

11 August 2021



The Hon Scott Morrison MP  
Prime Minister  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600  
Submitted online

Dear Prime Minister

### **A First Nations Voice to Parliament in our Constitution**

I write on behalf of the Public Interest Advocacy Centre (PIAC) to urge you to hold a referendum to ensure the Voice to Parliament is enshrined in the Australian Constitution.

PIAC is a leading social justice law and policy centre. We work with people and communities who are marginalised and facing disadvantage to address injustice and inequality. We are strong supporters of the *Uluru Statement from the Heart*.

We are deeply concerned by the Government's plans to legislate for a First Nations Voice.

You will be aware that one of the Statement's three pillars is a 'call for the establishment of a First Nations Voice enshrined in the Constitution.'

Constitutional enshrinement is essential. It will ensure the Voice is genuinely independent from Government and therefore best able to advocate for the interests of First Nations peoples. It will also provide the Voice with stability and significant protection from the changing fortunes of politics.

Holding a referendum will also provide the Voice to Parliament with legitimacy, because a successful vote will mean all Australians are involved in its establishment.

A "legislate first" approach is misconceived. Lacking the certainty, legitimacy and authority of a constitutionally-enshrined Voice to Parliament, a legislated voice would not provide a legitimate test of the efficacy a constitutionally enshrined Voice to Parliament.

Opting to legislate for a Voice does not keep faith with the invitation of the Uluru Statement.

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Failing to listen to the clear and carefully crafted call from First Nations people in this context would be deeply ironic. More substantively, it risks undermining the push for Constitutional recognition and squandering this once-in-a-generation opportunity for real reform.

Public opinion polls demonstrate substantial support for a constitutionally-enshrined Voice, with the 2020 *Australian Reconciliation Barometer* indicating that 81% of the general community believe a Voice should be protected within the constitution.

We urge you to take advantage of this moment of great possibility and hold a referendum to ensure the Voice to Parliament is enshrined in the Australian Constitution.

Yours faithfully,

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Cc:                   The Hon Ken Wyatt AM, MP  
                          Minister for Indigenous Australians

                          Senator the Hon Michaelia Cash  
                          Attorney-General