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# Common Grace Submission

Re: Interim Report to the Australian Government:  
Indigenous Voice Co-Design Process

## The Common Grace Movement

Common Grace is a growing movement of over 50,000 Australians pursuing Jesus and justice. We are a grassroots movement navigating denominational, theological, and political differences to come together for the common good, discover common ground and share in common grace. Common Grace focuses on four justice areas: Aboriginal and Torres Strait Islander justice; Creation & Climate justice; justice for Refugees and People Seeking Asylum; and Domestic & Family Violence justice.

## Aboriginal and Torres Strait Islander Christian Voices

Common Grace has a commitment to being led by our Aboriginal and Torres Strait Islander Christian Leaders to pursue friendship and Reconciliation in our lifetime.

The CEO of Common Grace is an Aboriginal Christian Leader, Wakka Wakka woman Brooke Prentis. Common Grace's Aboriginal and Torres Strait Islander Justice Coordinator is Gomerioi woman Bianca Manning. Every year, in the lead up to 26 January, Common Grace supports the vision of Senior Aboriginal Christian Leader Aunty Jean Phillips through the #ChangeTheHeart services. Common Grace is informed by, and seeks to amplify the voices of a diverse range of Aboriginal and Torres Strait Islander Christian Leaders from right across these lands now called Australia.

Common Grace brings a unique and important voice to be consulted and heard as 54% of Aboriginal and Torres Strait Islander peoples identify as Christian<sup>1</sup>, and some Aboriginal and Torres Strait Islander communities are 100% Christian.

## Our Position

We support a constitutionally enshrined National Indigenous Voice to the Australian Federal Government and Parliament.

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<sup>1</sup> 2071.0 Census of Population and Housing: Reflecting Australia – Stories from the Census, 2016. Released 11:30am 28/06/2017 Religion in Australia, 2016. Accessed 29 April 2021.

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Aboriginal and Torres Strait Islander peoples across these lands now called Australia have been calling for greater self-determination and their voices to be truly heard for the past two centuries. Many were compelled by their faith - Aboriginal Christian Leaders like William Cooper, Sir Pastor Doug Nicholls, Pearl Gibbs, and many who are still alive today including Senior Aboriginal Christian Leader Aunty Jean Phillips. These calls go back as far as the 1887 Maloga Petition, Jimmy Clements and John Noble in their 1927 protest at opening of Canberra Parliament House, William Cooper's 1937 Petition to King George VI, the 1963 Yirrkala Bark Petitions, the 1988 Barunga Statement, the year 2000 Council for Aboriginal Reconciliation's Australian Declaration towards Reconciliation, the Statement from the Heart in 2017, and many more. We follow their example and raise our voices to appeal for justice.

### **Truth, Treaties, Voice**

National truth-telling, internationally recognised treaty and treaties, and an enshrined Voice to Parliament are interconnected and all three are priorities to Aboriginal and Torres Strait Islander peoples and key elements of the Statement from the Heart. We do not believe the Statement from the Heart sets out an order for these three calls. In fact, there have been louder and longer calls for Treaty and Truth-Telling Commission. Therefore, treaty and truth-telling should precede the call for a National Indigenous Voice.

Aboriginal and Torres Strait Islander peoples were promised a Treaty in 1988, and are still waiting for that promise to be fulfilled. Without national truth-telling, in the form of a Truth-Telling Commission, we would lack the shared understanding needed to appropriately inform the processes of Treaty and Voice. Our fear is that if the National Indigenous Voice is established first, the urgency of treaty and truth-telling will be dismissed.

During NAIDOC Week 2019, Common Grace launched a [petition](#) urging the Commonwealth Government to take action for Truth, Treaties and Voice. 646 Australian Christians signed this petition. Now in 2021, we are re-launching this petition, again calling for a national Truth-Telling Commission, International recognised Treaty and Treaties, the establishment of an Aboriginal and Torres Strait Islander Voice to and in Parliament.

