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The Voice to Parliament Handbook – with Thomas Mayo and Kerry O'Brien

Thomas Mayo

Author and National Indigenous Officer of the MUA

Kerry O'Brien

Journalist and author

In conversation with

Ebony Bennett

Deputy Director at the Australia Institute

Ebony Bennett [00:00:02] Gday, everyone. I'm Ebony Bennett, deputy director at the Australia Institute. And welcome to our webinar on the Voice to Parliament Handbook with authors Thomas Mayo and Kerry O'Brien. Before we begin, I would like to acknowledge that I live and work on Ngunnawal and neighbouring country here in Canberra, and I pay my respects to elders past and present. Sovereignty was never sated and it always was and always will be Aboriginal land. As a long time listeners and viewers will know days and times for our Australia Institute, webinars do vary, so head on over to Australia Institute dawg. You all our upcoming webinars and events and just a few tips about Zoom to help things run smoothly today. If you're joining us for the first time, if you hover over the bottom of your screen, you should be out of, say, a queue and a function where you can type in questions for our guests today. You should also be able to upvote other people's questions and make comments on their questions as well. So if you see a good one, please upvote it. That will help me to find it. A reminder to please keep things civil and on topic in the chat or we will beat you out. And lastly, a reminder that this discussion is being recorded and it will go up on the Australia Institute website and our YouTube channel later today. And we're also going to turn it into an episode of our Follow the Money podcast so you can send it out to your friends and family as well. So thank you so much for joining us today for what we are hoping is Australia's biggest book club. More than three and a half thousand of you are registered today to discuss this book, The Voice to Parliament Handbook. I'm not sure if three and a half thousand makes us the biggest book club, but it's got to surely put us close to it. So thank you for all your interest today. Hopefully you have ordered or bought a copy of the handbook from your local bookstore. The Voice of Parliament Handbook is an easy to follow guide for the millions of Australians around the country who have expressed support for the Uluru Statement from the Heart, but want to better understand what a voice to Parliament actually means. We've got a special offer for Australia Institute supporters to order their copy which will put in the chat, but I'm delighted to introduce the two authors and our guests today. Thomas Mayo is a Torres Strait Islander man born on Larrakia Country in Darwin. He's the National Indigenous Affairs officer of the MUA. And as an island are growing up on the mainland, he learned to hunt traditional foods with his father and to island dance from the

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Darwin community of Torres Strait Islanders. He's a signatory to the Uluru Statement from the Heart and has been a leading advocate since its inception in May 2017. He's the chairperson of the NT Indigenous Labour Network, advises the Diversity Council of Australia and the From the Heart the campaign, and he's an executive member of the Northern Territory Trades and Labour Council. He's previously written five other books published by Hardie Grant and has articles and essays published in The Guardian, Griffith Review and the Sydney Morning Herald, and we're delighted he can join us today. And of course, Kerry O'Brien is one of Australia's most respected journalists and six and has won six Walkley Awards, including the Gold, Walkley and the Walkley for Outstanding Leadership. He's covered all the big historic Indigenous issues of his time, including land rights, deaths in custody, Mabo, the Stolen Generations inquiry, the birth and death of the Intervention, and the Uluru Statement from the Heart. And he was a member of the eminent panel advising the Queensland Government on a path to treaty. Thank you both so much for joining us today. We really appreciate your time.

Speaker 2 [00:03:39] Thanks. Thanks to.

Ebony Bennett [00:03:40] Thomas. If I can start with you. You are, as I said, a signatory to the Uluru Statement from the Heart, which called for voice and Mercado for truth telling and agreement making. Let's start at the beginning. What does the voice mean to you?

Thomas Mayo [00:03:55] The voice to many, you say it's about being heard. It's about having a say as indigenous people that decisions are made about it all the time. The voice is a consensus position. It comes from a who spoke from the heart and the statement from the heart is the culmination of a lot of lessons and in a long history of struggle where we have had many other statements and petitions and all have been dismissed and ignored. We've had many in all of those statements and petitions, There's a consistent call for a voice to be heard, to have political representation. There's also a long history of voices established where we have invited, as you know, groups of humans with a common interest. Do they organise structure from which to choose representation and have a say in a coherent and effective way? And we've done that many times, including where we've had benevolent governments that have established representative bodies. So the lesson to the recycled there is that we must do something different because every other time we have begun to be loud enough to keep those decisions made about us. So a government comes along and silences our voice. The literary statement also takes less than that. Both those petitions and statements that have been dismissed and ignored in the past, and a proposition or an invitation to the Australian people to work with us. And then, as I said, consistent with all those other times, we are calling for a voice. So, you know, I think it's a matter of fairness to me as well. You know, to go back to the beginning of what I was saying. Decisions are made about us all the time. There is the power in the Constitution. There's this misinformation out there that 1967, the referendum back then removed race from the constitution. And that's false. All it did was get the federal parliament to set that power. And they have used it to a detriment at times. And so a voice is to establish the means for us to influence those

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decisions and start to get some healing in this country, and importantly, recognition, because you can't recognise someone you see.

