

NATIONAL INDIGENOUS AUSTRALIANS AGENCY

MEETING/EVENT BRIEF

T

To: Minister for Indigenous Australians

FIRST MEETING WITH REFERENDUM WORKING GROUP

Purpose: To convene the first meeting of the Referendum Working Group

Meeting Date: Friday, 9 September 2022

Meeting Time: 10:00 – 14:30

Venue: Cabinet Room, Parliament House, Canberra, and virtual attendees.

Attendees:

The Hon Anthony Albanese MP, Prime Minister

The Hon Mark Dreyfus QC MP, Attorney-General

The Hon Linda Burney MP, Minister for Indigenous Australians

Senator the Hon Malarndirri McCarthy, Assistant Minister for Indigenous Australians

Senator Patrick Dodson, Special Envoy

Members of the Referendum Working Group (see [Attachment B](#))

Purpose:

(Agenda is at [Attachment A](#))

- The first meeting of the Referendum Working Group (the Group) commences your formal engagement with First Nations leaders on matters related to enshrinement of an Aboriginal and Torres Strait Islander Voice (Voice) in the Constitution.
- It is important to encourage consensus on key components of the referendum and promote collaboration amongst the Group.

Our Objectives:

(Annotated Agenda is at [Attachment B](#))

- Explain the purpose of the Group and ensure members understand their role.
- Seek broad endorsement of the Voice model.
- Seek endorsement of the Prime Minister's proposed draft amendment as the basis for discussion and refinement.
- Seek support for a civics and education campaign.
- Provide members an opportunity to share views on the path to a referendum.
- Seek agreement to the forward meeting plan for the Group, including consideration of the approach to the referendum question and pamphlet at the next meeting, and considering detail of the Voice to be made public ahead of the referendum.

Their Objectives:

(Biographies are at [Attachment C](#))

- Engage with Government on the process to enshrine a Voice in the Constitution.
- Provide their views on the path forward for a referendum and the information on the Voice necessary to be in the public domain ahead of the referendum.

Key Points:

- The Group's Terms of Reference ([Attachment D](#)) identify the following matters as in scope for advice from the Group:
 - Timing to conduct a successful referendum;

- The proposed constitutional amendment and question required for a successful referendum; and
- The information on the Voice necessary for a successful referendum.
- The meeting will commence with introductory remarks from you and the Special Envoy, followed by an opening statement from the Prime Minister.
- The Prime Minister will reinforce the Government's commitment to the referendum and call for a unified 'yes' campaign.
- Group members will then be given the opportunity to raise their key concerns and/or strategic issues.

s 47C

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- As at 8 September, 17 of 21 members of the First Nations Working group had confirmed their attendance. s 47F(1)

Sensitivities:

s 47C

Julie-Ann Guivarra
Group Manager
Empowerment & Recognition
8 September 2022

Contact Officer: Simon Gordon
Branch Manager, Constitutional
Recognition
s 22(1)(a)(ii)
Consultation: Voice Branch

NOTED:

Date:

ATTACHMENTS

ATTACHMENT A TALKING POINTS

Each talking point should be short and concise, factually based, and addressing a single issue.

ATTACHMENT B BIOGRAPHIES

Follow the template at attachment B for biographies. Each biography should be limited to half a page.

ATTACHMENT C FURTHER INFORMATION

Include any other information that is considered relevant to the meeting eg: maps, meeting invitation, and presentation material available.

NATIONAL INDIGENOUS AUSTRALIANS AGENCY

Maximum of half a pager per biography

Insert photo here	Name:
	Position:
	Organisation:
	Phone Number:

Biography:

Insert photo here	Name:
	Position:
	Organisation:
	Phone Number:

Biography:



- An Annotated Agenda and Talking Points is at Attachment B.
- Group members will be given the opportunity to raise their key concerns and/or strategic issues.

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s 47C



- As at 6 September, 17 of 21 members of the First Nations Working group had confirmed their attendance. s 47F(1)


- NIAA staff will be available to support you on the day.

s 47C



Julie-Ann Guivarra
Group Manager
Empowerment & Recognition
September 2022

Simon Gordon
Branch Manager, Constitutional
Recognition
Consultation: tba

NOTED:

Date:

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National Indigenous Australians Agency (NIAA)

ATTACHMENTS

ATTACHMENT B MEMBERS OF THE REFERENDUM WORKING GROUP

ATTACHMENT C ANNOTATED AGENDA AND TALKING POINTS

ATTACHMENT C BIOGRAPHIES AND HIGH LEVEL VIEWS OF ATTENDEES

ATTACHMENT D REFERENDUM ADVISORY GROUP TERMS OF REFERENCE

ATTACHMENT E POSSIBLE QUESTIONS AND ANSWERS

ATTACHMENT F DRAFT COMMUNIQUE

ANNOTATED AGENDA

Referendum Working Group, Friday 9 September 2022

Photo opportunity with Prime Minister

10.00 – 10.05am

Agenda Item 1 – Acknowledgement of Country

10.05-10.10am

Assistant Minister for Indigenous Australians

Agenda Item 2 – Introduction and welcome

10.10 – 10.20am

Minister for Indigenous Australians:

- Key progress to date (slide)
- Purpose of the group – those here have been advocates for a constitutionally enshrined Voice to Parliament, in one way or another
- We want you to guide us through this process
- The decision to hold a referendum for a constitutionally enshrined voice to Parliament has been made – this is now about implementation
- The working group will partner with Government to finalise the important elements of the referendum proposal. The terms of reference include:

- The timing and conduct of a successful referendum

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- The proposed constitutional amendment and question required for a successful referendum

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- The information on the Voice necessary for a successful referendum

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- The Engagement Group will more closely consider how to build broad public consensus. You are all invited to this.
- I hope this group can work by consensus – moving forward in good faith to change the country for the better.

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Agenda Item 3 – Prime Minister’s Opening Statement

10.20 – 10.30am

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PM leaves at 10:30am

Agenda Item 4 – Introductions

10.30 – 11.30am

Short statement from each participant about what they hope to get out of the next steps (2.5 minutes each)

Summary of themes by Minister for Indigenous Australians and Special Envoy – identify where the issues will be addressed in the agenda.

Agenda Item 5 – Referendum context

11.30 – 12.00p

Minister for Indigenous Australians/Special Envoy

NIAA research presentation

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Agenda Item 6 – How much detail is needed for a successful referendum?

Minister for Indigenous Australians/Special Envoy

12.00 – 12.30pm

- One of the main tasks for this group moving forward will be to find agreement on the parameters of a voice that should be set down before a referendum.

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Light Lunch

12.30 – 1.00pm

Agenda Item 7 – Progressing the question and amendment

Attorney-General

12.50 – 1.00pm

■ s 47C [REDACTED]

■ [REDACTED]

■ [REDACTED]
[REDACTED]

s 42, 47C [REDACTED]

■ [REDACTED]
[REDACTED]

■ s 47C [REDACTED]

■ [REDACTED]
[REDACTED]

Civics awareness and education campaign (outcome: support for a civics and education campaign)

s 47C

[REDACTED]

Yes/no campaign

- Currently, the Referendum Act restricts spending on the presentation of arguments in favour or against the referendum proposition once the constitutional amendment bill is introduced.

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- Overview of proposed amendment (slide)
 - Discussion
 - Path forward (**outcome**: establishment of constitution expert group to refine the amendment put forward by the PM)
 - Constitutional expert group will meet with the Working Group

Agenda Item 8 - Coming-up: Engagement Group

Minister for Indigenous Australians

13.45-14.00pm

s 47C



Agenda Item 9 - Processes and close

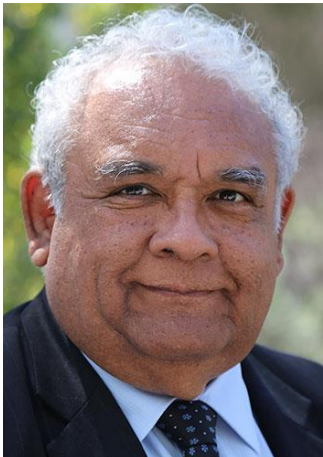


Minister for Indigenous Australians




14.00-1430pm

- s 47C [redacted]
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- [redacted]
- [redacted]

- Thanks and close.



CLOSE by 14:30pm




<p>Professor Tom Calma AO</p> 	<p>Professor Tom Calma AO is of Kungarakana and Iwaidja heritage from the Darwin region, and was Co-Chair of the Indigenous Voice Co-design groups. Mr Calma is currently the Co-Chair of Reconciliation Australia, Chancellor of the University of Canberra, a Professor at the University of Sydney, and the National Coordinator for Tackling Indigenous Smoking. Mr Calma has served as Race Discrimination Commissioner (2004-2009) and Aboriginal and Torres Strait Islander Social Justice Commissioner (2004-2010). He was a senior diplomat (1995-2002), senior advisor to the Minister of Immigration, Multicultural and Indigenous Affairs, and awarded an Order of Australia in 2012 in recognition of his advocacy, work in human rights and social justice and distinguished service to the Indigenous community.</p>	<ul style="list-style-type: none"> • s 47F(1) [REDACTED]
<p>Professor Megan Davis</p> 	<p>Professor Megan Davis is a Cobble Cobble woman from South-East Queensland and of South-Sea Islander descent (Vanuatu), who was one of the architects of the Uluru Statement from the Heart, leading the Uluru dialogues for the Referendum Council from 2015 to 2017. She is a constitutional and human rights lawyer and professor of Law, and Pro Vice-Chancellor Indigenous at UNSW and co-chair of Uluru Dialogues. Ms Davis has served as an Acting Commissioner of the NSW Land and Environment Court since 2010, and is a serving expert member of the United Nations Permanent Forum on Indigenous Issues with the portfolios of Gender & Women, Administration of Justice, UNAIDS and UN Women.</p> <p>Ms Davis participated in the UN Working Group on Indigenous Populations, which contributed to the development of norms in the UN Declaration on the Rights of Indigenous Peoples. She also previously served as an expert member of the UN Expert Mechanism on the Rights of Indigenous People.</p>	<ul style="list-style-type: none"> ■ s 47F(1) [REDACTED] ■ [REDACTED] • [REDACTED]
<p>Mr Rodney Dillon</p> 	<p>Mr Rodney Dillon is a Palawa Elder from Tasmania. He is the founder and Chair of the Tasmanian Regional Aboriginal Community Alliance, the Chair of the Aboriginal Heritage Council, and an Indigenous Rights Activist at Amnesty International Australia. Mr Dillon was the former Tasmanian Aboriginal and Torres Strait Islander Commission (ATSIC) Commissioner.</p>	<ul style="list-style-type: none"> ■ s 47F(1) [REDACTED] • [REDACTED]




<p>Mr Sean Gordon</p> 	<p>Mr Sean Gordon is a Wangkumarra and Barkindji man, who is a strong advocate of self-determination for Indigenous communities, and for social, cultural, and economic empowerment. Mr Gordon is Chair of Uphold and Recognise, the Managing Director and owner of the Gingee Group, Councillor at University of Newcastle, and CEO of Awabakal Enterprise Ltd. He also resides on numerous Corporate Indigenous Advisory Boards including Commonwealth Bank and Woolworths, and used to serve as the CEO of Darkinjung Local Aboriginal Land Council in NSW for nine years.</p>	<p>■ s 47F(1) [REDACTED]</p> <p>• [REDACTED]</p>
<p>Dr Jackie Huggins AM FAHA</p> 	<p>Dr Jackie Huggins AM FAHA is a member of the Bidjara and Birri Gubba Juru peoples, and known internationally for her work as an author, historian and activist. Dr Huggins is the Co-Chair of both the QLD Treaty Advancement Committee, and the National Apology Foundation. Dr Huggins' previous roles include Co-Chair of; Reconciliation Australia, the Council for Aboriginal Reconciliation, and the National Congress of Australia's First Peoples. She was a participant in the 2017 Uluru statement from the Heart, became a Member of the Order of Australia in 2001 for services to the Indigenous community, and was elected a Fellow the Australian Academy of Humanities in 2007.</p>	<p>■ s 47F(1) [REDACTED]</p> <p>■ [REDACTED]</p>
<p>Professor Dr Marcia Langton AO</p> 	<p>Professor Dr Marcia Langton AO is a descendant of the Iman people and was born and raised in Queensland. She is an anthropologist, geographer, public intellectual, and was Co-Chair of the Indigenous Voice Co-design groups. Ms Langton was awarded the Doctor of Philosophy for her thesis on Aboriginal land tenure in eastern Cape York at Macquarie University in 2005. She was awarded the Honorary Doctor of Letters by the Australian National University in 2019 for her contribution to Indigenous Studies. Since 2000, Ms Langton has held the Foundation Chair of Australian Indigenous Studies at the University of Melbourne. She is a Fellow of the Academy of Social Sciences in Australia, a Fellow of Trinity College in Melbourne and an Honorary Fellow of Emmanuel College at The University of Queensland. She was appointed the first Associate Provost at the University of Melbourne in 2017 and was the first woman to hold the position of Chair of the AIATSIS Council (1992 – 1998). In 1993 Ms Langton was awarded a Member of the Order of Australia for her service as an anthropologist and advocate of Aboriginal Issues.</p>	<p>■ s 47F(1) [REDACTED]</p> <p>• [REDACTED]</p>

