



03/07/18

**Re: Joint Select Committee on Constitutional Recognition relating to
Aboriginal and Torres Strait Islander Peoples**

We welcome the opportunity to make a submission in regards to the Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples.

The Kimberley Land Council and KRED Enterprises Aboriginal Charitable Trust are both organisations that are working hard to create social and economic benefits for Aboriginal people in the Kimberley.

We support the recommendations from the *Uluru Statement from the Heart*, including the establishment of a First Nations Voice enshrined in the Constitution and a Makarrata Commission to supervise a process of agreement-making between governments and First Nations, and truth-telling about our history.

The First Nations Voice should be in the form of a national body, or 'voice group' that advocates for Aboriginal people but is not subject to the popular politics of the time. This voice group needs to be resourced to function properly. It needs to be structured in a way that empowers hundreds of Aboriginal nations around Australia to settle their own treaty, sovereignty and nationhood issues.

The Voice must lead to economic advancement and improved social outcomes for Aboriginal people. It must be able to provide advice to improve on the policies, systems and structures that currently result in a continuation of the status quo for our people.

Currently, Prescribed Body Corporates manage native title and provide governance at a local-level. We envisage that one nominated representative from each sub-region would sit at a national level to consider policy that affects Indigenous Australians.

This voice group would not have the power to veto actions of the Parliament. However, any policy involving Indigenous Australians would need to be signed off by this voice group prior to being put to the Parliament.

In regards to the nominated representatives, there should be a provision for a youth council as part of this process, or at the very least, the opportunity to involve young

people in the processes and functions of the body. We see this as crucial to developing leadership in the next generation.

The historic Uluru Statement from the Heart also calls for a Makarrata Commission to oversee truth telling.

One of the biggest historical barriers to genuine reconciliation in Australia has been the avoidance of truth-telling. In other countries such as New Zealand, Canada and South Africa, holistic 'truth and reconciliation' settlement processes are pursued.

These processes not only pursue financial and land settlements, they also discuss memories and document historical truths. This enables the parties to move forward together with a greater sense of mutual resolution and understanding in relation to past experiences.

This is important for descendants of the coloniser and colonised, as well as for those who arrived well after the initial interactions played out. It is important for the healing and recovery of all parties, so that past conflicts can be resolved and relationships positively transformed.

In conclusion, constitutional recognition must be done right the first time. Once we have constitutional recognition, then we can establish a well-resourced statutory body to help drive and continue this process.

We recommend that a referendum puts a simple question to the Australian public on whether or not there should be a First Nations Voice enshrined in the Constitution.

Following this, Indigenous groups will develop a concept for what this voice looks like in legislation.

