

LEADING JUDGES SUPPORT “THE VOICE” -

August 1, 2023

An eminent group of retired judges have published an open letter to the people of Australia in support of a ‘Yes’ vote in the upcoming referendum on the Voice.

The moving letter, penned by members of the National Integrity Committee, emphasises how the Voice will deliver on the call made in the Uluru Statement from the Heart and enrich our democracy.

The judges highlight that their professional lives have been spent ‘listening to, and seeking to evaluate, contending arguments’.

They write, that after careful consideration:

“...we confidently believe that, by raising the quality of our public debate, the proposed Voice will both enrich our democracy and increase the likelihood of governments making correct decisions about matters that affect Indigenous peoples.

It will also, and very importantly, give Indigenous Australians their due recognition in our Constitution as this nation’s first peoples.

If successful, the referendum on the Voice will not diminish the influence of anyone. But it will help to correct an historic wrong. It will give recognition, and a voice, to those who for thousands of years owned and lived in balance with this land, only to have their rights to it disregarded during the centuries which have followed settlement from other lands.

The letter concludes with a reminder as to the origins of the Voice:

The call for the Voice was made in the Uluru Statement from the Heart, which is the product of the widest survey of the views of First Nations peoples ever undertaken and which is a deeply respectful call “from all points of the Southern Sky”. It includes an invitation to all Australians to create a better future. We think that that invitation should be accepted.”

Speaking about the letter, co-signatory **The Hon David Harper AM KC, Former Judge of the Supreme Court of Victoria Court of Appeal** said:

“As our letter states, ‘Democracies are at their best when decisions are made after informed and respectful debate to which all may contribute’.”

“Our letter reflects our careful consideration of the proposed Voice to parliament. It is an endorsement of the Voice and is a respectful counter to some of the concerns that are being raised in this debate.”

“Australia’s First Nations peoples have seldom been allowed entry, let alone a place at the table. If successful, the referendum on the Voice will not diminish the influence of anyone. But it will help to correct an historic wrong,” said Mr Harper.

Co-signatories

The Hon Mary Gaudron KC

Former Judge of the High Court of Australia

The Hon Carmel McLure AC KC

Former President of the Supreme Court of Western Australia Court of Appeal

The Hon Stephen Charles AO KC

Former Judge of the Supreme Court of Victoria Court of Appeal

The Hon Paul Stein AM KC

Former Judge of the Supreme Court of NSW Court of Appeal, former President of the Anti-Discrimination Board

The Hon David Harper AM KC

Former Judge of the Supreme Court of Victoria Court of Appeal

The Hon Anthony Whealy KC

Former Judge of the Supreme Court of NSW Court of Appeal

The Hon Robert Redlich AM KC

Former Commissioner of the Victorian Independent Broad-based Anti-Corruption Commission (IBAC), former Judge of the Supreme Court of Victoria Court of Appeal

The Hon Margaret White AO

Former Judge of the Supreme Court of Queensland Court of Appeal