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An Open Letter on My Yes23 Position



12 Oct 2023 Member Story

By Dr Jaqui Hugues

Jaqui Hugues, is a Torres Strait Islander woman (Wagadagam) living on Larrakia Country. She is a physician, specialising in nephrology, and a Clinical Research Professor, Aboriginal and Torres Strait Islander Health Advancement within Rural and Remote Health, College of Medicine & Public Health with Flinders University. Hugues is a member of Australian Indigenous Doctors Association and received the Australian Indigenous Doctor of the Year Award in 2019, and the Lowitja Institute Cranlana Award for Ethical Research Leadership in 2023.

Sewngapa (Greetings),

I am a Torres Strait Islander woman, a member of the First Nations peoples of Australia. The name 'Australia' has been used in

official documents since 1824, before that it was known as 'colonies of the British Empire, and before that each place on the continent were known only as the names from First Nations peoples.

My family, through my father, have existed for countless, yet known generations within the near west region of Torres Strait. To survive, we had to be connected and work with each other, with Aboriginal people of the mainland continent and to the north to Papua New Guinea. Governance existed and was and is culturally based, since culture is the centre of our lives.

In 1770, people of this Country – the Aboriginal and Torres Strait Islander peoples – saw James Cook traverse the coastline. Having seen the mainland was separated from the place later known as British New Guinea, Cook planted the Union Jack on Possession Island for the British King, whom we did not know, and who never made proper representation to our sovereign nations. As all those places were lived upon and cared for by thriving communities Cook, as the British sovereign's representative, made a false possession of this broad Country in his sovereign's name. This is a truth. Our Country was never ceded.

Our people have never had equality of decision making since British imposition and enforced colonisation. Colonisation disrupted our good, effective and honourable governance systems and stripped the resources we relied upon to maintain our thriving communities.

The first constitution of the newly federated Australia of 1901 actively excluded First Nations people. This was an intentional systematic policy of the voting public of that time (males of Anglo heritage), and not corrected by any government since. Aboriginal and Torres Strait Islander people only received the right to vote federally in 1962, so our people have never been the architects of our exclusion nor have we been enabled with systematised support to champion our survival. This racialized and wholly damaging policy was enshrined in 1901, with opportunity for collective correcting in just a few days.

The October 14, 2023 Referendum proposes to advance the as yet unfinished business about how we as people in this place – First Nations and settlers – relate to each other. We each deserve as humans to survive and thrive. First Nations peoples deserve a constitutionally enshrined Voice so that we can work together in confidence and certainty of fair process (for each party).

The Referendum question is important to the literal lives and survival of Aboriginal and Torres Strait Islander people, and the process to get to Yes23 has been proposed by and supported by many Aboriginal and Torres Strait Islander people and supported by many settlers, and with years of bipartisan support.

Within a welcome to Country, there is acknowledgment of the positioning of Traditional Owners of that Country, whose past elders have shaped the authority of present elders, who exercise a governance responsibility over land and decisions, and in parallel mentor a future generation of bestowed title elders. Visitors to that Country will acknowledge their own positioning and the premise of meeting. Knowing one another's position establishes who holds authority to speak, act and negotiate. In peace time, the meeting premise will maintain optimal survival. Being on Country requires that local protocols will be followed, and the business conducted in ways that respect the lands and its people. This is a positioning – and a right of First Nation people to know who amongst us are non-friendly, and may disrupt our survival and our peace, so we can create some safety for ourselves and the people we are responsible for.

I recently shared some of these words as my position in a meeting with my professional peers. I signalled that my business was to make enquiry, and support my colleagues to understand me as a First Nations person, who is also a health professional. I wanted to learn how my society of professionals relates its activity toward kidney health of Aboriginal and Torres Strait Islander people to its advocacy role to governments in general, and specifically to the Australian referendum.

So position statements offered by organisations who are actively involved in the literal survival of First Nations people is appropriate, to indicate friendly, peaceful and survivorship support when you see through my eyes.

While the Referendum result relies on the double majority of individual voters, organisations which make known their positions, and are relied upon or are affiliated with, can assist people to align their values with the offered voting positions.

Aboriginal and Torres Strait Islander people have always been reliable witnesses of truths of our own people in this place. It is borne out in the cultural practices passed forward intergenerationally, and our Voices expressed as rights-based advocacy. Our Voices have never had a reliable path within governments to ensure our survival – a mechanism of our oppression. The voting public are this week invited to correct this as yet unfinished business, and answer a question with three letters Y E S.

The health community have publicly shown their support for a constitutionally enshrined Voice to Parliament. And yet what is common to our health advocacy is the continued refusal to properly furnish basic human rights for our people – that is the biggest driver of the health crisis, from repeated government failings in housing, education, food provision, basic services and justice, or adequate, equitable and culturally safe healthcare for the chronic diseases that have emerged from this chronic politic. This is a powerful way that a Voice can move us forward and bring relief at individual and health systems levels.

I acknowledge the public positioning of communities of health leaders – who I recognise offer friendly survivorship support – from #ACEM, #Developing EM, #RACP, #ANZSN, #TSANZ. I acknowledge #DoctorsforYes, and the many, many leaders of Aboriginal Community Controlled Organisations. I remain proud and solid within my community as a First Nations doctor and member, that the Australian Indigenous Doctors Association advocated early for #Yes23 and the Voice to Parliament.

So now, the business focusses to you, the voting public of 2023.

This current electorate voted for this government. This government made the way for the Referendum to be held in its first term. The government will act on the electorate's instruction if a double majority of voters writes Y E S, then the Constitution will be amended accordingly, and we can't be excluded from making representations about matters that affect our own people.

Now is the time for people who live on this beautiful country to look to your own self, and answer the question posed: 'Would your individual decision expressed in your vote see our people live in persisting harm,' or 'Would you see our wisdom included in making a good way for our own people?'

Aboriginal and Torres Strait Islander people will know soon enough the positioning of people living on these sacred lands. I wish you well, and the protection of your ancestors, and I know I have the protection and love of mine, and it is my duty to advocate for and work for the protection of my people.

Koemya Eso (Thank you very much).

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