<p>Mr Thomas Mayor</p> 	<p>Mr Thomas Mayor is a Torres Strait Islander man born on Larrakia country in Darwin. Mr Mayor was a signatory to the 2017 Uluru Statement from the Heart, and is currently a proud member of the From the Heart Campaign, championing the referendum to enshrine the Indigenous Voice to Parliament in the Constitution.</p> <p>Mr Mayor became a union official for the Maritime Union of Australia. Mr Mayor is also an author, one of the first ever Torres Strait Islander authors to have a book published for the general trade.</p>	<p>s 47F(1)</p>
<p>Mr Tony McAvoy SC</p> 	<p>Mr Tony McAvoy SC is a Wirldi man from the central Queensland area around Clermont, and a native title holder in his grandmother's country around Thargomindah in southwest Queensland. Mr McAvoy is a barrister with a strong native title practice, and was appointed Australia's first Indigenous Senior Counsel in 2015. He is the Co-Senior Counsel assisting in Victoria's Yoorrook Justice Commission, and Acting Treaty Commissioner in the Northern Territory. Mr McAvoy's previous roles also include Acting Part-Time Commissioner of the NSW Land and Environment Court from 2011 to 2013, and the Co-Senior Counsel assisting the Don Dale Royal Commission from 2016 to 2017. In 2018 he was awarded the QUT Outstanding Alumnus Award.</p>	<p>s 47F(1)</p>
<p>Ms June Oscar AO</p> 	<p>Ms June Oscar AO is a proud Bunuba woman from the remote town of Fitzroy Crossing in Western Australia's Kimberley region. She is the Aboriginal and Torres Strait Islander Social Justice Commissioner since 2017. Ms Oscar is the recipient of the prestigious Desmond Tutu Reconciliation Fellowship in 2016, and was named the NAIDOC Person of the Year at the 2018 National NAIDOC Awards. Ms Oscar has also held a raft of past influential positions including Deputy Director of the Kimberley Land Council, chair of the Kimberley Language Resource Centre and the Kimberley Interpreting Service, and Chief Investigator with WA's Lililwan Project addressing FASD.</p>	<p>s 47F(1)</p>


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<p>Mr Napau Pedro Stephen</p> 	<p>Mr Napau Pedro Stephen is from Ugaramle (Stephen Island) in the eastern island group of the Torres Strait, and a descendent of the Magaram Clan of Mer Island. Mr Stephen is currently the Chair of the Torres Strait Regional Authority, residing on the board as the member for Port Kennedy. In 1994 Mr Stephen was the first Indigenous person elected as Mayor of the Torres Shire, and in 2016, he was the recipient of the Member of the Order of Australia award for significant service to local government in the Torres Shire.</p>	<p>s 47F(1)</p>
<p>Mr Marcus Stewart</p> 	<p>Mr Marcus Stewart is a Nira illim bulluk man and a Taungurung traditional owner from central Victoria. Mr Stewart was the CEO of the Federation of Victorian Traditional Owner Corporation. He was elected the Co-Chair of the First People's Assembly of Victoria in 2019 and has extensive experience strategic policy direction and design implementation through his senior roles in the Victorian State Government. Mr Stewart is also a member of the Indigenous Voice National Co-design group.</p>	<p>s 47F(1)</p>
<p>Ms Pat Turner AM</p> 	<p>Ms Pat Turner AM is the daughter of an Arrernte man and a Gurdanji woman. As CEO of the National Aboriginal Community Controlled Health Organisation, she is at the forefront of community efforts to Close the Gap in health outcomes for Aboriginal and Torres Strait Islander people. She has more than 40 years' experience in senior leadership positions in government, business and academia, including being the only Aboriginal woman and longest serving CEO of the Aboriginal and Torres Strait Islanders Commission, and was the inaugural CEO of NITV. Ms Turner is currently the Coalition of Peaks Convenor, Co-Chair of the Joint Council on Closing the Gap, and a member of the Indigenous Voice Co-design Senior Advisory Group. Ms Turner received a Member of the Order of Australia in 1990 for public service.</p>	<p>s 47F(1)</p>




<p>The Hon Ken Wyatt AM</p> 	<p>The Hon Ken Wyatt AM is a Noongar, Yamatji and Wongi man from Western Australia. From 2010 to 2022, Mr Wyatt was the Federal Member for Hasluck, making him the first Indigenous Australian member of the House of Representatives, and eventually the first Indigenous Minister of Indigenous Australians.</p> <p>He also held the position of Pro Chancellor of Edith Cowan University and was a member of the WA Equal Opportunity Commission Tribunal for ten years. Mr Wyatt's services to Aboriginal health were recognised in 1996 when he was made a Member of the Order of Australia. He also received the Centenary Medal in 2001.</p>	<p>s 47F(1)</p>
<p>Professor Peter Yu AM</p> 	<p>Professor Peter Yu AM is a Yawuru Man from Broome in the Kimberley region with over 35 years' experience in Indigenous development and advocacy at the state, national and international level. Mr Yu is a member of the Indigenous Voice Co-design Senior Advisory Group, and is Vice President (First Nations) at Australian National University.</p> <p>Mr Yu was the Executive Director of the Kimberley Land Council during the 1990s, a key negotiator in the landmark Yawuru native title agreement, former Deputy Chair of the Indigenous Land Corporation, Chair of the Western Australia Aboriginal Housing Board and is a Board Member of the North Australian Indigenous Land and Sea Management Alliance Ltd, Deputy Chair of the AFL Aboriginal Advisory Committee, and Deputy Chair of Broome Future Alliance Ltd.</p>	<p>s 47F(1)</p>
<p>Dr Galarrwuy Yunupingu AM</p> 	<p>Dr Galarrwuy Yunupingu AM is a prominent leader in the Australian Indigenous community, and has been involved in the fight for land rights throughout his career. Dr Yunupingu is the Chair of the Yothu Yindi Foundation and Gumatj Corporation. He chaired the Northern Land Council for 25 years from 1977 and was made a Member of the Order of Australia for his services to the Aboriginal community in 1985. In 2015, he was honoured by the University of Melbourne with an Honorary Doctor of Laws.</p> <p>Was a member of the Indigenous Voice Co-design Senior Advisory Group.</p>	<p>s 47F(1)</p>




REFERENDUM ENGAGEMENT GROUP		
Members	Member bios	High Level Voice Views
<p>Mr Thomas Amagula (Anindilyakwa Land Council)</p> 	<p>Mr Thomas Amagula is the Deputy Chair of the Anindilyakwa Land Council. Mr Amagula has a background working in Ranger services, youth development and juvenile diversion, sport coaching, repatriation of human remains and mining and rehabilitation of mine sites. Mr Amagula is currently Deputy Chairman of Miwatj Health and aims to establish a sustainable future for Groote Eylandt People.</p>	
<p>Mayor Ross Andrews (Australian Local Government Association)</p> 	<p>Mayor Ross Andrews is a proud Djungan and Yalanji man and Mayor of Yarrabah Aboriginal Shire Council. Mayor Andrews also sits on the Far North Queensland Regional Organisations of Council, is a director of the Wugu Nyambil Board, Chairperson of the Yarrabah Leaders Forum and former CEO of the Yarrabah Aboriginal Shire Council and Napranum Council.</p>	
<p>Mr Nathan Appo</p> 	<p>Mr Nathan Appo is a Mamu Man and Business Development Coordinator at Deadly Choices and coordinates National Licenses at the Institute for Urban Indigenous Health. Mr Appo is committed to improving the mental health of First Nations Australians and is ambassador for the Australian Movember campaign that focuses on mental health</p>	<p>s 47F(1)</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>




<p>Adjunct Professor Muriel Bamblett AO (Coalition of Peaks)</p> 	<p>PROTECTED</p> <p>Adjunct Professor Muriel Bamblett AO is a Yorta Yorta and Dja Dja Wurrung woman and CEO of the Victorian Aboriginal Child Care Agency. Professor Bamblett is also Chairperson of SNAICC and is currently active in over 30 advisory groups concerning First Nations communities.</p>	
<p>Ms Jennifer Beale</p> 	<p>Ms Jennifer Beale is a Gamillaroi woman and the CEO of Butucarbin Aboriginal Corporation.</p>	
<p>Adjunct Professor Jack Beetson</p> 	<p>Professor Jack Beetson is a Ngemba man from western New South Wales who is the Executive Director of the Literacy for Life Foundation and Beetson and Associates. He has held an Adjunct Professor appointment with the University of New England since 2009. Professor Beetson has provided policy advice to NSW Ministers of Aboriginal Affairs, Education, Health and Housing and to the Parliament Secretary since the 1980s. Professor Beetson has previously held CEO positions for several Local Aboriginal Land Councils and now Chairs the NSW Aboriginal Land Council Economic Development Advisory Committee. Professor Beetson is one of 12 people worldwide to have received a United Nations Unsung Hero Award.</p>	
<p>Mr Dameyon Bonson</p> 	<p>Mr Dameyon Bonson is a Mangarayi and Torres Strait Islander man and the Founder and Executive Officer (by proxy) of Black Rainbow, Australia's first and only national Indigenous LGBTQIA suicide prevention charity organisation, and YFRONTS. Mr Bonson has a background in health, Indigenous men's health and suicide prevention. Mr Bonson also runs Platymoose, a creative solutions agency. In 2016, Mr Bonson won the Dr Yunupingu Award for Human Rights.</p>	<p>s 47F(1)</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

<p>Professor Wendy Brabham</p> 	<p>Professor Wendy Brabham is a Wamba Wamba, Wergaia, Nyeri Nyeri and Dhudhuroa woman. She is Deputy Chair of Wathaurong, a Co-operative providing a range of health and community services and the largest employer of Aboriginal people within the Geelong region.</p>	
<p>Mr Paul Briggs OAM</p> 	<p>Mr Paul Briggs OAM is a Yorta Yorta man and the founding Chairman of the Victorian Aboriginal Community Controlled Health Organisation.</p> <p>Mr Briggs is currently co-chair of the AFL Indigenous Advisory Council. He is Empowered Communities leader, as member of the Goulburn Murray Regional Partnership. He is a member of the Victorian Aboriginal Treaty Working Group.</p>	
<p>Mr Gavin Brown</p> 	<p>Mr Gavin Brown is a Wiradjuri man and Co-CEO and Co-Owner of PwC's Indigenous Consulting (PIC) along with Ms Jodie Sizervoice to. Through PIC, Mr Brown works with government and community on programs of all sizes affecting First Nations people across sectors including education, child protection, health, economic development and justice.</p>	




<p>Mr Selwyn Button (The Lowitja Institute)</p> 	<p>Mr Selwyn Button is a Gungarri man and Chairperson of the Lowitja Institute. Mr Button has experience working towards an empowered and sustainable First Nations community controlled health sector in Queensland and is currently a partner for PwC's Indigenous Consulting.</p>	
<p>Mr Nick Cameron (Tasmanian Regional Aboriginal Communities Alliance)</p>	<p>Mr Nick Cameron is a Pairrebeene/Trawoolway man. In addition to serving on the Tasmanian Regional Aboriginal Communities Alliance, Mr Cameron is the Chairperson of the Melythina Warrana Aboriginal Corporation.</p>	
<p>Ms Shirleen Campbell</p> 	<p>Ms Shirleen Campbell is a Warlpiri, Anmatyerre, Luritja and Arrente woman and family and domestic violence activist. Ms Campbell is the Co-ordinator of the Tangentyere Women's Family Safety Group. Ms Campbell was selected as an NT Local Hero in the 2020 Australian of the Year Awards. She is also a Member of the Aboriginal and Torres Strait Islander Advisory Council on family, domestic and sexual violence</p>	<p>s 47F(1)</p>
<p>Councillor Danny Chapman (NSW Aboriginal Land Council)</p> 	<p>Councillor Danny Chapman is the Chairperson of the NSW Aboriginal Land Council. Cr Chapman is a Walbunga man with experience and knowledge of Native Title and Aboriginal Fishing rights. Cr Chapman has also served as Manager of NSW Native Title Services and has been involved in Aboriginal Affairs at State Government level.</p>	



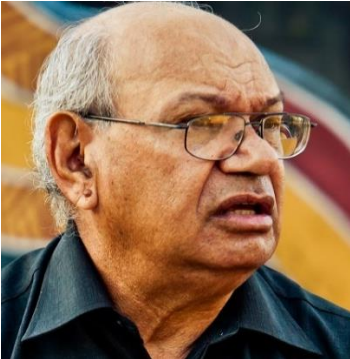

<p>Ms Fiona Cornforth</p> 	<p>Ms Fiona Cornforth is a Wuthathi descendant with family roots also in the Torres Strait Islands. She is the current CEO of the Healing Foundation, as well as a member of the Aboriginal and Torres Strait Islander Advisory Council on family, domestic and sexual violence.</p>	<p>■ s 47F(1)</p> <p>[Redacted]</p>
<p>Dr Josie Douglas</p> 	<p>Dr Douglas is a Wardaman woman who is the Executive Director of Policy at the Central Land Council and Board Director of Common Ground. Dr Douglas has worked in community controlled organisations and held senior research positions at the CSIRO and the Charles Darwin University. Dr Douglas was awarded the W.H. Stanner Award for PhD research on young people and intergenerational transmission and acquisition of ecological knowledge in 2017.</p>	<p>■ s 47F(1)</p> <p>[Redacted]</p> <p>■ [Redacted]</p>
<p>Ms Katrina Fanning PSM</p> 	<p>Ms Katrina Fanning PSM is a Wiradjuri woman. She is current Chair of the Australian Rugby League Indigenous Council and is a Board Member with Winnunga Nimmityjah Aboriginal Health and Community Services. She currently owns and is Managing Director of Coolamon Advisors, an Indigenous consulting firm based in Canberra. Ms Fanning is also a member of the Indigenous Voice National Co-design Group.</p>	<p>• [Redacted]</p>


