

11 April 2023

Dear IPA Members

My name is John Storey, and if you have been following the IPA's newsletters and media content lately, you may have come across my name as part of the IPA's research efforts to highlight how a constitutionally enshrined, Indigenous-only Voice to Parliament would permanently divide Australians on the basis of race.

As a part of the 2023 IPA End of Financial Year appeal, I thought I'd take this opportunity to formally introduce myself and share with you how I came to play a part in this crucial policy debate at the Institute of Public Affairs.

My background is as a taxation lawyer. I joined the IPA late last year. For nearly 20 years prior to that I had advised small businesses on how to navigate Australia's absurdly complex tax system. I saw firsthand how the power of the state can be used to make someone's life a misery. I became a partner in a large national law firm and then became a small business owner myself starting up a boutique legal practice.

You learn quickly as a business owner that the government constantly has its hand in your pocket, and a huge part of starting and managing a business is regulatory compliance and navigating red tape.

As well as being a lawyer, I am an author and historian. My decades long passion for military history was put to good use in 2021 when I published my book, *Big Wars – Why do they happen and when will the next one be?* This book looks at the history of warfare, from cavemen to nukes, and identifies trends in military technology over time and how they can influence the size of wars.

My decision to join the IPA was born out of the draconian government responses to Covid.

Limiting freedom of movement, shutting down businesses, closing schools, mandating medical procedures, silencing dissenting voices – all policies that would have been considered unfathomable in a liberal democracy before 2020 were suddenly being embraced with glee by governments around the world, cheered on by the 24-hour hype machine of the modern media.

I, like many, saw that our freedoms were under attack. When an opportunity came along to work for an organisation committed to promoting freedom, the rule of law, and the Australian

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way of life – I was very happy to get on board. Since joining the IPA, my research has primarily focused on the proposed Indigenous-only Voice to Parliament.

I consider the proposed Voice to Parliament as a further threat to Australia’s liberal democratic foundations – the principles of one person one vote, the rule of law, equal rights for all citizens, and each citizen being of equal value.

Ironically, it is archaic thinking on race, which has legitimised the different treatment of people on the basis of their race, that has led to many of the historical injustices suffered by Indigenous people. Instead of learning from it and committing ourselves to never again allowing race to define how we treat people, we are proposing to enshrine race into our Constitution, forever.

An aspect of the IPA’s research program we were interested in expanding upon was an analysis of international counterparts to the Voice to Parliament, with a focus on what is happening in New Zealand.

Why New Zealand?

On 6 February 2020, Anthony Albanese posted the following statement to Twitter:

We can learn a lot from our mates across the ditch about reconciliation with First Nations people.

New Zealand has led the way. It’s time for Australia to follow.

It’s time to support the Uluru Statement from the Heart.

So, if Australia is meant to follow New Zealand’s path, the IPA thought we would see where it leads.

In December, the IPA published the first major research report on this topic, *The Voice to Parliament – An Analysis of the New Zealand Experience and Australia’s History of Judicial Activism*, in which I investigated the history of New Zealand’s Māori Voice to Parliament, the Waitangi Tribunal.

The Waitangi Tribunal was originally established in 1975 to make recommendations to the New Zealand government about grievances brought forward by Māori groups. But in 1987, the scope and power of the Tribunal expanded enormously when New Zealand’s highest court declared that the government should consider the decisions of the Tribunal as binding.

Since then, it has mutated into a hugely influential quasi-judicial body capable of shaping public policy. It has been instrumental in pushing the divisive concept of ‘co-governance’.

It was the Tribunal that held that, when signing the Treaty of Waitangi, Māori never ceded sovereignty to the British Crown, because the Māori and English translations of the Treaty had slightly different meanings.

Ever since, New Zealand has been governed as if it is two-nations-in-one, divided on the basis of race. Māori – who are 15 per cent of the population – get a 50 per cent say over most

government decisions.

Australia's history of judicial activism makes it likely that we will follow a similar trajectory to New Zealand. The Australian High Court is likely to interpret the powers of the Voice expansively. What might start as an advisory body will likely grow in power and scope, as has happened in New Zealand, and become a major player in Australian politics, able to push an activist agenda.

Yet this influence will be available only to those who qualify as Aboriginal and Torres Strait Islanders: Constitutionally enshrined power available to some based only on their race and ancestry. What a step backwards for the country.

The second major research report in this area was released in February this year, *The New Zealand Māori Voice to Parliament and What We Can Expect from Australia*. The report contained a detailed analysis of what the practical outcomes of the Waitangi Tribunal have been. What we found was that the Waitangi Tribunal has:

- Granted Māori a veto over certain legislation. Some New Zealand laws can't be changed without the consent of Māori.
- Significantly expanded its scope. The Tribunal's early decisions focused on land rights and access to water, but it has steadily involved itself in more and more issues, from Covid policies to international trade agreements, from radio licences to prison incarceration rates.
- Compelled government to put race ahead of need in the distribution of critical resources. The Tribunal forced the government to give Māori priority access to Covid vaccines and to set up the Māori Health Authority – a Māori-only health system.
- Driven policies which require criminal laws to be applied differently depending on the race of the perpetrator in ways that compromise community safety. The Tribunal has demanded that Māori incarceration rates be reduced in accordance with 'strict targets' meaning justice and community safety are sacrificed for equality of outcome.
- Threatened the rights of New Zealanders to use and enjoy iconic national cultural symbols like the Haka and the Kiwi bird.