Ebony Bennett [00:06:26] And Thomas, if I can just follow up on that, really one of the essential things from the Uluru Statement from the Heart was that the First Nations communities really rejected any kind of just a symbolic gesture or recognition. You were really off to something much more meaningful, and that was really part of this invitation and why it's a voice to parliament that needs to be in the Constitution. Would that be accurate?

Thomas Mayo [00:06:53] Yeah. EBONY This is an important piece of history for people to understand and context to the call for a voice. In 2015, there was the Kirribilli statement, and it was when 39 efforts made so much that all of the leaders called for a meeting with the Prime Minister and Opposition Leader in a crisis. What was essentially a crisis when four years to that point things have been getting worse, the gap widening, certainly targets not being met to try and improve the lives of Indigenous people. We saw the Northern Territory intervention, for example, which was just a political gamesmanship that was very harmful to Indigenous people. And we know today for a massive amount of taxpayer dollars really made things worse. We saw on the Tony Abbott hundreds of millions of dollars cut from frontline community services. Services important to families, young families, babies, foetal alcohol syndrome, for example. And you see the ripple effects today with the youth crime rates and incarceration rates. You know, that's a result of these decisions that are made purely to try and get a boost in the polls. And so the Kirribilli meeting called for firstly for, as you said, a substantive form of recognition, not a constitutional recognition that is merely symbolic. And in the words of those leaders and in the Kirribilli statement, a form of recognition that provides our people with great offence. And essentially that is the result of what came out of the Kirribilli statement, which was the establishment of the Referendum Council that ran 12 regional dialogues covering the entire continents and adjacent islands that elected delegates to come together. And we might do a restatement from the heart and the form of recognition that we seek is substantive, that give us crisis, that will give us greater fairness. And that's the voice.

Ebony Bennett [00:09:01] Kerry O'Brien, if I can come to you next. You're obviously a veteran of Australian politics over many years. What does the voice mean to you and why have you chosen to get involved and write this book?

Kerry O'Brien [00:09:12] Ebony. I prefer to think of myself as a veteran journalist or journalism rather than a veteran of politics. But and I'm coming from Bundjalung Country today where sovereignty has never been ceded. The fact is, in well over 50 years of journalism, as you said in your introduction, I've seen all of the highs and the lows of Indigenous history, of contemporary Indigenous history in Australia post colonial. And I have seen promises made and promises broken. I've seen many forms of previous voices of Indigenous people to Parliament and to government. I've seen the frictions between those Indigenous people representing their communities and largely white bureaucrats and largely

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white politicians, many of whom had never visited the communities that they were designing policies for. And I've seen the inevitable failures mingled with perhaps a little more than a handful of successes. But the successes have been incremental. The failures of being entire at times profound as evidenced in those gaps that Thomas referred to. I have seen racism close up in its ugliest forms in various parts of Australia. And the sad truth is that you haven't had to scratch too far below the surface to find it. And it's not confined to the bush. It's not confined to outback areas or to regional Australia, and it's not confined to any one state. And I'm very careful not to cry racism for the sake of it or to over use the term. You don't have to, to be honest. It's there. And I have seen it from my time as a very young journalist and it had its effect on me, not in a kind of naive way. I was reporting it in a hard edged way. I've always sought to report things factually and to be a part of truthful public debate. But I can't help but have been affected by what I've seen, including the ways in which indigenous people who have reached out for support and partnership over decades and have been left disappointed on so many occasions. I can actually sympathise with and understand those Indigenous people who are sceptical about the voice because they have been promised so many things so often and they have been let down so many times. The huge difference, I think with this attempt at a greater fairness and a greater harmony between Indigenous and non-Indigenous Australians is that this concept has come from Indigenous people. This is not an invention of Canberra. This is not an invention of politicians. This has come from Indigenous Australians and Thomas has said representing the whole nation, it was broken down into many parts. A people very carefully selected in a way that ensured proper representation around all of those Indigenous. This was Indigenous voices to the people really. They've asked the Parliament to facilitate this referendum, but they are placing their expression and their hope in front of all of the people of Australia. That is the huge difference between this occasion and opportunities in the past and how could I help but be caught up?

Ebony Bennett [00:12:43] But yeah. Thomas I want to pick up on what Carey has said there, that invitation to all Australians. It's not an invitation just to politicians to do this, but of course this is with the Parliament at the moment. They will pass the laws that will enable this referendum. I wonder if you can just take our audience through the proposition that they're going to be voting on later this year. What is the basic element of the voice to Parliament? Why is it necessary?

Thomas Mayo [00:13:12] Do you think you have any Look at what we are voting on? The question is quite simple. It's basically a proposed vote. Do we agree that we should recognise Aboriginal and Torres Strait Islander people as the first peoples through a voice? The provision itself merely establishes that they shall be in recognition of Aboriginal and Torres Strait Islander people as the first peoples. One day shall be an Aboriginal and Torres Strait Islander voice to that voice may make representations to the Parliament and Executive Government on matters relating to Indigenous peoples and through the Parliament decides the rest. So we're voting basically on, on, on the principle here that Indigenous people should be recognised and that we should listen to them about the matters that relate to them. And it really is that simple and that's what we're considering at this referendum.