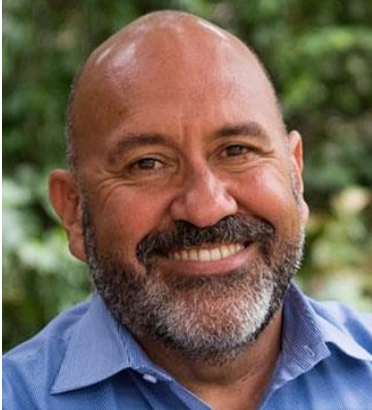

<div>Mr Tyronne Garstone (Kimberley Land Council)</div> <div></div>	<div>Mr Tyronne Garstone is a Bardi man and the CEO of the Kimberley Land Council. PROTECTED Garstone has experience with Jawun Indigenous Corporate Partnerships, Pluton Resources Limited and Kullarri Regional CDEP.</div>	
<div>Mr Mick Gooda</div> <div></div>	<div>Mr Mick Gooda is a descendent of the Gangulu people of Central Queensland, he has advocated and represented on behalf of Aboriginal people for over 25 years.</div> <div>Mr Gooda was a member of the Indigenous Voice Co-design Senior Advisory Group, and was the former Aboriginal and Torres Strait Islander Social Justice Commissioner.</div> <div>Hwas appointed to the Eminent Panel for the Queensland Pathway to Treaty discussions in 2019. He is also a Co-chair, Queensland First Children and Families Board.</div>	
<div>Mr Damian Griffis</div> <div></div>	<div>Mr Damian Griffis is a descendant of the Worimi people, CEO of the First People's Disability Network Australia, and a member of the Indigenous Voice National Co-design Group. A leading advocate for the human rights of Aboriginal and Torres Strait Islander Australians with a disability, Mr Griffis played an integral part in establishing the Aboriginal Disability Network in New South Wales and the national representative organisation the First Peoples Disability Network. Mr Griffis was awarded the Australian Human Rights Tony Fitzgerald (Community Individual) Memorial Award in 2014. Mr Griffis is currently a member of the First Nations Peoples Strategic Advisory Group, The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability</div>	<div><div><div></div><div>s 47F(1)</div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div></div>

<p>Ms Tanya Hosch</p> 	<p>Ms Tanya Hosch is the General Manager of Inclusion and Social Policy at the AFL and has a long and distinguished history in First Nations policy, advocacy and fundraising. Ms Hosch was previously the Joint Campaign director of the Recognise movement and was a member of the Referendum Council that led the process and final recommendation that led to the Uluru Statement from the Heart. Ms Hosch is also a member of NAB's Indigenous Advisory Group, member of the Foundation for Alcohol Research and Education, Board Director of Circus Oz and member of the Australian Film, Television and Radio School. Ms Hosch is also Council Member of the Australian National University, a member of BHP's Forum of Corporate Responsibility and a Goodwill Ambassador for the Rights of Indigenous Peoples for the United Nations Association of Australia. Ms Hosch was South Australia's 2021 Australian of the Year.</p>	<p>• s 47F(1)</p>
<p>Mr Paul House</p> 	<p>Mr Paul House is a Ngambri-Ngunnawal custodian. Mr House began his public service career in the Commonwealth Department of Aboriginal Affairs, and has since occupied various positions across both New South Wales and Commonwealth public sector agencies. He is also a member of the Indigenous Voice Local & Regional Co-design Group. Paul House was a former Labor member, but switched to the Liberal Party as a candidate in the 2018 ACT election.</p>	<p>s 47F(1)</p>
<p>Mr Gibson Farmer Illortaminni (Tiwi Land Council)</p> 	<p>Mr Gibson Farmer Illortaminni is a senior elder of the Mantiyupwi people and an early supporter of the formation of the Tiwi Land Council, of which he is now Chairman. Mr Illortaminni is a strong advocate for education and training and the creation of secure jobs on the Tiwi Islands. Mr Illortaminni has also been involved with the Milikapiti Community Local Government Council, the Tiwi Health Board and Great Southern Plantations Limited.</p>	<p>•</p>

[illegible]

<p>Dr Hannah McGlade</p> 	<p>Dr Hannah McGlade is a Bibbulman Noongar woman and the Senior Indigenous Research Fellow at Curtin University and Advisor to the Noongar Council for Family Safety and Wellbeing. Dr McGlade is also a member of the UN Permanent Forum for Indigenous Issues, Western Australia Mental Health Tribunal and the Medical Board of Australia. Dr McGlade has served on many tribunals, boards and committees and helped to establish the first ever service in Perth for First Nations victims of domestic violence.</p>	<p>■ s 47F(1)</p>
<p>Mr Wayne Miller</p> 	<p>Mr Wayne Miller is a descendant of the Wirangu people. He is the CEO of the Ceduna Aboriginal Corporation, and a member of the Indigenous Voice Local & Regional Co-design Group.</p> <p>Passionate about employment, education and economic development for Aboriginal people, he is a Member of the Housing South Australia Aboriginal Advisory Council, a former member of the South Australian Aboriginal Advisory Council and South Australian Corrections 10 by 20 Strategy Aboriginal Advisory Committee.</p>	<p>■ s 47F(1)</p>
<p>Mayor Phillemon Mosby (Australian Local Government Association)</p> 	<p>Mayor Phillemon Mosby serves as the Councillor for Poruma (Coconut Island) and also serves a number of groups and committees, including as Chair of the Porumalgal (Torres Strait Islanders) Corporation and Chair of the Torres Strait Local Disaster Management Group. Mayor Mosby focuses on action on global warming and protection from climate change, and the preservation of cultural practice, dance and traditional languages.</p>	<p>•</p>

<p>Mayor Matthew Ryan (Australian Local Government Association)</p> 	<p>PROTECTED</p> <p>Mayor Matthew Ryan is the Jongi for Benenbeni and community leader in Maningrida and believes in promoting First Nations rights. Mayor Ryan has experience with the Northern Territory Police, the Maningrida Ward, the Maningrida Council Incorporated, Bawinanga Aboriginal Corporation and the Northern Land Council</p>	<ul style="list-style-type: none">
<p>Mr Shane Sturgiss</p> 	<p>Mr Shane Sturgiss is an Aboriginal man with family originating from Gundungurra Land and CEO of the BlaQ Aboriginal Corporation, a NSW Peak Organisation looking after the support, wellbeing and mental health of the First Nations LGBTIQ+ community.</p>	<ul style="list-style-type: none">
<p>Mr Ian Trust AO</p> 	<p>Ian Trust is a Gija man and Chairman and Executive Director of the Wunan Foundation, a foundation aimed at achieving First Nations social and economic reform through education, housing and employment. Mr Trust is also a director of Indigenous Business Australia, the Indigenous Land Corporation and the Aarja Board, West Kimberley, and was formerly the ATSIC Commissioner (Kimberley).</p>	<p>s 47F(1)</p>
<p>Mr Lesley Turner (Central Land Council)</p> 	<p>Mr Lesley Turner joined the Central Land Council as CEO in 2021 and also has experience with the NSW Aboriginal Land Council.</p>	<ul style="list-style-type: none">

<p>Dr Tracy Westerman AM</p> 	<p>Dr Tracy Westerman AM is a proud Nyamal woman who has achieved international recognition for her work in First Nations mental health, cultural competency and suicide prevention. Dr Westerman was Western Australia's Australian of the Year for 2018 and is a widely sought after keynote speaker. Dr Westerman is also a board member of the Westerman Jilya Institute for Indigenous Mental Health and founder of Indigenous Psychological Services.</p>	<p>■ s 47F(1)</p>
<p>Mr Richard Weston</p> 	<p>Mr Richard Weston is a descendant of the Meriam people of the Torres Strait, is a member of the Indigenous Voice National Co-design Group, and has worked in Aboriginal and Torres Strait Islander affairs for more than 20 years. Mr Weston was appointed as the first Deputy Children's Guardian for Aboriginal Children and Young People in NSW at the NSW Government Office of the Children's Guardian. Previously, he was Chief Executive Officer for SNAICC, the national peak body for Aboriginal and Torres Strait Islander children, and the co-chair for Family Matters. For nine years, he held the position of CEO of The Healing Foundation leading the strategic development of the organisation. Previously, Richard led Indigenous-controlled health services in far west New South Wales and Queensland.</p>	<p>■ s 47F(1)</p>
<p>Mr Sammy Wilson</p> 	<p>Sammy Wilson is a Anangu Man, Custodian & Traditional Owner of Mutitjulu & former Chair of the Central Land Council. He is also the former Chair of the Uluru-Kata Tjuta National Park Board.</p>	<p>●</p>

Professor Scott Wilson
(Coalition of Peaks)



Mr Scott Wilson is the CEO of the Aboriginal Drug and Alcohol Council SA Aboriginal Corporation and the Lead Convener of the South Australian Community Controlled Organisation Network. Mr Wilson has experience in the areas of substance use, misuse and abuse.

■ s 47F(1) [Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Professor Asmi Wood



Professor Asmi Wood is a Torres Strait Islander man and a professor at the Australian National University whose research and publications focus on constitutional recognition of First Nations people in Australia and First Nations participation in higher education. Professor Wood’s research has been used by the Australian Parliament, both Committees and individuals, Government agencies, community organisations, schools and Indigenous groups, and he has presented several keynotes on issues such as recognition.

■ s 47F(1) [Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

10.30am – 2.00pm

ANNOTATED AGENDA

Minister for Indigenous Australians to lead

[Slide 3: Acknowledgement & welcome]

- Run through agenda **s 47C**

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■ 

Response	Percentage
Yes, it is a crisis	85%
No, it is not a crisis	15%

■ 

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2 Referendum preparation – 30 min

Minister for Indigenous Australians & Special Envoy to lead

[Slide 4: Referendum preparation]

Objectives:

- Ensure members are clear on:
 - Government and First Nations roles in the campaign, and
 - status of preparations for the yes campaign.

[Slide 5: Preparation – progress and roles]

Update on progress

- We have made a lot of progress on the pathway towards referendum. We want to share the key recent developments with you.
- The Government has committed \$59.1 million in the Budget over the next year to prepare for the referendum, including operational preparations by the AEC, legal advice, staff and stakeholder engagement.
- We have also committed \$5.8 million to work towards establishing an independent Makarrata Commission.
- We are close to finalising the proposed amendments to modernise the *Referendum (Machinery Provisions) Act* with a view to introducing to Parliament this year.

s 47C

- The Constitutional Expert Group has now been stood up. They will meet for the first time immediately following this meeting to begin formulating their advice to this group on the constitutional amendment.

Roles and responsibilities going forward

- The Government will support understanding of the referendum proposal and process amongst the broader Australian community. This means:
 - Engaging with stakeholders to help mobilise goodwill and provide information (e.g. business, local government)
 - Providing \$16.1 million over two years to the AEC to increase Indigenous electoral participation and enrolment

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- The Government will not provide funding for yes/no campaigns s 47C
[REDACTED]
- The Assistant Minister for Competition, Charities and Treasury has listed the Australians for Indigenous Constitutional Recognition organisation as a deductible gift recipient for donations made between July 2022 and June 2025.

- s 47C [REDACTED]

- s 47C [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- [REDACTED]

DISCUSSION

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3 Referendum (Machinery Provisions) Act 1984 – 30 min

Attorney-General lead

[Slide 6: Referendum (Machinery Provisions) Act]

Objectives:

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Paper: Modernising the Referendum process

[Slide 7: s 47C

s 47C

[Slide 8: Issue 1 – form of the question - constitutional requirements for question]

- Section 128 of the Constitution says how the Constitution can be altered. The *Referendum (Machinery Provisions) Act* sets out the detail of how can happen.
- Any amendments to the form of ballot paper under the *Referendum (Machinery Provisions) Act* must comply with the Constitution. Under the Constitution:

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s 42, 47C

2 Voters must be asked to 'approve' the proposed law.

- The constitutional requirements allow for options based on precedent or alternative formulations.
- **If asked:** The long title is the full title of a law that sets out in general terms the purpose of the law. The short title is the name for the Bill.

[Slide 9: Issue 1 – form of the question - options]

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[Slide 10: Issue 2 – official yes/no pamphlet]

- The focus of this item is to finalise the Working Group's advice to Government to suspend the requirement for a yes/no pamphlet in this referendum.
- The pamphlet for the 1999 referendum included the case for voting 'yes' and 'no' to the constitutional amendment on alternate pages. It ran to 38 pages, with 18 pages on the arguments for/against the republic, and 18 on the preamble.

[Slide 11: official yes/no pamphlet slide - options]

- The Prime Minister stated at the informal meeting on 9 September that the Government would not fund a yes or no campaign for the Voice referendum.
- However, the *Referendum (Machinery Provisions) Act* currently requires publication of a pamphlet setting out the arguments for and against the constitutional change. The parliamentarians who vote for and against the constitution alteration bill approve these arguments.
- The options for dealing with the pamphlet are set out in the slide.

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- The consequence of suspending the requirement for the pamphlet will be that no official yes/no pamphlet is prepared or distributed for this referendum, electronically or in paper form.

