

Sent by: Dean Parkin, on behalf of the signatories below  
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12 July 2021

Hon Anthony Albanese MP  
Leader of the Opposition  
PO Box 6022  
House of Representatives  
Parliament House  
Canberra ACT 2600

Sent by email to: [A.Albanese.MP@aph.gov.au](mailto:A.Albanese.MP@aph.gov.au)

Dear Mr Albanese,

The Australian Labor Party's (ALP) commitment to a referendum on a Voice to Parliament has been strong and consistent. With your leadership and that of the Hon Linda Burney, Senator Patrick Dodson and Senator Malarndirri McCarthy, as well as the ALP caucus, the reforming vision of the Uluru Statement from the Heart remains a real and open possibility.

The ALP's commitment is backed by the only mandate from Aboriginal and Torres Strait Islander people on the issue of constitutional recognition: the Uluru Statement from the Heart.

However, it is our understanding that Labor holds two positions on an enshrined Voice to Parliament. The first position is the commitment to a referendum to enshrine a Voice. The second position is to vote with the government should it move a bill to legislate a Voice.

The first position is supported by a mandate from Aboriginal and Torres Strait Islander people through the Uluru Statement.

The second position has no such mandate.

Aboriginal and Torres Strait Islander people have not asked for a legislated Voice without constitutional protection. A proposal to legislate a Voice gives lip service to Aboriginal and Torres Strait Islander voices and ultimately sets the Voice up to fail.

To be clear, the idea to legislate a Voice now so it can be enshrined later is not acceptable. Senator Dodson has said that "Australia cannot move forward while our founding document, our birth certificate, embodies our racist past." Australians across the political spectrum agree the section 51(26) 'races power' is inconsistent with a truly reconciled nation. Yet if it is used to support a legislated Voice, Labor is accepting the use of this rusty old constitutional hook to bring the Voice to life. The last decade and more of consistent rejection of the races power will have come to nothing if Labor validates it through using it as the basis for a legislated Voice.

We believe you when you say, "At its most basic level, the denial of a constitutionally-enshrined Voice is a denial of the Australian instinct for a fair go."

We also believe you when you say that “Until we get this done, we all stand diminished. That is not something we should be content to settle for — all we need to do is take the next step.”

The next step must not be settling for legislation. It must not be Labor waving the white flag on real constitutional recognition by waiving a legislated Voice through the Parliament. Publicly declaring that Labor will pass legislation without a referendum is surrender to the status quo.

Also, the next step must not be Senate or House of Representatives motions to force a vote on a referendum on a Voice without first securing government and cross-bench support. Provoking certain defeat on motions that are not supported is a flawed tactic for such a significant policy reform. First Nations people’s desire for constitutional change must not be used as a political football.

**It is inconsistent for Labor to say on the one hand that its policy is that the Voice must be constitutionally enshrined whilst on the other hand indicating that it will allow legislation to pass parliament without enshrinement.**

Research by the From the Heart campaign shows that 56% of Australians would have supported a Voice at a referendum in June 2020, as opposed to only 17% against. Of the more than 3,000 submissions to the government’s Voice co-design interim report, 90% support a Voice enshrined in the Constitution.

The Australian people are showing they will support a referendum on a Voice.

The government has an existing commitment to a referendum on constitutional recognition and is finalising the design of a Voice. Work is ongoing to raise awareness with government members who are open to engaging on the proposal for a referendum on a Voice. We are at a critical time with an opportunity to achieve our goal. Real intelligence, diligence and determination must trump (mostly wrong) perceptions of what is possible. Aboriginal and Torres Strait Islander people are too often told that real reform is too hard or won’t be supported based on nothing more than assumptions.

Labor’s moral leadership for a constitutionally-enshrined Voice must be reinforced by the political and policy conviction to accept nothing less than a referendum in the next term of parliament.

We ask you to confirm the ALP will:

1. Not support a bill to legislate a Voice in this term of parliament.
2. Following the finalisation of the Voice Co-Design Report, support a separate process to consider the constitutional and legislative arrangements to enact a Voice (as per Recommendation 2 from the 2018 Joint Select Committee Final Report)
3. Work to secure genuine bi-partisan commitment for a referendum on a Voice in the next term of Parliament.

Your leadership on an enshrined Voice to Parliament has been strong and consistent. The leadership of the Hon Linda Burney, Senator Patrick Dodson and Senator Malarndirri McCarthy has been staunch on this most crucial reform. We ask that together, you hold the course and help us deliver on the mandate for an enshrined Voice to Parliament.

Sincerely,

From the Heart First Nations Supporters

Noel Pearson  
Rachel Perkins  
Dean Parkin  
Kenny Bedford  
Carla McGrath  
Semara Jose  
Dee Edwards  
Louise Togo  
Josh Apanui  
Wollie Gela  
Porsha O'Brien  
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Uluru Dialogue First Nations Supporters

Pat Anderson AO  
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Professor Bronwyn Fredericks  
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Olga Havnen  
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Associate Professor Nicole Watson  
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Bridget Cama  
Lucy Davis  
Geoff Scott  
Janine Gertz  
Joanne Schmider  
Adam Phelan  
Janine Coombs  
Dr Hannah McGlade  
David Collard  
Charles Murray  
Delilah McGillivray  
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Teela Reid

United Workers Union First Nations Members

Carol McCormack  
Kenton Winsley  
Pamela Honeysett  
Haidee Noonan  
Wayne Costelloe  
Mandy Dewey  
Kay Gehan  
Angela Beatson  
Wayne Kurnorth

Maritime Union of Australia First Nations Members

Vicki Morta  
Thomas Mayor (and From the Heart)  
Michael O'Shane

Australian Services Union First Nations Members

Julie Perkins  
Marie McDonald

Queensland Nurses and Midwives' Union First Nations Members

Sam Mills  
Yoko Nakata  
Kirsty Leo  
Patricia Cater  
Hylida Wapau  
Anthony Clayton  
Nicole Ramsamy  
Joanne Tesiram  
Odette Best  
Anna Bon  
Jacqueline Brown  
Michelle Appo  
Breanna Solomon  
Margaret Wymarra  
Annie Reeves  
Shem Getwawan  
Sye Hodgman  
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