



Voice Partnership Empowerment

Information for conversations

From a collaboration of 10 regions - urban, regional and remote. We drive on the ground efforts to improve results for families and communities.

This year, we are all making history

Acknowledgement

We acknowledge all Australia's Traditional Owners and welcome all Australians to walk with us.

We pay respects to our Elders, past and present.

Thank you for listening to our voices and our request. We want to build a permanent partnership with you all, one that includes Australia's ancient Indigenous foundations.

The Indigenous proposal for constitutional recognition through Voice will be put to the Australian people in 2023.

The proposal for change is supported by more than 80% of Aboriginal and Torres Strait Islander people across the country.

Every Australian now has a unique chance to finally recognise our Indigenous foundations and 65,000 years of prior inhabitation by the world's oldest living cultures.



Yes to

Referendum Reconciliation Recognition

What

'What' are you being asked to support at the referendum?

→ Constitutional recognition of our First Peoples.

Why

'Why' do we need to recognise the first Australians in the Constitution?

→ Because after 235 years we are still a nation that does not recognise its Indigenous people in its founding legal document – our national birth certificate.

The new Australia has never recognised the old Australia and its 65,000 years of Aboriginal and Torres Strait Islander life.

Recognition is foundational to reconciliation.



We have fought for our country alongside each other at war, but there is no mention of First Australians in the Constitution.

How

'How' will we recognise the First Peoples?

→ By requiring parliament to establish a Voice in our own affairs.

A Voice is how Indigenous people have proposed constitutional recognition can be achieved, after much consideration of all the options over a long period.

Aboriginal and Torres Strait Islander peoples have been very clear, constitutional recognition must not only be symbolic.

It must lead to practical changes and improvements on the ground.



Yes to

A golden opportunity for a new partnership

The success of the partnership we can build together in the future is limited only by our own imaginations.

*Although **less than 3%** of the population, and often excluded, Indigenous Australians have already contributed much to who we are as Australians, and our full potential is yet to be realised.*

We've gifted our arts and culture, just as you have gifted us yours. We've fought in the wars alongside each other. Through Cathy Freeman, we lit the Olympic flame and delivered gold. Our legendary tennis and footy players show what's possible when we honour the dignity of Indigenous people through inclusion.

There is something of our sense of humour in the beloved Aussie larrikin. Our wonderful languages are already more familiar to you than you realise, through sayings like 'hard yakka', 'it's bung' and 'cooe'. We all know and love Indigenous words used to describe our iconic animals and places, like Kangaroo, Kookaburra and Koala, and Canberra, Wonthaggi, and Woolloomooloo.

Constitutional recognition through Voice is about creating a permanent partnership in the Constitution.

Constitutional recognition worldwide

Many countries recognise their indigenous peoples in their constitutional systems and give them a voice in their affairs. Australia does not.

Finland, Sweden and Norway each constitutionally recognise Sami rights, and give Sami a voice in their affairs through representative bodies.

The United States Constitution recognises indigenous people and the 'domestic dependant sovereignty' of Indian tribes has long been recognised. The State of Maine has had reserved (non-voting) legislative seats for tribal representatives since 1802, and since 1995 those representatives can instigate legislation. The National Congress of American Indians has operated as a "voice for tribal interests in Washington DC" since 1944.

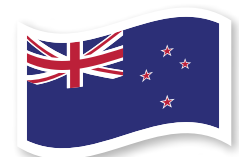
Canada recognises indigenous rights in their constitution and also has a national Assembly of First Nations. Even the United Kingdom constitution recognises distinct peoples within its territory.

New Zealand's democracy is founded in the 1840 Treaty of

Waitangi and has included reserved Māori parliamentary seats since 1867. Since 1962, the New Zealand Māori Council, a representative and advisory body, can 'make representations' to government on Māori policy.

Australia is the only first-world nation with a colonial history, that does not recognise its original inhabitants in its constitution.

Indigenous Australians have made a reasonable ask — for constitutional recognition through a guaranteed advisory body, so our voices can be heard in decisions that affect our lives and futures.



The long journey to recognition

Recognition of Indigenous Australians did not come with the Endeavour, or with the First Fleet on 26 January 1788. It did not come in 1901 when the Constitution was enacted, or after the 1967 referendum when we were counted.

Thinking that Aborigines were innately inferior and sub-human was a strong idea here for almost one and a half centuries. We've come a long way since then. The referendum on constitutional recognition can take us further down the path of a better future together.

Every Prime Minister since John Howard—eight of them—have supported the need for recognition of Aboriginal and Torres Strait Islander people in the Australian Constitution. Most Australians have been supportive too over a long period.

☑ There has been longstanding bipartisan commitment to achieving constitutional recognition.



Former Australian Prime Minister John Howard described the need for constitutional recognition:

"I sense that the Australian people want to... move towards a new settlement of this issue... to formally recognise Indigenous Australians in our Constitution – their history as the first inhabitants of our country, their unique heritage of culture and languages, and their special (though not separate) place within a reconciled, indivisible nation."

Speech to The Sydney Institute 2007

There has been much work done over a lengthy period to decide how best to resolve the fundamental issue of constitutional recognition.

Constitutional recognition through Voice is the solution proposed by Indigenous people after many public policy processes, including extensive Indigenous dialogues held across the country.

Guaranteeing our Voice so we can have a say in the matters affecting us is a practical way forward. We want to play an active role in solving the serious challenges our families and communities face.

➔ **It's time for action.**

The last 35 years of the **Recognition** Journey

1988

- Yolŋu present **Barunga Statement** to Prime Minister Bob Hawke, declaring the aspirations of the Indigenous owners and occupiers of Australia, and requesting the Australian Government and people 'recognise' our rights.

