



**Interim Report to the Australian Government:
Indigenous Voice Co-Design Process
January 2021**

From the Heart Submission No.1 - Summary

21 January 2021



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

Aboriginal and Torres Strait Islander people and non-Indigenous Australians from all walks of life are accepting the Uluru Statement from the Heart's invitation to "walk with us in a movement of the Australian people for a better future".

From the Heart (<https://fromtheheart.com.au/>) is a movement of Australians, driven by a strong desire to achieve a successful referendum to enshrine an Aboriginal and Torres Strait Islander Voice to Parliament in the Constitution.

We welcome the government's Interim Co-Design Report and acknowledge the significant work undertaken by the three co-design committees, led by co-chairs Professor Marcia Langton AM and Professor Tom Calma AO. It was an arduous task to bring the vast historic body of work and the complexities of current practice together into a comprehensive report, especially during a global pandemic. We understand that co-design means the current proposals are not complete and that it is critical that Aboriginal and Torres Strait Islander people contribute their experience and ideas into this consultation process. Our submission is intended to be a constructive contribution to this important work.

Our submission can be summarised in three points:

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

The co-design process was established to respond to the recommendations of the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples (JSC). The JSC itself was established to consider the recommendations of four previous processes that examined options for the constitutional recognition of Aboriginal and Torres Strait Islander peoples, including the Uluru Statement and the Referendum Council.

The co-design process was focused on the legislative design component. The Interim report means that legislative design has now entered the public consultation phase.

The second component arising from the JSC is constitutional enshrinement. The words of constitutional amendment need to be developed for submission to the Australian people at a referendum. This process must now begin.

Following this co-design process, it is imperative that we turn our minds to the constitutional and legislative arrangements to enact the Voice in a deliberate process. The legislative design of the Voice cannot be decoupled from its constitutional enshrinement.

A Voice enshrined in the Constitution is a fair, practical and safe proposal that will unify our nation.

We are pleased to make our submission in response to this Interim Voice Co-Design Report.

Dean Parkin
Director, From the Heart



Summary of key positions

1. Response to Interim Co-Design Proposals

- The National Voice must be representative of the diverse populations and needs of Aboriginal and Torres Strait Islander people:
- The National Voice must speak to the Commonwealth Parliament and Government on policy and legislation.
- The National Voice must not be a 'third chamber' of Parliament.
- The National Voice must not deliver programs or services.
- The National Voice must act and operate independently from the Parliament and Government.

2. The National Voice must be enshrined in the Constitution

- Enabling legislation for the Voice must be passed after a referendum has been held in the next term of Parliament.
- For the avoidance of doubt, the National Voice must not be legislated or otherwise implemented before a referendum is held.

3. Two-stage process to establish the Voice:

- There should be a separate structured process to consider the constitutional, legislative and executive options to enact the National Voice following the completion of the Voice Co-Design Final Report. This process will result in:
 - An exposure draft bill for the Voice as per the final Co-Design report to give the Australian public a comprehensive look at the details of the Voice before a referendum is held;
 - A draft constitutional amendment for a new provision for a Voice that will then be put to the Australian people for a vote in a referendum; and
 - A pathway to a referendum in the next term of Parliament.

To find more information about our submission and guidance on how to make a submission in support of our position, please visit: <https://fromtheheart.com.au/make-a-submission/>