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Ebony Bennett [00:14:10] And to follow up on that, we have seen pushback from certain elements of the No campaign talking about what the voice will and won't do. But as you've just described it there and as it's being put, the Prime Minister, I think, described it as quite a modest proposal, essentially. What's your response to some of those people kind of overblowing what this will do and the kind of impacts that it might have on government?

Thomas Mayo [00:14:40] Well, I just want to say to the Australian people, and I think we should all ask our fellow Australians to look past the fear mongering that is happening and look for the truth. And this book is very much about trying to give people a small easy. You know, you keep it in your back pocket, you know, you can read it in less time than it takes to watch a movie. It's something that just helps people to be able to do that. And, you know, there's this I've explained what it simply is. It's simply guaranteeing that indigenous people will have a representative body voice and that we can make representations on matters of rights once it is not a third time in the Parliament. It's not going to govern anyone. It's not going to control funding like it is. It's not going to have a right to veto. None of those things are in the provision that I outlined in a matter of 2 seconds, a few seconds. It's 93 words. Look past all of that fearmongering. And just this is actually a simple thing to communicate with people. Once you get through all of that, the truth is, again, it's a representative body that's guaranteed by the Constitution that can make representations on matters that affect indigenous peoples. That's advisory to the parliament. Can't force the Parliament to do anything, but the strength of it comes through that it is genuinely grassroots, that it is representatives chosen from our communities that understand our culture, that live and breathe the issues every day. And when they're able to come together regularly, which we can't do now in a proper resource fight. But when we choose representatives that they can come together regularly, hold debates and discussions about the best possible solutions to policy and legislation, and they present that to the Parliament in a transparent way that our own people see, and that the Australian people also see these solutions being offered to the Parliament. That's where the strength of the seats is. The accountability of this is, you know, it's the coherency of.

Ebony Bennett [00:16:58] I can say we've got nearly 2000 people joining us live today. Thank you so much for joining us. We will go to questions from the audience in a little while. And I did just want to flag that. Thomas will be reading the Uluru Statement from the Heart in full towards the end of this webinar. So please make sure you stick around for that. And if you've got questions for Thomas or Kari, please pop them into the Q&A box at the bottom of his screen. Kerry coming to you off Thomas point there about what the voice will do and obviously what it won't do. We have seen some of those naysayers, but part of the point of putting this in the Constitution is so that the voice to parliament can't be just abolished at the whim of government like so many other attempts have been. There's a chapter on kind of the history leading up to the voice in this that you wrote. Can you just tell us a little bit about some of the history leading us up to this moment?

Kerry O'Brien [00:17:58] Absolutely. Ebony. There were, as Thomas, I think, said, close to the start of this discussion that there have always been Indigenous activists endeavouring to

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have their voices heard representing Indigenous communities on the most basic of rights and expectations. But thwarted after the 67 referendum. Harold Holt was Prime Minister and about two months after that referendum, the most resounding yes vote in the history of our federation. Somebody asked the the minister who was going to be responsible for this new responsibility of of establishing Indigenous affairs in Indigenous Indigenous policy. Somebody asked this Minister Burns what he was going to do now, and he said, I don't know. So although what they did was a terrific step forward, there was not. There was not. It was driven largely from outside by indigenous people. That's where the pressure came from, with some white support. There wasn't that much talent, but at least was bypassed. And the first the first voice, the first indigenous voice that Harold Holt established was three people inside his own office to give him advice on indigenous matters. And they were all white men. That was the first voice. And it wasn't indigenous and it was kind of classic of the tradition and the mentality and the custom and the thinking in Canberra, in Parliament House and in government, which was we know best. Yep, we'll open up dialogue, we'll listen to you, but we know best. And when Gough Whitlam started the first real Indigenous voice, which was a small group, 41 Indigenous people who were represented, who were selected from within their communities, there were immediate frictions between those voices and their white minister who they answered to and the bureaucrats who really drove so much of the policy. And but nonetheless they were the first real voice. Malcolm Fraser comes in after golf, is sacked. He fiddles with it, he reduces the numbers, he narrows the the parameters for selection. He goes, Bob Hawke comes in, he takes a while, he gets rid of it. But it takes a while for him to put a replacement in. When he does, it's HERZIK, which is really quite a big step forward for Indigenous people, whether it was two tiers, the the regional tier were selected from within communities and they, they were councillors who then selected the people who would represent the 16. So it was two layers. They also had a big hand in service delivery and there was a bureaucracy backing that all up, all supplied and all created democratically through the Parliament and through government. And, and, and there were some criticisms about the exit, there were some stumbles, there were a few governance issues and there were some criticisms. But instead of allowing it to grow and to evolve and to establish itself as a as a with with some kind of institutional stability, the change of government. John Howard comes along. He'd voted against it from opposition when it was first proposed. He described it as a black parliament. Its days were numbered. Although it took time, he only really moved against it, although everybody knew that, that he didn't like it. He only really moved against it. After Mark Latham as head of the IS as the leader of the Labour Party, declared that Labour would support the abolition of it. So John Howard established very quickly. John Howard established a three person review chaired by a former Liberal attorney General, John Howard's own side of politics. Everyone expected that that review would, would would propose that it should be abolished. Surprisingly, they didn't. They saw virtue in its continued presence. They said ATSI's needs to stay. It just needs to strengthen its roots with regional Indigenous Australia. John Howard abolished it with the support of Labour. So since then we've seen we've seen a checkerboard of different voices. Some heard to some degree, some not heard. But the end result has been the same. EBONY There has been no sense of permanence, no sense of continuity. And therefore, the policies as often as not have failed. And where they've succeeded, where they have succeeded, succeeded. Invariably it's because an indigenous people have been listened to and indigenous people on the ground in their communities have been directly engaged in the delivery people who understand traditions and customs, who know what's going to work, who knows how things are going to be received, who know how to communicate. And we've

