, we will be repeating the mistakes of the past and fail to achieve the progress and reconciliation that this policy intends.

### **The Local and Regional Voice Proposal**

AASW members recognised the important level of local process and flexibility provided by the proposals. Similar processes have already been in place and from the experience of our members the proposals, if followed and adequately resourced, can address many of the shortcomings of existing

processes. As identified previously this comes down to the ability of government to move beyond slogans and branding and make sure it translated into meaningful action.

Any focus on local and regional voices needs to work with and recognise the important contribution of Aboriginal organisations in the region. Aboriginal led NGOs are part of the community and have been speaking and listening for decades. This knowledge and understanding of community needs and culture is a pivotal resource that needs to be acknowledged and supported if these measures are to succeed.

AASW members have highlighted the importance of understanding what is already in place, and what is working. While this is not consistently implemented across Australia, there are numerous examples of local government having strong partnerships with Aboriginal and/or Torres Strait Islander advisory committees that are made up of traditional owners, business-people and members of the general community. The committees have been fulfilling many of the recommendations in the proposal as they serve as an important platform for Aboriginal and/or Torres Strait Islander people to raise community issues and concerns, and through the committee provide direct feedback to the council. While these processes have not been without issues, there are lessons that can be learned that will be of high importance for this proposal to succeed. From our members' experience, the key theme has been a willingness from government to build relationships and work in far more inclusive and flexible manners that may not fit with traditional Western understandings of time, place and culture. This begins with challenging the paternalism that still dominates much of the relationships between all levels of government and Aboriginal communities.

### **Supports needed at a local and regional level**

Members emphasised the need for a significant transformation on how consultation and communication occurs at this level. Representation inherently raises a wide range of issues around who can speak for who, but from the experience of members, government and key groups, governments tend to always ask the same people providing a limited view of Aboriginal voices. This has created frustration within communities as people believe they are missing out because they are not included. The over reliance on peak bodies to speak on behalf of all the community has resulted in people not feeling as though they are part of the process, and that their voices do not matter.

Local and regional proposals need to work to better engage with all of the community and consider expanding who they speak to, exploring new ways of consultation that are more inclusive and accessible and open up spaces for dialogue. This includes clarity of process as there is a lot of trepidation within community as to where the information goes once it is shared, and the fatigue that comes with highlighting the same issues over and over with very little action. Listening to Indigenous voices must begin with challenging how non-Indigenous communities listen, and a move towards more culturally safe and appropriate methods. This includes reducing the overreliance on strict timeframes for consultation and methods (town hall meetings scheduled at unsuitable times for

example) that are not inclusive of many Aboriginal people or recognise the history of past failed attempts at consultation that resulted in little action.

Members drew attention to the fact that due to previous government policies many Aboriginal people who are displaced live in Victoria, as with many displaced people across Australia not living on their country but still being part of their local community. These experiences of displacement have not been recognised and have provided barriers for people to meaningfully engage in consultation or to be included.

### **National Voice**

The AASW supports in principle the proposal for a national body made up of Aboriginal and/or Torres Strait Islander people that would provide advice to the Australian Parliament and Government on relevant laws, policies and programs and would engage early on with the Australian Parliament and Government in the development of relevant policies and laws. The national body could have a much-needed role in addressing major deficiencies in our current system by connecting with views from local communities, better work with existing bodies, structures and organisations and advising on national matters that are critically important to the social, spiritual and economic wellbeing of Aboriginal and/or Torres Strait Islander people.

As has been highlighted previously, members share significant concerns in the gap between language and action, especially given past national policies that have proposed similar ideas but failed in their practical application. In particular, the Closing the Gap strategy.

Since its implementation in 2008, we have seen a continued lack of progress in achieving the outcomes, highlighting that there needs to be a significant reconceptualization of the targets and the processes. It took 10 years and continued advocacy from Aboriginal groups and communities before government reviewed its processes to become more inclusive of Aboriginal voices but from the experience of our members there is still great trepidation as to how these changes will translate into daily life of Aboriginal peoples. It is also further evidence that without serious commitments to action, the National Voice can become another exercise in symbolic but meaningless action.

Indigenous groups and communities have been calling for a major rethink of how we understand the “Gap”, with little progress. Australia currently views the Closing the Gap targets through a Western lens and uses colonial structures, for example the Western education system, to measure progress. This is not how First Nations people shape their worldview, and it is not the way to see real progress in eradicating the inequality experienced by First Nations people. The only way to Close the Gap is to stop seeing First Nations people as if they are the problem, or as if they are entrenched in the problem. We need to start ensuring that everyone, regardless of their age and location have access to their language and their culture, and that this is done in a culturally appropriate and safe manner.

