

Submission

Constitution Alteration
2023 Bill

ANTAR



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Submission: Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill

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ANTAR is proud to acknowledge and pay our respects to First Nations Peoples as the traditional owners of the lands on which we work across the continent.

About ANTAR

ANTAR is a national advocacy organisation working for Justice, Rights and Respect for Australia's First Nations Peoples. We do this primarily through campaigns, advocacy, and lobbying.

ANTAR is working to mobilise Australians to vote YES at the referendum for a First Nations Voice to Parliament enshrined in the Constitution, and for this to be complemented with a Makarrata Commission to drive agreement making and truth-telling processes across Australia.

We also engage in national advocacy across various policy and social justice issues affecting Aboriginal and Torres Strait Islander communities, including cultural heritage protection; justice reinvestment, over-incarceration and raising the age of criminal responsibility; anti-racism campaigns, native title and land rights, and closing the life equality gap.

ANTAR is a foundational member of both the Close the Gap Campaign and Change the Record Campaign Steering Committee, and an organisational and executive committee member of Just Reinvest NSW. ANTAR has been working with Aboriginal and Torres Strait Islander communities, organisations and leaders on rights and reconciliation issues since 1997. ANTAR is a non-government, not-for-profit, independently funded and community-based organisation.

“We’re here to draw a line in the sand, and say this has to change, people’s lives have to improve. And we know from the evidence that what improves people’s lives is when they get a say. And that’s what this is about.”

Professor Marcia Langton AO¹

Introduction

Thank you for the opportunity to provide comments to inform the Senate Joint Select Committee’s consideration of the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill.

As a non-partisan First Nations advocacy organisation with an established network of up to 30,000 people and a founding member of the Allies for Uluru Coalition, representing more than 200 social sector organisations and thousands of individual supporters across the country, ANTAR welcomes and fully supports constitutional recognition in the form of the proposed Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023.

The proposed Constitution Alteration is set out below:

Chapter IX – Recognition of Aboriginal and Torres Strait Islander Peoples

129. Aboriginal and Torres Strait Islander Voice

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

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

¹ [Aboriginal and Torres Strait Islander Voice Referendum Question Press Conference](#), 23 March 2023.

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 is ANтар's view that by taking into account Aboriginal and Torres Strait Islander peoples' knowledge and views through their direct participation and input, the Voice will improve the development and implementation of decisions, laws, policies and programs that affect them.²

We believe it is long overdue to constitutionally recognise Aboriginal and Torres Strait Islander peoples as the first sovereign Nations of the Australian continent who were the caretakers of these lands more than 60,000 years prior to colonisation, and who continue to assert their rightful place as Australia's First Peoples.

The constitutionally enshrined Aboriginal and Torres Strait Islander Voice is an essential reform of the 2017 Uluru Statement from the Heart and should be pursued along with the Uluru Statement's other two crucial reforms for agreement making and truth-telling processes. Voice, Treaty and Truth are complementary, interconnected and should be understood as a single, essential reform agenda. The Alteration Bill meets the expectations of the Uluru Statement and the thousands of Aboriginal and Torres Strait Islander peoples across Australia that were engaged in its conception.

In what follows, we will outline our support for the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill as the first important step along the path of Voice, Treaty and Truth.

² Ibid, 8.

1. Recognition: beyond Symbolism to embedding Consultation

The issue of formal recognition and acknowledgement of Aboriginal and Torres Strait Islander peoples in the Australian Constitution has a long history. When the Constitution first came into being in 1901 – a process that did not include consultation with Aboriginal and Torres Strait Islander peoples – there were only two mentions of the First Peoples of Australia: Section 51 (xxvi) and Section 127. When the constitutional amendments to these sections were approved in the historic referendum of 1967, any reference to Aboriginal and Torres Strait Islander peoples in the Constitution was entirely removed.³

As it stands now, there is no formal recognition or acknowledgment of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia in the Constitution, no constitutional guarantee of fair treatment or recognition of rights pertaining to their First Peoples status and no permanent safeguard to ensure they have a role in the decision-making that affects their lives and communities. Nor is there any constitutional acknowledgement of the value of their cultures, languages and rights. It is ANTA's view that this explicit and continuing lack of recognition is not only a shameful and glaring omission but a failure on the part of modern Australia to properly live up to the visions of what the Constitution can and should be as a reflection of our nation's aspiration.

