



# Anglican Church of Australia

## Public Affairs Commission

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### **SUBMISSION ON THE INDIGENOUS VOICE CO-DESIGN INTERIM REPORT 2021**

1. This submission is made on behalf of the Public Affairs Commission (PAC) of the Anglican Church of Australia. The PAC is a body set up, amongst other matters, to respond to aspects of public affairs as referred by the Primate, Standing Committee or General Synod of the ACA or initiated by the PAC.

The views expressed in this submission are only the views of the PAC and should not be taken to reflect the opinion of the ACA, the Primate, the Standing Committee or any of the Dioceses. However, some of the information set out below includes resolutions of the General Synod of the Anglican Church of Australia which is the primary policy-making body of the Anglican Church of Australia and usually meets every three or four years.

2. The PAC supports the principles of a National Voice and Local and Regional Voices as described in the Interim Report. It is vital that we seriously listen to and are guided by the Voices of First Nations Peoples, which, as the wonderful Uluru Statement notes, will be a gift to the country. However, the details of the design of the Voices and the processes and timing to establish these are best left to First Nations people and organisations to comment on from the perspectives of their cultures and structures and what they believe are the best means of achieving self-determination.
3. A key point that the PAC, as a member of the wider community, wishes to make in this submission is that the First Nations Voice structures need to have the status of being entrenched in the Australian Constitution. The type of constitutional Voice proposed will not be a third chamber of Parliament but a call for genuine consultation and listening. It has been described as a modest proposal, a sign of the practical and generous approach of the National Constitutional Convention which produced the Uluru Statement.
4. In the light of the sad history of dispossession and damage suffered by First Nations Peoples, there needs to finally be a means of including First Nations at the heart of our foundational document, which is their rightful entitlement. This can work as a clear sign of real change in the self-understanding of our nation that can embrace the truth of our history. It needs to be entrenched in the constitution so it can be of lasting significance and not able to be overridden by successive governments.
5. A constitutional Voice, while vitally important, must, however, not be seen as an end in itself. The Uluru Statement also called for a process of truth-telling and for a Makarrata and coming together. A Treaty or treaties are still part of the unfinished business. A constitutional Voice First Nations Voice or Voices will be a significant first step and sign of goodwill.

### Resolutions passed in favour of constitutional recognition and entrenchment of the First Nations Voice

6. The PAC and the General Synod of the Anglican Church have long supported the constitutional recognition of First Nations people. For example, back in July 2014, the following resolution was passed by the General Synod:

**R54/14 Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples**

That this Synod:

- 1 welcomes the commitment by the Commonwealth Government to promote the constitutional recognition of Aboriginal and Torres Strait Islander Peoples and to seek a multi-party approach to such constitutional reform;
  - 2 supports the principles of reforming the Australian Constitution to recognise Aboriginal and Torres Strait Islander Peoples and to remove provisions allowing governments to discriminate adversely against people on the grounds of race;
  - 3 commends the dioceses and church organisations who have produced information and study guides, such as those found at <http://www.perth.anglican.org/visible-and-valued> and <http://www.anglicanchurchsq.org.au> (at Social Responsibilities Committee page); and
  - 4 encourages all Anglicans to study and engage with the issues concerning constitutional recognition.
7. In early September 2017, the General Synod passed the following resolution following the Uluru Statement:

**R28/17 - First Nations' Voice**

The General Synod:

1. Supports the recommendation of the Referendum Council for a constitutionally-entrenched First Nations' Voice to the Commonwealth Parliament;
2. Encourages the governments in Australia to seek to negotiate in good faith with First Nations' Peoples towards treaties or other similar forms of agreement;
3. Requests the General Secretary to convey this resolution to the Prime Minister, State Premiers, and Leaders of the Opposition;
4. Requests the Public Affairs Commission in consultation with NATSIAC to prepare resources, including summaries and theological reflections for use by Anglican parishes, schools and organisations, on the Referendum Council Report, on any subsequent referendum questions and on the progress of treaty or similar negotiations.

A very similar resolution was passed by the Perth Anglican Synod in early October 2017.

8. Following the Federal Government's initial disappointing response to the recommendation of a constitutionally-entrenched First Nations Voice as called for in the Uluru Statement, the Adelaide Anglican Synod in October 2017 passed the following resolution:

"That this Synod expresses its disappointment that the Federal Government has rejected the proposal by the 'Reconciliation Council' of a 'National Indigenous

Representative Assembly – A First Nations Voice' to be enshrined in the Australian Constitution and encourages the Federal Government to reconsider its position.”