In fact, Common Grace has begun the process of truth-telling; in 2019, we ran a Truth Justice and Conciliation Commission led by Aunty Jean Phillips and Brooke Prentis. Brooke modelled the Commission from the South African and Canadian models of Truth Telling Commissions. We believe we were the first people in Australia to hold a Truth Telling Commission. We are happy to share this model with the rest of Australia.



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**Recommendation 1: A national Truth-Telling Commission, and Treaty and Treaties, should precede the call for a National Indigenous Voice.**

### **The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)**

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (ratified in Australia in 2009) should inform areas of law, policy and practice so that the rights of Aboriginal and Torres Strait Islander peoples and communities are not compromised. We call the Australian Government to execute their commitment to the UNDRIP, including through the establishment of an enshrined Indigenous Voice to Parliament. The following Articles are particularly pertinent to a National Voice:

- Indigenous peoples have the right to **self-determination**. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. (Article 3);
- Indigenous peoples, in exercising their right to self-determination, have the right to **autonomy** or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions. (Article 4);
- Indigenous peoples have the right to **participate in decision-making** in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions. (Article 18);
- States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their **free, prior and informed consent** before adopting and implementing legislative or administrative measures that may affect them. (Article 19). (United Nations, 2008)

**Recommendation 2: The United Nations Declaration on the Rights of Indigenous Peoples must be implemented and inform a National Indigenous Voice.**

### **Evidence-based Practice**

Evidence-based practice is essential when working with Aboriginal and Torres Strait Islander peoples. In recent decades paternalistic, top down, one size fits all approaches have been the norm in Indigenous policy making. This has been to the severe detriment of Aboriginal and Torres Strait Islander peoples and communities, and Australia as a whole.

Evidence-based research of best practice when working with Aboriginal and Torres Strait Islander peoples and communities includes features of: community control; local leadership; incorporating Indigenous knowledge and practice frameworks; collaboration; process over



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outcome; cultural safety; trust; empowerment; and flexibility. Enshrining a First Nations Voice to Parliament is one step towards working with, not for, Aboriginal and Torres Strait Islander peoples.

**Recommendation 3: Evidence-based practice needs to be at the centre of the formation process and outworking of a National Indigenous Voice.**

**Model for the Voice**

The concept of a National Indigenous Voice is not a new one. Previous national Indigenous representative bodies have included the National Congress of Australia's First Peoples, the Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCATSI), the National Aboriginal Consultative Committee (NACC), the National Aboriginal Conference (NAC) and the Aboriginal and Torres Strait Islander Commission (ATSIC). The most recent of these, the National Congress of Australia's First Peoples (2010 - 2019), had a similar purpose to the currently proposed National Indigenous Voice - as an independent national Indigenous representative, advisory and advocacy group to the Australian Government. The National Congress had a model of elected Aboriginal voices, with 120 delegates. This model worked however was defunded by previous governments much to the heartbreak of Aboriginal peoples. We must learn the lessons of the past around Voice, and apply these lessons to the current proposed National Indigenous Voice. Many non-Indigenous peoples do not know previous models actually existed.

The Indigenous Voice to the Australian Federal Government and Parliament should be one national Voice. Separating the Voice to state and territory boundaries would be problematic, because it would further solidify imposed colonial state and territory lines, crossing the boundaries of the over 300 Aboriginal nations across these lands now called Australia. This will continue to divide Aboriginal peoples in the same way that the state and territory boundaries divided Aboriginal nations.

The current proposal is for a maximum of 18 Indigenous members (2 members for each state and territory, 2 for the Torres Strait Islands), there is no evidence base for this number. We recommend the number of members be increased to reflect the diversity of Aboriginal and Torres Strait Islander opinion and the over 300 Aboriginal nations, and over 100 islands in the Torres Strait it will be representing. The membership model also needs to take into account the Torres Strait Islander population living on mainland Australia.

The framework of the National Indigenous Voice needs to be presented and communicated in a way that is easily understood by all of our communities, and should not be overly complicated or text heavy.



