



**MULTICULTURAL
AUSTRALIA**

it's who we are

**Inquiry into the Aboriginal and Torres Strait
Islander Voice Referendum**

2023

21 April 2023

Committee Secretary

Joint Select Committee on the Aboriginal and Torres Strait Islander Voice Referendum

PO Box 6201

Canberra ACT 2600

By email: jscvr@aph.gov.au

Dear Committee Secretary,

Re: Inquiry into the Aboriginal and Torres Strait Islander Voice Referendum

Multicultural Australia welcomes the convening of this Inquiry into the Aboriginal and Torres Strait Islander Voice Referendum and thanks the Committee for the opportunity to provide a submission on the *Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill* (Bill). We respectfully acknowledge the significant work by Indigenous people and communities that has led to this opportunity and express our gratitude for their strength, courage, and patience. We strongly support passage of the Bill in its current form.


Multicultural Australia exists to create a welcoming and inclusive community for all new arrivals to Queensland. As a major settlement provider for migrants and refugees in metropolitan and regional Queensland, we have been welcoming refugees, people seeking asylum, international students and other new arrivals since 1997. We work closely with diverse multicultural communities in Queensland, from new and emerging communities to more established communities, as well as with many Aboriginal and Torres Strait Islander clients through our role as a provider of the ParentsNext Program. We have a deep commitment to supporting the creation of a welcoming and inclusive culture where everyone feels valued and has a voice and to working towards equality and eliminating racial discrimination, superiority, and hatred.

Multicultural Australia acknowledges the power and significance of the Uluru Statement from the Heart and stands in full solidarity with First Nations Australians on the path towards constitutional recognition.

Multicultural Australia's submission has been endorsed by Community Leaders and emerging Community Leaders from different multicultural communities. This endorsement reflects the powerful support from multicultural communities for inclusion of First Nations' Voice in the Constitution.

Please do not hesitate to contact Rose Dash, Multicultural Australia's Chief Client Officer, on 0448 085 531 or rosed@mcaus.org.au for further information.

Yours sincerely,



Christine Castley
CEO, Multicultural Australia

We have consulted with the following individuals, and they all support the *Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill*:

Habib Jamal - Chair Community Leader Gathering
Dr Jishu Das Gupta - Bangladesh Community
Sanlwin Y Shwe - Australian Karen Organisation (Qld)
Nouralhuda Akhlaki - Future Leader Advisory Group
Bakary Charles Ismaila Fall - Future Leader Advisory Group
Anam Hussaini - Future Leader Advisory Group
Amok Dhuol - Future Leader Advisory Group
Anita Yousofi - Future Leader Advisory Group
Fardowsa Mohamed Yussuf - Future Leader Advisory Group
Sher Shah Bayat - Future Leader Advisory Group
Darcy Ngabire - Future Leader Advisory Group
Rahim Mahammadi - Future Leader Advisory Group
Eric Twishime - Future Leader Advisory Group
Sonam Youtso - Future Leader Advisory Group

Introduction

Since 1998, Multicultural Australia has worked to advance multiculturalism in Australia and build communities where everyone belongs. Multicultural Australia has welcomed tens of thousands of individuals from refugee, asylum seeker, international student, and migrant backgrounds in Queensland, with the goal of creating a more equitable and prosperous society.

Multicultural Australia helps new Queenslanders settle into their new lives, build connections in their communities, find work and study opportunities, learn new skills, and feel at home. Multicultural Australia also works with individuals, communities, business, and government to contribute to building a more welcoming and prosperous Queensland through advocacy, cultural training, and community events and targeted programs to support inclusion in the community and the workplace. These initiatives serve to bring people together, foster understanding, and recognise the valuable contribution that new arrivals and migrants make to Queensland.

Multicultural Australia provides a range of settlement services for new Queenslanders, including migrants, refugees, and asylum seekers, to provide them with the support and services they need to settle into their new home. As a provider of the ParentsNext Program, we also work with many Aboriginal and Torres Strait Islander clients.