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[Slide 12: Impact of section 11(4)]

- Section 11(4) of the *Referendum (Machinery Provisions) Act 1984* currently restricts Commonwealth spending on arguments for or against the proposed constitutional amendment.
- It may apply once the constitution alteration bill is introduced into Parliament.
- It also limits the Government's ability to spend on:
 - 1 factual information about the arguments for and against the proposed constitution amendment, and
 - 2 engagement and awareness-raising activities. *(NB: the AEC's normal operations, including education and information programs on electoral and referendum matters are exempted from this restriction).*

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DISCUSSION

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4 Constitutional Expert Group – 30 min

Attorney-General to lead

[Slide 13: Constitutional Expert Group]

Objectives:

- Members agree Constitutional Expert Group terms of reference
- Members agree initial questions for the Expert Group

Papers: Constitutional Expert Group terms of reference & Possible questions for the Constitutional Expert Group

[Slide 14: Terms of reference – Constitutional Expert Group]

Overview of Expert Group

- The Constitutional Expert Group will convene for the first time this afternoon. Its role will be to support this Working Group.
 - 1 The Constitutional Expert Group is a resource that is available to you for advice and information on legal issues relating to the draft amendment suggested by the Prime Minister at Garma.
 - 2 Including 2 members from this Working Group (Professor Megan Davis and Mr Noel Pearson) and 1 member from the Engagement Group (Professor Asmi Wood), the Constitutional Expert Group consists of some of Australia's most eminent lawyers and constitutional law academics.
 - 3 Their advice is intended to assist you throughout your deliberations. So it will be tasked and guided by you to ensure it's providing the advice that you want.

Terms of reference

- The Expert Group's role is described in the draft terms of reference.
 - 1 Draft terms of reference were sent to members before this meeting.
 - 2 Do you approve the draft terms of reference?

DISCUSSION

How Expert Group and Working Group will work together

- The Expert Group is expected to meet 3 times before the end of the year, including the meeting this afternoon.
- The Expert Group and the Working Group will need to work together to settle the advice to Government regarding the constitutional amendment.

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- Do you have any comments on how the Expert Group and Working Group should work together? How do you think it would be best to receive the Expert Group's advice?

DISCUSSION

[Slide 15: Tasking – Constitutional Expert Group]

First Expert Group meeting – tasking

- The Expert Group meeting this afternoon will be an opportunity for its members to meet each other and discuss how the Group will work.
- It will also be an opportunity to task the Expert Group with some of the issues the Working Group would like it to consider.
- The starting point for the Expert Group is the draft amendment announced by the Prime Minister at Garma. The Expert Group should be asked for their views on this.

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s 47C, s 42

Next steps

- After its first meeting this afternoon, it is expected that the Constitutional Expert Group will next meet [in November].

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Break 15 minutes

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5 Emerging Themes in the public debate – working lunch – 40 min

Minister for Indigenous Australians, Attorney-General & Special Envoy to lead

[Slide 17: Emerging Themes in public debate intro]

Objectives:

- Hear from the group regarding what they are hearing on the ground and an appropriate approach to address public concerns.
- Lead into discussion regarding pre-referendum detail by identifying key concerns.

- We are interested in your views on community sentiment regarding the referendum and how to respond. What are people saying to you?

[Slide 18: Emerging themes in the public debate]

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DISCUSSION

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6 Pre-referendum detail – 45 min

Minister for Indigenous Australians & Special Envoy to lead

[Slide 19:Pre-referendum detail]

Objectives:

- An initial discussion on the level of detail required on the voice prior to the referendum and discussion of process and timing for finalising a voice.

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[Slide 22: Determining the Voice Model – Potential process and sequencing]

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[Slide 23: Questions for Working Group discussion]

s 47C

DISCUSSION

[Slide 24: Consideration of communique]

7 Wrap up and consideration of communique – 15 min

Minister for Indigenous Australians and Special Envoy to lead

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We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.

This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This

cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is *the torment of our powerlessness*.

We seek constitutional reforms to empower our people and take a *rightful place* in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: *the coming together after a struggle*. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.

ULURU STATEMENT FROM THE HEART

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WILSON, KUNJUTAJARA, YAMAGI, MAMU, ROY, LEE, STEPHEN, KIRSTEN, CHARMINE, RENES, TAMA, SAMMY, YANGKUNJUTAJARA, PITJANTJARA, MARUKU, ARTS BY ANNA

Referendum Working Group Meeting

Referendum on an Aboriginal and Torres Strait Islander Voice

28 October 2022

Acknowledgement and welcome

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

Referendum preparation

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

Referendum (Machinery Provisions) Act

Referendum on an Aboriginal and Torres Strait Islander Voice

Attorney-General the Hon Mark Dreyfus KC MP

We are seeking your advice on:

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Released under the FOI Act by the
National Indigenous Australians Agency (NIAA)

Issue 1:

Form of the question – constitutional requirement

- The Constitution has two minimum requirements for the question on the referendum ballot paper:

1

- **The question must include the title of the proposed law**

2

- **Voters must be asked to “approve” the proposed law**

s 47C

Issue 1: Form of the question – options

s 47C



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Issue 2: Official yes/no pamphlet



Extracts from 1999 official
yes/no pamphlet

The case for voting 'YES'

A PROPOSED LAW: To alter the Constitution to establish the Commonwealth of Australia as a republic with the Queen and Governor-General being replaced by a President appointed by a two-thirds majority of the members of the Commonwealth Parliament.

An Australian Republic - it's all about our future

Australia has evolved and matured as an independent nation.
All Australians should be proud of our country and committed to its values.
Our Head of State should be chosen on merit and not by the privilege of birth.
Every Australian child should be able to aspire to be our Head of State.
As it stands today, no Australian, no matter how talented they are or how hard they work will ever be Australia's Head of State.
The past has served us well, but as a vibrant growing nation it's time to move on.
Our pride and stature as a truly independent nation are a vital part of our national unity.
An Australian President will represent our uniquely Australian identity as we face the world into the future.

Becoming a Republic simply means having an Australian as Head of State instead of the Queen

It's time to have our own Head of State.
Britain and the British monarchy have served us well and will always be part of our history.
However, the British monarchy is no longer relevant to our daily lives as Australians.
Now we need someone who will proudly promote Australia and our interests - someone who is one of us.

We should stand on our own two feet

From our beginnings as an ancient land and a British colony, we have progressed and grown.
We now come from many backgrounds and nationalities - our Head of State should represent all Australians.
Only an Australian can do that.

continued overleaf

Please note: The content of this argument was authorised by a majority of those members of the Parliament who voted for the proposed law and desire to forward such an argument. The text has been printed and presented without amendment by the Electoral Commissioner.

The case for voting 'NO'

A PROPOSED LAW: To alter the Constitution to establish the Commonwealth of Australia as a republic with the Queen and Governor-General being replaced by a President appointed by a two-thirds majority of the members of the Commonwealth Parliament.

Vote 'NO' to the politicians' republic

This referendum is not just about whether Australia should become a republic. It is about the type of republic.

And the republic model being proposed is seriously flawed - it is untried, unworkable, undemocratic and elitist. The politicians will appoint the President, not the people. It removes the checks and balances from the current system.

Different people will be voting 'NO' for many different reasons:

Don't know? - Vote 'NO'

Those who don't know - should vote 'NO' - because that is the only safe way to go.

No say! - No way! - Vote 'NO'

Those who want to elect their President - should vote 'NO' - because under the proposed model, they will have no say in who their President will be.

A puppet for President! - Vote 'NO'

Those who want an appointed President - should vote 'NO' - because the proposed model is fatally flawed. The President will be a Prime Minister's puppet, subject to instant dismissal.

Keep the status quo! - Vote 'NO'

Those who value the certainty and stability of our current Constitution - should vote 'NO' - because any alternative has to be as good as or better than the current system. This proposal fails that fundamental test.

continued overleaf

Please note: The content of this argument was authorised by a majority of those members of Parliament who voted against the proposed law and desire to forward such an argument. The text has been printed and presented without amendment by the Electoral Commissioner.

Issue 2: Official yes/no pamphlet – options

s 47C



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Issue 3:

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Constitutional Expert Group

Referendum on an Aboriginal and Torres Strait Islander Voice

Attorney-General the Hon Mark Dreyfus KC MP

Terms of Reference

Referendum on an Aboriginal and Torres Strait Islander Voice

Attorney-General the Hon Mark Dreyfus KC MP

Starting point for Constitutional Expert Group Advice

The starting point is the Prime Minister's suggested draft amendment, announced at the Garma Festival:

- 1. There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice.*
- 2. The Aboriginal and Torres Strait Islander Voice may make representations to Parliament and the Executive Government on matters relating to Aboriginal and Torres Strait Islander Peoples.*
- 3. The Parliament shall, subject to this Constitution, have power to make laws with respect to the composition, functions, powers and procedures of the Aboriginal and Torres Strait Islander Voice.*

Constitutional Expert Group – potential issues

s 47C



- Are there any other questions that should be put to the Constitutional Expert Group?

Emerging themes in the public debate

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

*Special Envoy for Reconciliation and the Implementation of the
Uluru Statement from the Heart, Senator Patrick Dodson*

Questions for Working Group discussion

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Pre-referendum detail

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

*Special Envoy for Reconciliation and the Implementation of the
Uluru Statement from the Heart, Senator Patrick Dodson*

How much Voice detail pre-referendum will help the referendum succeed?

Spectrum of options

s 47C



Questions for Working Group discussion

s 47C



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National Indigenous Australians Agency (NIAA)

Consideration of Communiqué

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

*Special Envoy for Reconciliation and the Implementation of the
Uluru Statement from the Heart, Senator Patrick Dodson*

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ARTS BY ANNE

Referendum Working Group

Enshrining an Aboriginal and Torres Strait Islander Voice in the Constitution

FOR DISCUSSION PURPOSES ONLY

Regional Voices: Co-design report and work to date

On 28 October 2022, the Referendum Working Group (RWG) requested briefing on progress on implementation of regional voice arrangements. This paper provides an overview of progress to date, noting the approach is now being considered within the broader context of the Government's commitment to the Uluru Statement from the Heart.

Context

On 17 August 2022, the inaugural Indigenous Affairs Minister's Meeting (IAMM) was held. Ministers confirmed their collective support for an Aboriginal and Torres Strait Islander Voice enshrined in the Constitution and discussed steps for implementing arrangements at the regional level.

Indigenous Affairs Minister's Meeting

'The Ministers discussed some of the practical steps for implementing voice arrangements, including at a regional level, that would enable First Nations people to work in partnership with all levels of government to improve policies, programs and service delivery in their regions. This work will build on and align with existing and emerging arrangements currently supported by states, territories and the Commonwealth.' Communique – 17 Aug 2022.

While all governments (Commonwealth, States and Territories and Local) are progressing a range of initiatives to boost the involvement of First Nations citizens in decisions affecting them, s 47C

In addition to the key principles discussed by the Referendum Working Group on 29 September, other key features which have been identified in a range of processes, including through the Final Report of the Indigenous Voice Co-design process (the Report), were:

1. Full geographic coverage

- s 47C
-
-

2. Bring together all agencies and levels of government

- s 47C
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-

What was proposed under the Final Report of the Indigenous Voice Co-design process and how does it work?

The Final Report of the Indigenous Voice Co-design process (the Final Report) was completed in July 2021 and released in December 2021. The Final Report recommended an integrated approach to the Voice with two tiers. Its purpose was to

Referendum Working Group

enable Aboriginal and Torres Strait Islander people in every community to have a greater say in public policy, programs and service delivery affecting their lives through shared decision-making in partnership with all levels of government.

A Local and Regional Voice tier focussed on partnership and shared decision-making and a National Voice to provide advice to Government were a part of this integrated approach. These tiers were linked through members of the Local and Regional Voice being drawn upon to form the National Voice.

Functions under the proposed model include: community engagement, advice to governments and others, 'shared decision-making' with governments and engagement with a Voice to Parliament at national level (and state level where similar bodies exists).

The Report proposed regional voice arrangements would enable decision-making to occur as close as possible to the level of impact.

The Report proposed regional voice arrangements be established under a flexible principles-based framework intended to accommodate the diversity of communities. There would be a strong focus on capability support and resourcing to ensure communities are appropriately positioned to engage in shared decision-making with governments, and are set up for success from the start.

Non-government backbone structures would be resourced at the regional level to support and facilitate all aspects of regional voice work, including assisting local level groups and arrangements as needed. There remain significant gaps in capability support and resourcing for First Nations people to come together to partner with all levels of government on practical work at the local and regional level.

Regional voice arrangements would complement and strengthen collaboration under the National Agreement on Closing the Gap, by providing structured avenues for governments and Aboriginal and Torres Strait Islander communities to work together and deliver better targeted and informed policies, programs and services.

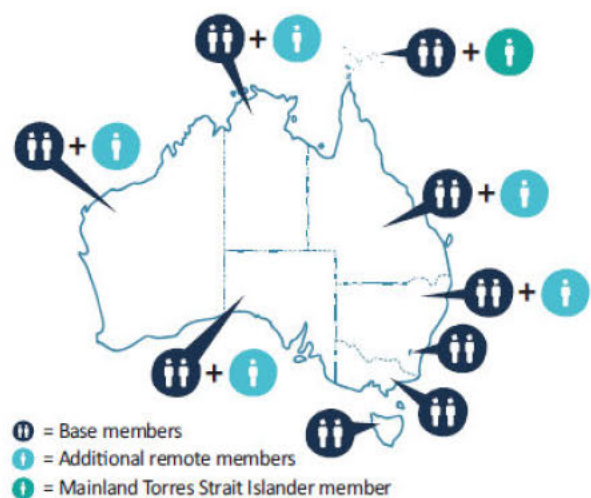


Connections between national and regional voice

The Final Report recommended an integrated system comprised of two parts – regional voice arrangements to enable partnerships and shared decision-making with governments, and a national voice to provide advice to the Australian Parliament and Government.

Under the proposed model, regional voice arrangements would support effective operation of the national voice by enabling a clear link to communities to ensure advice (and possibly membership) is grounded in the knowledge and authority of First Nations people and is representative of their diverse needs, aspirations and circumstances.

The Final Report recommended 24 members be drawn from regional voice structures across the country to make up the national voice.



