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**Joint Select Committee
on Constitutional
Recognition Relating
to Aboriginal and
Torres Strait Islander
Peoples**
jscrr@aph.gov.au

Uluru Statement from the Heart

NAVA welcomes the opportunity to comment on the Joint Select Committee's interim report on constitutional recognition for Aboriginal and Torres Strait Islander peoples. NAVA applauds the JSCCR's focus on the Voice to Parliament thus far, and urges that the key aspects of the Uluru Statement from the Heart made by First Nations peoples at the National Constitution Convention in 2017, be recommended in the committee's final report.

The National Association for the Visual Arts is the peak body representing the professional interests of the Australian visual and media arts, craft and design sector, comprising of 20,000 practitioners, galleries and other art organisations. Since its establishment in 1983, NAVA has been influential in bringing about policy and legislative change to encourage the growth and development of the visual arts sector and to increase professionalism within the industry. Through the Code of Practice for the Professional Australian Visual Arts, Craft and Design Sector, NAVA sets best practice standards for the contemporary arts industry.

NAVA has a long-standing commitment to ensuring First Nations peoples' rights are protected. This includes the commissioning of *Valuing Art, Respecting Culture: Protocols for Working with the Australian Indigenous Visual Arts and Craft Sector* written by Doreen Mellor and Terri Janke and published by NAVA in 2001. This document provides background information and a historical and cultural context for contemporary Indigenous visual arts practice in Australia and identifies the appropriate ways of working within First Nations practitioners.

NAVA has also been a vigorous advocate for the introduction of both moral rights and resale royalty rights legislation in Australia and was a key contributor to the development of the Indigenous Art Code.

One of NAVA's current policy priorities as set out by its Strategic Plan 2018-20 is to facilitate self-determined approaches to First Nations best practice in contemporary arts, and join with other initiatives to support formation of a national First Nations arts body.

The Voice to Parliament

In May 2017, Aboriginal and Torres Strait Islander peoples formed an unprecedented national consensus. The Uluru Statement from the Heart calls for a constitutionally enshrined "First Nations Voice" which would be able to speak into Parliament. It also calls for the establishment of a *Makarrata* Commission which would lay the foundation for a Treaty between federal and state governments and the First Nations. This consensus was unprecedented.

The Uluru Statement is specifically designed to uphold the Constitution, respect parliamentary supremacy and eliminate legal uncertainty, while constitutionally empowering First Nations people with a voice in their affairs.

The Voice to Parliament is considered as a modest change and would simply allow the First Peoples of Australia to speak to the parliament and to the nation about the laws and policies that affect them.

This is a reasonable proposal. The Uluru Statement deliberately leaves an openness for the collaborative design of how this will work. While there is no doubt the design of this could take some time to navigate, NAVA encourages the committee, and indeed, parliament, to consider this as practical opportunity and an important step toward Australia's future as a truly fair and honest country.

NAVA supports the committee's call, in its interim report, for a *process of deep consultations between the Australian Government and Aboriginal and Torres Strait Islander peoples in every community across the country, in order to ensure that the detail of The Voice and related proposals are authentic for each community across Australia.*

NAVA urges that the key aspects of the Uluru Statement from the Heart are recommended in the committee's final report – specifically that constitutional reforms to allow a Voice to Parliament advance First Nations self-determination and the standards established under the *United Nations Declaration on the Rights of Indigenous Peoples.*

Please do not hesitate to contact me for any further information I can provide.

Sincerely,



Penelope Benton
General Manager