

21 April 2023

Committee Secretary  
Joint Select Committee into the Aboriginal and Torres Strait Islander Voice Referendum

By electronic submission

Dear Committee,

***Inquiry into the Aboriginal and Torres Strait Islander Voice Referendum***

1. Economic Justice Australia (EJA) welcomes the opportunity to make a submission regarding the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill (the Bill).
2. EJA is the peak organisation for community legal centres providing specialist advice regarding social security issues and rights. Our members across Australia have provided free and independent information, advice, education and representation in the area of social security for over 30 years.
3. EJA draws on its members' casework experience to identify systemic policy issues and provide expert advice to government on reforms needed to make the social security system more effective and accessible. Our law and policy reform work:
  - Strengthens the effectiveness and integrity of our social security system;
  - Educates the community; and
  - Improves people's lives by reducing poverty and inequality.
4. EJA fully supports a Constitutionally enshrined First Nations Voice to Parliament. A Constitutional Voice would provide an effective representative body for First Nations peoples to provide input on the issues that affect them. This Bill is a necessary step toward realising the Uluru Statement from the Heart, and the Constitutional changes it proposes will help to ensure that the rights of First Nations peoples are recognised, respected and protected in government and lawmaking processes. We recommend that the Bill be passed in its current form.
5. We refer the Committee to our submissions to the Senate Standing Committee on Legal and Constitutional Affairs and the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs, regarding the application of the United Nations Declaration on the Rights of Indigenous Peoples in Australia.<sup>1</sup> These submissions outline the necessity of a Voice to

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<sup>1</sup> Economic Justice Australia, Submission to the Senate Standing Committee on Legal and Constitutional Affairs, *Inquiry into the application of the United Nations Declaration on the Rights of Indigenous Peoples in Australia*, 23 June 2021 <https://www.ejaustralia.org.au/wp-content/uploads/Economic-Justice-Australia-submission-to-UNDRIP-inquiry-230622.pdf> ; Economic Justice Australia submission to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs, *Inquiry into the application of the United Nations*  
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Parliament with respect to social security issues. They highlight that First Nations peoples are often disproportionately affected by social security laws and policies that are routinely made without adequate participation or consultation processes involving affected communities. They also outline a range of ongoing systemic and access issues that adversely affect First Nations peoples navigating the social security system, that have existed for years without being addressed.

6. The recent introduction of the Social Security (Administration) Amendment (Income Management Reform) Bill 2023, currently subject to inquiry by the Senate Standing Committee on Community Affairs, further underscores the need for a First Nations Voice to Parliament.<sup>2</sup> The Bill has the effect of continuing compulsory income management for cohorts subject to Income Management and formerly subject to the Cashless Debit Card. First Nations peoples are disproportionately represented amongst these cohorts.
7. Had the Voice been already in place prior to this Bill's introduction, the process for consideration of any extended rollout of compulsory income management would have been very different. It would have enabled processes ensuring proper scrutiny of proposals with input from all affected communities, and examination of the differing perspectives of communities in different regions, such as communities from the Northern Territory and Cape York. Community input on national social security policy development would not be restricted to ad hoc local consultations at one end of the spectrum, and high-level submissions to Senate Committees at the other. We would expect greater recognition and reflection of the importance of self-determination and participation in this legislation in light of its disproportionate impact on First Nations peoples. We look forward to a future where such considerations are built into law-making processes through a Constitutionally enshrined Voice.

### Contact for this submission

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*Declaration on the Rights of Indigenous Peoples in Australia*, 18 October 2022 <<https://www.ejaustralia.org.au/joint-standing-committee-on-aboriginal-and-torres-strait-islander-affairs-inquiry-into-the-application-of-the-undrip-in-australia-2022/>> .

<sup>2</sup> See our submission; Economic Justice Australia submission to the Senate Standing Committee on Community Affairs, *Social Security (Administration) Amendment (Income Management Reform) Bill 2023*, 14 April 2023 <  
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