Referendum Working Group

s 47C



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National Indigenous Australians Agency (NIAA)

Meeting 3, 16 November 2022

9.00am – 5:00pm

Sydney, Novotel Darling Harbour

ANNOTATED AGENDA

1 Acknowledgement of Country and welcome – 5 min

Minister for Indigenous Australians to lead

[Slide 3: Acknowledgement & welcome]

- Acknowledgement, welcome – thanks for travelling or for joining us online.
- Run through agenda – today:

- Item 2: We will hear an update s 47C [REDACTED]
- Item 3: s 47C [REDACTED]
- Item 5: s 47C [REDACTED]
- Item 7: s 47C [REDACTED]
- Item 8: s 47C [REDACTED]
- Item 9: We will consider a communique for today's meeting and discuss the proposed approach to the December meetings of the Working and Engagement Groups.

CONFIDENTIAL – NOT FOR FURTHER DISTRIBUTION

- By way of housekeeping, myself, Megan and Pat Anderson are speaking at the Fred Hollows CEO panel across the harbour so we will excuse ourselves at lunchtime and return for the update on Constitutional work.

2 Update from Voice supporters – 30 min

Minister for Indigenous Australians

[Slide 4: Update from Voice supporters]

s 47C

OPPORTUNITY FOR QUESTIONS/DISCUSSION

Ask members including those participating virtually if they have any questions or comments.

3 First Nations campaign organisation and strategy – 2 hours

[Slide 5: First Nations campaign organisation and strategy]

Update from Working Group members and discussion

s 47C

DISCUSSION

Ask members including those participating virtually if they have any questions or comments.

s 47C

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s 47C

DISCUSSION

Ask members including those participating virtually for their views.

4 Morning tea – 15 min

5 Referendum (Machinery Provisions) Act – 40 min

Attorney-General

[Slide 7: Referendum (Machinery Provisions) Act]

s 47C

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s 47C

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s 47C

[Redacted content]

s 42, 47C

[Redacted content]

s 47C

[Redacted content]

Ask members including those participating virtually if they have any questions or comments.

DISCUSSION

6 Lunch – 1 hour 15 min (12:30pm – 1:45pm)

Minister for Indigenous Australians, Megan Davis, Pat Anderson to leave for Fred Hollows CEO forum panel at Barangaroo from 1pm-1:40pm.

7 Constitutional work update – 35 min

Attorney-General and Senator Dodson

s 47C

[Redacted content]

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- [REDACTED]

DISCUSSION

Ask members including those participating virtually if they have any questions or comments.

- 8 Voice detail needed for a successful referendum – 2
hour 10 min [REDACTED]

Minister for Indigenous Australians & Special Envoy to lead

[Slide 13: s 47C

s 47C

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[Redacted content]

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S 47C

Government	Percentage
Current government	65%
Previous government	35%

Government	Percentage
Current government	85%
Previous government	15%

Variable	Variable	Variable
1. <i>Age</i>	2. <i>Gender</i>	3. <i>Marital status</i>
4. <i>Education</i>	5. <i>Income</i>	6. <i>Occupation</i>
7. <i>Health</i>	8. <i>Religion</i>	9. <i>Values</i>
10. <i>Attitudes</i>	11. <i>Beliefs</i>	12. <i>Opinions</i>
13. <i>Interests</i>	14. <i>Hobbies</i>	15. <i>Skills</i>
16. <i>Preferences</i>	17. <i>Needs</i>	18. <i>Wants</i>
19. <i>Goals</i>	20. <i>Values</i>	21. <i>Beliefs</i>
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34. <i>Hobbies</i>	35. <i>Skills</i>	36. <i>Preferences</i>
37. <i>Needs</i>	38. <i>Wants</i>	39. <i>Goals</i>
40. <i>Values</i>	41. <i>Beliefs</i>	42. <i>Opinions</i>
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169. <i>Goals</i>	170. <i>Values</i>	171. <i>Beliefs</i>
172. <i>Opinions</i>	173. <i>Interests</i>	174. <i>Hobbies</i>
175. <i>Skills</i>	176. <i>Preferences</i>	177. <i>Needs</i>
178. <i>Wants</i>	179. <i>Goals</i>	180. <i>Values</i>
181. <i>Beliefs</i>	182. <i>Opinions</i>	183. <i>Interests</i>
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187. <i>Needs</i>	188. <i>Wants</i>	189. <i>Goals</i>
190. <i>Values</i>	191. <i>Beliefs</i>	192. <i>Opinions</i>
193. <i>Interests</i>	194. <i>Hobbies</i>	195. <i>Skills</i>
196. <i>Preferences</i>	197. <i>Needs</i>	198. <i>Wants</i>
199. <i>Goals</i>	200. <i>Values</i>	201. <i>Beliefs</i>
202. <i>Opinions</i>	203. <i>Interests</i>	204. <i>Hobbies</i>
205. <i>Skills</i>	206. <i>Preferences</i>	207. <i>Needs</i>
208. <i>Wants</i>	209. <i>Goals</i>	210. <i>Values</i>
211. <i>Beliefs</i>	212. <i>Opinions</i>	213. <i>Interests</i>
214. <i>Hobbies</i>	215. <i>Skills</i>	216. <i>Preferences</i>
217. <i>Needs</i>	218. <i>Wants</i>	219. <i>Goals</i>
220. <i>Values</i>	221. <i>Beliefs</i>	222. <i>Opinions</i>

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[Slide 18: Questions for Working Group discussion]

s 47C

■ 

■ s 47C

- [redacted]
- [redacted]

[redacted]

- [redacted]
- [redacted]

- [group discussion]

DISCUSSION

Ask members including those participating virtually if they have any questions or comments.

9 Consideration of communique – 30 min

Minister for Indigenous Australians and the Special Envoy

[Slide 19: Consideration of Communique]

Discuss draft communique – distribute in the room and share on the screen.

- s 47C [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

Ask members including those participating virtually if they have any questions or comments.

[illegible]

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This

These dimensions of our crisis tell plainly the structural nature of our problem. This is *the torment of our powerlessness*.

We seek constitutional reforms to empower our people and take a *rightful place* in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: *the coming together after a struggle*. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.

[illegible]

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Referendum Working Group Meeting

Referendum on an Aboriginal and Torres Strait Islander Voice

16 November 2022

PROTECTED

Acknowledgement and welcome

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

Update from Voice supporters

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

First Nations campaign organisation and strategy

Referendum on an Aboriginal and Torres Strait Islander Voice

Update from Working Group members

Group discussion

[illegible]

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How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This

Wickamika
JANINE GERTZ
Quay Bosham
Nadine
CELEA WOODS
CAMILA DANNASO
Laravina, Nanyang,
Malak Melate
Tania McLEOD
MURRAY
Wendy
Myxoxox
MOTON
Leconce Thompson
Mamu
Red LITTLE
Mikela
Tangy, Margaret
Helen, Lee
Aurora
STEPHEN MAM
ST. PAULS TSI.
Alison
Karl Williams - Palawan
Uluu-kui Tukupua by Hap
Chr

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This

continued, in 2017 we seek to be heard. We leave
base camp and start our trek across this vast country. We invite
you to walk with us in a movement of the Australian people for
a better future.

[illegible]

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Referendum (Machinery Provisions) Act

Referendum on an Aboriginal and Torres Strait Islander Voice

Attorney-General the Hon Mark Dreyfus KC MP

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ULURU STATEMENT FROM THE HEART

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.

This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

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Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are aliened from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

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Brian Butler
Cheryl Axley
Doyle Radcliffe
Melissa Mihov
Tina Williams
Samiel Bush
Guugu Yimidjirr
Sammy Wilson
Yangkujatjarra
Pitjan Tjara
Maruku Arts by Anson

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Voice detail needed ^{s 47C}

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

*Special Envoy for Reconciliation and the Implementation of the Uluru
Statement from the Heart, Senator Patrick Dodson*

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Common principles for the Voice

Those principles identify the Voice as a body that:

- provides independent advice to the Parliament and Government
- is chosen by First Nations people based on the wishes of local communities
- is representative of Aboriginal and Torres Strait Islander communities
- is empowering, community led, inclusive, respectful, culturally informed and gender balanced, and includes youth
- is accountable and transparent
- works alongside existing organisations and traditional structures.

The Voice would:

- not have a program delivery function
- not have a veto power.

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Questions for Working Group discussion

s 47C

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Consideration of Communiqué

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

*Special Envoy for Reconciliation and the Implementation of the
Uluru Statement from the Heart, Senator Patrick Dodson*

[illegible]

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National Indigenous Australians Agency (NIAA)

Indigenous Affairs Ministers Meeting

AGENDA ITEM 3: Voice to Parliament – National, Regional and Local

Meeting: 6 December 2022

Recommendations

s 47C

Key issues

Details of model for Voice to Parliament

1. The Commonwealth has committed to consult, including with First Nations people, on the detail of the Aboriginal and Torres Strait Islander Voice. The Government has established three groups who will advise on how to take forward the enshrinement of an Aboriginal and Torres Strait Islander Voice in the Constitution.
2. The First Nations Referendum Working Group (RWG) is providing advice to Government on how best to ensure a successful referendum. This group has representatives from all jurisdictions, including Local Government representatives. The RWG is looking at matters such as timing, refining the proposed constitutional amendment and question, and information on the Voice necessary for a successful referendum.
3. The work of this Group informs the deliberations of a separate First Nations Referendum Engagement Group. The Engagement Group is providing advice about building community understanding, awareness and support for the referendum.
4. The Government has also established the Constitutional Expert Group to provide the RWG with legal support on key issues relating to the content and drafting of the constitutional amendment proposed by the Prime Minister in his address to the Garma Festival and the referendum more generally.
5. In their first meeting, the RWG discussed common principles for the Voice drawn from the work already done. Those principles identify the Voice as a body that:
 - provides independent advice to the Parliament and Government
 - is chosen by First Nations people based on the wishes of local communities
 - is representative of Aboriginal and Torres Strait Islander communities
 - is empowering, community led, inclusive, respectful, culturally informed and gender balanced, and includes youth
 - is accountable and transparent

- works alongside existing organisations and traditional structures.

The Voice would not have a program delivery function or a veto power.

s 47C

Bilateral Discussions

8. Following the 17 August 2022 Indigenous Affairs Ministers meeting, the NIAA has had discussions with all jurisdictions, and the Australian Local Government Association. The key purpose of the discussions has been to explore key issues for a collaborative approach to regional voice implementation specific to each jurisdiction, including in the broader voice, treaty, truth context.

s 47C

Status of regional voice arrangements

11. The Commonwealth is committed to progressing an approach to voice arrangements that builds on and aligns with existing and emerging arrangements currently supported by states, territories and the Commonwealth.
12. The approach set out in the Indigenous Voice Co-design Final Report is being considered by the Referendum Working Group alongside other significant work done over the past decade to progress the Voice.
13. The Voice Co-design report recommended an integrated system comprising of two parts – regional voice arrangements to enable partnerships and shared decision-making with governments, and a national voice to provide advice to the Australian Parliament and Government.
14. Under this approach regional voice arrangements would be designed by communities in each region guided by principles, building on existing initiatives that work well and subject to joint buy-in from governments.

Next Steps

s 47C

Consultation

16. The NIAA has consulted with officials from all states and territories and ALGA. State specific information detailed in the attached table has been reviewed and cleared by the relevant state officials.

Background

17. At the Indigenous Affairs Ministers meeting on 17 August 2022, Ministers confirmed their collective support for an Aboriginal and Torres Strait Islander Voice enshrined in the Constitution and discussed some of the steps for implementing voice arrangements, including at a regional level.
18. Implementation of regional voice arrangements to date has focused primarily on discussions between governments. This reflects the imperative for regional voice arrangements to include active participation of all levels of government to effectively achieve practical outcomes at the community level.

Covering email:

Hi s 22(1)(a)(ii)

Thanks for sending this through s 47C

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-
-

Thank you,

s 22(1)(a)(ii)
| Senior Adviser

Voice Policy and Legislation | Empowerment and Recognition Group

National Indigenous Australians Agency

p. s 22(1)(a)(ii) | m. s 22(1)(a)(ii)

e. s 22(1)(a)(ii)@niaa.gov.au | w. www.niaa.gov.au

Charles Perkins House, Woden ACT 2606 | PO Box 6500, Canberra ACT 2600

s 22(1)(a)(ii)



The National Indigenous Australians Agency acknowledges the traditional owners and custodians of country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and the elders past, present and emerging.

PROTECTED

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Meeting 4, 12 December 2022

1.00pm – 5:00pm

Canberra, Australian Parliament House

ANNOTATED AGENDA

Lunch served at 12:30pm for meeting start at 1:00pm

1 Acknowledgement of Country and welcome – 5 min

Minister for Indigenous Australians/Assistant Minister for Indigenous Australians to lead

[Slide 2: Acknowledgement & welcome]

- Acknowledgement, welcome – thanks for travelling or for joining us online.
- Run through agenda – today:
 - Item 2: The Attorney-General will provide an update on the *Referendum (Machinery Provisions) Amendment Bill* that was introduced to the Parliament on 1 December.
 - Item 3 will be a discussion on the constitutional amendment, and we have Justice Kenneth Hayne and Professor Greg Craven from the Experts Group here.
 - Item 4 will provide an opportunity to continue our discussion on the pathway to the Voice.
 - Item 5: We will review the campaign work to date and coordination opportunities.
 - Item 6: Ahead of our meeting tomorrow, we will discuss how to bring the Engagement Group on board with campaign efforts.
 - Item 7: Finally we will consider the communique for this meeting.
- There may some photos taken today for social media and newsletters – please advise if you would prefer not to have your photo published

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2 Update on Referendum (Machinery Provisions) Amendment Bill 2022 – 15 min

Attorney-General

[Slide 4: Referendum (Machinery Provisions) Amendment Bill 2022]

Objectives:

- Update group on progress on the Referendum Act amendments

s 47C

[Slide 4: Referendum (Machinery Provisions) Amendment Bill 2022]

- On 1 December 2022, the Government introduced the *Referendum (Machinery Provisions) Amendment Bill 2022* into Parliament.
- The Bill makes amendments to bring the Referendum Act into line with electoral legislation to support a referendum that is consistent with the public's experience of recent federal elections.
- The Government has referred this Bill to the Joint Standing Committee on Electoral Matters (JSCEM) for report by 10 February 2023.
- The Government will consider any JSCEM recommendations prior to passage of a final bill.