2000

- Dr Evelyn Scott leads the People's walk for Reconciliation across the Sydney Harbour Bridge as part of Corroboree 2000.
- In her role on the Council for Aboriginal Reconciliation, **Dr Scott puts constitutional recognition officially on the agenda** through advocacy and reports to government.

2001

- A century after federation and the enactment of the Constitution in 1901, Prime Minister John Howard does not yet support constitutional recognition.

2007

- **Prime Minister John Howard announces support for constitutional recognition** of Aboriginal and Torres Strait Island people. Opposition Leader Kevin Rudd also supports constitutional recognition.

2008

- Prime Minister Kevin Rudd delivers Apology, but no constitutional recognition in either first or second term.

2010

- Prime Minister Julia Gillard appoints an Expert Panel to lead the constitutional recognition agenda.

2011

- The report of the Expert Panel is met with strong opposition to the key idea of amending the Constitution to outlaw discrimination.

2012-13

- Things are at a stalemate. The constitutional recognition agenda stalls.

2014

- Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples established, Chaired by Mr Ken Wyatt MP, Liberal Party and Senator Nova Peris, Australian Labor Party. Conducts public hearings, consultations with constitutional law experts and community forums.

2015

- Mr Wyatt MP and Senator Peris present Joint Select Committee report. No action taken.
- Empowered Communities Design Report identifies need for Indigenous body to be guaranteed by the Constitution as part of a package of reforms to effect Indigenous recognition.

2016

- Prime Minister Malcolm Turnbull establishes Referendum Council to advise the Prime Minister and Leader of the Opposition on options for constitutional recognition.
- **Referendum Council supports 12 Indigenous dialogues across the country** for Indigenous people to consider options for constitutional recognition.

2017

- **Indigenous Australians present a way forward in the Uluru Statement from the Heart, asking for 1. Voice, 2. Treaty, and 3. Truth.**
- Final Report of the Referendum Council. No action taken.

2018

- Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples established, Chaired by Senator Patrick Dodson, Australian Labor Party and Julian Leeser MP, Liberal Party.
- Senator Dodson and Mr Lesser MP present Joint Select Committee report.

2020

- Prime Minister Scott Morrison commissions Indigenous Voice Co-design Process Chaired by Professors Tom Calma and Marcia Langton. Co-Design draws on participation of more than 9400 Indigenous and non-Indigenous people and organisations.

2021

- Professors Langton and Calma present final Co-design report.

2022

- **Prime Minister Anthony Albanese announces 2023 referendum** and proposes constitutional amendment to recognise Indigenous Australians through Voice.
- Constitutional Expert Group involving Indigenous and other lawyers established to report further on the proposed constitutional amendment. Working Group and Engagement Group of Indigenous Australians established.

2023

- The question of constitutional recognition of Indigenous Australians will be put to the Australian people after being one of the most inquired about, researched, consulted and written about public policy questions in Australia's history.

The most serious business we face as a nation

Yunupingu 1948–2023, a tribute to the contribution of a great Australian.

Yunupingu's Gumatj clan is bound together with the lives of the 13 great clans of the Gove Peninsula in North East Arnhem Land. These clans travel the song cycles that guide life and give people their meaning, seeking *yothu yindi*. This is Balance. Wholeness. Completeness. As Yunupingu explained it is where: "No one is better than anyone else, everyone is equal, performing their role and taking their duties and responsibilities – then the ceremony is balanced and the clan moves in unison."

Just as these great clans are bound to each other for all time, so too are all of us who call Australia home. Together we must secure a future for Australia in which we can find harmony and balance. Yunupingu called this "the most serious business" we face as a nation.

Yunupingu worked with 10 Prime Ministers on the struggle for recognition. He lived the many disappointments and broken promises of 'big talkers'. The 1988 Barunga Statement still hangs in Parliament. It is a foundational document and starting point for this current discussion. "This is about building our own lives, our own communities."



In 1988 Yunupingu presented the Barunga Statement to Prime Minister Bob Hawke, calling for recognition. Again in 2008 as leader of the Gumatj clan he presented the then Prime Minister, Kevin Rudd, with a petition asking for recognition.

Yunupingu was crystal clear. We need to obtain balance in a new settlement. He asked, "Do we want dignity, or do we want conflict for our future generations?"

He reminded us: the future is our responsibility. Let's make it one where all Australians can say: "This is our country. It is a country that we are all proud of. We now rejoice and celebrate with our Indigenous brothers and sisters together as one."

Recognition is Reconciliation

Dr Evelyn Scott, Chairperson, Council for Aboriginal Reconciliation 1997-2000 played a key role, building on much that had come before.

The 1997 *Bringing Them Home* report galvanised overwhelming support for healing relations between the nation and its First Peoples. After years of public consultation, the Council presented documents for reconciliation to national leaders and the people of Australia, at Corroboree 2000 in Sydney, stating:

Our hope is for a united Australia that respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice and equity for all.

Bridge Walks demonstrated strong public support for reconciliation. A huge crowd of about 250,000 people, Indigenous and non-Indigenous, took more than six hours to make their way across the Sydney Harbour Bridge, in a joyful and peaceful event. In the following weeks, people walked in other cities too, including across the William Jolly Bridge in Brisbane, and in Melbourne from Flinders Street Station to King's Domain gardens.

In 2000, Dr Evelyn Scott and the reconciliation movement put constitutional recognition formally on the table as part of our national conversation.