Our research resulted in the IPA's Director of Research Morgan Begg and myself being invited to Canberra to participate in a briefing to politicians at Parliament House to discuss the New Zealand experience.

Of particular interest to some politicians who represent rural or regional communities was how New Zealand has embraced co-governance in respect to its water resources under the controversial Three Waters Reform Program. Unelected Māori groups get a 50 per cent say in how New Zealand's water resources are run and can extract royalties for the use of water. If such a system ever came to pass in Australia, it would wreak havoc on Australia's farmers and graziers.

The IPA has also been active in trying to ensure the debate over the Voice to Parliament is a fair one, in which both sides can be heard. We have called out the unfairness of granting

Deductible Gift Recipient (DGR) status to the ‘Yes’ campaign – a taxpayer-funded benefit to donors giving money to the pro-Voice campaign – and not to the ‘No’ campaign.

We made a submission to the Parliamentary Joint Standing Committee on Electoral Matters’ inquiry into the Albanese government’s *Referendum (Machinery Provisions) Amendment Bill 2022*. We opposed the proposal to abolish the traditional referendum pamphlet, which would set out the case in favour of, and against, the proposed Voice to Parliament. And we wrote to Prime Minister Anthony Albanese demanding that the foreign-owned social media platforms be subject to the same election rules as TV and radio broadcasters, which require equal airtime to be given to both sides.

Several IPA videos promoting our research on the Voice have been censored on social media, a terrible sign of the state of modern political discourse in which big-tech companies determine what voters get to see and discuss. We’ve had some success. The IPA was the first organisation to identify the unfairness of granting DGR status to one side but not the other, and to call out the abolishing of the pamphlet as an attempt to silence the ‘No’ case. So it was gratifying to see that the Albanese government has backtracked on both these policies.

One of the best things about working at the IPA is seeing how our research has an immediate and tangible effect on the public debate.

IPA research on New Zealand’s experience has led to multiple opportunities for me and other IPA colleagues to talk about our findings on Sky News, including my appearance on Peta Credlin’s show, *Credlin*, from Sky News Australia’s Parliament House studio. IPA Deputy Executive Director Daniel Wild has also spoken to 2GB’s popular radio host, Ben Fordham, exclusively about our research into the Referendum Bill.

An opinion piece I wrote on the New Zealand experience was published in *The Daily Telegraph* and then syndicated to numerous smaller publications across Queensland and the top end of Australia, parts of the country whose views on the Voice will be crucial to the Referendum outcome.

Most of the major institutions in Australia are in favour of the Voice and are promoting it vigorously. But that just makes the few dissenting alternative views all the more powerful, so I feel we are having a positive influence on the debate.

Now that the Prime Minister has released the final wording for the constitutional change, this year is shaping up as an interesting one, and IPA research will only become more important as the date of the Referendum draws nearer.

Furthermore, there are plenty of other issues to tackle as well. Religious freedom, the blocking of new gas and coal projects, the Federal Government’s energy price fixing, the deplorable state of free speech at our universities, big-tech censorship, red tape, and the crushing burden of high inflation, high debt, and high taxes. And of course, there is that perennial issue that Australia’s political and activist class are obsessed with: climate change.

Having worked here for the last six months, I can vouch for the IPA’s ability to take on the challenge. The IPA is a bastion of intellectual freedom in a sea of stifling conformity. It is a refreshing workplace where I can talk to colleagues openly on important topics, raise issues, respectfully disagree, and not have a woke Diversity, Equity and Inclusion commissar

censoring what I say. It is only from an environment of intellectual openness and curiosity that true knowledge can emerge.

But none of this would be possible without your support. Your generous donations make IPA research possible and give us the opportunity to shift the political conversation back in the direction of freedom, liberty, and the Australian way of life.

With a radical left ideology dominant in Australia at the moment, and a crucial Referendum with the potential to change how Australia is governed coming up – your support of the IPA is more crucial than ever. The IPA is a unique voice in Australia today in that it is committed to principled debate rather than one based in ideology or day-to-day politics.

I am proud to work at the IPA, and I hope that you feel the same pride as an IPA member and supporter of our work.

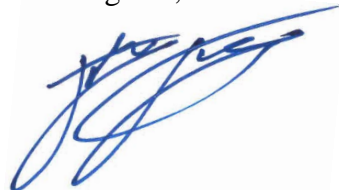
Which is why, as a part of the IPA's 2023 End of Financial Year appeal, I am asking you to kindly make a tax-deductible donation to the IPA.

You can make a tax deductible donation to this appeal by filling out the donation slip that accompanies my letter and sending it back to the IPA in the mail. Alternatively, you can make the donation online on our website at ipa.org.au/eofy. You can also call our office on 03 9600 4744 and speak with Claire Peter-Budge to make the donation over the phone.

We need your help and support more than ever to save Australia. As you know, the IPA does not seek or receive any funding from the government, so your donation is truly important for us to continue our work.

All the best and thank you again for your support.

Kind regards,



John Storey
Director of Legal Rights Program