

# MEDIA RELEASE

## **CLOSING THE GAP IN OUR CONSTITUTION: NSW BAR ASSOCIATION SUPPORTS THE FIRST NATIONS VOICE**

12 April 2023



The President of the NSW Bar Association Gabrielle Bashir SC has today issued the following President's message to members of the Association.

"On Thursday 6 April 2023, the New South Wales Bar Council met to consider both the wording of the proposed amendment to the Constitution set out in the Constitution Alteration (Aboriginal and Torres Strait Islander) Voice Bill 2023, and the policy position that the NSW Bar should adopt, if any, in relation to the proposal to enshrine the Voice in the Australian Constitution.

The New South Wales Bar is the oldest independent bar in the nation. We have the only Bar Council which can count amongst its elected directors a First Nations silk. Many of the pre-eminent constitutional law senior counsel within Australia practise from New South Wales. The Bar Council has consulted with these experts in its consideration of the important question of the wording of the amendment.

The Bar Council voted unanimously to endorse the proposed wording for the Constitution alteration to enshrine a First Nations Voice as sound and appropriate, and to support public advocacy in support of a "Yes" vote for this substantive form of Constitutional recognition. The Bar Council did so having considered other publicly available alternative proposals and arguments for and against the wording, and for and against a "Yes" vote, including those suggesting more limited forms of recognition and consultation.

NSW barristers have advocated for decades on issues of concern to all Australians that have particular impact on First Nations people, including in the Royal Commission into Aboriginal Deaths in Custody and implementation of its recommendations, the Pathways to Justice Report of the Australian Law Reform Commission, advocacy for national legal service funding for Aboriginal and Torres Strait Islander peoples, reforms on heritage protection, and native title laws.

The NSW Bar Association will advocate alongside First Nations elders, leaders and grassroots communities in supporting this reform to the Constitution.

The NSW Bar supports the wording in the proposed amendment. It is time to close the gap in our Constitution."

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