If we accept that the Constitution is not only the rulebook for how the country is governed but a foundational symbolic document reflecting the values and identity of the nation, and that constitutional reform is the most solemn and binding form of legal protection available in Australia,⁴ it is unconscionable that its First Peoples, on whose lands our modern nation continues to function and prosper, would not be extended the respect owed to them in the form of constitutional recognition. As Federal Attorney General Mark Dreyfus noted in Second Reading of the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill on 30 March 2023, the constitutional amendment in

³ Harry Hobbs, '[The Road to Uluru: Constitutional Recognition and the UN Declaration on the Rights of Indigenous Peoples](#)', Australian Journal of Politics and History: Volume 66, Number 4 (2020), 619.

⁴ Peter Dawson, '[On Self Determination and Constitutional Recognition](#)' (2015), 4.

this bill will rectify over 120 years of explicit exclusion in provisions of Australia's founding legal document.⁵

It is ANTAR's view that well-considered and robust constitutional recognition of First Nations peoples can be a significant step towards building an Australia based on strong relationships and mutual respect between First Nations and non-Indigenous Australians.⁶ When determining the form this constitutional recognition takes, what ultimately matters and should be considered of utmost priority are the forms or expression of constitutional recognition that are significant and have meaning to Aboriginal and Torres Strait Islander peoples. On this, we refer back to the Uluru Statement from the Heart which calls for constitutional recognition in the form of a Voice "to empower our people and take a *rightful* place in our own country".⁷

Further, we are of the view that constitutional reform to recognise First Nations people must be consistent with Aboriginal and Torres Strait Islander self-determination and be paired with meaningful structural reform. On this note, calls to amend the proposed wording of constitutional recognition that are purely symbolic, that do not carry any binding legal effect or that do not properly provide for a form of constitutional recognition that is practical and substantive have been rejected by Aboriginal and Torres Strait Islander communities and are simply not enough. It is ANTAR's view that the Bill in its current wording achieves the standard of meaningful recognition via the introduction of a First Nations Voice that can engage on the issues that impact Aboriginal and Torres Strait Islander communities.

Proposals to constitutionally recognise Aboriginal and Torres Strait Islander peoples are not new. In fact, this is the ninth government-endorsed process considering the issue of constitutional recognition in just over ten years.⁸

⁵ House of Representatives, [Constitution Alteration \(Aboriginal and Torres Strait Islander Voice\) 2023 Second Reading Speech](#), Thursday, 30 March 2023, 1.

⁶ [Expert Panel on Constitutional Recognition of Indigenous Australians appointed](#) [media release], 23 December 2010

⁷ [Uluru Statement from the Heart](#)

⁸ Megan Davis, '[Constitutional recognition: two decades on](#)'. Australian Public Law, 1 March 2021.

In 2012, the final report by the Expert Panel on Constitutional Recognition of Indigenous Australians recommended that a new section be inserted into the Constitution, entitled 'Recognition of Aboriginal and Torres Strait Islander peoples'. The report stated that constitutional recognition would help improve the self-esteem and dignity of Aboriginal and Torres Strait Islander peoples, provide a better framework for the governance of the nation and contribute to a truly reconciled nation for the benefit of all Australians.⁹

In a 2014 submission to the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples, Cape York Institute stressed the importance of any constitutional recognition being coupled with structural reform. The institute's Director Noel Pearson wrote:

"The principal structural problem faced by indigenous (sic) people concerns our power relationship with the rest of Australian society through its structures of government: judicial, legislative and executive. Australian democracy just does not work to enable the solution of our problems".¹⁰

In their recommended package of reforms, the Cape York submission included the addition of a new Chapter to the Constitution establishing an Indigenous body to give Indigenous people a fair voice in Parliament's law making for Indigenous affairs.¹¹

In 2018, the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples published their final report. The report once again echoed the view that constitutional recognition in the form of enshrinement of a First Nations Voice is intended to empower Aboriginal and Torres Strait Islander peoples to have a greater say in the policy and legislation which governs their affairs and, in so doing, improve their autonomy and prosperity; that the Voice would give effect to the long held desire for recognition of the unique status and rights of Aboriginal and Torres Strait

⁹ [Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution](#), 2021, 11.

