

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

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I am an Aboriginal person who has worked in Aboriginal affairs all my adult life and have had the opportunity to develop a nationwide network of Aboriginal people through the roles I have held including with the Commonwealth government.

I am Warraimaay from the midnorth coast of NSW on my mother's side and my paternal grandmother, a woman of colour, was born in Tasmania.

I am a highly trained historian, having been awarded an undergraduate honours degree and a PhD. I am consciously working within Aboriginal cultural understandings of the role and value of history in the present. I have become an expert on transnational Indigenous history, politics and philosophies and I enjoy a strong national network of community-based Aboriginal philosophers as well as a transnational network of Indigenous scholars. My research is notable for a strong grounding in Aboriginal philosophical traditions.

I have had a significant career in Aboriginal education and health policy and program development at the Commonwealth level, having worked on the development of the National Indigenous Education Policy. I was the inaugural Indigenous Liaison Officer with the Office of the Commonwealth Ombudsman, the inaugural Director of Substance Misuse initiatives within ATSIC, and I also returned to my home country to manage the Aboriginal Medical Service for five years. At that time I became a political candidate for the House of Representatives with the Labor party and achieved one of the highest swings in the nation (1998). I am now politically non-aligned.

My research and publications focus on activism, decolonisation, slavery and the impacts of the Anthropocene. I am invited to publish articles in the Aboriginal and mainstream press. I have recently written for the Australian newspaper on the phenomenon of Indigenous identity fraud and issues to do with the proposed Voice to Parliament. Notable is a recent collaboration with Nyunggai Warren Mundine on a series of articles based on a critical analysis of the Calma Langton Report.

I am currently editing a volume on transnational Indigenous identity fraud in collaboration with Indigenous editors from the USA, Canada and Finland due to be published early 2024.

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My position on the proposal for an Aboriginal and Torres Strait Islander Voice to be enshrined in a new Chapter IX of the Constitution as outlined in *A Bill for an Act to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice* is that I see no merit in it for the Aboriginal people of Australia, nor for the Australian community as a whole.

I oppose this Bill and submit to the Joint Select Committee that the Bill should be withdrawn or, if not withdrawn, that the members of the Australian Parliament should vote against this Bill because:

1. The proposed new Chapter IX of the Constitution **does not recognise** Australia's First Nations. It is as if we do not exist and this is potentially structurally genocidal because it wipes out First Nations from recognition;
2. The Voice **will not – and cannot - represent** Australia's first nations for the reason given at point 1, thus there is no sound cultural principle for its structure, therefore it has no strong basis for success;
3. The Voice will **threaten and undermine** Australia's First Nations and traditional owner autonomy over their own lands and waters and cause huge conflicts between Aboriginal groups;
4. The pressing problem of **widespread Indigenous identity fraud** is being ignored when it threatens to undermine everything in Aboriginal affairs, including any new initiatives under a Voice. This is the most genocidal activity in Australian society today and it is extremely serious – the elephant in the room;
5. There has **not been sufficient fact-finding about the issues that prevent success in Aboriginal policy and programs**, there is actually no iteration of these issues in the Calma Langton Report. This means that there is no clear explanation of the role of governments in addressing these (unknown) issues, including the proposed new arm of government, the Voice. A good model for fact finding and consultation is the Canadian Royal Commission into Aboriginal Peoples. This has provided a baseline of researched outcomes, including the testimony of potentially every Native person in Canada, for the rolling out of programs that are specially designed for individual communities. The present model for the Voice is not cognisant of the differences that exist between Aboriginal nations but rather homogenises us.
6. This proposal does not take into account the 50 – 70,000 **Australian South Sea Islander (ASSI) people who are arguably socially a part of the Indigenous community, also interrelated, but still kept as a group apart, racially and politically**. This is very hard to comprehend given that some of the principal players for the YES vote are ASSI themselves (another elephant in the room). Apart from being patently unfair, when the proposal includes three members of the Voice for Torres Strait Islanders, this outsider status is currently the basis of misunderstandings and huge conflicts and violence at community level. The Australian government, when considering a Voice to Parliament needs to recognise the enslavement and colonisation of the people of the Pacific, that has resulted in a distinct culturally unique group (recognised in 1994 by the Australian government) who are arguably a part of the Indigenous community in Australia. It is my contention that this needs to be discussed at length by the cultural leaders of First Nations groups in order to come to an agreement and understanding of how this is best handled. It cannot be ignored.
7. **I have critically analysed the Calma Langton Report and my assessment is that this is not a good model for decolonisation and in fact will be a huge burden**. It will produce chaos and confusion. It has already divided the Australian community on the basis of race with a huge amount of abuse. This is not our culture. It will place a huge burden on Aboriginal people who will be caught in a bureaucratic imposition upon them in their day to day lives and take them away from initiatives that could make a real difference to their communities. They will not be free but in a sense colonised over again. In summary the Voice proposition has every hallmark of being too rushed and ill-considered, it is not built out of First Nations leadership from community level, it is not cognisant of the cultural affiliations and how these play out, it ignores important issues such as identity fraud and it is not driven by Australia's First Nations leadership and cultural values. Elsewhere, I have

developed a case for the decolonisation of Australia that involves recognition of First Nation sovereignty over matters than concern them. However, I cannot support this flawed model.

I humbly submit that the Parliament reject any Constitutional amendments that will entrench Aboriginal and Torres Strait Islander people as one culturally and socially homogenous group of people who can be represented by a single, indivisible Voice chosen in such a way as to exclude the cultural pre-eminence of the First Nations of this continent.

I would be happy to appear before the committee at any time convenient. I cannot appear in person, but I can appear via video link (Teams or Zoom).