The reconciliation movement put the need for recognition on the agenda



Prime Minister, Bob Hawke with Dr Evelyn Scott, Chair Reconciliation Council at Walk for Reconciliation, 2000



Sydney Harbour Bridge Walk for Reconciliation, 2000



Brisbane William Jolly Bridge Walk for Reconciliation, 2000



Indigenous people proposed constitutional recognition through Voice in the Uluru Statement from the Heart after:

- The country's most proportionately significant consultation process of First Nations peoples took place.
- More than 1200 Aboriginal and Torres Strait Islander people, from all points of the southern sky, participated in 12 regional dialogues across the country to consider all the options.
- A final 2017 National Constitutional Convention at Uluru, where 97% of the 250 delegates endorsed constitutional recognition through Voice so we can have a say in decisions made about us.

The Uluru Statement is an act of faith, hope and love. Faith in the Australian people. Hope for the future. Love for the country.

Uluru Statement from the Heart

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs.

This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.

This sovereignty is a *spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty.* It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have

no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is *the torment of our powerlessness.*

We seek constitutional reforms to empower our people and take a *rightful place* in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: *the coming together after a struggle.* It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.

The Australian Constitution

The Constitution of 1901 is Australia's highest legal rule book. It is the founding law which created the Australian nation.

The First Australians did not get a say originally in the Constitution, and it contained clauses that excluded us. It continues to have provisions based on outdated thinking about 'race'.

The Australian Constitution remains silent on the existence of Australia's First Peoples. There is no mention of us in the nation's rule book.

It is time the Constitution was updated to recognise Aboriginal and Torres Strait Islander people.

The country now acknowledges Australia was not *terra nullis*. This was not the case when Australia was formed by the Constitution in 1901, and right up until the 1992 Mabo decision of the High Court. The fiction of *terra nullius* was based on lack of understanding and outdated beliefs about the inferiority of indigenous peoples.



Australian Aboriginal people, 1901

The Constitution rarely changes. It can only be changed by the Australian people, not by the Parliament.

The Constitution can only be changed by 'double majority' approval at a referendum. This means a majority of voters in at least four states, and a majority of voters nationally, must vote 'yes' in favour of the change.

The Constitution was drafted by "A collection of beards, moustaches and whiskers protruding from venerable ears, noses and eyebrows."

Marcia Langton

Australian Constitution drafters, 1901



Prime Minister Anthony Albanese announced at Garma 2022 there would be a referendum as requested by Indigenous people

The 2023 Referendum

The proposed referendum question that Australians will decide upon is:

*A Proposed Law: to alter the Constitution to **recognise** the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice.*

Do you approve this proposed alteration?

The words of the constitutional amendment proposed are:

Yes to

RECOGNITION →

In recognition of Aboriginal and Torres Strait Islander peoples **as the First Peoples of Australia:**

GUARANTEE →

1 There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;

PURPOSE →

2 The Aboriginal and Torres Strait Islander Voice **may make representations** to the Parliament and the Executive Government of the Commonwealth **on matters relating to Aboriginal and Torres Strait Islander peoples;**

DETAIL →

3 The Parliament shall, subject to this Constitution, **have power to make laws** with respect to matters relating to the Aboriginal and Torres Strait Islander Voice, **including its composition, functions, powers and procedures.**

It begins and ends here. This is what you are being asked to say Yes to.

Yes to Voice for Practical Change

To improve outcomes, Indigenous people have been asking for a voice in our own affairs for a long time. For example, such calls were made by:

- petitioners of Flinders Island in the 1840s
- Yorta Yorta man William Cooper's petitions in 1887, and in 1937 to King George V
- the Yolŋu's Barunga Statement bark petitions in 1988.



Yorta Yorta man William Cooper petitioned the King in 1937 so Aboriginal people could have a say in their own affairs.

We can all agree, the best way to support people is to listen to what they need. But as only around 3% of the population, Indigenous people struggle to be heard when decisions are made affecting our lives and futures.

How the Voice would work

Advisory role

The power of the Voice will be in the new partnership that gives Indigenous people an official say in decisions made about them. Its advice would be non binding and sit outside of parliament. It would have no veto.

A Voice means Indigenous people will have a seat at the table so we can influence our lives and futures.

Matters the Voice would advise on

The Voice would advise on matters relating to Indigenous peoples. The Voice would naturally focus on the matters most relevant to Indigenous people and Closing the Gap. For example, it will focus on jobs, education, health and housing.

A Voice for Real Jobs

Too many Indigenous Australians are still being left behind and remain without all the crucial opportunities enabled by a job.

For example, Indigenous Australians in remote communities need real work opportunities. Our remote communities cannot prosper while people remain confined to performing 'work-like' for the dole activities or participating in endless training and skills building, without any realistic prospect of a real job. Development of real jobs must be guided by local Indigenous people who understand the needs and opportunities of our diverse regions best.

Empowered Communities has tried and tested **shared decision making**

Since 2015 Empowered Communities regions have been working with the Australian Government on changing the way it does business with Indigenous communities and regions. We have been working in partnership so better government decisions are made about local policies, services and investment.

Empowered Communities will undergo change and transition when the Voice is established. But empowering reforms have been co-designed, tried and tested over the past seven years and provide 'proof of concept' examples that can be scaled under the new Voice partnership.

For example, in our regions, Joint Decision-Making about funding of services and programs has helped to reduce waste and duplication, and meet local needs.



"We have developed a place-based partnership, but it's got to be done in a way that there's a long-term development approach like what we call the development agenda. We don't want to go back to crisis mode, we want to build our people up, rather than just throwing money at stuff that's not needed in the community."