¹⁰ Noel Pearson, 'A Structure for Empowerment', *The Weekend Australian*, 16–17 June 2007

¹¹ Cape York Institute, [Submission to the Joint Select Committee Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples](#) October 2014, 3.

Islander peoples; and that such calls for greater self-determination, partnership, and participation are long-standing appeals on the part of Aboriginal and Torres Strait Islander peoples “to have a primary role in decision making processes, and not merely be the subjects of any decisions made by others”.¹²

Constitutional law expert Anne Twomey and Minister for Indigenous Australians Linda Burney agree that the establishment of a Voice is about two intimately connected themes: recognition and consultation. For Twomey, recognition is “having a voice and allowing that voice to be heard – and that involves recognition of your existence and some respect for listening to that voice”. For Linda Burney, recognition is “about completing our nation's birth certificate, by recognising the extraordinary history that Aboriginal and Torres Strait Islander people bring to this country. That is everyone's heritage – 65,000 years”.¹³

The second element, consultation, is what Twomey calls the practical element; that is, “that your voice is heard in a way that has an impact upon the laws and policies that are being made”.¹⁴ Linda Burney articulates this practical element as a social justice issue, where “the Voice will be available to the parliament to make sure that we can move the dial on totally unacceptable social justice outcomes”.¹⁵

ANTAR is of the view that it is a very fair, low-risk and equitable request that any proposed constitutional recognition of First Nations peoples includes ensuring that they get a fair say in laws and policies made about them, without compromising the supremacy of Parliament.¹⁶ The text in section 129(3) makes clear that Parliament retains the authority to determine whether and how the Executive responds to any representations.

As Dr Harry Hobbs points out, in our system of government, proposed laws are developed within the Executive and then presented to Parliament.¹⁷ Native title

¹² [The Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples Final Report](#), 2008, 116.

¹³ [Media Conference, Constitution Alteration Bill](#), 30 March 2023

¹⁴ [The Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples Final Report](#), 2008, 16

¹⁵ [Media Conference, Constitution Alteration Bill](#), 30 March 2023

¹⁶ *Ibid*, 13.

¹⁷ Dr Harry Hobbs, [‘Inquiry into the Aboriginal and Torres Strait Islander Voice Referendum Submission 43’](#), 2.

and cultural heritage legislation already requires that the Executive consult with Aboriginal and Torres Strait Islander peoples.¹⁸ If the Voice is to be able to influence law and policy, it too needs to speak to both the Parliament and the Executive. This is what the current wording of the Bill entitled Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 reflects, and as such, there are no reasonable concerns about how the Voice will engage.

2. Consistency with First Nations peoples' right to self-determination

Australia is a party to the seven core international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹⁹ As of April 2009, the Federal Government indicated its support for the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), a key international document on Indigenous rights. Based primarily on the notion of self-determination, UNDRIP outlines a specific set of rights which are afforded to First Nations people globally, provides a comprehensive framework for action to influence laws, policies and program reforms²⁰ and sets a global standard for the realisation and protection of self-determination.

Article 1 of the ICCPR, Article 1 of the ICESCR and Article 3 of UNDRIP provide that all peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.²¹

In 2017, the UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz reported that:

“It is woefully inadequate that, despite having enjoyed over two decades of economic growth, Australia has not been able to improve the social disadvantage of its Indigenous population. The existing measures are

¹⁸ Ibid, 2.

¹⁹ Australian Government, Attorney-General's Department, [International human rights system](#).