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got a small short chapter in the book from Marcia Langton and Fiona Stanley, which highlights several areas where there were clear successes and why.

Ebony Bennett [00:23:08] Yeah, Kerry, if I can just follow up on that. I was really interested in that chapter. We've spoken to Professor Fiona Stanley in the past, particularly about the role of Aboriginal community controlled health organisations during the COVID crisis, where on the smell of an oily rag they really protected communities far better even than the Australian health system, protected everybody else and I think were world leading amongst First Nations communities in the health outcomes during COVID. And that's that's partly what they go into in that. Chap. Doc, could you just tell us a little bit more about some of those examples that they.

Kerry O'Brien [00:23:50] Covered was a, was a terrific example because it was in fact the, the, the protections in Indigenous communities with which was shaped and delivered by largely by Indigenous people, as I understand it, not a single Indigenous death. And yet these were amongst the most vulnerable people in Australia in terms of exposure to COVID. Now that is an outstanding example. Another example that they touch on is the Kauri courts, where Indigenous elders play a very significant part where again, the the results speak for themselves. This is a classic example where Indigenous ideas, Indigenous proposals have been listened to, courts that have been seen to reduce recidivism. I think you talked about health in prenatal and postnatal care, where it is indigenous, it is skilled Indigenous people advising pregnant women or women who have just given birth in a language that they can understand. And by I don't mean necessarily literally language, but but in in communication that reflects a shared understanding of indigenous tradition and custom and so on. So where you have that, you see a reduction in in problems all way, in health problems, all the way up to this around birth. So you look at these examples and I think you can also say with some with some degree of confidence that the intervention that Thomas referred to, which was far more disastrous than any instances of success that people might be able to pluck out of a broad picture of failure. And you've just got to look to two communities today to see where where things failed. I think there's an argument that if there had been a voice to Parliament with status and with respect from the Parliament and from the government back in 2007, they would not have needed to be an intervention. There could not have been a justification for intervention. I don't think that's far fetched at all. Hmm.

Ebony Bennett [00:26:12] Thomas, coming back to you, you've described what the voices this is what's currently before the Parliament about to be before the whole of Australia. We're going to have a referendum where people will have the choice to vote yes or to vote no. We're saying a big no campaign at the moment with various arguments, and I can see some of those arguments popping up in the in the questions. But one thing I just wanted to clarify is, I mean, this is an advisory body to the parliament that's really just not at all an unusual thing for parliaments to do, have advisory bodies, give them advice on all sorts of things. Why do you think there's so much pushback against this proposal when it is indeed so modest and so straightforward?

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Thomas Mayo [00:27:03] Look, I don't think there's any logic or factual arguments against this from those that are spreading them. I'm not denying that some Australians are listening to these arguments and are influenced by them. But at its source, these arguments have no truth to them. They are designed to see them and they are designed to confuse. And this is where you see this contradiction, where on one hand you have the no campaign saying that this will have that this is too powerful, you know, that it's going to cause chaos and indigenous people are going to take your backyards. We haven't heard that one before or that we're going to decide where our submarines are going to be parked and what you know, what the interest rates should be and what the parking tickets should be and all these all these spurious allegations about what the voice is going to be able to do, which are completely false. You know, and the contradiction is at the same time as saying it's not going to make a difference for indigenous people, it's not going to change anything. Look, this is really advisory to parliament. It will not be able to force the parliament to do anything. It hasn't got that sort of power. And Indigenous people wouldn't be so stupid to ask for that sort of power with that unique opportunity that we've had to come together at the root and put it in invitation to the Australian people. But what it can do, what it is, is coherent advice coming from the people that are affected most. And and I do hope this is difficult to get through to Australians that fear very little other than what they might see on Facebook. But the only way we're going to get over that and I saw one of the questions in the in the chat is about how the media isn't helping. The only way we're going to get through that, the only way that we're going to be is by us having these conversations with everybody that we can influence and helping them to understand what this is and everything.