Chris Ingrey, LaPerouse

Under Joint Decision-Making, panels of local people work with government to inform funding decisions made by government. Normally, these decisions are made just by government alone in far off Canberra, without local understandings as input. More than \$200 million dollars' worth of funding has been considered through Joint Decision-Making and this has led to more productive use of resources.

Joint Decision-Making has been more effective at making tough decisions to cease funding and redirect it to local priorities. This does not happen often enough when government tries to make decisions alone without local input.

With structural change through establishment of a Voice, partnership approaches like these will be accelerated and expanded so we can make real change in our communities.



"Empowered Communities has provided models for us to proof up, showing how a Voice might work to improve decisions and outcomes in partnership with governments."

Tyrone Garstone, Kimberley

Yes to

Changing the game

The status quo is not working. All Australian governments recognise they cannot continue top-down, government-led approaches, which have failed. The Voice will create an official system of Aboriginal and Torres Strait Islander representation across our federal institutional architecture, so governments can work with us in partnership, to achieve development goals.

Indigenous people will have a seat at the table, so decisions and outcomes improve through our input.



Our local voices, including Elders, elected, cultural, youth and family leaders:

- plan our local priorities
- partner with governments to drive change on ground, e.g., reduce duplication and waste by ensuring \$ better directed to meet community needs.

All levels of government work together on local priorities.

Data and outcomes measured and available.

Every region will be held accountable for improving its results over time.

Empowering our local voices

The National Voice will provide a conduit for our local voices to be heard, so more decisions can be made that are not one size fits all and are consistent with our on the ground development priorities and plans.

Change must happen on the ground. It is our local communities that must be empowered to take up responsibility with governments for deciding what works best for their families and context.

Each Voice region will organise so our local voices can be brought into partnership with government. Indigenous devised principles agreed by the Australian Government require:

- Voice representatives will be chosen by Indigenous people based on the wishes of local communities.
- The Voice will be representative of Indigenous communities, with a gender balance and youth.
- The Voice will be empowering, community-led, inclusive, respectful, and culturally informed.

National Voice members will be Ambassadors or spokespersons, not politicians. It will be their role to bring our independent local voices and agendas to influence high level policy decisions of government, so approaches are better suited to the on-the-ground realities of our diverse communities and regions.

We want people who have consistently contributed to the hard work on the ground to be eligible for regional nomination and selection from our local voices right up to the National Voice.

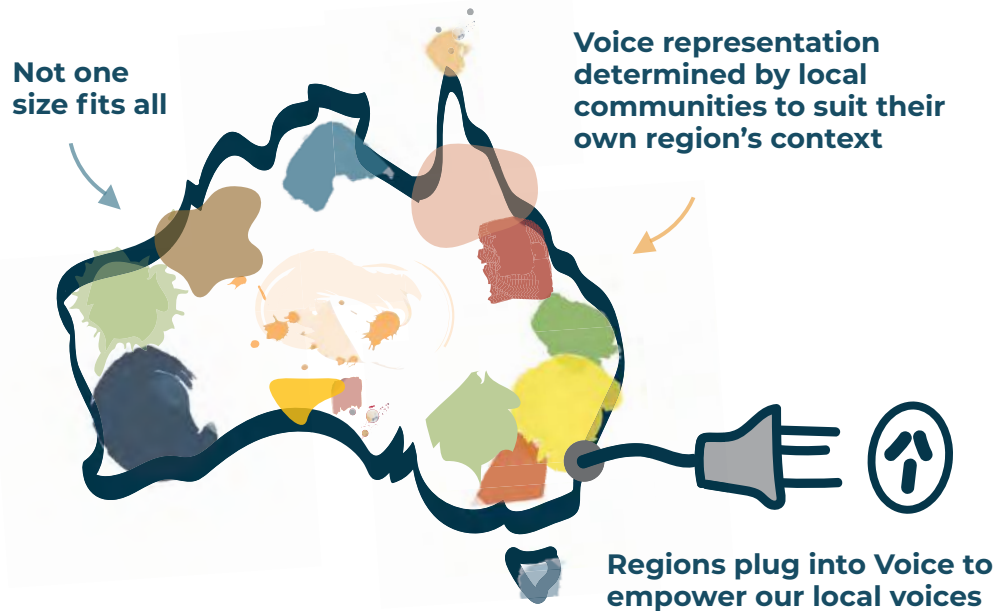
Voice in two parts

A Voice in two parts is proposed by Indigenous people—that is, a Voice to link our local voices across Voice regions, to the state and national levels for the first time, to improve outcomes.

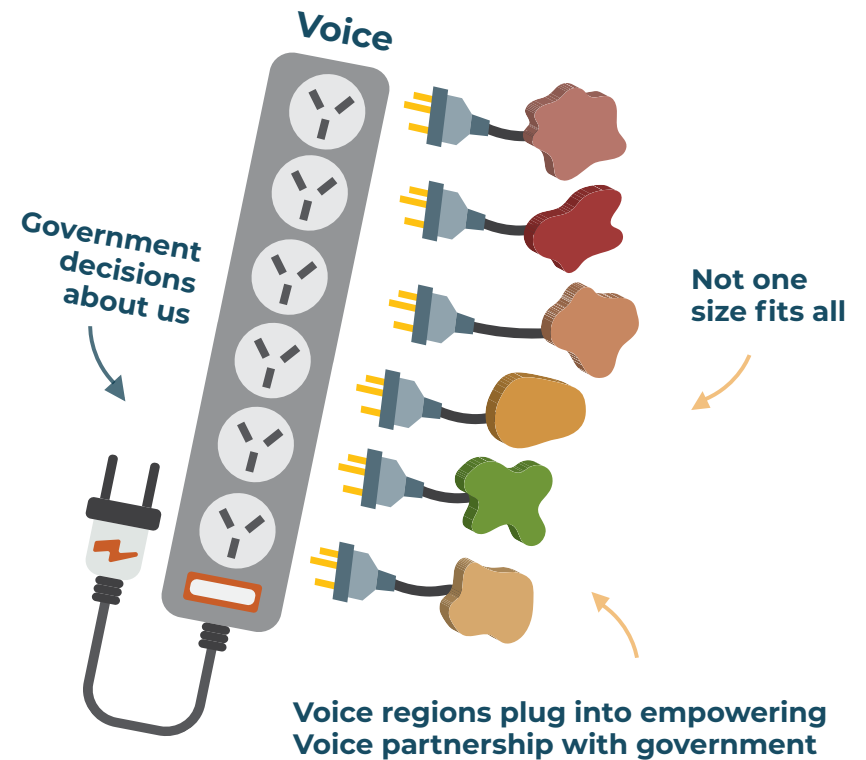
Across all Voice regions, it is the messages of our local voices that must be heard by governments right up to the National Voice which will advise on national legislation and headline policy.

