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5 June 2018

Senator Patrick Dodson and Mr Julian Leaser MP
Co-Chairs, Joint Select Committee on
Constitutional Recognition Relating to
Aboriginal and Torres Strait Islander Peoples

Via e-mail: jscqr@aph.gov.au

Submission to the Joint Select Committee

Dear Senator Dodson and Mr Leaser,

We are pleased to write to you enclosing four documents: *Hearing Indigenous Voices*, *Makarrata*, *Journey from the Heart* and *A Fuller Declaration of Australia's Nationhood*.

At the Garma Festival last year, the Prime Minister observed that the Uluru Statement's proposals were 'big ideas' but light on detail. Each of the enclosed document deals with a different aspect of providing options for how these 'big ideas' might be realised and provides options for the detail that the Prime Minister observed was missing.

In submitting these documents for the consideration of the Joint Select Committee, Uphold & Recognise ('U&R') is aiming to provide policy options for further discussion. Indigenous people themselves, in negotiation with government, should decide what the final detail of these proposals looks like. And, in that spirit, the focus of the public discussion must turn to *how* these ideas are realised, not *whether* they ought to be.

The enclosed documents provide draft legislation, made possible by generous assistance from Allens lawyers, and note that the final proposals might pick and choose from these documents, rather than adopting them wholesale. We hope you agree that they provide well-thought out options for making the aspirations of the Uluru Statement and the recommendations of the Referendum Council's final report a reality in a way that upholds the Constitution.

By way of background, U&R was founded in 2015 by Damien Freeman, a lawyer at the PM Glynn Institute at the Australian Catholic University, and Julian Leaser. U&R was founded on two principles. The first is that the Australian Constitution underpins our democratic values and shared way of life, and that this is worth upholding. The second principle is that Indigenous Australians ought to be fairly recognised, on their terms. It is imperative, therefore, that any constitutional reforms both *uphold* the Constitution and *recognise* Indigenous peoples. U&R is led by its seven board members: Rachel Perkins, Nolan Hunter, Damien Freeman, Sean Gordon, Geoffrey Winters, Adam Bray, and David Allinson.

U&R has entered into a strategic relationship with the PM Glynn Institute at Australian Catholic University (ACU), as well as other corporate and University partners and sponsors including the Commonwealth Bank, Westpac, (Rupert Myer's) Aranday Foundation, Kimberley Land Council, Cape York Land Council, and the University of Melbourne Law School. Since 2015, U&R has released a book and four publications in the U&R Monograph series. It has also run 10 well-attended public events to raise awareness of its work.

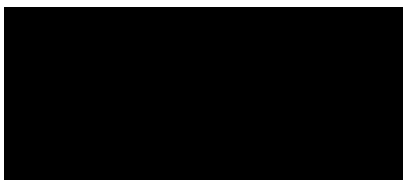
U&R does this work through a Policy Unit in cooperation with the PM Glynn Institute at the Australian Catholic University. This forms part of a strategic partnership with Professor Megan Davis of University of New South Wales and Noel Pearson of Cape York Institute. With Sean Gordon, these three Indigenous leaders provide the strategic guidance for U&R's policy work. We have been guided by the advice of legal experts and Indigenous leaders including Professor Greg Craven AO GCSG, Professor Marcia Langton AM, Warren Mundine AO, Professor Cheryl Saunders AO, Professor Anne Twomey, Danny Gilbert AM, and Ian Mc Gill.

This work will culminate in the launch of four policy documents, each of which speak to one of the recommendations of the Uluru Statement from the Heart and the Referendum Council's final report. They will be launched by the Hon Michael Kirby AC CMG at the NSW Parliament on 26 June. **These documents are annexed to this submission and are under embargo until 26 June. We request that they not be made available to the public until then.**

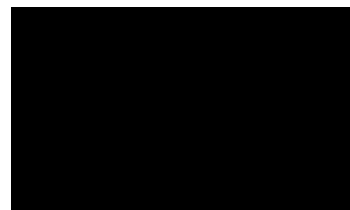
U&R is proud of the fact that Indigenous and non-Indigenous Australians, from a variety of backgrounds, have come together to produce these documents. We are heartened that the Declaration of Recognition aspires to achieve what we have already proven is possible: a group of Australians, embarking on a journey to recognise the rightful place of Aboriginal and Torres Strait Islander peoples in this country.

It is with great pleasure that we commend this work to the Committee for its consideration. We invite the Committee to discuss the issues raised in these documents with us and would be happy to appear before the Committee to answer any questions that they raise.

Yours sincerely,



Sean Gordon
Chair



David Allinson
CEO