Kerry O'Brien [00:29:15] So I just want to quickly follow up on what Thomas is talking about there. One of the one of the sort of anecdotal things that I hear and it might be on radio interviews, it might just be talking the public. It might be sometimes when we're talking at events and some little. But there is this inference, there is this suggestion that somehow or other, this voice to parliament and to government is going to is going to open up some quote unquote, new gravy train. Like, as if indigenous affairs has been has been a skate rod of privilege rather than the opposite, which is the truth, that indigenous people proportionately are the most marginalised group of identifiable group of Australians, the most marginalised and and yet somehow or other it's never said straight out it's an implication. There is an implication that somehow this is going to lead to much more money flowing into Indigenous communities, into Indigenous hands. For a start, Indigenous people will not have a say on money. They will only have a say on the shaping of policy that comes from the Parliament, that comes from our democratically elected people in the Parliament, and that's where the oversight is as well. So it's a really it's a really small number of people that we're talking about. The co-design group that that spoke to nearly 10,000 Indigenous people and had 110 further consultations after the interview statement around Indigenous communities, urban, regional and rural in Australia. And, and and as they drilled down and got a better idea of what the Indigenous people themselves wanted. This is Marcia Langton and Tom Kamara's group, and they've come up with a proposal for 24 people to represent the voice selected from urban, regional and rural communities around Australia with with a few extra numbers amongst their 24 for the remote areas and for the Torres Strait Islands, and that is their proposal. And there is a similar proposal for local, for local, a local voice and a regional voice, and the states would get engaged in that as well. These are really small numbers, but it's the Parliament that will determine that it's the government will make it or it will come up

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with a model that it will put to the parliament. There will be intense debate about it. It'll go through a whole committee process. It'll go through both houses of Parliament before the final shapes of the voice emerge and then right into the indefinite future, it's the Parliament and the Parliament only that will have the power ultimately to determine whether the voice is changed or not. And they will be basing that change on how effective the voice is and if some hostile government comes in at some point in the future that doesn't like, for whatever reason, Indigenous Australians having a voice. For God's sake, why I. Don't know. But let's say they did. They would be judged by us, the people who have in the referendum in the first place who will have voted yes. The most powerful expression of democracy this country has at its disposal. The people speaking. Not the politicians. The people speaking. It will. The voice will have a moral and a political authority when it puts its proposals to the government. But it will be judged on the effectiveness and the quality of its advice, and ultimately it will be judged on when we see the gaps in inequality closing, when we see this country genuinely becoming a fairer society, when we see this country genuinely becoming more united.

Thomas Mayo [00:32:47] EBONY If I, if I could just that just briefly, on Thursday and Friday, I was in Virunga. Virunga is a small Aboriginal community, New Katherine in the Northern Territory, a remote Aboriginal community where the Barunga statement came from that called for a voice which led to the establishment of that. And we've talked about that and how that would have been destroyed when you got into government and what came from the Thursday and Friday gathering at Barunga, which was the four main councils in the Northern Territory, the Northern Land Council, Central Land Council and the main Council and Tiwi Land Council. So over 100 representatives from the most remote communities in the Northern Territory. They made what is called the Barunga voice declaration and and it touches on it was it was really all about asking Australians again to support this campaign. And one of the parts of it talk about how we don't want to see our voice, our ability to have a say. Taken away at the stroke of a pen again. And it was you know, it's a really powerful coming together of those indigenous communities reiterating your support.

Ebony Bennett [00:34:07] If you're just joining us, we are discussing the voice to Parliament handbook with authors Kerry O'Brien and Thomas Maia. This is available in all good bookstores. And if you're in the chat, we've got an offer from book Topia for Australia Institute supporter. So you can order it today if you don't already have your copy. We've got more than 2000 people live with us today. Thank you so much. We're going to go to questions from the audience now. It's very helpful for me as host if you can upvote questions that you would like answered that will help me find the best ones. So I want to begin with a question from Penny Auburn. Kerry, I might put this one to you. Penny asks, What can we say to people who are demanding details before they vote yes?

Kerry O'Brien [00:34:52] Well, the simple answer is, is that what we the people are being asked to decide is whether or not we are prepared to to recognise 65,000 plus years of indigenous civilisation and history as as a foundational aspect of this country's history. And secondly, that because of that unique history and presence in this country, at the foundation

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of this country, that 65,000 years of custodianship apart from anything else, looking after the continent and its adjacent islands, that is that they will have a permanent place on the political landscape and on the institutional landscape with the responsibility only for providing advice to the Parliament on behalf of Indigenous grassroots communities. Those Indigenous communities who have elected a small number of Indigenous people who will make up that voice of of advice. So the one thing I there is the recognition very important and fundamental and then be permanence and the chance for this special institution representing this special part of this country's history to with the overall goal of redressing the deep imbalance of justice and fairness in this country to this marginalised group of Australians who once essentially owned this continent to to actually guarantee that they will have an ongoing voice of advice and representation to government and the Parliament so that they can hopefully influence policies that will impact back on them. That is the fundamental of it. We we are not being asked to say how big or how small or how this or how that or how much money as at the that the voice, the resources that it would have it. Disposal. But I would suggest comparative to the other resources of government. It's pretty humble. And but but that it will have that permanence and it will have a chance to cement its place, to build its wisdoms, to build its authority, to build its integrity, and play a fundamental and important role in improving the lot of indigenous people in this country. That's it.

