

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 nation the ancestral link 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 *terram 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 struggle the coming together offer 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 text is surrounded by numerous handwritten signatures in various colors and styles.)

FREQUENTLY ASKED QUESTIONS ABOUT THE ULURU STATEMENT FROM THE HEART AND FIRST NATIONS VOICE

Last updated: 10 May 2023

Q. What is the Uluru Statement from the Heart?

The Uluru Statement from the Heart is an invitation from First Nations peoples to non-Indigenous Australians to walk together for a better future. It was developed in 2017 after a long and extensive deliberation process by over 250 First Nations delegates across Australia.

The Statement calls for real and practical change through a three-part reform process of 'Voice, Treaty, Truth'. This involves the establishment of a constitutionally enshrined Voice to Parliament and a Makarrata Commission to undertake processes of treaty-making and truth-telling. Makarrata is a multi-layered Yolngu word understood as the coming together after a struggle to heal the divisions of the past.

Q. What is the Voice?

Through the Uluru Statement from the Heart, First Nations leaders called for the establishment of an enshrined Voice to parliament as a meaningful form of constitutional recognition for First Nations peoples.¹ A referendum is required to enshrine a Voice to parliament in the Constitution.

The Voice will be a permanent body comprised of First Nations representatives who provide advice to the Australian parliament and government about laws and policies of significance impacting First Nations peoples.

The First Nations Referendum Working Group developed and endorsed design principles about the nature of the Voice.

¹ Davis M. (2021 March 1) *Constitutional recognition: two decades on*, AUSPUBLAW, <https://www.auspublaw.org/blog/2021/03/constitutional-recognition-two-decades-on>



The government has agreed to those principles which are that the Voice will:

- give independent advice to the Australian Parliament and government
- comprise members chosen by Aboriginal and Torres Strait Islander (ATSI) people based on the wishes of local communities
- represent those communities in every state, territory and the Torres Strait Islands; and be gender balanced and include youth
- be empowering, community-led, inclusive, respectful and culturally informed
- be accountable and transparent
- work alongside existing organisations and traditional structures
- make representations about improving programs and services, but not manage money or deliver services
- not have veto power over laws or policies.

After the referendum, parliament will determine the structure and role of the Voice through legislation based on the design principles.

Q. How will the Voice work?

Details about how the Voice will operate will be determined by a process with First Nations peoples, the parliament and the broader public and put into legislation post-referendum.² This process is consistent with how other advisory bodies are established, such as the Parliamentary Joint Committee on Human Rights.³

Q. When will the referendum on the Voice be held?

The federal government has committed to hold a referendum on enshrining a First Nations Voice to parliament in the Constitution during its first term of office. The Voice Referendum will be heard between October and December 2023.⁴

Q. What will I be asked to vote on at the referendum?

The Australian people will be asked to vote “yes” or “no” at a referendum on the fundamental principle of enshrining a First Nations Voice in the constitution.⁵ The government’s proposed referendum question 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 of this alteration?”⁶ The final question is subject to parliament’s approval.

Following the referendum, specific details about how the Voice will operate will be set out in legislation. This is a process separate from achieving constitutional change.⁷ The Voice will not exist until legislation is enacted.

Q. What does a ‘constitutionally enshrined’ Voice mean?

Enshrining the Voice means protecting it by including it in the Australian Constitution. The Australian Constitution is the set of rules by which Australia is governed. The Constitution can only be changed by a referendum, which is a direct vote by the Australian people on a specific proposal. Once the Voice is included in the Constitution it cannot be abolished by government and it could only be removed through another referendum.⁸

Q. Why do we need constitutional change? Can’t we just introduce legislation to establish the Voice?

Changing the Constitution to include the First Nations Voice will protect it from being abolished by future governments without the consent of the Australian people. Several governments have set-up First Nations’ representative bodies over

² (2023) Fact sheet: How will an Aboriginal and Torres Strait Islander Voice work?

³ Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples (2018) *Interim Report*, https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Former_Committees/Constitutional_Recognition_2018


⁴ (2023) Information Booklet: Recognising Aboriginal and Torres Strait Islander peoples through a Voice, <https://voice.gov.au/resources/information-booklet-recognising-aboriginal-torres-strait-islander-peoples>

⁵ (2022) FAQs, Uluru Statement from the Heart, <https://ulurustatemdev.wpengine.com/education/faqs/>

⁶ (2023) Fact sheet: Referendum question and constitutional amendment, <https://voice.gov.au/resources/fact-sheet-referendum-question-and-constitutional-amendment>

⁷ (2023) Information Booklet: Recognising Aboriginal and Torres Strait Islander peoples through a Voice <https://voice.gov.au/resources/information-booklet-recognising-aboriginal-torres-strait-islander-peoples>

⁸ (2023) Information Booklet: Recognising Aboriginal and Torres Strait Islander peoples through a Voice <https://voice.gov.au/resources/information-booklet-recognising-aboriginal-torres-strait-islander-peoples>



recent decades that have then been dismantled by successive governments. Constant change cuts across progress and wastes resources that could be used to solve complex problems. Constitutional protection will mean the Voice is not vulnerable to political changes and can focus on more effective, long-term solutions.⁹

Q. Why do we need to establish a First Nations Voice? What will it achieve?

Establishing a Voice to Parliament will improve First Nations peoples' lives and create a more just and equitable nation. Empowering First Nations peoples to influence decisions made about them will make Australia's laws and policies more appropriate to their needs and aspirations. This will help us close the gap so that First Nations peoples have the same opportunities for health and wellbeing as non-Indigenous Australians.

Establishing a Voice is also an important step in acknowledging and addressing the wrongs and ongoing harms of colonisation. First Nations leaders have called for the establishment of the Voice as the first step in a three-stage process towards a fair and truthful relationship with the people of Australia. The Voice is a step towards reconciliation, providing constitutional recognition for First Nations peoples and upholding their right to have a say in decisions made about their own affairs.

Q. Aren't the views of First Nations peoples already represented by First Nations parliamentarians?

While some First Nations people have been directly elected to the parliament, they are elected to represent all their constituents, not just First Nations people.¹⁰ As a small proportion of the population (3%), First Nations people may struggle to have their views represented in the parliament.¹¹ The Voice will give First Nations peoples a say about specific laws or policies that parliament makes about them, while still respecting the authority of the parliament.¹²

Q. Aren't we better off investing in more services rather than creating more bureaucracy?

Establishing a Voice will mean spending on services and programs for First Nations peoples will deliver better outcomes because it will better reflect First Nations peoples' priorities and their ways of doing, knowing and being.

Pouring more money into services that do not work will not fix the problem. First Nations people continue to have lower socio-economic outcomes (including life expectancy, educational outcomes and employment) despite millions of dollars invested in initiatives to close the gap. First Nations people proposed a Voice to Parliament because they have seen too many failed programs, policies and laws imposed upon them by politicians and bureaucrats who don't understand their communities and what works for them.¹³

Q. Is the Voice what First Nations people want?

A First Nations Voice to Parliament was proposed in the Uluru Statement from the Heart after an extensive consultation process with First Nations leaders, communities and people. The Uluru Statement was developed by more than 250 First Nations delegates from all over Australia. It was the result of a series of deep and deliberative regional grassroots dialogues held across the country. It was the most proportionally significant consultation process of First Nations peoples in Australia's history.¹⁴

Nevertheless, it is important to recognise that there is no unified "First Nations view" of the Voice proposal or the Uluru Statement. First Nations peoples are diverse and have various opinions, including some who believe the Uluru Statement does not go far enough.¹⁵ These different views are part of a healthy democracy. A First Nations referendum engagement group is being established to raise awareness, understanding and support for the Voice within First Nations communities.