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**Recommendation 4: The National Indigenous Voice to the Australian Federal Government and Parliament should be one national Voice, not separated into State and Territory boundaries.**

**Recommendation 5: The number of members in the National Voice should be increased to reflect the diversity of Aboriginal peoples and Torres Strait Islander peoples.**

### **Commitment to a Referendum**

The government must honour its election commitment to a referendum once the model for the Voice has been settled. We are disappointed that the commitment for a referendum has not occurred in this term of government.

We also note that a referendum should include the removal of Section 25 from the Australian Constitution, which allows for provision to disqualify people from voting based on race.

**Recommendation 6: The government must honour its election commitment to a referendum once the model for the Voice has been settled.**

**Recommendation 7: Any referendum must include the removal of Section 25 from the Australian Constitution.**

### **Constitutional and Legislative Reform**

Enshrining the National Indigenous Voice into the Australian constitution is a necessary step. It will help to ensure a long-term outcome, not swayed by partisan politics.

As Brooke Prentis has stated previously, “If we are to mature as a nation, then we have to rewrite the constitution.”

In regards to legislative reform, we don't want the Voice to come through a legislative process, as this allows the government of the day to dissolve the Voice at their discretion. However significant legislative reform is required at both a Federal and State and Territory level to see justice for First Nations peoples. For example the protection of sacred sites, raising the age of criminal responsibility to at least 14 years of age, increased funding of the new closing the gap targets, and the immediate implementation of all 339 Recommendations from the Royal Commission into Aboriginal Deaths in Custody.



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**Recommendation 7: Implementation of a National Voice should include constitutional and legislative reform.**

### **Prioritise Grassroots Leadership**

As a grassroots organisation, being led by many Aboriginal and Torres Strait Islander Christian leaders who are grassroots leaders in their communities, we know the immeasurable value of local First Nations leadership. We believe that for significant change to occur, the voices of grassroots leaders must be prioritised in the National Voice. These voices must be selected by Aboriginal peoples and Torres Strait Islander peoples.

**Recommendation 8: Grassroots leaders must be prioritised in the National Indigenous Voice.**

### **Recommendation Summary**

Recommendation 1	A national Truth-Telling Commission, and Treaty and Treaties, should precede the call for a National Indigenous Voice.
Recommendation 2	The United Nations Declaration on the Rights of Indigenous Peoples must be implemented and inform a National Indigenous Voice.
Recommendation 3	Evidence-based practice needs to be at the centre of the formation process and outworking of a National Indigenous Voice.
Recommendation 4	The National Indigenous Voice to the Australian Federal Government and Parliament should be one national Voice, not separated into State and Territory boundaries.
Recommendation 5	The number of members in the National Voice should be increased to reflect the diversity of Aboriginal peoples and Torres Strait Islander peoples.
Recommendation 6	The government must honour its election commitment to a referendum once the model for the Voice has been settled.
Recommendation 7	Any referendum must include the removal of Section 25 from the Australian Constitution.
Recommendation 8	Implementation of a National Voice should include constitutional and legislative reform.
Recommendation 9	Grassroots leaders must be prioritised in the National Indigenous Voice.

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## **Conclusion**

We pray that the hearts, ears and minds of all Australians, particularly our leaders, would be open to deeply listen to, learn from, and act justly towards Aboriginal and Torres Strait Islander peoples in this call for an Indigenous Voice, along with Treaty and Truth-Telling.

Should a public inquiry be called for the presentation of submissions, Common Grace would welcome an invitation. We would invite Australia's most senior Aboriginal Christian Leader Aunty Jean Phillips to present with Brooke Prentis (Common Grace, CEO) and Bianca Manning (Common Grace, Aboriginal and Torres Strait Islander Justice Coordinator).

Please take a moment to read and pray The Redfern Prayer, written by Pastor Uncle Ray Minniecon supplied with permission [https://www.commongrace.org.au/the\\_redfern\\_prayer](https://www.commongrace.org.au/the_redfern_prayer)