Ebony Bennett [00:37:29] The next question that I've got I'll put to you, Thomas. It's from Linda McIver. We've talked a little bit about the No campaign, but she asks, How do you answer people who feel that the voice is a way to delay or avoid treaty? A way to say that we've done something without doing anything meaningful?

Thomas Mayo [00:37:47] Yeah, I can explain, hopefully in a way that people can use in those discussions treaties. But there's an argument that some are saying treaty should come first, and I think that's the crux of that argument, that it comes from Senator Thorpe, for example, who strongly says before there's ever a voice, there must be a treaty and three. So it's a logical argument, firstly, because treaties are already on the way in the States. In the Northern Territory, the processes have begun. The most advanced is in Victoria. It's ten years in, so treaties are already on the way. But what is important to consider is that according to treaty experts, treaties are going to take many decades. They say 30 to 40 years. Senator Thorp himself has said at least 20 years. When I asked about this in a couple of forums and so I put this to people, why would you wait an uncertain amount of time for an uncertain outcome? Because a treaty is a negotiation. It's not a treaty that's done and dusted. It is a negotiation about what is in a treaty. So why would you want to wait an uncertain amount of time for an uncertain outcome before we start to address issues that are common across all of our communities? You know, I've travelled extensively and I know these issues are common, you know, housing issues, justice system, you know how the justice system treats our people that promise health, education, employment, you know, infrastructure, quality programs, bringing attention to programs that are wasteful and failing for the cost. These are the things that a voice can do immediately. So why would we wait for a treaty? Secondly, when it comes to treaty, the treaties are being done with the states and territory, as I said, and we in a national a federal system. And so a national body is vital to supporting the treaty processes, you know, establishing a framework, having a conversation with the Federal Parliament about their obligations to treaties and the states, because it

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shouldn't be left to the states and the territory alone to deal with this unfinished business in this country. And so I think those are very logical reasons to not wait for a voice. As I said, treaties are on way, but to tackle this now, because we can do more than, say, more than one thing at once. Lastly on truth telling led to this Truth telling has been going on for a long time. To wait for a truth telling process would be similar to, you know, I mean, I believe that the parliamentarians, the decision makers already know the truth besides the movies and the documentaries, but the Closing the Gap reports that they hear every year. They understand the problem. They also have the royal commission reports that are chockablock full of evidence, truth telling. And so, you know, we could do another true report on the truth and it would sit and gather dust on their desks like everything else. What's missing is a voice to use the truth to get outcomes. And so it's vital to both treaty making ends meet. So.

Ebony Bennett [00:41:06] Just a couple of kind of housekeeping questions. I've got a few people asking where my T-shirt is from. I got it from the Uluru Statement from the Heart website so people can find a whole bunch of different merch, including stickers and other things there, if you're interested. Hopefully a quick one. Remain has asked Will Thomas and Carrie produce an audio book for people who are vision impaired? I'm not sure if either of you can tell us if that's a possibility.

Kerry O'Brien [00:41:31] I'd have to nail Thomas down to do it. I'm sure his life is a different part of the country.

Thomas Mayo [00:41:40] I would love to do that. We should talk to the publisher to know if it's possible within 48 hours of audiobooks.

Ebony Bennett [00:41:46] But yeah, I've gone.

Thomas Mayo [00:41:47] So it only takes up the.

Kerry O'Brien [00:41:52] Issue of how much time it would take to do it, because we don't have that much time to get it out. But we'll we'll certainly explore. Yes.

Ebony Bennett [00:42:00] The next question is from Peter Suces, who asks, and I might put this to both of you does the Sydney Morning Herald polling results this morning concerning. Thomas, I'll throw that one to you first.

Thomas Mayo [00:42:14] No, I mean, I'm concerned. I'm always concerned because this is high risk of losing this. You know, it does weigh heavily on all of our minds as Indigenous

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people that if we should lose this referendum, then it won't just be the status quo. It's going to take us backwards. It's going to make treaty harder. It's going to take it's going to make it harder to to see resolution to all of these problems, to try to get things are going to get much more difficult if you go to imagine, you know, as a people. That has been that has suffered from such great injustice and have been marginalised for so long, to make such a humble and modest proposition that we should be recognised after 67 years of continuous connection to this country and to modestly propose that we just be have the opportunity to organise representation so that we can be listened to. To have that dismissed. To have that dismissed. You know what that would do? That always white supremacy. But the polling isn't what the problem is for me. I know the polling goes up and down. I want to I want us to not panic, but I want us to have urgency. I want to said urgency. We stick to the plan. We get out there, we tell people how simple this is, that we're not voting on the detail. We're voting on Yes or no. Should people be recognised to be Indigenous people to be recognised? Should they have a say? That's what we're saying. Yes or no. But get out there and do the hard work. We've done a massive amount of hard work to give us to provide this opportunity to Australians. All those lessons that we learnt to go into the restatement, the hard work that we did to reach the consensus in the room, the hard work that we did to not take no for an answer for five and a half years until our commitment and the hard work that we're doing now to convince you to work with us again, don't waste this opportunity.