⁹ (2023) FAQs, Uluru Statement from the Heart, <https://ulurustatemdev.wpengine.com/education/faqs/>

¹⁰ (2023) FAQs, <https://yes23.com.au/faqs-about-the-referendum>

¹¹ Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples (2018) *Interim Report: Proposal for a First Nations Voice*, Canberra, https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Former_Committees/Constitutional_Recognition_2018

¹² (2023) FAQs, <https://yes23.com.au/faqs-about-the-referendum>

¹³ (2023) FAQs, <https://yes23.com.au/faqs-about-the-referendum>

¹⁴ (2022) *The Dialogues*, Uluru Statement from the Heart, <https://ulurustatemdev.wpengine.com/the-statement/the-dialogues/>

¹⁵ Korff J (2022 August 4) *Explainer: Uluru Statement from the Heart*, Creative Spirits, <https://www.creativespirits.info/aboriginalculture/selfdetermination/uluru-statement-from-the-heart>

Q. How have First Nations peoples been involved in the development of the Uluru Statement and Voice?

The Uluru Statement and the Voice to Parliament is the culmination of a long process of First Nations people seeking recognition. A short timeline of key developments leading to the Uluru Statement and Voice is below and a more detailed history is on the Uluru Statement website:¹⁶

- **1937** – William Cooper, Yorta Yorta Elder, petitions the King of England for Indigenous representation to Parliament. For over 150 years First Nations people have petitioned the Crown, successive Prime Ministers and the Australian Parliament for recognition and rights.
- **1995** – ATSIIC report to government includes recommendation for constitutional recognition.
- **2000** – Council for Aboriginal Reconciliation issued *Roadmap for Reconciliation* which includes aspirations for treaty and constitutional recognition.
- **2007** – Prime Minister John Howard announces intention to symbolically recognise First Nations people in new preamble to Constitution.
- **2010** – Prime Minister Julia Gillard establishes an expert panel to report possible options to enable Indigenous constitutional recognition.
- **2012** – Expert panel report identifies strong support for constitutional change.
- **2015** – Australian Government establishes Referendum Council to lead a constitutional recognition and reform dialogue with First Nations peoples.
- **2016 TO 2017** – Referendum Council conducts 13 regional dialogues with over 1,200 First Nations people.
- **2017** – Uluru Statement from the Heart delivered by dialogue leaders, signed by 250 First Nations representatives.
- **2018 TO 2022** – Joint Select Committee on Constitutional Recognition relating to Aboriginal

and Torres Strait Islander peoples examines Uluru Statement, and recommends Voice co-design process;¹⁷ National, Local and Regional Co-design groups established.

- **2021** – Indigenous Voice Co-design Process delivers Final Report to the Australian Government outlining First Nations Voice model.
- **2022** – Newly elected Government commits to implement Uluru Statement and Voice.

The timeline above shows that First Nations people have consistently sought constitutional recognition for many years. Prompted by this, the Australian Government has enabled a process to clarify what recognition means and to ask the Australian people by referendum whether they agree to change the Constitution.

Q. How did the Society make a decision to support the Voice?

The Society in NSW and nationally has a longstanding position of supporting reconciliation and constitutional recognition for Australia's First Nations peoples. The Society supports the Uluru Statement from the Heart and by extension the Voice to Parliament in line with our support for constitutional recognition and reconciliation.

The Society's position is outlined in our 2021 submission¹⁸ to the Australian Government's Indigenous co-design report and in National Council's 2022 Federal Election Statement, A Fairer Australia.¹⁹ These submissions were informed by recommendations from our respective Social Justice Advisory Committees at the state and national level.

The Society's State Council President, Board Chair, and CEO co-signed a copy of the Uluru Statement as part of Reconciliation Week 2022.

The Society's position aligns with the views of the **National Aboriginal and Torres Strait Islander Catholic Council**²⁰ and the **Australian Catholic Bishops Council**.²¹

¹⁶ <https://ulurustatement.org/the-statement/history/>

¹⁷ A co-design process is one that involves using lived experience and professional expertise to identify or create an outcome or a product. <https://www.ncoss.org.au/wp-content/uploads/2017/06/Codesign-principles.pdf>

¹⁸ https://cms.vinnies.org.au/media/uool21qu/submission_to_indigenous_voice_co-design_interim_report.pdf?path=uool21qu%2Fsubmission_to_indigenous_voice_co-design_interim_report.pdf

¹⁹ <https://www.vinnies.org.au/advocacy/a-fairer-australia-2022-federal-election>

²⁰ https://www.natsicc.org.au/assets/final_draft_uluru_statement.pdf

²¹ <https://socialjustice.catholic.org.au/2022/10/19/uluru-statement-from-the-heart/>