²⁰ [UNDRIP in Australia](#)

²¹ Explanatory Memorandum, 8.

clearly insufficient as evidenced by the lack of progress in achieving the ‘Close the Gap’ targets.”²²

Tauli-Corpez noted that while Australia has adopted numerous policies aiming to address Aboriginal and Torres Strait Islander socio-economic disadvantage, the failure to respect the right to self-determination and the right to full and effective participation in these is alarming. She noted, in particular, that many First Nations organisations she spoke with reported that their voices were blocked and that they were consistently excluded from consultations on key policies and legislative proposals.

As noted in the Explanatory Memorandum, the Bill is consistent with the right to equality and non-discrimination.²³ It would promote the rights and freedoms of Aboriginal and Torres Strait Islander peoples by acknowledging their continuing disadvantage, and historical exclusion from participation in the making of decisions, policies and laws that affect them. Further, it does not abrogate or otherwise negatively affect the ability of members of the broader community to enjoy or exercise their political, economic, social, cultural or other rights and freedoms.²⁴ UNDRIP in particular emphasises the importance of “participation of Indigenous peoples in matters that would affect their rights, through representatives freely chosen by themselves”.²⁵

Australia has continually failed to meet the standards set out in UNDRIP. A Voice, as called for in The Uluru Statement from the Heart, provides an opportunity to address this. Affirmative constitutional recognition is essential if Australia is to meet its international human rights obligations.²⁶ It is ANTA’s view that the establishment of the Voice to Parliament as the first component in the sequencing of Voice, Treaty-making and Truth-telling would complement Australia’s existing obligations through UNDRIP, ICCPR and ICESCR and that the

²² [Indigenous health response 'woeful' says UN investigator](#), Australian Human Rights Commission, 18 September 2017.

²³ [Constitution Alteration \(Aboriginal and Torres Strait Islander Voice\) 2023 Explanatory Memorandum](#), 7.

²⁴ *ibid.*

²⁵ [Indigenous Voice must guarantee self-determination](#), Australian Human Rights Commission.

²⁶ [Submission: Australian Constitutional reform to recognise Aboriginal and Torres Strait Islander peoples](#). NSW Aboriginal Land Council, 2011, 2.

wording of the Bill is consistent with international human rights conventions that Australia has endorsed.

Furthermore, ANTAR firmly believes that a Voice enshrined in the Constitution based on the current provisions of the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill would make significant improvements to what is currently a consistent exclusion of Aboriginal and Torres Strait Islander voices from consultations on key policies and proposals which affect their communities. In this way, a constitutionally enshrined Voice can be an instrument of self-determination for Aboriginal and Torres Strait Islander peoples and a foundational step towards agreement making and truth-telling.

3. The inclusion of regional and local voices

There has been some vocal concern that the constitutional enshrinement of a national Voice will preclude or override regional and local voices. ANTAR wishes to underscore that the national Voice mechanism would, in fact, be necessarily composed of complementary local and regional voices that are 'structurally linked' with the national Voice.²⁷ There is no either/or. As the Government has indicated, the expectation is that a full consultation process with Aboriginal and Torres Strait Islander communities after the referendum will be where the design of local, regional and national voices will be considered before ultimately being introduced by legislation. The design principles outlined by The Referendum Working Group offer a good guide to the elements of local and regional voices for consideration in due course.

The 2021 Calma-Langton Indigenous Voice Co-Design Report offers further guidance. While the local and regional voices would use a flexible principles-based framework that allows local people and communities to decide governance structures that work best for them, membership in a national Voice would have a two-way advice link to local and regional voices in order to ensure that there is adequate representation from each State, territory, and the Torres

²⁷ [Indigenous Voice Co-design Discussion Paper](#), 2021, 3.

Strait Islands.²⁸ Each region will be able to determine membership based on their preferred method of choice.

