



## **Senate Estimates 24 October 2023 – Opening Statement**

Chair, this is the first appearance of our new Sex Discrimination Commissioner, Dr Anna Cody, who joined the Australian Human Rights Commission at the beginning of September.

Dr Cody brings a wealth of experience to the role, and a commitment to working with community, legal, business and government sectors, and most importantly, those with lived experience to address and improve gender, sex and sexuality equality in Australia.

Dr Cody was most recently the Dean of the School of Law and Professor at Western Sydney University, where she led education and research impact within the School to better reflect the diversity of the community and the intersection of law and justice. Prior to this, Dr Cody was the Director of the Kingsford Legal Centre for over 20 years, providing leadership in clinical legal education, discrimination law and human rights.

We at the Commission look forward to supporting Dr Cody as she continues the Commission's work of her predecessor, Kate Jenkins, in implementing the Respect@Work recommendations, and as she develops her own term goals.

Chair, I would also like to invite our Social Justice Commissioner, Ms June Oscar AO, to provide some opening remarks before we proceed to questions.

## **Opening Statement, Senate Estimates October 24, 2023 - June Oscar AO, Aboriginal and Torres Strait Islander Social Justice Commissioner**

The 14th of October will be marked in Australian history as a very sad day for First Nations people and the millions of non-indigenous people, from all walks of life, who passionately supported the recognition of our peoples through a constitutionally-enshrined Voice to the Australian Parliament and Executive Government.

As you are all aware, I was, and remain, a vehement supporter of the one-page Uluru Statement from the Heart and its pursuit for the recognition and realisation of our peoples' rights through Voice, Treaty and Truth.

I was there at the Uluru constitutional gathering in 2017, with so many other First Nations representatives from across Australia who came together in unity and hope, to chart a way forward that would: invite all Australians to walk alongside us to finally end our people's exclusion from the birth certificate of this nation; to acknowledge that policies designed and imposed by those who do not know our lives undermine and hurt us; and to right the wrong of our lived experiences and knowledges being excluded from decisions that affect us.

And the truth is, from that point in time up until early this year when referendum campaigning began, I believe the majority of Australians had come to accept the gracious gift of our arms outstretched to be included in the Constitution. It was through a democratic process that Australians were destined to right the wrongs of our



exclusion and to accept our sovereignties could co-exist, with nothing lost to any Australian, but so much gained in our long reconciling journey.

But it was not to be. With the commencement of the 'No' Campaign, the tide turned in Australia's support for the Statement and the Voice, with polling over the course of the year showing support for 'Yes' drop from 60% to 40% as we came to referendum day.

There has been a lot of commentary already about why the 'Yes' vote was not successful. But, there is no doubt that the wildfire of mis- and disinformation that we saw spread throughout physical and online spaces had a very significant part to play in stoking fear and uncertainty in the minds of Australians, and fuelling racism and intolerance against our peoples.

Ultimately, the impact will be felt far beyond the vote. I have already heard reports of our children facing racism at school because of the outcome. That their peers have interpreted 'No' as a rejection of them. This is not acceptable, and so far from the truth. This was not a referendum on our human rights, on our rightful place in this nation, or on our self-determination.

This referendum has made it abundantly clear, that we live in a time when it is becoming increasingly hard, if not impossible, to have reasonable and safe public discussions, and this is a significant challenge that all Australians must now face and work to overcome.

Perhaps the worst piece of misinformation spread through the campaign was that Indigenous people in regional and remote Australia did not support the voice. Well, the vote has now proven unequivocally that we do. It is an important piece of truth-telling that should inform the agenda moving forward. The nation has a clear mandate to establish regional and remote voices.

In the immediate I need to stress the real and palpable pain that so many Australians are feeling in the aftermath of this referendum result. I am one of those Australians feeling the grief of this loss of what could have been.

The referendum was intended to unite us, but instead, through the months of campaigning, we have been caught in intense conflict. What we have experienced makes very clear the need for a Makarrata process and a period of truth-telling, healing and dialogue as a nation—for all Australians—so we can reset and move forward together.

Our peoples will regather and unite with our supporters to understand what the next steps need to look like. I want to thank all our peoples, and non-indigenous people who proudly and courageously campaigned for the Voice. I promise you all that your efforts were not wasted. A momentum for change has been built with millions of Australians and there are multiple pathways forward.



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As penned by Thomas Mayo earlier this week, 'the heart of the nation is still here (within us). It always was and it always will be'. His words reminded me of where our real power lies and reassured me that we can and we will heal from this. With open hearts and open minds we can come together as a nation and find our way towards truth, justice and a better future.

Thank you.