

30 April 2021

Voice Secretariat

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Dear Voice Secretariat

**Submission to support a First Nations Voice to Parliament enshrined in the Constitution**

Thank you for this opportunity to make a submission to the Indigenous Voice Co-Design Process in response to the Interim Report to the Australian Government.

I write this submission to express my support for the constitutional change called for in the Uluru Statement from the Heart: a First Nations Voice to Parliament to be enshrined in the Australian Constitution.

I was born and grew up on the land of the Darug people, as a child of refugees to this country. I now live and work on the land of the Gadigal people of the Eora Nation, as a lawyer. I am proud to work for an organisation that loudly supports the Uluru Statement from the Heart. This submission reflects my personal support for a constitutionally-enshrined First Nations Voice to Parliament, as a non-Indigenous man from a Chinese background.

In my experience as a lawyer, and formerly as a federal public servant, I have seen and continue to see the failures of successive governments to improve the lives and dignity of Indigenous, and especially Aboriginal, peoples. Not only in the overrepresentation of Aboriginal people in out-of-home care, criminal justice systems and deaths in custody, but also in the lack of funding and culturally-appropriate services, the failures in addressing systemic racism and discrimination, the ongoing and lengthy battles in recognising native title and providing for compensation for stolen lands and the failures in remedying the generational effects of dispossession and injustice.

To borrow from the Uluru Statement from the Heart, it is time – well beyond time – to end the ‘torment of our powerlessness’.

This must begin with a constitutionally-enshrined First Nations Voice to Parliament. The longstanding failures to address injustices towards First Nations peoples point to the need for a Voice to Parliament. It would show progress towards both symbolic – and importantly – substantive change. Indigenous voices must be heard in all matters that affect them.

The First Nations Voice must be constitutionally enshrined to ensure that the presence of Indigenous voices is not subject to the whim of the government of the day, as would be the case in any legislated model. It is also an important symbol, that Indigenous peoples are central to and a core part of our country, not an afterthought.

The First Nations Voice should reflect the diversity of First Nations peoples across Australia. Details on the structure and membership of the Voice to Parliament, which the Interim Report addresses, can appropriately be contained in enabling legislation, after a referendum has been held. The referendum on the First Nations Voice should not be held up by these details.

For these reasons, I fully support the Uluru Dialogue and submit that:

1. The Government must honour its election commitment to a referendum once a model for the First Nations Voice has been settled to ensure that a First Nations Voice to Parliament is protected by the Constitution.
2. Enabling legislation for the Voice must be passed after a referendum has been held in the next term of Parliament.
3. The membership model for the Voice must ensure previously unheard Aboriginal and Torres Strait Islander people have the same chance of being selected as established leadership figures.

Yours sincerely