We centre our work around the lived experiences of the clients and communities we serve. To ensure our authenticity in this regard, we have established several mechanisms, including:

- **Client Voice Reference Group:** This group was established in 2020, as a mechanism for persons with lived experience as a refugee or migrant to act as Advisors to our case managers, employment advisors, housing workers and others, and provide consultation and input into the design and delivery of our services and community development work. The Terms of Reference for the group specify that it is to include a diverse cross-section of ten to twelve representatives of the communities we support.
- **Multicultural Australia's Future Leaders Advocacy Group (FLAG):** This is a group of young leaders who advocate for young peoples' voices in their communities. It was established in 2019 to promote and support young leaders from diverse backgrounds and give them opportunities to build their professional capacity. The FLAG is group of driven young leaders who offer valuable insight and advice, representing diverse communities and meeting regularly to discuss issues impacting diverse youth in Queensland, including their social and

economic participation, mental health, and human rights. The FLAG provides members with connections with key stakeholders and community members, to advocate for their communities needs and make new networks and connections.

- **Community Leaders' Gatherings (CLG):** This is a forum of leaders and representatives from new and emerging communities in Southeast Queensland that meets regularly to discuss issues of concern and address challenges in their settlement in Australia. The CLG provides a forum for community leaders to network, and as a mechanism for information dissemination, consultation, and advocacy. It is a space for community representatives to undertake joint work on activities to further the settlement of their community members.

Multicultural Australia acknowledges the particular significance of the right to self-determination for Aboriginal and Torres Strait Islander peoples and supports enshrining a First Nations Voice in the Constitution, to empower a body of First Nations people to give expert advice to Parliament about the laws made about them, through the mechanism chosen by them. We consider this an important and meaningful reform that is integral to the creation of a welcoming and inclusive culture in Australia where everyone feels valued and has a voice.

The proposed Reforms

The *Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill (Bill)* proposes to alter the Constitution by the addition of a new Chapter IX, with s 129 drafted in the following terms:

Aboriginal and Torres Strait Islander Voice

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

- there shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;*
- 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;*
- 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 the composition, functions, powers and procedures.*

Below, we briefly address the key parts of the proposed reforms.

Introductory statement

Multicultural Australia welcomes the inclusion of the introductory words to the Chapter, which appropriately recognise Aboriginal and Torres Strait Islander peoples' status as the First Peoples of Australia. We consider this introduction important for three main reasons:

1. Communicating the purpose of the additions to the Constitution;
2. Providing explicit recognition of Aboriginal and Torres Strait Islander peoples in the Constitution; and
3. Affirming the status of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia.

Establishment of the Voice

Multicultural Australia supports the establishment of the Voice, as proposed by s 129(i). This is an important reform that responds to the generous invitation made to the Australian people by the Uluru Statement from the Heart. It will, in part, realise the commitment Australia has made as a member of the United Nations' Human Rights Council to adopt the Uluru Statement from the Heart in full, and to commit to improving the rights of Indigenous Australians. It is a vital and overdue reform.

The function and powers of the Voice

Multicultural Australia supports the proposed framing of the function and powers of the Voice in s 129(ii). We note that the proposed reforms do not empower the Voice to compel Parliament or the Executive Government to take action, or to refrain from taking action, nor does it mandate consultation with the Voice before taking action. Rather the function and powers are modest, appropriate and in the spirit of collaborative consultation. The reforms will mean that the Australian Government is provided with direct, detailed information and insight by a body of First Nations representatives about issues impacting First Nations communities.

The powers of Parliament

The proposed reforms in s 129(iii) vest Parliament with power to make laws with respect to matters relating to the Voice, including its composition, functions, powers, and procedures. This is consistent with the other powers conferred on Parliament by the Constitution and is a reasonable and appropriate reform.

Conclusion

Multicultural Australia acknowledges that these provisions have been developed with extensive, expert input from Indigenous leaders, and give effect to the invitation to the Australian people by Indigenous Australians to hear the voices of Indigenous Australians and to walk together to build a better future. We also acknowledge that the reforms are strongly supported by Indigenous Australians and have also been supported by legal experts and scholars with expertise in constitutional law.

As a member of the United Nations' Human Rights Council, Australia has committed to adopt the Uluru Statement from the Heart in full, and to commit to improving the rights of Indigenous Australians. These modest reforms are an important step on that journey and the reforms are fully and unequivocally supported by Multicultural Australia and by a diversity of the communities with which we work.