Reforms to referendum campaign financing (financial disclosure)

- The Bill will establish a simplified financial disclosure regime for referendums, aligned with existing disclosure thresholds in the Electoral Act.
- The Bill will require an individual or entity that spends over the disclosure threshold (currently \$15,200) to report to the AEC all expenditure and donations received in the six-month period prior to the issue of the writ for the referendum by the Governor-General, and continuing up until referendum voting day.
- These individuals and entities are referred to as 'referendum entities' in the Bill.
- Donors will also have to disclose details of donations above the disclosure threshold to referendum entities.
- Both referendum entity and donor returns must be provided to the Australian Electoral Commission 15 weeks after the referendum voting day, and will be published on the Commission's Transparency Register. This is consistent with timeframes for election returns under the Electoral Act.

- Individuals and organisations meeting the new definition of ‘referendum entity’ will be prohibited from receiving donations from foreign sources – the same requirement as for federal elections.
- This will apply to all referendums going forward, not just the Voice referendum.
- The Australian Electoral Commission publishes guides to support people and organisations to complete their returns.

Enabling public education campaigns

- The Bill temporarily suspends section 11 of the Referendum Act.
- s 47C [REDACTED]
- The suspension will last until the end of the polling day at the next general election, which means that future Parliaments may consider this issue as appropriate for future referendums.

Suspension of the referendum pamphlet

- The Bill temporarily suspends the requirement for an ‘official pamphlet’, which in the past contained text authorised by Parliamentarians and was posted to all households in Australia.
- s 47C [REDACTED]
- Nothing in the Bill prevents Parliamentarians publishing their own referendum material in full and in the format of their individual choosing.
- Modern technology allows parliamentarians to express their views to voters directly and regularly through a wide variety of sources, such as television, email, and social media, that did not exist when the pamphlet was legislated in 1912.
- The suspension is temporary so that future Parliaments may consider this issue as appropriate for future referendums.

Further consultation on the Bill

- The Government has referred this Bill to JSCem for report by 10 February 2023.
- JSCem is accepting written submissions on the Bill until this Thursday, 15 December 2022. You are able to provide a submission if you wish.
- The Government will consider any JSCem recommendations prior to passage of a final bill.
- As is usual practice after an election, JSCem is also conducting an inquiry into the 2022 Federal Election. This is due to report in September 2023.

- That inquiry will consider and report on the potential for 'truth in political advertising' laws and reforms to political donation laws, because of the importance of multi-partisan cooperation in these matters.
- It is common practice for Governments to consider broader reforms to electoral and referendum laws in parallel. The Government will consider any JSCM recommendations follow its inquiry into the 2022 election.

Open the room for questions

3 Report back from Constitutional Expert Group (1 hour and 15 minutes)

Kenneth Hayne, Greg Craven, Attorney-General

[Slide 5: Update on work of the Constitutional Expert Group]

Objectives:

- Provide update on the work of the Constitutional Expert Group (Expert Group)
- Seek agreement to include summary of advice in the communique
- Ask Working Group members if they have further questions for the Expert Group

Paper

- Advice of the Expert Group on the original 5 questions

HANDLING NOTE

The Constitutional Expert Group met on 6 December s 47C

- [REDACTED]
- [REDACTED]

[Slide 6: Constitutional Expert Group – first tranche of questions]

- Following its 6 December 2022 meeting, s 47C [REDACTED]
- In essence, the Constitutional Expert Group advised that the draft amendment is constitutionally sound in providing a strong basis on which to conduct further consultation.

s 47C

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DISCUSSION

[Slide 7: s 47C

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

PROTECTED

s 42, 47C

s 47C

Afternoon tea – 15 minutes, 2.35 – 2.50pm

4 Voice – 1 hour and 10 minutes

Minister Burney/Senator Dodson

[Slide 8: Voice]

s 47C



[Slide 8: Voice]

- At our last meeting, s 47C [redacted]
[redacted]
[redacted]
- [redacted]
[redacted]
[redacted]
- [redacted]
[redacted]

[Slide 9: Process to determining a Voice model]

- s 47C [redacted]
[redacted]
- [redacted]
[redacted]
- [redacted]

s 47C

- [redacted]
- [redacted]

[redacted]

[Slide 10: s 47C

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- [Slide 11: s 47C

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5 Engagement Group meeting planning (35 minutes)

[Slide 12]

s 47C

- s 47C
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6 Other business – 15 minutes

[Slide 13: Consideration of Communique]

7 Consideration of communique – 10 min

Minister for Indigenous Australians and the Special Envoy

[Slide 14: Consideration of Communique]

Discuss draft communique – distribute in the room and share on the screen.

A key element of the draft communique is the summary of advice on the first tranche of questions referred to the Constitutional Expert Group

Ask members including those participating virtually if they have any questions or comments.

Referendum Working Group

Referendum on an Aboriginal and Torres Strait Islander Voice

12 December 2022

Acknowledgement and welcome

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

Update on the *Referendum (Machinery Provisions) Amendment Bill 2022*

Referendum on an Aboriginal and Torres Strait Islander Voice

Attorney-General the Hon Mark Dreyfus KC MP

Referendum (Machinery Provisions) Amendment Bill 2022



Process



Content

- Modernises referendums by aligning the Referendum Act with the Electoral Act to keep pace with recent efficiency, transparency and integrity reforms in our election process
- Suspends funding restrictions to enable public education campaigns
- Suspends the requirement for an ‘official pamphlet’ for the first referendum in the digital age
- Ensures that the financial disclosure regime for referendums is consistent with similar arrangements in the Electoral Act

Update on work of the Constitutional Expert Group

Referendum on an Aboriginal and Torres Strait Islander Voice

Attorney-General the Hon Mark Dreyfus KC MP

*Special Envoy for Reconciliation and the Implementation of the Uluru
Statement from the Heart, Senator Patrick Dodson*

Constitutional Expert Group Members

Constitutional Expert Group – first tranche of questions

- The scope of the Voice's power to make representations
- Whether the draft provision addresses concerns that the Voice would have a "veto power"
- The location of the provision in the Constitution
- Dispelling the myth that the Voice would give Aboriginal and Torres Strait Islander Peoples "special rights"
- Combatting misinformation about the Voice



Is the summary of answers to these questions suitable for public release?

Constitutional Expert Group – second tranche of questions

s 47C

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National Indigenous Australians Agency (NIAA)

Voice

Referendum on an Aboriginal and Torres Strait Islander Voice

Minister for Indigenous Australians the Hon Linda Burney MP

*Special Envoy for Reconciliation and the Implementation of the Uluru
Statement from the Heart, Senator Patrick Dodson*

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Possible process for determining a Voice model

s 47C

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Engagement Group Meeting Planning

Referendum on an Aboriginal and Torres Strait Islander Voice

Other business

Referendum on an Aboriginal and Torres Strait Islander Voice

Consideration of Communique

Referendum on an Aboriginal and Torres Strait Islander Voice

Meeting 5, 2 February 2023

9.00am – 02:30pm

Canberra, Australian Parliament House

ANNOTATED AGENDA

1 Acknowledgement of Country and welcome (5 min)

Minister for Indigenous Australians

[Slide 2: Acknowledgement and welcome]

- Acknowledgement, welcome – thank you for travelling or for joining us online.
- At the outset, I would like to congratulate Professor Calma for being awarded Senior Australian of the year 2023 and his outstanding contribution over many years, championing the rights of First Nations Australians. It is great to have you on this working group - we are fortunate to have you - thank you, on behalf of all of us, for all your work and dedication.

■ s 47C [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

- Run through agenda – today:
 - Item 2: We will update you on progress since we last met.
 - Item 3: Members of the Constitutional Expert Group will join us to take us through their latest advice and next steps.
 - Item 4: We will seek your views on options for the referendum question.

[REDACTED]

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- Item 5: We will discuss how the Voice design principles could be further elaborated and seek your views on some possible options for consultations after the referendum.
- Item 6: We will settle the communiqué for this meeting.
- There will then need to be a break before we return.
- Item 7: We will be joined by the opposition leader, The Hon Peter Dutton MP and the shadow Attorney-General, The Hon Julian Leeser MP – with opportunity to brief the opposition and have a discussion.
- Item 8: Finally, there will be an opportunity to discuss any other business.

2 Update from Government (25 min)

Minister for Indigenous Australians

[Slide 3: Update from Government]

Objective:

- Briefly update group on developments and note there will be an opportunity to discuss at the REG tomorrow on 3 February.

s 47C

s 47C

[Slide 4: s 47C]

s 47C

[Slide 5: Referendum Milestones]

Referendum Milestones

- This slide shows the key legislative steps to the referendum. s 47C
- The Joint Standing Committee on Electoral Matters (JSCEM) will report back to Parliament in just over a week on 10 February. The report will inform parliamentary debate s 47C
- Passage of the referendum machinery provisions bill in early March will allow us to introduce the constitutional amendment bill in late March.

s 47C

3 Expert Group update (1 hour)

Attorney-General, members of the Constitutional Expert Group

[Slide 6: Expert Group update]

Objectives:

- Update from CEG members on outstanding questions.

s 47C

Paper:

- CEG Advice on second tranche of questions.

- I will now provide you with an update on the work of the Constitutional Expert Group.

[Slide 7: Constitutional Expert Group – second tranche of questions]

- The Expert Group has considered the second tranche of questions referred from the Working Group, and has settled a summary of its views in advance of the meeting.
- Members of the Expert Group are in attendance to answer the Working Group's questions.
- s 47C, the Group considered that there would be no unintended legal consequences to including a brief preamble to the new provisions, including one that specifically referred to the recognition of Aboriginal and Torres Strait Islander Peoples as the First Peoples of Australia.
- On the name of the Voice, the majority of the group expressed a preference for 'Aboriginal and Torres Strait Islander Voice' or 'First Peoples Voice', as these were well established and understood concepts s 47C, s 42

PROTECTED

s 47C, s 42

s 47C, s 42

[Slide 8: Constitutional Expert Group s 47C, s 42

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§ 47C, s 42

- [illegible]

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- A horizontal bar chart with three groups of bars, each representing a gender (Male, Female, and a third unlabeled group, likely Male based on the pattern). Each group contains three bars representing different age ranges: 18-29, 30-49, and 50+. The x-axis represents the percentage of respondents, ranging from 0 to 100. The bars are gray.
- | Gender | Age Group | Percentage (%) |
|------------------|-----------|----------------|
| Male (Group 1) | 18-29 | ~85 |
| | 30-49 | ~95 |
| | 50+ | ~95 |
| Female (Group 2) | 18-29 | ~100 |
| | 30-49 | ~95 |
| | 50+ | ~80 |
| Male (Group 3) | 18-29 | ~100 |
| | 30-49 | ~100 |
| | 50+ | ~40 |

- s 47C [Redacted]
- [Redacted]

Morning tea – 15 minutes, 10.30 – 10.45am

4 Referendum question (30 minutes)

[Slide 10: Referendum question]

s 47C

s 47C

s 42, 47C

s 47C

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- s 47C [redacted]
[redacted]
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- [redacted]
[redacted]

[redacted]

[redacted]

5 s 47C [redacted]
[redacted] (1 hour)

Minister for Indigenous Australians / Senator Dodson

[Slide 11: s 47C [redacted]]

s 47C [redacted]

- s 47C [redacted]
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s 47C

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- [REDACTED]

[REDACTED]

s 47C

6 Consideration of communiqué – 15 min

Minister for Indigenous Australians / Senator Dodson

[Slide 16: Consideration of Communiqué]

Discuss draft communiqué – distribute in the room and share on the screen.

- A key question for the draft communicate is whether to include the summary of advice on the second tranche of questions referred to the Constitutional Expert Group.

Ask members including those participating virtually if they have any questions or comments.

Lunch – 30 minutes, 12.30 – 1.00pm

7 Opposition briefing – (1 hour)

Minister for Indigenous Australians

[Slide 18: Opposition briefing]

- Welcome the opposition leader, The Hon. Peter Dutton MP and the shadow Attorney-General, The Hon. Julian Leeser MP, to the fifth Referendum Working Group.
- Introduce the agenda item.
- Offer Mr Dutton and Mr Leeser the opportunity to respond.

Ask members including those participating virtually if they have any questions or comments.

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National Indigenous Australians Agency (NIAA)

- Thank the leader of the opposition, Mr Dutton, and the shadow Attorney-General, Mr Leaser, for joining the Referendum Working Group meeting and for their contributions to the discussion.

8 Other business – (30 minutes)

Minister for Indigenous Australians

[Slide 19: Other business]

OPPORTUNITY FOR QUESTIONS/DISCUSSION/REFLECTIONS

- Ask members including those participating virtually if they have any other business, questions or comments.
- Thank members for their contribution and close the meeting.