A National Voice and building authentic partnerships requires truth-telling and real understanding. Acknowledging the history of our country and the current status of Aboriginal and/or Torres Strait Islander peoples in our community is essential in building partnerships that are grounded in truth. It starts at the very top with the Federal government moving away from a deficit understanding and being proud of Aboriginal culture and people. For thousands of years this land was criss-crossed by generations of Nations who were spiritually and culturally connected to this country and whose adaptation and intimate knowledge of Country enabled sustainable management of the land. This nation's story is thousands of years old and did not begin with documented European colonisation. The very first footprints on this continent were those belonging to First Nations peoples and governments must recognise that sovereignty was never ceded.

A National Voice is ultimately about education, it is about the past and enduring legacies and we can never move forward if this is not recognised.

### **Youth and Disability Advisory Groups**

AASW members commended the recognition of the diverse range of Aboriginal experiences, including the important role that the young people will have in this process. In the 2016 census, more than half (53%) Aboriginal and/or Torres Strait Islander people were under the age of 25 years. In comparison, almost one in three (31%) non-Indigenous people were under 25. The next generation needs to be supported and included in all processes given it is their future that this will ultimately impact.

### **Indigenous Voice and Constitutional Recognition**

Both major political parties went to the 2007 federal election with a commitment to recognise Aboriginal and/or Torres Strait Islander people in the Australian Constitution. It can therefore be assumed that there is significant support and a clear mandate for the proposal that our Constitution should acknowledge the place of the continent's first inhabitants and traditional custodians.

In fact, the idea had initially been suggested by then Prime Minister the Hon John Howard, but was quickly echoed by the then Opposition Leader, Kevin Rudd, who was elected but deferred action on it. It was Prime Minister the Hon Julia Gillard who commissioned the process that resulted in the Uluru Statement from the Heart and its call for a Voice to Parliament. By then, the Prime Minister was The Hon Malcolm Turnbull who erroneously asserted that the Voice to Parliament required a third chamber of Parliament and dismissed the Uluru Statement. This mistake threatened to derail more than a decades' worth of hard work and progress.

During this period, progress on improving the life and well-being outcomes for Aboriginal and/or Torres Strait Islander people has been both slow, and the subject of multiple policy changes. Although some of these changes in policy have been motivated by a desire to improve outcomes for Aboriginal people, the opinions of Aboriginal people themselves have been disregarded and the



policies have gone ahead, despite their opposition. Crucially, the most egregious instances of harmful policy change have only been possible because of changes to Commonwealth Legislation. For example, the Northern Territory Intervention after the “Little Children are Sacred” report required that the Commonwealth’s Anti-discrimination Legislation was overturned before the intervention could be implemented.

It is clear to AASW members that there is a direct link between improving the outcomes for Aboriginal and/or Torres Strait Islander peoples on the one hand, and meaningful participation in the legislative process, on the other. That participation depends on recognition in the Australian constitution. In other words, it is only after recognition has been enacted into our constitution, that the government will be able to take the next step and legislate so that Aboriginal and/or Torres Strait Islander people can participate directly in parliamentary decision making via a Voice to Parliament.

For that reason, AASW members endorse the position of the Uluru Dialogue and the Indigenous Law Centre that

1. The government must honour its election commitment to a conduct a referendum proposing a recognition of Indigenous people in the constitution, once a model for the Voice has been settled;
2. After a referendum has been held, enabling legislation for the Voice must be introduced into the next term of Parliament; and passed
3. The membership model for the National Voice must ensure previously unheard Aboriginal and/or Torres Strait Islander people have the same chance of being selected as established leadership figures.

## Conclusion

The AASW welcomes the opportunity to make a submission to this consultation and the opportunity to discuss any of the points raised here further.



© Australian Association of Social Workers

Level 7, 14-20 Blackwood Street  
NORTH MELBOURNE VIC 3051

PO Box 2008  
ROYAL MELBOURNE HOSPITAL VIC  
3050

P: 03 9320 1027  
E: [socialpolicy@asw.asn.au](mailto:socialpolicy@asw.asn.au)  
[www.asw.asn.au](http://www.asw.asn.au)

ACN 008 576 010  
ABN 93 008 576 010



**AASW**  
Australian Association  
of Social Workers

[www.asw.asn.au](http://www.asw.asn.au)