The Voice will be a conduit so governments can access the experience and understanding of our local voices across our diverse regions, to improve decisions and outcomes.

For the first time, responsibility for Closing the Gap will be shared. Negotiations at every level will be able to be conducted with legitimacy and authority derived from families and communities on the ground.



Voice representation connects our local voices and agendas so each region can partner to influence government decision making.



Empower our Local Voices

Local people must have a seat at the table. They hold the love and ambition for their families to grow and prosper in education, work, health and culture. Constitutional recognition through Voice is a forward step for our people and this country.



“In terms of the Voice, we don’t need more politicians. We’ve got enough of those. We’ve actually got leaders in our local and regional space. Our representatives come with a wealth of knowledge and experience. If we as a community have privileged them with that position, then equally governments need to do the same.”

Gary Field Barang Alliance, Empowered Communities



FAR WEST



GOULBURN MURRAY



NGARRINDJERI



NGAANYATJARRA PITJANTJATJARA YANKUNYTJATJARA (NPY)





BROOME



FITZROY CROSSING



BEAGLE BAY



BAWOORROOGA

Empowered Communities: 10 regions across urban, regional and remote Australia



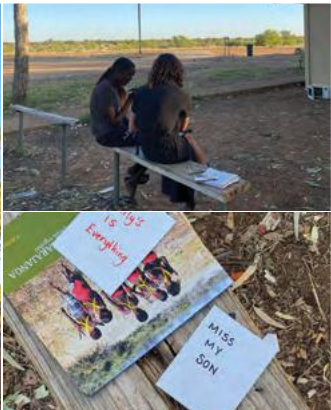
PANDANUS PARK



WANGKAJUNKGA



WANGKAJUNKGA



AURUKUN



EMERGING YOUNG LEADERS

Frequently Asked Questions

Do Aboriginal and Torres Strait Islander people support the proposed change?

- Yes, the vast majority of Indigenous people support the change because we want:
 - to be recognised in the Constitution of our own country
 - a say in decisions made about our lives and futures.
- Indigenous people are asking you to say Yes to our proposal for a better future, and a better partnership.
- The Indigenous proposal for constitutional recognition through Voice has been developed over 15 years of government sponsored processes—including under Coalition governments—with its roots going back further, across generations of Indigenous leadership.
- Of course, some Indigenous people have different views, just as would be the case in any group. We seek your support for the views of the vast majority, which we believe should be respected.

Is this a political issue?

- Voting at a referendum is not about Labor, Liberal, the Nationals, The Greens or One Nation. The question to be decided is about Australia—it goes to the fundamental question of who we are, and how this is reflected in our nation's Constitution.

Is constitutional recognition important?

- This is an important question for every Australian. You are being asked to agree to a new partnership with Indigenous Australians, one based on recognition of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia in the nation's 'rule book'.
- The Australian Constitution remains silent on the existence of Australia's First Peoples. There is no mention of us in the nation's rule book.
- Recognition is due.
 - The country now acknowledges Australia was not *terra nullis*, which was not the case when Australia was formed by the Constitution in 1901, and right up until the 1992 Mabo decision of the High Court.
 - The country has long desired to recognise its First Peoples in the Constitution—this has been the case now for eight successive Prime Ministerships, including Labor and Liberal Prime Ministers.

Will the Voice make a difference?

- **The Voice will make a positive difference, by giving us a say in the decisions that affect our lives and futures.**
- As around only 3% of the population, under the current system we can't make our voices heard.

- Despite decades of effort, we are not closing the gap on Indigenous incarceration, detention, out of home care and life expectancy. In remote communities the situation is most dire and needs urgent change, including to turn education and employment outcomes around.
- We can give examples of urgent issues that are literally costing people in our communities their lives, which have never been raised in Parliament by long serving Parliamentarians representing the electorates involved.
- Ensuring we have a seat at the table so we can play an active role in deciding the solutions for our own families and communities, will improve 'bang for buck', by ensuring better decisions are made with the resourcing already available in the system.
- This change is urgently needed in our remote and most traditional communities. A vote No is a vote for the status quo, and the downward trajectory will continue.

What about just doing the recognition, without Voice?

- After a long journey, including many government sponsored democratic processes of inquiry and consultation, we now have an opportunity to say Yes or No to the Indigenous proposal for constitutional recognition through a guaranteed Voice.
- The nation has arrived at this point because Indigenous people have requested recognition which is both symbolic and will improve practical results.
- Just symbolic recognition or 'ornamental' recognition is not a viable pathway forward.

