

01.

Explain what the Constitution does and does not do

The Constitution of Australia defines the different parts of the Australian Government. It divides the powers of government into three branches:

Legislative: Gives Parliament the power to make laws through two bodies called 'houses'. These are the House of Representatives and the Senate.

Executive: Gives the Governor-General and Cabinet (made up of politicians called ministers) the power to carry out laws.

Judicial: Gives the High Court of Australia and other federal courts the power to work out what the laws mean.

The Constitution sets out how the government works and can change over time. This makes sure it responds to the needs of the people – like the need for a Voice to Parliament.

The Constitution does not set out the details of any of the three branches or how they work. This is decided by Parliament.

02.

Explain what the referendum seeks to do and why it does not include much detail about how the Voice to Parliament will work

The referendum will ask Australians if they agree to make a change to the Constitution that will include an Advisory Group called the Voice for Aboriginal and Torres Strait Islander peoples (the Voice Advisory Group). Like all referendums, it needs to be a simple question because it requires a yes or no answer.

The Referendum does not provide detail on how the Voice will work. The referendum will pass (or be successful) if the majority of people, States and Territories vote yes to this change. If this happens, Parliament will then need to work with Aboriginal and Torres Strait Islander people to work out how the Advisory Group works.

03.

Why does the Voice to Parliament need to be included in the Constitution?

The Voice to Parliament is a way for Aboriginal and Torres Strait Islander people to have a say in the decisions that affect their lives. Including the Voice in the Constitution guarantees this Advisory Group will be permanent. It will help to make sure their voices are heard and respected, regardless of which political party is running Government.

04.

Explain what happens after the Referendum passes

The referendum is not the end point because it is simply a vote by the Australian people on whether they support this change to the Constitution.

If the referendum is passed, the Parliament must then create a law to make the change. This law must then be debated and voted on in both houses of Parliament.

In deciding how the Voice Advisory Group works, Parliament needs to:

- consider the views of all interested parties – in other words people that care about and are impacted by this Advisory group. This includes Indigenous Australians, other minority groups, and the public, and
- make sure it is practical, possible, clear and easy to understand. It needs to be able to be work effectively.

Only after this has been discussed and approved by both houses of Parliament can it be put into effect. So, the referendum is not the end point, it is just the first step. The Voice will evolve over time to become more and more effective.

05.

After the details are worked out, how will Parliament then work with the Voice?

Whenever the Government or Parliament are planning to introduce policies that will possibly impact Indigenous communities, they will be required to seek advice and feedback from the Voice Advisory Group.

Perhaps best explained by a child – “*when we play a game, it’s only fair we make the rules together*”.

Parliament will not be required to agree to their feedback and the Voice Advisory Group will not have the ability to make or reject laws.

06.

Why is the Voice needed when there are already First Nations members of Parliament?

First Nations people make up less than 4% of the population. Their voice is spread across 151 electorates (geographical areas that vote for politicians to represent them) so their votes have very little influence over who is elected.

The Aboriginal and Torres Strait Islander people who participated in the Regional Dialogues meetings do not want to join political parties or be politicians. They devote their lives to improving outcomes in their communities and they just want a say in matters that impact them.

Having a group to help ensure that funding for programs and services in Indigenous communities is spent more efficiently and effectively can improve Indigenous lives, save money and fund the right things.

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) recognises the right of Indigenous peoples to participate in decision-making that affects them. The Voice is similar to our culture of “a fair go”. It builds trust and cooperation between our First Nations people and non-Indigenous people.