

## **SUBMISSION FROM THE SISTERS OF SAINT JOSEPH**

We, the *Sisters of Saint Joseph of the Sacred Heart*, are a Congregation of 600 women across Australia, New Zealand, Ireland, Brazil and Peru. We were founded in 1866 by Fr Julian Tenison Woods and Saint Mary MacKillop.

We support the call of the *Uluru Statement from the Heart* for a First Nations Voice enshrined in the Constitution. We believe that from a moral and just position, this is an essential step to empower Aboriginal and Torres Strait Islanders to take their rightful place in their own country.

We are ready to vote YES for the Voice in the upcoming referendum.

We support the proposed wording change or amendment to the Constitution and believe the wording delivers on the mandate of the *Uluru Statement from the Heart*.

We understand that constitutional recognition through an Aboriginal and Torres Strait Islander voice is the form of recognition chosen by the Indigenous community and we support this self-determined position. It is the result of over 12 years of work, 7 processes and 10 reports. We respect the consultation that has been undertaken and acknowledge that the deficits experienced by Indigenous people need to be addressed.

**We agree that the final amendment and referendum question are fit for purpose, are legally sound and should not be changed.**

We recognize that the wording has been announced as legally sound by a majority of respected Constitutional Experts, including former High Court justices, Law Councils and respected silks. We respect the wording as recommended by the Select Committee.

The wording merely ensures that indigenous people make representations so that they are heard, while the parliament decides the rest. The way it has been achieved with representations from an Indigenous working group that has been given a seat at the table with other decision-makers, surely this demonstrates just how effective a Voice will be should it be established.

**We believe that the Voice needs to be able to speak to both the Executive and Parliament. Without being able to do so the Voice will not be able to deliver meaningful change.**

The Sisters of Saint Joseph believe that the Voice is an opportunity for Australian people who actually know what is happening and actually care about it, to say something. We need to give Indigenous people a Voice, it is fair and reasonable, likely to produce better outcomes and engender a sense of responsibility and accountability. Voice needs to be able to speak to both the Executive and Parliament in order to deliver meaningful change.

Indigenous peoples need to have connection and a seat at the table, simply because all the big decisions that are made nationally that impact all indigenous people are made at that level.

There are thousands of lobbyists in Canberra who seek to influence Government for social and or commercial reasons. Indigenous people also need similar access by having a recognized Voice in decisions affecting their well-being.

In the real world, Indigenous Australians are treated differently under some laws and face unique challenges. A realistic and fair nation should adopt special measures to overcome this dilemma – this is the essence of reconciliation. The Voice needs to speak both to the Executive and to Parliament in order to deliver meaningful change. The current system has consistently failed to deliver the essential outcomes for Indigenous people. We support the recognition that delivers practical rather than symbolic change, it is the only form of recognition on offer, and it is the request of a broad consensus of Indigenous Australians.

We affirm the efforts of the Referendum Working Committee of indigenous people who were chosen because of their efforts to achieve substantive constitutional recognition and for their expertise. Most of the group have worked on Indigenous rights and recognition for many decades. We respect this wisdom and expertise and support their recommendations regarding what needs to happen for us as a nation.

**Our own Sisters of Saint Joseph experiences of why making representations to the Executive and Parliament are key;**

### **Our History**

Our history since 1866 attests to the long-held desire of Aboriginal people to have agency in their own lives and communities.

From the *Founding of our Congregation in 1866* our Co-Founders Julian Tenison Woods and Saint Mary MacKillop were very conscious of the impact of colonization on First Nations People. In Julian's writing, his purpose was always to point out the injustices done to Aboriginal people and to criticize colonial policies of the time. Many of his observations remain relevant today. He consistently displayed a concern for their welfare and saw the injustices they suffered....many of these injustices continue.

In an essay written in North Queensland in 1880, Julian writes about how he came across Aboriginal children who had been "found" by settlers after a raid in the bush. He believed their parents had been killed. Their white owners complained of the children's sulkiness:

*"It is hardly fair to call this sulking. Let any white child be stolen from its parents ... and its conduct would be the same. I should say also that it was a consequence of grief and terror combined. It is no small misfortune to a little child, black or white, to be suddenly torn from its home and from all that it loves, by those who may be ghosts or wild beasts for all it knows."* (Sydney Mail, 17 July 1880, p 102)

"In the oral tradition of both Josephite Sisters and Aboriginal groups, there are numerous stories of positive interaction between the Sisters and local Aboriginal people in country towns. Aboriginal people living such places as Hillston, Walgett, Mount Isa, Cloncurry, Moora, and the twin goldfield towns of Kalgoorlie-Boulder hold such memories in their family history"

(Sisters of Saint Joseph Justice Space) as quoted in *St Mary MacKillop, Fr Julian Tension Woods, Fr Donald MacKillop SJ, Fr Duncan McNab and their Ministries to Aboriginal Australians* by Fr Carl MacKander. Presented to the Diocesan Pastoral Councils "participation of Indigenous Catholics' Working Group. May 2017.

Our 27<sup>th</sup> General Chapter Statement October, 2019 exhorted us :

*Let's learn from our First Peoples of our countries and wholeheartedly support as neighbours their initiatives for recognition, agency, and justice.*

The Catholic Plenary Council 2022 confirmed our stance and encouraged all church agencies to embrace Aboriginal culture in Catholic practices.

The Sisters of Saint Joseph have lived among aboriginal people in the Kimberley for over 50 years, including Warmun, Halls Creek, Wyndham, Kunnanurra and Ringers Soak. Our lived experience walking alongside indigenous people and seeing at first hand their wisdom and generosity as well as the inequity and their lack of Voice to Government in order to advise and influence outcomes for their well-being has made us very conscious of the need for their Voice in representations to the Executive and Parliament.

Our Sisters living in rural and remote communities have walked alongside aboriginal people supporting their initiatives towards self-determination and recognition.

### **Constitutional entrenchment is key;**

Indigenous people in Australia have never before had a constitutionally enshrined Voice. Unless the Voice is constitutionally entrenched, it is subject to the whim of the Government of the Day. This does not work in favour of the needs of Indigenous people and results in the lack of long term planning and consistent implementation of programs for Indigenous people, thus widening the Gap in health, education and social outcomes.

### **We believe the Voice will make a difference.**

We support and accept:

- This Voice is about making sure that what happens in the federal parliament is going to be a positive step forward both in terms of us as a nation, but also the life outcomes for First Nations people in Australia.
- It is a generous offer of Aboriginal and Torres Strait Islander peoples to us to walk with them in a movement for a better future.
- This referendum is a once-in-a-generation opportunity and gives every Australian the invitation to invest in a common future.
- It is time for this change,
- It is time for principle and conviction in a decision and a debate that is about people not politicians or the party line.
- This Voice is about making sure that what happens in the federal parliament is going to be a positive step forward both in terms of us as a nation, but also the life outcomes for First Nations people in Australia.
- We want this to be about the people of Australia ` indigenous and non-indigenous – standing together, saying it is time to break this cycle of disadvantage and inequity and make us a nation where we all feel we belong We can do this through a simple acknowledgement of indigenous people as the first peoples of this country. A modest recognition in the Constitution.

**Sister Monica Cavanagh**

**Congregational Leader**

**Sisters of Saint Joseph of the Sacred Heart, 21 April, 2023**