- A proposal for just symbolic recognition in the form of a constitutional preamble, was rejected by Australian voters at the 1999 referendum.
- Pathways for just symbolic recognition were considered again by Indigenous people during the Uluru Dialogues, and were rejected.
- The Voice will mean we can play a more active role in solving the challenges and issues our families and communities face.
- Voice powers will be advisory and will enable Indigenous people to work in partnership with governments to close the gap.

What about just legislating the Voice?

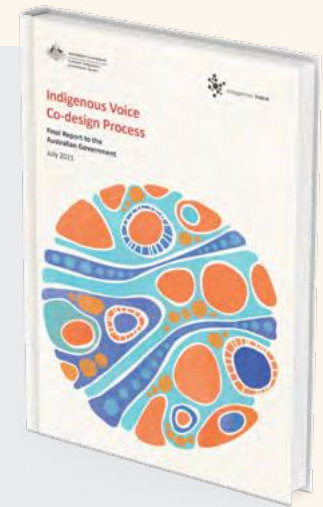
- The question before us to resolve is about constitutional recognition. Indigenous people have requested recognition which is both symbolic and will improve practical results. That is why we are asking for recognition through a guaranteed Voice.
- We want an enduring promise made in the constitution so our Voices can be heard. No such enduring promise can be made in legislation. We want a partnership in which we can learn and improve things together over the long term—but from which no one can walk away.
- A Voice based only in legislation could be completely removed by the Parliament at any time. Previous advisory bodies, such as the Aboriginal and Torres Strait Islander Commission (ATSIC) and the Indigenous Advisory Council, were completely dissolved at the whim of the government of the day.

Don't we need the Voice details?

- The referendum is not about the details of the Voice. The details of the Voice do not belong in the Constitution. This is not the way our system works.
- As is clear from the words of the constitutional amendment itself, it is Parliament's job to set out the details of the Voice in legislation. This will happen after a successful referendum.
- The details need to be able to change and evolve over time as required. That's why the details of the Voice model will be set out in legislation—so the Parliament can change the details when necessary, by doing the job we pay it to do and changing the legislation.
- What the Voice will look like, how it will operate, and how Indigenous people will choose their Voice members, are all matters for the Parliament to decide and set out in legislation after the referendum.
- It would be dishonest to pretend to the Australian people that we are voting on the details of the Voice at the referendum. Even if the Parliament put legislation in place now for the Voice—any Parliament could change the details by amending the legislation.
- The country has learnt a lot to inform the Voice details to be set out in legislation. A lot of work has been done and proposals have been put forward, including through the Co-Design process led by Marcia Langton and Tom Calma.

A great deal of work has been done proposing details of the Voice which will be decided by Parliament and set out in legislation.

The Coalition Government commissioned the Indigenous Voice Co-design Report that sets out detailed proposals, drawing on input from more than 9400 Indigenous, non-Indigenous people and organisations.



- We are confident the Voice will be better from the outset than past efforts seeking to give Indigenous people a say. For example, the Voice:
 - will not administer programs as did the Aboriginal and Torres Strait Islander Commission (ATSIC)
 - will not be top-down like the Indigenous Advisory Council previously headed by Mr Warren Mundine, but will empower our local voices to be heard from the ground up.
- If the referendum succeeds there will be a mandate from the Australian people, which will help make sure the Voice is effective.

The Australia Government has committed that the Voice will be a body that:

- is representative of Aboriginal and Torres Strait Islander communities
- has representatives chosen by First Nations people based on the wishes of local communities
- is empowering, community led, inclusive, respectful, culturally informed and gender balanced, and includes youth
- is accountable and transparent
- works alongside existing organisations and traditional structures.

Is the proposed change to the Constitution safe?

- The constitutional amendment proposed has been developed over a long period since 2007.
- The provision proposed is safe because each word is the result of close consideration by many people, including many Indigenous people across the country, and many lawyers, former judges, and constitutional experts.
- Some people say the words are too weak because the Voice will be advisory only. But we cannot expect a body in the Constitution to have law making power—that’s just not viable. The Voice will have the power to “make representations... on matters relating to Aboriginal and Torres Strait Islander peoples”. It will work in partnership.

“is not just compatible with the system of representative and responsible government prescribed by the Constitution, but an enhancement of that system”

Legal Advice of Australia’s Solicitor-General,
Stephen Donaghue, April 2023

“The Voice is a big idea but not a complicated one. It is low risk for a high return. The high return is found in the act of recognition, historical fairness and practical benefit to law-makers, governments, the Australian people and Australia’s First Peoples. It rests upon the historical status of Aboriginal and Torres Strait Islanders as Australia’s indigenous people. It does not rest upon race.”

Former High Court Chief Justice
the Honourable Robert French AC, February 2023

“...we confidently believe that, by raising the quality of our public debate, the proposed Voice will both enrich our democracy and increase the likelihood of governments making correct decisions about matters that affect Indigenous peoples.”

The Hon Mary Gaudron KC, Former Judge of the High Court of Australia, The Hon Carmel McLure AC KC, Former President of the Supreme Court of Western Australia Court of Appeal, The Hon Stephen Charles AO KC, Former Judge of the Supreme Court of Victoria Court of Appeal, The Hon Paul Stein AM KC, Former Judge of the Supreme Court of NSW Court of Appeal, former President of the Anti-Discrimination Board, The Hon David Harper AM KC, Former Judge of the Supreme Court of Victoria Court of Appeal, The Hon Anthony Whealy KC, Former Judge of the Supreme Court of NSW Court of Appeal, The Hon Robert Redlich AM KC, Former Commissioner of the Victorian Independent Broad-based Anti-Corruption Commission (IBAC), former Judge of the Supreme Court of Victoria Court of Appeal, The Hon Margaret White AO, Former Judge of the Supreme Court of Queensland Court of Appeal

- Some people say the words are too strong and will give Indigenous people special powers, or too much power. But everyone outside of Parliament in our democracy has the power to “make representations”. The Voice will “make representations... on matters relating to Aboriginal and Torres Strait Islander peoples”, such as to Close the Gap on employment, health, housing and education outcomes. The Voice will work in partnership.
- Like everything in the Constitution, the amendment will leave it to the Parliament to provide the detail on Voice. Parliament will put in place the legislation with the Voice details after the referendum, and the Parliament can continue to change this law and details as needed.

