

THE VOICE REFERENDUM

The Law Council of Australia cordially invites members of the Australian legal profession to attend

2023 REFERENDUM: The role and value of a constitutionally enshrined Voice

A panel discussion moderated by Mr Luke Murphy, Law Council President
Featuring Professor Dr Megan Davis, the Hon Kenneth Hayne AC KC,
Professor Cheryl Saunders AO, and Mr Greg McIntyre SC.

Wednesday, 20 September 2023

12.00pm – 1.30pm AEST

Online Zoom Webinar

[Register Here](#)

This is an open event for the Australian legal profession. The Law Council would appreciate you sharing this invitation widely with your networks within the profession.

Event description

Join distinguished legal minds, Professor Dr Megan Davis, the Hon Kenneth Hayne AC KC, Professor Cheryl Saunders AO, and Mr Greg McIntyre SC, for a lunchtime panel discussion moderated by Law Council President, Mr Luke Murphy, on the origins, purpose, and constitutional implications of an Aboriginal and Torres Strait Islander Voice.

Amending Australia's Constitution to enshrine the Voice is an important proposed development in Australia's legal system.

The Law Council has a longstanding position in support of the formal recognition of Aboriginal and Torres Strait Islander peoples in the Constitution and, specifically, the establishment of a constitutionally enshrined Voice as articulated in the Uluru Statement from the Heart.

THE VOICE REFERENDUM

Its view is that the Constitutional amendment as proposed for the 2023 Referendum is constitutionally orthodox, just, and legally sound.

The Law Council aims to ensure that lawyers across Australia — and by extension their communities and networks — are accurately informed about the 2023 Referendum process and question, and able to help prevent the spread of misinformation. This webinar will also explain the rationale for the Law Council's support for the Voice, and outline a position on key legal issues raised in public discourse about the Voice.

All members of the Australian legal profession are invited to attend this free, online, event. Please register [here](#).

We want to tailor our information to suit your needs. If you have a question on the 2023 Referendum process, the question posed, or implications, that you would like our panellists to answer, [submit](#) it for consideration here, no later than **6 September 2023**. Our Factsheets and Guide for the Legal Profession also remain available on the [Law Council Website](#), and we invite you to continue to share these widely with your networks and communities.

Panellists



Professor Dr Megan Davis

Pro-Vice-Chancellor Society, UNSW

Professor Dr Megan Davis grew up in Eagleby and Hervey Bay and is a Cobble Cobble woman of the Barunggam Nation. Megan is the Pro Vice-Chancellor Society (PVCS) at UNSW Sydney. She is also the Balnaves Chair of Constitutional Law, a Professor of Law, and Director of the Indigenous Law Centre, UNSW Law.

Megan is a renowned constitutional lawyer and public law expert, focusing on the human rights of First Nations peoples. She has been a leading lawyer on constitutional reform for the recognition of First Nations rights for two decades and has led the Uluru Statement from the Heart work for the past five years. She was a Commissioner on the QLD Commission of Inquiry into Youth Detention Centres in 2016 and was the Chair and author of 'Family is Culture', an inquiry into NSW Aboriginal Out-of-Home Care (2017-2019).

She is a globally recognised expert in Indigenous rights and was elected by the UN Human Rights Council to the United Nations Expert Mechanism on the Rights of Indigenous Peoples based in Geneva in 2017 and again in 2019 (2019-2022) and was previously elected by the Economic and Social Council in New York

THE VOICE

REFERENDUM

serving for six years as an expert member and Chair of the UN Permanent Forum on Indigenous Issues, UN Headquarters in New York (2011-2016). Megan was appointed a member of the First Nations Referendum Working Group advising the Australian Government on the Referendum, as well as the Constitutional Expert group, which provided legal support about constitutional matters.



The Hon Kenneth Hayne AC KC

Former Justice of the High Court of Australia

The Hon Kenneth Madison Hayne AC KC served as a Justice of the High Court of Australia from 1997 to 2015. At the time of his appointment, he was a judge of the Victorian Court of Appeal, having been appointed one of the foundation judges of that Court in 1995, and as a judge of the Victorian Supreme Court in 1992.