Kerry O'Brien [00:44:25] So the other thing that Ebony is that is that there there are or there is a real mobilisation going on already around the country that's not highly visible because it's taking place at at a rather humble community level. It's the whole kitchen table conversation process. There are thousands of volunteers. The target ultimately is to have 50,000 volunteers. I'm not directly connected to the to the campaign, but but I do have an understanding of what's going on. You've got every church denomination in the country has signed up in support of The Voice. Something like 120 multicultural organisations have signed up in support of the voice. Sporting bodies all over the landscape have signed up at the most grassroots levels and at national levels. Now where we await, we wait to see how those will manifest in terms of how they make those those support expressions count. Again, at the grassroots level, how active the churches are going to be, how active the multicultural organisations are going to be and so on. But the other side of this coin is that you've got a relative few by comparison with the people who are lined up, including all the major, pretty much all the major corporates as well. This is an extraordinary the trade unions, both sides, both sides of capital and labour are lined up on this. I mean, there is a sense of unity coming up behind all this and against this is a relative handful of people, relative handful of people who are inciting a polarisation and division in our society, who are muddying the waters deliberately, who are not interested in a genuine and honest discussion and a civil discussion, who do want to scare people and who are in part telling straight lies. There is a process which is inviting Australia's worst side to come out into the into the public light. That is, those who are driven to one degree or another by prejudice, who feel they now have an excuse, a reason to express some of the ugly things that we're that we're seeing. This is this is a choice between unity and division. It's really quite clear cut to me between unity in a civil society and division. And I just hate to think of having to wake up on the morning after this referendum and countenance that we, the we as a nation have voted no and rejected this enormous opportunity for to be able to actually stand a little taller and a little straighter, to

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raise our heads a little higher and look other nations in the eye as we dare to lecture them about their human rights abuses.

Ebony Bennett [00:47:14] Well said. I've got one last question that I think goes to addressing some of the doubts in the in the community. I've got someone called Kathryn who says from Google and I'm a strong supporter of the Voice, but have had people state to me that it is racist using the handbook. I've argued that the Constitution was originally racist, and then the conversation continues from there and they ask, Won't this make it more racist? And Thomas, I'm wondering if you've got any advice about how people who are interested in helping the Voice can address these kinds of concerns.

Thomas Mayo [00:47:52] The indigenous people are proposing you still on the basis of being a different race. I don't believe we are different, certainly for human beings like everyone else. We're approaching this on the basis of being indigenous people. You know, that is science and our stories both you know, I agree with this, this long connection to this place that we have been here for so many, many millennia that we should be recognised today. And secondly. Ask people if they're aware and they should be. Decisions are made specifically about us as an indigenous people. And so if decisions are made about us, then wouldn't it be fair for us to have a say? It's not about race. It's about our indigenous indigenous heritage and culture. But then lastly, if we were treated the same, then surely we wouldn't be the most celebrated people proportionately on the planet. You know, just as a very important part of the research on the harm to our species, a river line of things is that proportionally, with the most isolated people on the planet, we're not any native criminal people. Okay, So if the statistics are clear that there's almost ten years difference in life expectancy and that these incarceration rates are so bad in the Northern Territory almost all of the time, 100% of the youth in detention are Indigenous. If it's not racist that we must agree that there is a structural and political issue here that we can resolve. And we're proposing the resolution, which is to listen to us, you know, and to believe if it's normal, to have those sorts of statistics in itself would be racist. Just finally, the power in the Constitution. You know, again, 67 didn't remove that. It just made it possible for the federal parliament to use that ballot. And there's the Hindmarsh case in the nineties. It is it was determined that that power could be used to our detriment, not necessarily to that benefit. So if it is used about us, then we should have decided. Hmm.

Kerry O'Brien [00:50:17] And very briefly, Ebony. Sorry. The I think a part of the answer has been supplied to us by the man who Peter Dutton handpicked when he formed his opposition after the last election as leader and put his frontbench together. And he hand-picked Julian Liza as his spokesman on Indigenous affairs. And. And when and when he announced as that he was going to vote no and he was going to support the no case, he was going to oppose the the yes vote in the referendum. Julie and Lisa walked away from that cabinet. He walked out of that cabinet. He put his own career on hold, essentially his predecessor as the Liberal government, the last Liberal government's Minister for Indigenous Affairs, Ken Wyatt. He also he didn't just he lost his seat at the last election. He walked out of the Liberal Party in protest at that decision. But Julian, Liza is still in the

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Parliament and about three weeks ago in participating in the debate on the form of words for the voice. He said in the clearest possible terms that it would not create two structures. It would not create two Australias. There was no delivery of a particular privilege to Indigenous people as a result of this referendum. And he also said a direct rebuttal of all the claims that the voice will essentially not achieve anything. He said the constitutionally enshrined voice to Government and Parliament will close the gaps, it will close the gaps. And the truth is this is this is Peter Dutton's handpicked spokesman on Indigenous relations. The truth is we all, all of us have nothing to lose and a great deal to gain by voting yes.