Voice, Treaty and Sovereignty

- The Voice ensures we will have a seat at the table and can negotiate agreements with government.
- Some people suggest voting No at the referendum because this process isn’t about Treaty, saying Treaty should come first.
 - The Uluru Dialogues considered sequencing, and it was agreed that a Voice was needed as the first step. This is why the Uluru Statement from the Heart calls for Voice, Treaty, Truth. We think this deserves to be respected.
 - We have the opportunity now to take a step forward. Saying No because you wish there was a better solution, jeopardises progress.
- The government has committed to supporting Uluru Statement in full.
- Some people suggest voting No at the referendum because they are worried about Treaty after.

- In any Treaty/agreement, everything will have to be agreed by government.
- By Indigenous communities doing these deals, we hope our people in remote communities will be able to take up more job opportunities, for example.
- Indigenous sovereignty cannot be taken away by the Australian people voting Yes at the referendum. The Uluru Statement recognises that First Nations sovereignty, which is a matter of our lore, continues to exist alongside British legal sovereignty brought here.

Will it change life for non-Indigenous Australians?

- Building a strong and permanent partnership with First Nations people and Australia’s 65,000 year old Indigenous foundations, anchored in the rule book of the nation—the Australian Constitution—will benefit all Australians.
- Let’s not leave this longstanding issue for our children and grandchildren to resolve. Let’s start building a better future together now.

Isn’t this more bureaucracy?

- Constitutional recognition through Voice will improve practical outcomes by giving Indigenous people affected by decisions, a say.
- We’ve had hundreds of years of non-Indigenous people and bureaucrats deciding what’s best for us. That has added bureaucracy, wasted money and has not worked.
- A Voice can help remove layers of bureaucracy we have now. For the first time responsibility for closing the gap will be

able to be shared between governments and those on the ground where real change must occur. We are sick of blaming government for the failures. Blame us, but give us a say in the decisions made about us first.

Who will be eligible to serve on the body?

- Voice members will be chosen by First Nations people based on the wishes of local communities.
- We want people who have consistently contributed to the hard work on the ground to be eligible for nomination and selection. We want to see a direct link between governments at all levels to the work of local voices.

Why is the Voice needed when there are Indigenous members of Parliament?

- Aboriginal and Torres Strait Islander members of Parliament do not hold in their hands the views of Indigenous Australia – that is not why they have been elected. They represent their whole electorate and, generally, their respective political party.
- It is not their job to ensure our local voices are heard at every level of government for better decision making to improve practical outcomes.
- By establishing a Voice, a body will exist with a sole focus on partnering with Aboriginal and Torres Strait Islander communities.

Will enshrining the Voice in the Constitution divide people based on race?

- No. Constitutional recognition through Voice does not divide people by race.

- The Constitution currently empowers the Parliament to make laws with respect to Aboriginal and Torres Strait Islander people under a ‘race power’.
- The race power reflects outdated thinking about ‘race’. It was originally included in the Constitution so Parliament could make laws discriminating against and excluding Chinese and other Asian migrants coming here during the late 19th century gold rush.
- It is now only used to make special laws about us, so it makes sense to establish a body to advise on the exercise of that power.
- We don’t want an Aboriginal and Torres Strait Islander Voice put in place through legislation made under the outdated race power. Recognition through Voice would provide a new power for Parliament to legislate the Voice not based on race, but rather on recognition of our unique position and history as First Peoples of this country.
- Aboriginal and Torres Strait Islanders are indigenous peoples, we are not a separate race. Our race is human, the same as all other Australians.

This is about inclusion and unity. All Australians are equal.

Constitutional recognition will not change that fact. The Voice doesn’t give anyone more powers or rights.

Everybody in Australia has the power to “make representations” which is what the Voice will have. The Voice will allow us to get organised, so we can have a seat at the table and drive change for our own families, communities, and futures.

Yes to Constitutional Recognition through Voice



“Back in 1991 at Crocodile Hole, our old people told us we need to work together, to educate our young people, talk to our country and make our spirit and language strong. They called on Aboriginal organisations to work together, undivided by external forces, to advocate for Aboriginal interests across the region with a united voice. Politicians and programs come and go but we remain. We know what is needed but we need a seat at the table. We need a Voice.”

Des Hill, East Kimberley



“We want to keep working in partnership through the Voice to build the opportunity and capability of our families and individuals so we see the social, economic and community development that we need across our Kimberley region.”

Anthony Watson, Kimberley



“I look at Uncle William Cooper’s story with the 1887 Yorta Yorta residents petition, and then the 1937 petition to King George IV with more than 1800 signatories. I look at Uncle Doug Nichols and others too. What they were talking about is the same as what we are advocating for now, trying to claim a place in society. So it has taken time but we will stay the course. A Voice must happen.”

Paul Briggs, Goulburn Murray, Yorta Yorta



“Currently we are at the whim of government in terms of what gets tackled. Constitutional recognition through Voice will mean the Australian people are telling governments our voices should not be ignored. This is essential for change long term.”