Kenneth was Victoria's Rhodes Scholar in 1969 and graduated as a Bachelor of Civil Law from Oxford University. He joined the Victorian Bar in 1971, and was appointed a Queen's Counsel in 1984, practising in State and federal courts principally in commercial, constitutional and general civil matters. In 2002, he was appointed a Companion in the General Division of the Order of Australia. Kenneth led the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry in 2017, and is a Professorial Fellow at Melbourne Law School. Kenneth was a member of the Constitutional Expert Group, chaired by the Attorney-General, which provided legal support to the First Nations Referendum Working Group about constitutional matters relating to the proposed amendment and the referendum more generally.



Professor Cheryl Saunders AO

Laureate Professor Emeritus, Melbourne Law School

Professor Cheryl Saunders AO is an expert scholar in Australian and comparative public law, including comparative constitutional law and method, intergovernmental relations and constitutional design and change. She is the founding Director of the Centre for Comparative Constitutional Studies at Melbourne Law School and a convenor of the

Constitution Transformation Network. She is a President Emeritus of the International Association of Constitutional Law, a former President of the

THE VOICE REFERENDUM

International Association of Centres for Federal Studies, a former President of the Administrative Review Council of Australia and a senior technical advisor to the Constitution Building program of International IDEA.

She has held visiting positions in law schools in many parts of the world and is an officer of the Order of Australia and a Chevalier dans l'Ordre National de la Legion d'Honneur of France. In 2022, she was awarded the Tang Prize in the Rule of Law, for her work in comparative constitutional law. In addition to her research and teaching activities, Cheryl is active in public debate on constitutional matters in Australia and internationally.

From 1991, as deputy chair of the Australian Constitutional Centenary Foundation, she was closely involved in its pioneering work to encourage public understanding of the Constitution. Cheryl was a member of the Constitutional Expert Group, chaired by the Attorney-General, which provided legal support to the First Nations Referendum Working Group about constitutional matters relating to the proposed amendment and the referendum more generally.



Mr Greg McIntyre SC

Barrister, Michael Kirby Chambers, and Law Council President-Elect

Greg McIntyre SC commenced legal practice with the Aboriginal Legal Service of Western Australia in 1976, working in Eastern Goldfields, Western Desert, Perth and the Kimberley. He was the Community Adviser at Warburton in the Western Desert in 1979, and completed research at the Australian Institute of Aboriginal Studies

on the topic of 'Aboriginal Land Rights at Common Law' in 1980.

From 1981 to 1983 he was retained by the Aboriginal Legal Service of Queensland and then the Nijku Jowan Legal Service, based in Cairns, and later became Principal Legal Officer of the Aboriginal Legal Service of WA. Greg joined the Independent Bar in Western Australia in 1993 and in 2002 was appointed as Senior Counsel. He had the conduct of the High Court cases of *Koowarta v Bjelke Petersen*, *Mabo v Queensland [No 1]* and *[No 2]* and *Bropho v WA*. Greg is an Adjunct Professor of Law at the University of Notre Dame Australia and the University of Western Australia, having taught courses in Indigenous Peoples and the Law and Constitutional Law. He is a member of multiple committees and working groups of the Law Council, a longstanding member of its Executive, and its President-Elect in 2023.

THE VOICE REFERENDUM



Mr Luke Murphy

Partner, MurphySchmidt Solicitors, and Law Council President

Luke Murphy has been a legal practitioner for more than 30 years and an Accredited Specialist in Personal Injuries since 1998. He is a partner of MurphySchmidt Solicitors and practices in the area of Plaintiff Accident Compensation. Luke joined the Law Council of Australia as a director in 2020, the executive of the Law Council in 2021, and was elected President-Elect in November 2021. He became President of the Law Council on 1 January 2023. Luke is the Queensland Law Society's member of the Law Council's Personal Injuries and Compensation Group of the Legal Practice Section. He served as President of Queensland Law Society (QLS) in 2020 and has been an integral member of Queensland Law Society's policy committees for over two decades.

Published: 29 August 2023

Authorised by the Law Council of Australia, 24 Lonsdale Street, Braddon ACT 2612