



Position Paper re the Constitutional Enshrinement of an Indigenous Voice¹

Our country is facing a critical moment in our history. There is significant unfinished business to address. 'The Uluru Statement from the Heart' (2017) gifted by First Nations Peoples to all Australians guides the way. It invites us to walk alongside Aboriginal and Torres Strait Islander Peoples to create an equitable future for us all.

The Southern Women's Action Network (SWAN) comprising over 200 members across the Mornington Peninsula accepts this historic proposal as originally formulated and requested by First Nations Peoples. We strongly support its call for lasting systemic change through the Enshrinement of an Indigenous Voice in the Australian Constitution. Furthermore, we support the establishment of a Makarrata Commission to oversee a process of Agreement-making between governments and First Nations and Truth-Telling about our history. These reforms are practical and just. They are long overdue.

In March 2021 we documented our position on constitutional protection in a submission to the Indigenous Voice Co-design process commissioned by the Minister for Indigenous Australians, Ken Wyatt. We expressed our concern that Australia lags well behind other countries in upholding the key principles of The United Nations Declaration on the Rights of Indigenous Peoples. First Nations Peoples in this country do not have "autonomy or self-government in matters relating to their internal and local affairs".²

Our proposal was amongst the 90% of submissions received from over 9,400 people, communities and organisations to disregard the government's requirement that respondents restrict any recommendations to mere *legislative* change. We argued that matters dealt with by *legislation* alone can too readily be amended or eliminated. This will not ensure that the concerns of Aboriginal and Torres Strait Islander Peoples are addressed. Moreover, *legislating a voice prior* to the nation endorsing a constitutionally protected First Nations Voice to Parliament will not achieve the long lasting systemic change that is required. Constitutional protection would ensure that any significant alterations concerning the First Nations Voice would need to be passed by Referendum.

SWAN applauds the commitment made by Prime Minister Anthony Albanese in his election speech (May 2022) to implement The Uluru Statement from the Heart - in full and support his pledge to hold a referendum to Constitutionally Enshrine an Indigenous Voice to Parliament.

When enacted, this will ensure that our Constitution is amended in line with international standards on the rights of Indigenous Peoples. This will guarantee that Aboriginal and Torres Strait Islander Peoples have a lasting say in the laws and policies that affect their lives and lead to better policies and outcomes for their communities. It will profoundly enhance government capacity in Indigenous affairs policy development and law-making.

Bipartisan support is critical for such a Referendum to succeed. All Australians must be well informed before they cast their vote. SWAN is contributing to this advocacy and education process. Our members are actively sharing information in their communities and political forums about why a decision to proclaim a First Nations Voice to Parliament enshrined in the Australian Constitution is so crucial for the future of our nation.

Southern Women's Action Network, June 2022

There are many ways to become better informed and show your solidarity and support.

- Sign up to The Uluru Statement from the Heart website: ulurustatement.org to learn more about the process that led to the Statement, the background to the key reforms and to receive update on how you can be part of this movement for change.
- Listen to the Lowidja O'Donohue Oration by the first female Minister for Indigenous Australians, Linda Burney. <https://www.dunstan.org.au/events/lodo22/>
- Listen to the 2021 Mabo Oration by Megan Davis: <https://aiatsis.gov.au/presentation/summit-keynote-megan-davis>
- Share this position paper with others and start a conversation with your family and friends about the reforms that are required to achieve justice for First Nations.
- Read the SWAN submission to the Indigenous Voice Co-design process on the Supporting First Nations Peoples page on the SWAN website: swanwomen.org.au
- Download this factsheet prepared by Reconciliation NSW to share with your family, friends, and co-workers: reconciliationnsw.org.au
- Sign the digital Uluru Statement from the Heart canvas: fromtheheart.com.au
- Write to your MP to show your support for the Uluru Statement and to ask them to actively request that a Referendum be held as a priority. ulurustatement.org
- Read *'Everything you need to know about the Uluru Statement from the Heart'* (2021) by leading First Nations Constitutional experts, Megan Davis and George Williams.

What is SWAN and what do we stand for

The Southern Women's Action Network was founded in 1996. It comprises over 200 members from a diverse range of backgrounds and age groups who live on the Mornington Peninsula. We provide a forum on matters of particular concern to women and promote their active involvement in our community. Bi-monthly we invite prominent and socially active speakers to share their insights and experience with us and discuss our own views and ideas for follow-up action. Ensuring a safe and respectful learning environment is a high priority.

SWAN has a long history of supporting Aboriginal and Torres Strait Islander Peoples. Our Supporting First Nations group was established in 2020 to enhance SWAN's capacity to:

- a) Engage with local Indigenous communities, especially women;
- b) Advocate for social justice in support of First Nations peoples; and
- c) Raise awareness amongst SWAN members and within our local community about past and ongoing injustices experienced by Aboriginal and Torres Strait Islander peoples.

SWAN acknowledges the Bunurong/Boon Wurrung people, the Traditional Custodians of these lands and waters where we meet. We pay our respects to Elders, past and present. In line with our commitment to social justice, SWAN unequivocally supports First Nations People in their campaigns for sovereignty, self-determination, treaties and truth telling.

¹ N. B. SWAN acknowledges that while a substantial majority of Aboriginal and Torres Strait islander Peoples unequivocally support a Constitutionally Enshrined Indigenous Voice to Parliament, not all First Nations People share the same perspective.

² The United Nations Declaration on the Right of Indigenous Peoples, Article 4. (2007). un.org