Wayne Miller, Far West Coast, SA



Across the nation we think people can learn from our strong law and cultural leadership. Our community has advanced and sophisticated cultural structures, such as our 13 clan senior cultural authority called the Dilak Council, that are right for Yolngu and we know impact effectively. The Voice will be a dividing point for programs that work positively and those that have a proven failed track record.’

Denise Bowden, North East Arnhem Land



“Our people’s wellbeing must increase, and our cultural identity has to be strengthened. That can be done through place-based partnerships but there needs to be serious government commitment. Constitutional recognition through Voice will deliver that. We cannot put the handbrake on this.”

Chris Ingrey, LaPerouse



“We’ve proved that we are about taking responsibility, collaboration, and owning it as community so that we are actually part of the story.”

Shane Phillips, Inner City Sydney



“I am completely loyal to opportunity to bring together as one, the three parts to our nation’s story — our ancient Indigenous foundations, British institutions and inheritance, and our multicultural triumph. If the referendum succeeds, we will maintain our diverse individual and group identities. But we will start a new chapter as one.”

Fiona Jose, Kuku Yalanji, Cape York



“Relying on governments and legislation alone is not enough – things can be started and finished at the whim of politicians. We need to set things up right for a permanent partnership, because this is about the lives and future of our families and children.”

Vickie Parry, Barang Central Coast, NSW

Thank you for taking the time to hear us.

Jarrag Yarrin!

I am 71 years of age and I live in Kununurra. My parents were members of the Stolen Generation. I've worked hard to try and bring about positive change. I can tell you from firsthand experience, constitutional recognition through Voice is the change we need.

I have been working with other Empowered Communities regions in a pragmatic partnership with the federal government and corporate collaborators, with bipartisan support, since 2015. This work across 10 regions nationwide shows having a seat at the table and negotiating decisions in partnership with governments can improve productivity, service delivery, co-design more effective solutions, and promote local and regional development.

What we have been able to achieve is just the beginning of a very exciting change that could be expanded, accelerated, and achieved across the country with constitutional recognition through Voice. The Voice will achieve two key goals.

Firstly, it will deliver on the need for reconciliation and rightfully acknowledge for the first time in our constitution the unique historical position and standing of Indigenous Australians.

Secondly, the torment of our powerlessness can be addressed. Empowerment is necessary to improve practical outcomes, so that being Indigenous does not remain such an entirely predictable characteristic of being amongst Australia's most disadvantaged. We want jobs, education and good health for our children and grandchildren, just as you do.

The proposal for constitutional recognition through Voice provides a positive pathway forward for this country. This is Indigenous Australians saying, 'we want in' to the Australian Constitution. We want to be part of Australia, formally and permanently.

The Voice is supported by the overwhelming majority of Aboriginal and Torres Strait Islander people. This should be respected.

Let's not leave the question of recognition of Australia's First Peoples unresolved for future generations. Through supporting our call in 2023 for constitutional recognition through Voice, Australians today can create a better future for all of us.



Ian Trust, Chair, East Kimberley, WA

Fiona Jose, Cape York, QLD

Shane Phillips, Inner Sydney, NSW

Chris Ingrey, Inner Sydney, NSW

Paul Briggs, Goulburn Murray, VIC

Vickie Parry, Central Coast, NSW

Lawrie Rankin, Ngarrindjeri Ruwe, SA

Wayne Miller, Far West Coast, SA

Denise Bowden, North East Arnhem Land, NT

Anthony Watson, West Kimberley, WA

Tyronne Garstone, West Kimberley, WA

Des Hill, East Kimberley, WA

Mark Jackman, Ngaanyatjarra Pitjantjatjara Yankunytjatjara Lands, NT

Liza Balmer, Ngaanyatjarra Pitjantjatjara Yankunytjatjara Lands, NT

Constitutional Recognition through Voice

Let this be the legacy of today's generations for all Australian children and grandchildren to be proud of in decades to come.

As one person you may feel too small to make a difference but together, **we can make big change.**



We did it in 1967, we can do it again in 2023.

Useful Knowledge Resources

- Yes23 Campaign: <https://yes23.com.au> including to volunteer in the peoples campaign and get your corflutes
- Uluru Dialogues: <https://ulurustatement.org/the-statement/the-dialogues/>
- Together Yes: <https://togetheryes.com.au>
- Get Up Campaign: <https://www.getup.org.au/campaign/first-nations-justice>
- Run for the Voice: <https://www.runforthevoice.com/>
- Boyer Lectures with Noel Pearson: <https://www.abc.net.au/radionational/programs/boyerlectures>
- Co-design report: <https://voice.gov.au/resources/indigenous-voice-co-design-process-final-report>
- National Indigenous Australians Agency: <https://voice.niaa.gov.au/>

Downloads

- This booklet as a PDF: heyzine.com/flip-book/c49cdd2395
- This booklet as a print-ready file for professional printing: <https://drive.google.com/file/d/1IbXrl7OqHYRqrQa7q29tEcJgjmifsfDa/view?usp=sharing>
- The proposed constitutional provision on a business card for printing: https://drive.google.com/file/d/1mWcgUFY4U_bkgNffxcK_tSfpzWCN5tvP/view?usp=sharing
- T-shirt and Tote bag designs: https://drive.google.com/drive/folders/1I0267U58WszUhbKgwXme_rH2893uAqNW?usp=sharing
- DL Voice Information Pamphlet for printing: <https://drive.google.com/drive/folders/10gXtnkp1buxW8h0ZKuTeQ7RnlreRIL-?usp=sharing>

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