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Submission to Senate Finance and Public References Committee Inquiry into the Administration of the Referendum into an Aboriginal and Torres Strait Islander Voice

I take this opportunity to make the following submission in my capacity as the Executive Director of The Samuel Griffith Society.

I thank the Committee for the opportunity to make this submission, and am particularly grateful to members of the Society and our secretariat staff for their invaluable assistance in its preparation.

There is significant uncertainty about the ‘Voice’ proposal within the community

1. There is a clear lack of awareness within the community about the proposal to amend the Constitution to establish an ‘Aboriginal and Torres Strait Islander Voice’ and significant uncertainty about what this would entail.
2. Research conducted for The Samuel Griffith Society in November and December 2022 found that one in three Australians had ‘little to no’ awareness of the proposal. Subsequent published research suggests that this lack of awareness continues.
3. ‘Only 13 per cent of voters are confident they understand the plan for constitutional change,’ according to research conducted by Resolve Strategic in January 2023.¹

¹ David Crowe, ‘Support for Voice slips as voters await more detail’, *The Sydney Morning Herald* (24/1/2023) <<https://www.smh.com.au/politics/federal/support-for-voice-slips-as-voters-await-more-detail-20230123-p5cenw.html>>.

4. Furthermore, research conducted by Resolve Strategic in February 2023 also found that 63% of voters desire more information about the proposal than is currently available – irrespective of whether they support or oppose the ‘Voice.’²
5. Similarly, research by Freshwater Strategy conducted in April 2023 found that, although public awareness is increasing, ‘around half of voters (49%) say that they do not have sufficient information [to make an informed decision], and need more.’³
6. Research conducted by Roy Morgan in April 2023, identified the key reasons Australians remain ‘Undecided’ about the ‘Voice’ proposal as being:
 - a. ‘Lack of understanding about how it would operate;’
 - b. ‘Lack of information available to explain the change;’ and
 - c. ‘No general details in the public arena.’⁴

The Commonwealth should support an open and well-resourced debate on the ‘Voice’

7. The significant lack of awareness and strong desire for further information about the proposed ‘Voice’ within the community underscore the need for an open and well-resourced public debate about the proposal. To address these issues, Australians need to be able to engage in respectful yet rigorous discussion of the merits of the proposal.
8. Efforts to mitigate the dissemination of ‘misinformation and disinformation’ should be balanced against this need and designed so as not to unduly compromise the free exchange of ideas. This means that public education should be preferred to censorship, which should not be engaged in outside exceptional circumstances.
9. Given the general nature of the proposed constitutional amendment, which provides no specific information about how the ‘Voice’ might operate, it will be incredibly difficult – if not impossible – to assess the accuracy of arguments about various aspects of the ‘Voice’ proposal. This is another reason for integrity and assurance measures to focus on the administration of the referendum, rather than attempting to encompass broader ‘fact-checking’ or censorship of public debate.

² David Crowe, ‘Support for Indigenous Voice falls, voters call for more detail: Poll’, *The Sydney Morning Herald* (23/2/2023) <<https://www.smh.com.au/politics/federal/support-for-indigenous-voice-falls-voters-call-for-more-detail-poll-20230222-p5cmh6.html>>.

³ Freshwater Strategy, ‘Exclusive: Freshwater Strategy polling on ‘The Voice’ for Sky News’ (18/4/2023) <<https://freshwaterstrategy.com/2023/04/18/exclusive-freshwater-strategy-polling-on-the-voice-for-sky-news/>>.

⁴ Roy Morgan, ‘Support for ‘The Voice’ drops to 46% of Australians – down 7% points since December 2022 as Liberals vow to oppose’ (21/4/2023) <<https://www.roymorgan.com/findings/support-for-the-voice-drops-to-46-of-australians-down-7-points-since-december-2022-as-liberals-vow-to-oppose>>.

10. The official ‘Yes’ and ‘No’ pamphlet will be an important resource that will underpin a rigorous and well-informed public discourse. Therefore, the content of the pamphlet should be determined by Members of Parliament from the respective sides, as has been done at previous referendums.
11. This process would also be assisted by the appointment of official ‘Yes’ and ‘No’ committees, who would be able to act as authoritative sources of information throughout the referendum debate. These committees should also be selected by Members of Parliament from the respective sides of the debate, as has previously been the practice.
12. Finally, the Commonwealth should not hesitate to use public funds to support the national conversation, as occurred in the 1999 republic referendum. In that case, equal Commonwealth funding of official ‘Yes’ and ‘No’ cases allowed Australians to benefit from a more comprehensive and effective national debate.

Conclusion

The more rigorous, comprehensive and well-informed the public discourse surrounding the ‘Voice’ referendum, the better the outcome for all Australians. The Samuel Griffith Society supports measures aimed at enhancing public awareness and understanding of the ‘Voice’ proposal through the free and fair exchange of information.

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