Referendum Working Group

Referendum on an Aboriginal and Torres Strait Islander Voice

2 February 2023

Acknowledgement and welcome

Referendum on an Aboriginal and Torres Strait Islander Voice

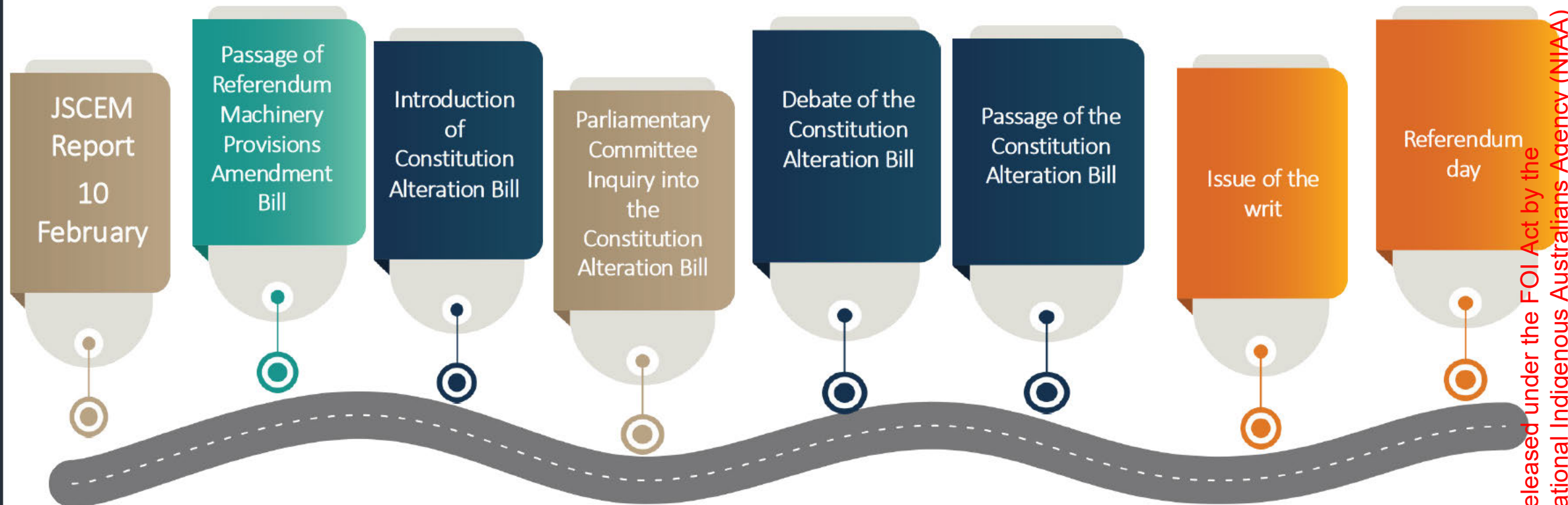
Update from Government

Referendum on an Aboriginal and Torres Strait Islander Voice

Education and Engagement

- Week of Action
- Civics awareness
- Factsheets
- Voice website

Referendum Milestones



Expert Group update

Referendum on an Aboriginal and Torres Strait Islander Voice

Constitutional Expert Group – second tranche of questions

- The use of 'Aboriginal and Torres Strait Islander Voice', 'First Nations Voice' or 'First Peoples Voice' as the name of the entity
- Including introductory language to the draft provision that specifically refers to the recognition of Aboriginal and Torres Strait Islander Peoples as the First Peoples of Australia

s 47C, s 42

Constitutional Expert Group – third tranche of questions

s 47C, s 42

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Morning Tea

Referendum question

Possible ballot paper question

s 47C

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s 47C

Referendum on an Aboriginal and Torres Strait Islander Voice

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Consideration of Communiqué

Referendum on an Aboriginal and Torres Strait Islander Voice

PROTECTED

Close

PROTECTED



Referendum Working Group

Enshrining an Aboriginal and Torres Strait Islander Voice
in the Constitution

Elaborating on agreed Voice principles

Purpose

s 47C

Context

Potential models for the Voice have been in development since 2017 in three key processes:

1. The Regional Dialogues and the First Nations Constitutional Convention that delivered the Uluru Statement from the Heart.
2. The 2018 Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples.
3. The 2019-2021 Indigenous Voice Co-Design Process.

These key processes have informed the development of a set of key **design principles** for the Voice, as previously agreed by the First Nations Referendum Working Group (Working Group):

The Voice would:

- provide independent advice to the Parliament and Government
- be chosen by First Nations people based on the wishes of local communities
- be representative of Aboriginal and Torres Strait Islander communities
- be empowering, community led, inclusive, respectful, culturally informed and gender balanced, and includes youth
- be accountable and transparent
- work alongside existing organisations and traditional structures.

The Voice would not:

- have a program delivery function
- have a veto power.

s 47C

Referendum Working Group

Attachment A

Discussion points – Elaborated Design Principles

A. The Voice will give independent advice to the Parliament and Government

Additional draft explanation for discussion:

- The Voice would make recommendations and give advice to the Parliament and the Government on matters relating to Aboriginal and Torres Strait Islander peoples.
- The Voice would be able to provide advice proactively.
- The Voice would be able to respond to requests for advice from the Parliament and the Government.
- The Voice would be independent and have its own resources to allow it to research, develop and provide advice.

B. Will be chosen by Aboriginal and Torres Strait Islander people based on the wishes of local communities

Additional draft explanation for discussion:

- Members of the Voice would be selected by Aboriginal and Torres Strait Islander communities, not appointed by Government.
- Members would serve on the Voice for a fixed period of time, to ensure regular accountability to their communities.

C. Will be representative of Aboriginal and Torres Strait Islander communities, gender balanced and include youth

Additional draft explanation for discussion:

- Members of the Voice would be Aboriginal and/or Torres Strait Islander, according to the standard three part test.
- Members would be chosen from each of the states, territories and the Torres Strait Islands.
- The Voice would have specific remote representatives as well as representation for the mainland Torres Strait Islander population.
- The Voice will have balanced gender representation at the national level.

Referendum Working Group

D. Will be empowering, community-led, inclusive, respectful and culturally informed

Additional draft explanation for discussion:

- Members of the voice would be expected to connect with – and reflect the wishes of – their communities.
- The Voice would consult with grassroots communities and regional entities to ensure its advice is informed by their experience, including the experience of those who have been historically excluded from participation.

E. Will be accountable and transparent

Additional draft explanation for discussion:

- The Voice would be subject to standard governance and reporting requirements to ensure transparency and accountability.
- Voice members would fall within the scope of the National Anti-Corruption Commission.
- Voice members would be able to be sanctioned or removed for serious misconduct.

F. Will work alongside existing organisations and traditional structures

Additional draft explanation for discussion:

- The Voice would respect the work of existing organisations, including the Coalition of Peaks.

G. Will not have a program delivery function

Additional draft explanation for discussion:

- The Voice would be able to provide advice about and propose efficiencies for programs and funding, but it will not manage money or deliver services.

H. Will not have a veto power

Additional draft explanation for discussion:

- The Voice would not be able to prevent or delay Parliament passing laws or the Government making decisions.



Referendum Working Group

Enshrining an Aboriginal and Torres Strait Islander Voice
in the Constitution

Elaborating on agreed Voice principles

Purpose

s 47C

Context

Potential models for the Voice have been in development since 2017 in three key processes:

1. The Regional Dialogues and the First Nations Constitutional Convention that delivered the Uluru Statement from the Heart.
2. The 2018 Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples.
3. The 2019-2021 Indigenous Voice Co-Design Process.

These key processes have informed the development of a set of key **design principles** for the Voice, as previously agreed by the First Nations Referendum Working Group (Working Group):

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- be representative of Aboriginal and Torres Strait Islander communities
- be empowering, community led, inclusive, respectful, culturally informed and gender balanced, and includes youth
- be accountable and transparent
- work alongside existing organisations and traditional structures.

The Voice would not:

- have a program delivery function
- have a veto power.

s 47C

Referendum Working Group

Attachment A

s 47C

s Opening Remarks

s 47F(1)

NIAA comment: We suggest the following overarching response:

- Thank you for sharing your thoughts and ideas on this document.

s 47C

s 47C, s 47F(1)

A. The Voice will give independent advice to the Parliament and Government

Additional draft explanation for discussion:

- The Voice would make recommendations and give advice to the Parliament and the Government on matters relating to Aboriginal and Torres Strait Islander peoples.
- The Voice would be able to provide advice proactively.
- The Voice would be able to respond to requests for advice from the Parliament and the Government.
- The Voice would be independent and have its own resources to allow it to research, develop and provide advice.

s response:

s 47C

Referendum Working Group

s 47C

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NIAA comment:

- s 47C [REDACTED]
 - The scope and function of the Voice is to advise the Australian Parliament and Government on matters of national significance to First Nations peoples. Advice will be non-justiciable, with no parliamentary veto powers or administration of funding.

s 47C [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

B. Will be chosen by Aboriginal and Torres Strait Islander people based on the wishes of local communities

Additional draft explanation for discussion:

- Members of the Voice would be selected by Aboriginal and Torres Strait Islander communities, not appointed by Government.
- Members would serve on the Voice for a fixed period of time, to ensure regular accountability to their communities.

Referendum Working Group

s 47F(1) response:

s 47C

NIAA comment: s 47C

- Government proposes to consult with First Nations people and communities to finalise aspects of the model (including structure and membership) following the referendum.

s 47C

- The co-design model considered membership to be best determined by Aboriginal and Torres Strait Islander people in each region or local community to reflect the range of different styles and approaches needed to ensure legitimacy.
- Mechanisms considered included elections, communities nominating or selecting members, or drawing on or incorporating cultural leadership involved in traditional decision making and governance structures.

Referendum Working Group

C. Will be representative of Aboriginal and Torres Strait Islander communities, gender balanced and include youth

Additional draft explanation for discussion:

- Members of the Voice would be Aboriginal and/or Torres Strait Islander, according to the standard tri-part legislative definition.
- Members would be chosen from each of the states, territories and the Torres Strait Islands.
- The Voice would have specific remote representatives as well as representation for the mainland Torres Strait Islander population.
- The Voice will have balanced gender representation at the national level.

Will be empowering, community-led, inclusive, respectful and culturally informed

Additional draft explanation for discussion:

- Members of the Voice would be expected to connect with – and reflect the wishes of – their communities.
- The Voice would consult with grassroots communities and regional entities to ensure its advice is informed by their experience, including the experience of those who have been historically excluded from participation.

s 47F(1) response:

s 47C

NIAA comment:

s 47C

Referendum Working Group

D. Will be accountable and transparent

Additional draft explanation for discussion:

- The Voice would be subject to standard governance and reporting requirements to ensure transparency and accountability.
- Voice members would fall within the scope of the National Anti-Corruption Commission.
- Voice members would be able to be sanctioned or removed for serious misconduct.

E. Will work alongside existing organisations and traditional structures

Additional draft explanation for discussion:

- The Voice would respect the work of existing organisations, including the Coalition of Peaks.

s 47F(1) response:

s 47C

NIAA comment:

- The rationale that underpins this principle (drawn from past reports) is as follows:
 - There should be no duplication of the work of existing organisations.
 - The Voice should complement and support the work of existing organisations.

s 47C

Referendum Working Group

- s 47C [Redacted]
- [Redacted]

F. Will not have a program delivery function

Additional draft explanation for discussion:

- The Voice would be able to provide advice about and propose efficiencies for programs and funding, but it will not manage money or deliver services.

s 47F(1) response:

- s 47C [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

NIAA comment: This principle is not incompatible with the Cape York Institute proposal, which proposed local and regional voices consulted on funding proposals, including a review power and a veto over proposed funding at a regional level. It is also consistent with the co-design proposal which Noel and other EC leaders were critical in drafting.

- s 47C [Redacted]
- [Redacted]

1

- 1

Referendum Working Group

s 47C

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DRAFT

Meeting 6, 16 February 2023

8.30am – 5:30pm

Canberra, Australian Parliament House

ANNOTATED AGENDA

1 Acknowledgement of Country and welcome (5 min)

8.30am – 8.35am

Minister for Indigenous Australians

[Slide 1: Acknowledgement and welcome]

- s 47C [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

- Today's agenda:
 - Item 2: We will update you on progress since we last met.
 - Item 3: Members of the Constitutional Expert Group will join us to discuss the constitutional amendment s 47C [redacted]
 - [redacted]
 - Item 5: We will be joined by members of the House crossbench
 - [Item 6: We will be joined again by the Leader of the Opposition, Mr Dutton]
 - Item 7: A wrap up discussion [redacted]

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- Item 8: We will settle the communiqué for this meeting
- Before we close the meeting at 5.30pm.
- Housekeeping:
 - Tap the microphone before using it, it may take a second to switch on.
 - We are meeting during a sitting week so we may expect disruptions to our meeting.

2 Government update (25 minutes)

8.35am – 9.00am

Minister for Indigenous Australians and Attorney-General

[Slide 2: Government update]

Referendum (Machinery Provisions) Amendment Act 2022

- The Joint Standing Committee on Electoral Matters (JSCEM) report on the Bill was tabled on 13 February.
- Recommendations included:
 - Supporting increased enrolment and participation
 - Ensuring availability of impartial information on the referendum process
 - Passing the bill subject to these recommendations
- A dissenting report was provided by Coalition members and Senators, opposing the adoption of the Bill in its current form without their suggested amendments.
- The Prime Minister has outlined that the Bill will be amended to restore the pamphlet.