Ebony Bennett [00:52:09] And taking the words out of my mouth bear. The summary to me from this discussion is really about First Nations Brothers and sisters have a huge amount to gain from a yes vote at the referendum and there's nothing to lose for the rest of Australia. This is a very modest proposal. It's inclusive and hopefully we can get underway with the Yes campaign once Parliament passes the final wording. Thomas, We're going to ask you to recite the Uluru Statement from the Heart. For anyone who hasn't listened to it, it's extremely short and sweet in just a second. But for the 2000 people we've got live with us today, if they want to get involved in the Yes campaign, if they want to help the Yes campaign or even just to find out more. How can people get involved and do what they can to support? Yes.

Thomas Mayo [00:53:03] Yes. So the website is WW 23 dotcom. Do they use there is a great there's a page on there that helps people to find their local support groups and to answer a question or a question from Kerry Kilroy. A while back, Do we start with our streets? Yes, start with your streets. And then do yourself perhaps, and then do your electorate, you know, go to your town, you know, start these groups out. You can find groups that are already established on that page, on that website. And on the 2nd of July, there should be a lot of activities across the country. It's a day of action. So look for your local action on the 2nd of July and get involved. There's also merchandise on that website to purchase and placards and things like that. There's also together A Yes. So it's together. Yes. Dot com, which is the Kitchen Table Conversations campaign that Kerry mentioned. A great way to get support to hold a conversation with around ten people around the kitchen table. An excellent way to get involved and of course is is very grateful that Kerry and I have written small to an amount of food about people giving a copy to their uncle, for example, that was going to vote no. That changed his mind after reading it. It's a very simple and short read. So would you like me to recite the statement now?

Ebony Bennett [00:54:34] Please do. He's Thomas Mayo telling us about the Uluru Statement from the Heart.

Thomas Mayo [00:54:40] Thank you, everybody. Thanks. Okay, we got it. The 2007 National Constitutional Convention. Coming from all points, the Southern start, like this statement from the hunt for Aboriginal and Torres Strait Islander tribes. The first sovereign nations of the Australian continent and its adjacent islands and possesses under our own laws and customs. These are our ancestors, according to the reckoning of our culture, from

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the creation. According to the common law and time immemorial and according to science, more than 60,000 years ago. This sovereignty is a spiritual connection. The ancestral ties between the land of Mother Nature and the Aboriginal and Torres Strait Islander peoples who were born there from remain attached to them as one day returning students to the United with their insistence. This is the basis of the ownership of the soil. Who better of sovereignty? It has never been suitable to students, and it coexists with the sovereignty of the crown. Now, could it be that a peoples existence in six millennia and the nature disappears from world history in merely the last 200 years with substantive constitutional change and structural reform? We believe this ancient sovereignty can shine through as a fuller expression of Australia's nation. Proportionately. We are the most incarcerated people on the planet. We are not an enlightened criminal people. Our children are alien from their families. Unprecedented rights. This cannot be because we have nothing without youth languishing to see them. They should be our hope for the future. These dimensions of their crisis. So plainly, the structural nature of our problem. This is the moment about Nelson's constitutional reforms to empower our people and take a rightful place in our own country when we have power over our destiny. Children will flourish. They will walk into votes and the culture will be a gift to their country. We call for the establishment of the First Nations voice enshrined in the Constitution. Nicaragua is the culmination of their agenda coming together after a struggle. It captures the aspirations for a fair and fruitful relationship with the people of Australia and a better future for our children based on justice and self-determination. We see a commemorative commission to supervise the 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. We live base camp across this vast country. We invite you to walk with us in a movement of the Australian people for a better future. Thank you, everybody.

Ebony Bennett [00:57:53] Thank you, everyone. Thank you, Thomas. And thank you, Kerry. Thank you for this wonderful book. Just a reminder, the Voice of Parliament Handbook is in all good bookstores, and we've got a link in the chat where you can purchase it on book Topia. As Thomas said, buy a copy for your friends and family and send it to them. There's a really fantastic chapter with frequently asked questions that will be useful for all kinds of conversations. If you want to get involved in the Yes campaign. And just as an idea about how powerful even this group could be if everyone who was on this call with us today on this webinar spoke to ten people, that's 20,000 conversations. That's how easily this thing can spread and how easily you can do your part to help the Yes campaign. Thank you so much for your wonderful questions today. I'm sorry, as always, that we can't get to all of them, but we do appreciate the time of the wonderful authors, Thomas Mayer and Kerry O'Brien. Thank you for your participation and your interest today. And don't forget, you can check out the video recording of this, as well as the audio going up as a podcast on the Australia Institute's channels later today. And thank you, everyone, for joining us. Please check out all of those links by a copy of the book and do what you can to support the Yes campaign for the referendum later this year. Take care of yourselves and we'll see you hopefully at the next webinar. Thanks so much, everyone. We'll see you next time. Bye bye.

Thomas Mayo [00:59:23] Thank you.