

---

## Constructive steps towards creating Indigenous voice

### Editorial

---

- December 20, 2021

Ken Wyatt, Australia's first Indigenous federal cabinet minister and the first Aboriginal man to lead the federal ministry responsible for his people, is a pragmatist, which is proving an advantage on the long, slow road path towards creating an Indigenous advisory voice to the government and parliament.

For too long, Mr Wyatt said last week, government had "done things to Indigenous Australians, not with them". For that reason, he said, the government began working two years ago on a co-design for an Indigenous voice in partnership with Aborigines and Torres Strait Islanders to determine how best they could be heard in Canberra and involved in the decision-making that affected their lives.

Mr Wyatt would have liked to legislate for an Indigenous voice before the coming election but that timing proved impossible. The Morrison cabinet's decision to begin building an Indigenous voice from the ground up by forming 35 regional and local groups that will be linked to a national body to provide non-binding advice to government and parliament has been well received by stakeholders. After a long stop-start process, that is encouraging progress.

Indigenous campaigners such as From the Heart director Dean Parkin see hope in the government's approach, which was adopted from the final voice report overseen by Marcia Langton and Tom Calma. The report was written with input from 9400 organisations and people during a four-month consultation in the first half of last year. "The emphasis is right and so is the instinct to prioritise community voices, the voices on the ground," Mr Parkin said last week. "What we will see is those community voices saying they need the national structure to be developed concurrently with the local and regional arrangements."

The Langton-Calma report prudently did not comment on how the voice should be protected, either in legislation alone or in the Constitution. But it noted an overwhelming number of people who attended public meetings and wrote submissions about the voice during the consultation wanted it to have a constitutional shield. That will be a decision for whichever major party forms government after next year's election and ultimately voters if a constitutional amendment is put to a referendum.

Lawyer Mark Leibler, who co-chaired the expert panel and the Referendum Council on Constitutional Recognition of Aboriginal and Torres Strait Islander Australians, is a strong supporter of constitutional recognition.

But as Indigenous affairs correspondent Paige Taylor writes on Tuesday, Mr Leibler is pleased with the state of play. The co-designed process overseen by Professor Langton

and Professor Calma, he says, “has landed us in the best of all possible worlds”. The referendum door remains open.

The formation of 35 local and regional voice groups as a foundation for a national voice that ultimately will provide non-binding advice to government and parliament offers important advantages. Unlike the locally based Aboriginal and Torres Strait Islander Commission structure that was abolished in 2005 amid financial problems and mismanagement, the 35 local groups would not have a financial or service delivery role.

But being closer to local communities, especially in remote areas, than any national or government body could be, their input would be invaluable in designing policy and services to improve the serious health, education, welfare, justice and employment concerns afflicting too many Indigenous people, leading to unacceptable incarceration rates and causing too many children to be separated from their families. Such input should improve not only federal policy but also the policies and services provided by state, territory and local authorities.