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■ [Redacted]

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s 47C [Redacted]

■ [Redacted]

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- s 47C [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

3 Constitution amendment (1 hour 50 minutes)

9.00am – 10.50am

Attorney-General, members of the Constitutional Expert Group

[Slide 3: Constitutional amendment]

s 47C

- s 47C [Redacted]

[Slide 4: Constitutional Expert Group] s 47C [Redacted]

- [Redacted]
- [Redacted]

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Government	Percentage
Current government	85%
Previous government	15%

[Slide 5: s 47C

A horizontal bar chart titled 'U.S. should take action to address climate change' showing the percentage of respondents who believe the U.S. should take action to address climate change. The chart is broken down by age group (18-29, 30-49, 50-69, 70+) and gender (Male, Female). The y-axis lists the age groups and genders. The x-axis represents the percentage, ranging from 0 to 100. The bars are colored in shades of gray.

Age Group	Gender	Percentage
18-29	Male	95%
	Female	98%
30-49	Male	97%
	Female	99%
50-69	Male	96%
	Female	98%
70+	Male	94%
	Female	96%

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- [REDACTED]
- [REDACTED]

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- s 47C [redacted]
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Lunch – 1 hour, 12.00 – 1.00pm

- 5 Briefing with members of the House crossbench (2 hours 15 minutes)

1.00pm - 3.15pm

Afternoon Tea – 15 minutes, 03.15 – 3.30pm

- 6 Briefing with the Leader of the Opposition and Shadow Minister (45 minutes)

3.30pm - 4.15pm

- 7 Wrap up discussion – (1 hour 5 minutes)

4.15pm - 5.20pm

Minister for Indigenous Australians / Senator Dodson / Attorney General

[Slide 12: Wrap up discussion]

8 Consideration of communiqué – (10 minutes)

5.20pm - 5.30pm

Minister for Indigenous Australians / Senator Dodson

[Slide 13: Consideration of Communiqué]

Discuss draft communiqué – distribute in the room.

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Ask members including those participating virtually if they have any questions or comments.

Thank members for their contribution and close the meeting.

Acknowledgement and welcome

Referendum on an Aboriginal and Torres Strait Islander Voice

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Government update

Referendum on an Aboriginal and Torres Strait Islander Voice

PROTECTED

Constitutional amendment

Referendum on an Aboriginal and Torres Strait Islander Voice

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Morning Tea

Voice principles

Referendum on an Aboriginal and Torres Strait Islander Voice

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Lunch

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Briefing with members of the House Crossbench

Referendum on an Aboriginal and Torres Strait Islander Voice

Break followed by Afternoon Tea

Briefing with the Leader of the Opposition and Shadow Minister

Referendum on an Aboriginal and Torres Strait Islander Voice

Wrap up discussion

Referendum on an Aboriginal and Torres Strait Islander Voice

Consideration of communiqué

Referendum on an Aboriginal and Torres Strait Islander Voice

Meeting 7, 9 March 2023

8.30am – 1.00pm

Canberra, Australian Parliament House

ANNOTATED AGENDA

1 Acknowledgement of Country and welcome (5 min)

8.30am – 8.35am

Minister for Indigenous Australians

[Slide 1: Acknowledgement and welcome]

- The Constitution Alteration Bill will be introduced to Parliament in March. s 47C
[REDACTED]
- s 47C
[REDACTED]
- Today's agenda:
 - Item 2: We will update you on developments since we last met.
 - Item 3: We will discuss the constitutional amendment and ballot paper question.
 - Item 4: s 47C
[REDACTED]
 - Item 5: We will discuss and settle the communiqué for this meeting before we break for lunch.
 - Item 6: We will then be joined by the leader of the Greens, Adam Bandt MP, and the Greens Indigenous spokesperson, Senator Dorinda Cox.
 - And close the meeting at 1.00pm.

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2 Government update (25 min)

8.35am – 9.00am

Minister for Indigenous Australians and Attorney-General

[Slide 2: Government update]

Referendum (Machinery Provisions) Amendment Bill 2022

- The *Referendum (Machinery Provisions) Amendment Bill 2022* passed the House of Representatives on 7 March 2023 and is now before the Senate.

- s 47C [REDACTED]
- [REDACTED]
- [REDACTED]

Civics awareness program

- Regulations were made on Thursday, 2 March to allow us to proceed with the civics campaign that we have committed to. The Government has announced \$9.5 million for this, which includes money to:
 - bolster civics education on the Constitution and referendum process
 - update and improve the government website
 - develop a more comprehensive information program on the facts of the Voice proposal and relevant civics information
 - support the First Nations media sector - to boost understanding of civics in First Nations communities across Australia.

3 Constitutional amendment and ballot paper question (1 h 30 min)

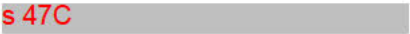
9.00am – 10.30am

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Attorney-General

[Slides 3 and 4: s 47C



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Morning tea – 30 minutes, 10.30am – 11.00am

4 Other business (30 min)

11.00am - 11.30am

[Slide 7: Other business]

OPPORTUNITY FOR QUESTIONS/DISCUSSION/REFLECTIONS

- Ask members including those participating virtually if they have any other business, questions or comments.

5 Consideration of communiqué – (30 min)

11.30am - 12.00pm

Minister for Indigenous Australians / Senator Dodson / Attorney General

[Slide 9: Consideration of communiqué]

Discuss draft communiqué – distribute in the room.

- Ask members including those participating virtually if they have any questions or comments.

Lunch – 30 minutes, 12.00pm – 12.30pm

6 Briefing with members of the Greens (30 min)

12.30pm – 1.00pm

[Slide 11: Briefing with members of the Greens]

Introductions, opening statements and briefing by members, discussion with members of the Greens.

- Thank members for their contribution, note the next meeting on Thursday, 16 March in Adelaide, and close the meeting.

Acknowledgement and welcome

Referendum on an Aboriginal and Torres Strait Islander Voice

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Government update

Referendum on an Aboriginal and Torres Strait Islander Voice

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Constitutional amendment and question

Referendum on an Aboriginal and Torres Strait Islander Voice

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Ballot paper question

Possible ballot paper question

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Morning tea

Other business

Referendum on an Aboriginal and Torres Strait Islander Voice

Consideration of communiqué

Referendum on an Aboriginal and Torres Strait Islander Voice

Lunch

Briefing with members of the Greens

Referendum on an Aboriginal and Torres Strait Islander Voice



Referendum Working Group

Enshrining an Aboriginal and Torres Strait Islander Voice in the Constitution

Meeting 7, Thursday, 9 March 2023

Agenda

Meeting room MG.63, Australian Parliament House, Canberra

Breakfast, tea and coffee provided from 8am

1	08:30	Acknowledgement and welcome
2	08:35	Government update (25 minutes)
3	09:00	Constitutional amendment and ballot paper question (1 hour 30 minutes)
	10:30	Morning tea (30 minutes)
4	11:00	Other business (30 minutes)
5	11:30	Consideration of communique (30 minutes)
	12:00	Lunch (30 minutes)
6	12:30	Briefing with Greens (30 minutes)
	13:00	Close

Note – as the meeting will be on a sitting day, interruptions due to divisions are likely.

Possible spill-over time will be available from 13:00-14:00.



Referendum Working Group

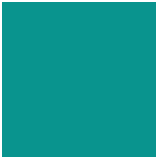
Enshrining an Aboriginal and Torres Strait Islander Voice
in the Constitution

Constitutional amendment option

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Referendum question options

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Ballot paper question

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Constitutional Amendment

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Referendum Working Group

Enshrining an Aboriginal and Torres Strait Islander Voice in the Constitution

Meeting 8, Thursday, 16 March 2023

Agenda

ATO Building, 26 Franklin Street, Adelaide

	12:30	Lunch	
1	13:00	Welcome and acknowledgement	
2	13:05	SA Voice – lessons and opportunities	
3	13:45	Senate crossbench briefing	
4	14:30	s 47C	
5	15:00	Constitutional Alteration Bill process and next steps	
	15:15	Afternoon Tea	
6	15:30	Voice principles and design	
7	16:00	Wrap up discussion and consideration of communique	
	16:30	Close	



Referendum Working Group

Enshrining an Aboriginal and Torres Strait Islander Voice
in the Constitution

Constitutional amendment option

s 47C



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Referendum Working Group

Enshrining an Aboriginal and Torres Strait Islander Voice in the Constitution

DISTRIBUTED ON THURSDAY 9 MARCH 2023

Design Principles of the Aboriginal and Torres Strait Islander Voice

A Voice to Parliament will be a permanent body to make representations to the Australian Parliament and the Executive Government on legislation and policy of significance to Aboriginal and Torres Strait Islander peoples. It will further the self-determination of Aboriginal and Torres Strait Islander peoples, by giving them a greater say on matters that affect them.

The following are the design principles of the Voice to Parliament agreed by the First Nations Referendum Working Group:

A. The Voice will give independent advice to the Parliament and Government

- The Voice would make representations to the Parliament and the Executive Government on matters relating to Aboriginal and Torres Strait Islander peoples.
- The Voice would be able to make representations proactively.
- The Voice would be able to respond to requests for representations from the Parliament and the Executive Government.
- The Voice would be independent and have its own resources to allow it to research, develop and make representations.
- The Parliament and Executive Government should seek representations in writing from the Voice early in the development of proposed laws and policies.

B. Will be chosen by Aboriginal and Torres Strait Islander people based on the wishes of local communities

- Members of the Voice would be selected by Aboriginal and Torres Strait Islander communities, not appointed by the Executive Government.
- Members would serve on the Voice for a fixed period of time, to ensure regular accountability to their communities.
- To ensure cultural legitimacy, the way that members of the Voice are chosen would suit the wishes of local communities and would be determined through the post-referendum process.

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C. Will be representative of Aboriginal and Torres Strait Islander communities, gender balanced and include youth

- Members of the Voice would be Aboriginal and/or Torres Strait Islander, according to the standard three part test.
- Members would be chosen from each of the states, territories and the Torres Strait Islands.
- The Voice would have specific remote representatives as well as representation for the mainland Torres Strait Islander population.
- The Voice will have balanced gender representation at the national level.

D. Will be empowering, community-led, inclusive, respectful and culturally informed

- Members of the voice would be expected to connect with – and reflect the wishes of – their communities.
- The Voice would consult with grassroots communities and regional entities to ensure its representations are informed by their experience, including the experience of those who have been historically excluded from participation.

E. Will be accountable and transparent

- The Voice would be subject to standard governance and reporting requirements to ensure transparency and accountability.
- Voice members would fall within the scope of the National Anti-Corruption Commission.
- Voice members would be able to be sanctioned or removed for serious misconduct.

F. Will work alongside existing organisations and traditional structures

- The Voice would respect the work of existing organisations.

Referendum Working Group

G. Will not have a program delivery function

- The Voice would be able to make representations about and propose efficiencies for programs and funding, but it would not manage money or deliver services.

H. Will not have a veto power**Post-Referendum Process**

After the referendum, there will be a process with Aboriginal and Torres Strait Islander communities, the Parliament, and the broader public to settle the Voice design. Legislation to establish the Voice will then go through standard parliamentary processes to ensure adequate scrutiny by elected representatives in both houses of Parliament.

Meeting 8, 16 March 2023

12:30pm – 4.30pm

Adelaide, ATO Building

ANNOTATED AGENDA

1. Acknowledgement of Country and welcome (5 min)

1.00pm – 1.05pm

Minister for Indigenous Australians

- The Constitution Alteration Bill will be introduced to Parliament this month s 47C

- Today's agenda:
 - Item 2: We will be getting an update on the South Australia state Voice.
 - Item 3: We will be joined by members of the Senate crossbench
 - Item 4: We will discuss the constitutional amendment.
 - Item 5: We will discuss the next steps for the Constitution Alteration Bill.
 - Item 6: We will discuss Voice principles and design.
 - Item 7: We will settle the communiqué for today.
 - And close the meeting at 5.00pm.

2. South Australia Voice – Lessons and opportunities (55 min)

1.05pm – 1:45pm

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Minister for Indigenous Australians

- I am delighted we are able to hear today from Kyam Maher MLC (Minister for Aboriginal Affairs and Attorney-General) about the South Australia Voice process.
- The South Australian First Nations Voice Bill 2023 was introduced to Parliament on 9 February 2023. It is anticipated to pass both Houses by early April.

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[REDACTED]

3. Senate crossbench briefing (30 min)

1.45pm – 2.30pm

4. Constitutional Amendment – advice to Government (30 min)

2.30pm – 3.00pm

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[REDACTED]

Lead: Attorney General

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[REDACTED]

[REDACTED]

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5. Constitution Alteration Bill process and next steps (30 min)

3.00pm – 3.15pm

s 47C

- As previously discussed, the Constitution Alteration Bill will be introduced to the House of Representatives in the week of 27 March – likely Wednesday the 29th or Thursday the 30th.
- On introduction, either the Attorney-General or the Prime Minister will give a speech to the Parliament about the purpose, aims and context of the Bill.

s 47C

- s 47C [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Afternoon tea – 15 minutes, 3.15pm – 3.30pm

6. Voice Principles and design (45 min)

3.30pm – 4.00pm

[Slide X: Voice principles]

Minister for Indigenous Australians/Senator Dodson

- s 47C [Redacted]
- [Redacted]
- [Redacted]

7. Consideration of communique (30 min)

4.00pm - 4.30pm

Minister for Indigenous Australians / Senator Dodson / Attorney General

[Slide x: Consideration of communique]

Discuss draft communiqué – distribute in the room.

- Ask members including those participating virtually if they have any questions or comments.

Ask members including those participating virtually if they have any questions or comments.

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Note the full agenda tomorrow for the Referendum Engagement Group. Thank members for their contribution and close the meeting.

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