



PRIME MINISTER  
The Hon Anthony Albanese MP

01 FEB 2023

Reference: MC23-001382

The Hon Peter Dutton MP  
Leader of the Opposition  
Parliament House  
CANBERRA ACT 2600

Dear Mr ~~Dutton~~ *Peter,*

Thank you for your letter regarding the referendum to constitutionally enshrine an Aboriginal and Torres Strait Islander Voice (the Voice).

My Government is committed to holding a referendum to enshrine a Voice in the Constitution this year. A constitutionally enshrined Voice is a necessary step to advance reconciliation and ensure the vision of the Uluru Statement from the Heart becomes a reality.

Significant work has already been undertaken over the past decade to reach this point, including by the previous Government in which you were a Cabinet Minister. This has included considerable public discussion and work on the Voice model, including the 2018 Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples, co-chaired by your Shadow Attorney-General and Shadow Minister for Indigenous Australians, Mr Julian Leeser MP, and the *Indigenous Voice Co-design Process: Final Report to the Australian Government* led by Professor Marcia Langton AO and Professor Tom Calma AO.

Last year I proposed a draft constitutional amendment which would give Australians the opportunity to recognise Aboriginal and Torres Strait Islander people in the Constitution. This draft is being considered by Referendum Working Group and the Constitutional Expert Group.

As I have said to you in our meetings, if you have any practical suggestions or amendments on the wording I would welcome your contribution. The draft wording is:

“In recognition of Aboriginal and Torres Strait Islanders as the First Peoples of Australia:

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.”

On 29 September 2022, the Referendum Working Group released a set of principles for the model of the Voice. Those principles identify the Voice as a body that would:

- provide independent advice to the Parliament and Government
- be chosen by Aboriginal and Torres Strait Islander 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 include youth
- be accountable and transparent
- work alongside existing organisations and traditional structures.

The Voice would:

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

I would encourage you and Mr Leeser to engage with the Referendum Working Group.

This proposal is the culmination of years of discussion, consultation and hard work by Aboriginal and Torres Strait Islander peoples and so many others, including former Minister for Indigenous Australians, the Hon Ken Wyatt AM. It is an extraordinary opportunity for every Australian to be counted and heard – to own this change and be proud of it.

A constitutionally-enshrined Voice is a vehicle to improve outcomes for Aboriginal and Torres Strait Islander peoples. It will give the people with knowledge and on the ground experience an avenue to advise the Government and the Parliament on the federal laws, policies and programs that impact their lives. We know the most effective outcomes for Aboriginal and Torres Strait Islander communities occur when their voices are heard and they have ownership over the policies that affect them.

Once the referendum is decided, and if the principle of the Voice is agreed by the Australian people, the Voice model will be legislated by Parliament in the ordinary way. That is the way our Constitution works.

I will continue to work with all Australians, including all members of Parliament. As always, I am available to discuss these important issues with you in order to achieve a constructive outcome.

Yours sincerely

 ANTHONY ALBANESE