It is ANTAAR's position that what is ultimately important is that both the national and local and regional Voices are led and designed by Aboriginal and Torres Strait Islander peoples in the ways that best fit and represent their unique communities. It is this level of community involvement and support that will contribute to its cultural legitimacy and strength. The Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill as it currently stands does not create any division nor favour a national Voice over regional and local voices. As is outlined in the Second Reading, the intention is that its members will be selected by Aboriginal and Torres Strait Islander peoples based on the wishes of local communities.²⁹

ANTAAR also wishes to highlight that regional and local voices are already successfully in place in many areas around the country. For example, the First Peoples' Assembly in Victoria is the independent and democratically elected body to represent Traditional Owners of Country and Aboriginal and Torres Strait Islander peoples in Victoria. Assembly Members have been chosen by their communities "to represent their hopes, needs and ideas on the journey to Treaty" across five regions that cover Victoria.³⁰ Far from eliding or overriding their voices, it is ANTAAR's view that a national Voice would be linked with local and regional voices such as the First Peoples' Assembly in Victoria to coordinate efforts and ensure an effective and comprehensive approach, and is thus an essential component.

4. Securing a permanent institutional presence

Aboriginal lawyer and academic, Professor Megan Davis, has observed that "in Australia, Indigenous interests have been accommodated in the most temporary way, by statute. What the State gives, the State can take away, as has happened with the ATSIC, the Racial Discrimination Act and native title."³¹

²⁸ Ibid, 7.

²⁹ [Second Reading](#), 3.

³⁰ [The First Peoples' Assembly](#)

³¹ Megan Davis, ['A woman's place...'](#) Griffith Review 156, 2009, 157.

Similarly, from Alyawarre human rights advocate Pat Anderson AO:

“...generation after generation of us has stood somewhere like this pleading, trying to educate, trying to cajole that we exist, we're here, this is our place... every time there's a change of government we have to all troop to Canberra. First of all, to justify and explain who we are and sometimes to bring a map, to show where we've come from, and explain all again, why we need to maintain the funds that we have. So we can provide the services that our communities and our families desperately need”.³²

Enshrining the Voice constitutionally creates a permanent institutional presence that is not subject to changes in funding, policy or government. There is currently no independent, nationally representative body with the purpose of providing informed advice on behalf of Aboriginal and Torres Strait Islander peoples to the parliament and the executive government of the Commonwealth.³³ Previous bodies designed to represent Aboriginal and Torres Strait Islander peoples interests have been abolished or defunded with the stroke of a minister's pen.³⁴ The most recent example being the National Congress of Australia's First Peoples which was defunded completely in 2019.

ANTAR believes that securing a permanent Voice in the Constitution is a modest proposal that will demonstrate Australia's commitment to recognising and protecting the rights of Aboriginal and Torres Strait Islander peoples.

5. Subsection 129 (ii)

The proposed Subsection 129 (ii) allows that the Voice may make representations to the Parliament and Executive Government of the Commonwealth.

There has been some concern about the ambiguity of the term 'the Executive Government of the Commonwealth' with respect to the identity of the audience

³² [Constitution Alteration Bill media conference, 30 March 2023](#)

³³ [Second reading, 2.](#)

³⁴ [Ibid, 2.](#)

that the Voice will be permitted and entitled to address. The Explanatory Memorandum clearly states:

20. The term ‘the Executive Government of the Commonwealth’ has the same meaning as elsewhere in the Constitution.³⁵

The term ‘the Executive Government of the Commonwealth’ is used in seven places in the Constitution. If there is ambiguity in the term, it is not for the Voice alone to resolve. The wording of subsection 129 (ii) is careful and clear. It has been scrutinised by the Constitutional Expert Group as well as many constitutional law experts who insist the Voice will not delay Parliament or make governing more difficult.

As former High Court judge Kenneth Hayne has said, the Voice ‘will not impede the ordinary working of government’.³⁶ Subsection 129 (ii) would not require the Parliament or the Executive Government to wait for the Voice to make a representation on a matter before taking action; nor would s 129(ii) require the Parliament or the Executive Government to seek or invite representations from the Voice or consult it before enacting any law, taking any action or making any decision. Subsection 129 (ii) would also not oblige the Parliament or the Executive Government to follow a representation of the Voice.³⁷

Regarding the possibility of High Court challenges, constitutional law expert Professor Anne Twomey reminds that the addition of the words “including its composition, functions, powers and procedures” at the end of subsection (iii) make clear “that the original intent is that it's not a legal obligation on the executive to take this into account unless parliament says so.”³⁸ In her comprehensive submission, Professor Twomey clearly states that “there are no words in proposed s 129(ii) which impose any kind of obligation on Parliament or the Executive Government”.³⁹ She goes on to clarify that the word ‘representations’ was very deliberately chosen because it has no meaning that

³⁵ Ibid, 12.