9. Most important are the resolutions from the National Aboriginal and Torres Strait Islander Anglican Council (NATSIAC), the peak organisation for Anglican Aboriginal and Torres Strait Islanders. These have also called for a constitutional Voice. At its 2015 Gathering, NATSIAC resolved:

“NATSIAC supports the campaign for Constitutional Recognition of Aboriginal and Torres Strait Islander peoples as the first peoples of this nation. We strongly endorse the removal of the discriminatory sections of the Constitution and the addition, after appropriate consultation, of any other section that will further strengthen the culture, values and standing of Aboriginal & Torres Strait Islander peoples, holding them as equals and acknowledging the contribution they make to this nation.

We would anticipate this Constitutional change would be the beginning of a dialogue between the First Peoples of Australia and the Government regarding Sovereignty and Treaty.”

10. At its 2016 Gathering, NATSIAC resolved:

“NATSIAC recommends that the way forward is for the church to support the Constitutional Recognition of Aboriginal and Torres Strait Islander peoples, as outlined in our official motion of support. Any Constitutional change however must be more than mere tokenism and have real and genuine effect in terms of removing discriminatory language and providing a positive outcome for our nation’s First Peoples. Fundamental is the need for genuine consultation with Aboriginal and Torres Strait Islander peoples. It is NATSIAC’s position also that the Church also supports the move toward Treaty, with recognition seen as a first step on that journey.”

11. At its 2019 Gathering, NATSIAC resolved:

“That this NATSIAC re-affirms the Statement from the Heart and calls on the Australian Government for constitutional recognition and a treaty between the First Nations Peoples of Australia and the Federal Government. This agreement will recognise the First Nation Peoples’ history and prior occupation of this land, as well as the injustices many have endured and enshrine an Aboriginal and Torres Strait Islander Voice to Parliament in the constitution. The contents of this motion were forwarded to the Prime Minister of Australia and the Federal Minister for Aboriginal Affairs by the NATSIAC Secretary.”

## Conclusion

12. Our national identity is sadly diminished and deluded if Aboriginal and Torres Strait Islanders are not acknowledged and valued as having a unique place in Australia’s history as the original owners, custodians and stewards of these lands and waters, and as having an essential, special and lasting part to play in its present and future.
13. Our approach seeks to reflect the principles outlined in Joint Statement of Commitment and Affirmation of Faith and Justice with Aboriginal and Torres Strait Islanders resolved by General Synod in 2007. This included the following commitments:

*We, together through this shared commitment continue to seek to heal the wounds, hurts and sufferings of the Aboriginal and Torres Strait Islander peoples of Australia.”*

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*As peoples of Christ's we are bound into a relationship that seeks to be the foundation of mutual trust, respect, and the sharing of power and resources to create a just and righteous Church and nation of Australia. Through this commitment our own homes, communities, parishes, dioceses and national organisations are to be sanctuaries where we will strive to live out to the fullest the tenets of this our shared faith.”*

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*and we invite all who call Australia their home to join with us as we continue the process of healing our peoples and this land and seas.”*

Our approach to the issues of Constitutional reform in relation to Aboriginal and Torres Strait Islander Peoples seeks to give effect to this call to recognition, trust, respect and healing.

14. Judging by the resolutions of the General Synod, which is made up of representatives, both lay and clergy, from dioceses across Australia and the ease with which the resolutions above were passed, there seems to be a broad consensus in the Anglican Church in favour of the First Nations Voice or Voices to be included in the Australian Constitution. There have been parish and other groups around the country studying and worshipping with resources offered by the Anglican Board of Mission and other church groups on the Uluru Statement or on constitutional recognition. This indicates a growing level of grassroots knowledge and support for the Uluru Statement, the First Nations Voice/Voices and the constitutional change called for. We urge the government to invest in promoting the cause of a referendum for constitutional change in order to continue to build support within the wider community.
15. It is also vital that this constitutional change should occur alongside negotiating and entering into treaties with First Nations Peoples and of enabling and listening to the process of truth-telling of the history of this land. We have a great opportunity to set a new and more just course for the nation and we cannot afford to go once more down the way of further destructive rejection.

Yours faithfully,



Dr Carolyn Tan  
Chair of the Public Affairs Commission  
22 April 2021