³⁶ Kenneth Hayne, [‘All Australians own the Constitution. Now we have the words to prove it’](#), Guardian Australia (online, 23 March 2023).

³⁷ [Explanatory memorandum](#), 11.

³⁸ Nicole Hegarty, [‘Legal experts worry the words ‘executive government’ could lead to Voice referendum court battles’](#). ABC News, 24 March 2023.

³⁹ Anne Twomey, [Inquiry into the Aboriginal and Torres Strait Islander Voice Referendum Submission 17](#), 5.

requires reciprocity or obligation, and is therefore “no more than the offering of a view”.⁴⁰ Surely we can agree that at a very minimum, Aboriginal and Torres Strait Islander peoples deserve that.

Importantly, even if there was a small but possible chance of High Court challenges, we need to question the level of concern about Aboriginal and Torres Strait Islander peoples raising constitutional challenges. No part of the Australian Constitution has ever been entirely immune from litigation.⁴¹ It is unrealistic and in fact undesirable to immunise the Voice completely from legal challenge.

The second reading clearly states:

“It will be a matter for the parliament to determine whether the executive government is under any obligation in relation to representations made by the Voice. There will be no requirement for the parliament or the executive government to follow the Voice's representations. The constitutional amendment confers no power on the Voice to prevent, delay or veto decisions of the parliament or the executive government. The parliament and the executive government will retain final decision-making power over all laws and policies.”⁴²

The Explanatory Memorandum further clarifies that any representations from the Voice would be advisory in nature and that the constitutional amendment “would not oblige the Parliament or the Executive Government to consult the Voice prior to enacting, amending or repealing any law, making a decision, or taking any other action”.⁴³

ANTAR is of the view that the explanatory memorandum together with the second reading speech make abundantly clear what the intent of the provisions are, and that these should resolve any lingering concerns as to the power and scope of the Voice’s representations. It is clear that the Voice will not pose a

⁴⁰ Ibid, 5.

⁴¹ Scott Stephenson, Associate Professor of Law. [‘No, the Voice isn’t a ‘radical’ change to our Constitution’](#). The Conversation, 23 February 2023.

⁴² [Second reading](#), 4.

⁴³ [Explanatory memorandum](#), 5.

threat to the functioning of Parliament and the Executive Government. Further, allowing the Voice to advise both the Executive and Parliament is consistent with Australia's constitutional practice.

Conclusion

ANTAR is in full support of the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill, and firmly believes that a constitutionally enshrined Aboriginal and Torres Strait Islander Voice is the first, necessary step toward a larger reform agenda that includes Treaty and Truth-telling.

Current polling supports this view, with online polling from March showing a clear majority of participants support the constitutional amendment.⁴⁴

Additionally, many First Nations communities have participated in good faith in decades of consultation and consensus building, culminating in the Uluru Statement from the Heart and its reforms for Voice, Treaty and Truth. Both the Labor and Liberal parties have shared a bipartisan commitment to recognising Aboriginal and Torres Strait Islander people in the Constitution since 2007 and that bipartisanship remains today.

This is an opportunity to acknowledge and remedy the historical and ongoing exclusion of Aboriginal and Torres Strait Islander peoples from the policies and decisions which directly affect their lives. First Nations people know what is best for their communities; evidence demonstrates that if policy is to succeed, it must listen and respond to the lived experience of Aboriginal and Torres Strait Islander peoples.⁴⁵

This is our chance to play a part in establishing a fair and truthful relationship between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians, and to walk together towards a better future.

⁴⁴ [The Essential Report – Voice to Parliament](#): 21 March 2023, 3.

⁴⁵ Recent and extensive research on race relations has been conducted by the University of Tasmania, Larrakia Nation Aboriginal Corporation and the University of Sydney. It can be found [here](#).