



# ***COMMUNITY SUPPORT AND SERVICES COMMITTEE***

## **Members present:**

Ms CP McMillan MP—Chair  
Mr SA Bennett MP  
Mr MC Berkman MP  
Ms CL Lui MP  
Dr MA Robinson MP  
Mr RCJ Skelton MP

## **Staff present:**

Ms L Pretty—Committee Secretary  
Dr S Prui—Assistant Committee Secretary

## **PUBLIC FORUM—INQUIRY INTO THE PATH TO TREATY BILL 2023**

### **TRANSCRIPT OF PROCEEDINGS**

**Monday, 17 April 2023**

**Inala**

## MONDAY, 17 APRIL 2023

**The committee met at 9.54 am.**

**CHAIR:** Good morning and thank you for having the committee in Inala this morning. I ask Gaja Kerry to welcome us to country.

*Aunty Kerry Charlton then gave a welcome to country.*

**CHAIR:** Thank you very much for that very warm welcome. The committee always appreciates the traditional welcome. We very much acknowledge how blessed we are to be on your country, so thank you for having us. It means a lot to us.

**Ms Charlton:** I am only one of many, by the way.

**CHAIR:** Absolutely. Good morning, everyone. I also acknowledge the traditional owners of the land on which we meet this morning. My name is Corrine McMillan. I am the chair of the committee. I acknowledge a very dear friend of mine, Aunty Matilda. We worked together for many years when I was principal here at Glenala State High School. I also acknowledge my other good friends the aunts of Inala, who have cared for me and cared for this community for a very long time. I certainly appreciated all of the support they gave me when I was principal here.

I acknowledge Councillor Charles Strunk, another good friend. Thank you for your custodianship as well, Charles, of this great community that we call Inala, or Serviceton, as it once was called. I acknowledge Cheryl, the chair of the interim treaty board and all of the other board members here today: Mick Gooda and Katie Kiss. I acknowledge each and every one of you.

I acknowledge Cynthia Lui, the member for Cook, a member of the Palaszczuk government who is the first Torres Strait Islander to be elected to any parliament in Australia. We acknowledge Cynthia. I think that does deserve a round of applause. It is a great moment in time. It only took us 230 years but we got there in the end, and we hope that there will be many more young Torres Strait Islanders and First Nations people who will represent our communities right across Queensland in the Queensland parliament, as there should be. Parliament needs to be a place that is representative of the communities that we lead.

My name is Corrine, as I said, the member for Mansfield and chair of the committee. My good friend Stephen Bennett, the member for Burnett, is the deputy chair of the committee. Other committee members also present are Dr Mark Robinson, the member for Oodgeroo; Mr Michael Berkman, the member for Maiwar; Mr Rob Skelton, the member for Nicklin; and Cynthia Lui, the member for Cook.

I acknowledge all of you here today and thank you immensely for being here. It is a momentous time in Queensland's history; preparing the bill for a path to treaty is a very historic moment. It began many years ago under the Bligh government when it included Aboriginal and Torres Strait Islander peoples in Queensland's Constitution. It has been a long journey. For many of our First Nations people, sadly, it has been a journey of 235 years. It is a momentous time in Queensland's history and it is a time and an opportunity for us to right the wrongs of the past, to acknowledge the tremendous and terrible impacts—when I say 'tremendous', I mean the enormous and vast impact of colonisation on our First Nations peoples. Sadly, that has continued to result in poor educational outcomes, poor attendance rates, poor school disciplinary records, high incarceration rates in comparison to the rest of the population, poorer health outcomes, poorer employment outcomes and poorer housing outcomes.

This is an opportunity for us to right the wrongs of the past and for us to begin a path forward to a more equal and compassionate Queensland where, regardless of the colour of our skin, we all achieve what we are destined to achieve. That is a very important aspect of any modern society or modern community. Any progressive community needs to ensure that we are an equal community—that we are one of equal opportunity and equal access.

I would like to respectfully acknowledge the traditional custodians, the Yagara and the Ugarapul people, of the land on which we meet today and pay our respects to elders past, present and emerging. We are very blessed to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and waters we all now share.

The purpose of this forum is to assist the committee with its consideration of the Path to Treaty Bill 2023. The Path to Treaty is a negotiation process between the Queensland government, Queensland First Nations peoples and non-Indigenous Queenslanders. That is a really important point: it is also about non-Indigenous Queenslanders and ensuring that non-Indigenous Queenslanders are given the truth about what happened in our past. For all of us—and I do not speak on behalf of all non-Indigenous Queenslanders, of course—it is an opportunity to address some of the guilt and some of the terrible incidents that have occurred over many years. It is also an opportunity for us to truly understand the Queensland context as it is today and the impact of those many years of injustice on our First Nations peoples which has resulted in the context that we have today here in Queensland.

The bill proposes to establish a First Nations Treaty Institute to support Aboriginal and Torres Strait Islander peoples to develop and provide a framework for Aboriginal and Torres Strait Islander peoples to prepare for and then commence treaty negotiations with the Queensland government. It also establishes a Truth-telling and Healing Inquiry. We know that many of us, including our First Nations Queenslanders, have never been told the truth and many of us do not know the truth. So it is high time that that knowledge was shared with all Queenslanders and they are given the opportunity to understand the true past of Queensland and the effect of colonisation on our Aboriginal and Torres Strait Islander peoples. As I mentioned, the impacts of that colonisation are still felt today.

We are here today at Inala to hear your views and, for me, it is great to be back here. I finished here as principal in 2014 and then was elected to the Queensland parliament in 2017. It is great to be back here at Inala. It is a very special place. We are here today to hear your suggestions about the next steps along the path to treaty. We know that Inala has a significant First Nations population. Twenty-five per cent of our students at Glenala State High School are First Nations children. I know that our community more broadly here at Inala reflects that representation.

We ask you to take this opportunity to share with us your views about the path to treaty. The committee is a committee of the Queensland parliament and its hearings are subject to the rules of the parliament. These proceedings are being recorded by our Hansard reporter—thank you very much for coming along—and these proceedings will be published on the Queensland parliament website. If you have any concerns about this, please talk to our committee secretary.

Media may be present and are subject to the committee's media rules and my direction as chair at all times. You may be filmed or photographed during the proceedings here today. Those images may also appear on the parliament's website or social media pages. Again, if you are uncomfortable with this, please let any one of the committee members know and we will make sure that we look after your request. Please turn your mobile phones off or to silent mode.

We will make a start on some contributions to the bill. I think it is quite relevant of me to ask Aunty Kerry if you would like to lead us off with your contribution to the bill, or would you rather me turn to another person of your choosing?

**Ms Charlton:** I will warm up.

**CHAIR:** That is all right. I will hit up Aunty Matilda, because I know she is never short of a few words. You are never shy, Aunty Matilda. When you make a contribution, we need you to come up to these microphones so Hansard can pick up your voice and words better. Charles, would you mind coming to the table for support?

**MEIKLEJOHN, Aunty Beryl, Private capacity**

**STRUNK, Mr Charles, Councillor, Brisbane City Council**

**CHAIR:** Would you like to introduce yourself? Thank you so much for your bravery and courage.

**Ms Meiklejohn:** I do not know about that bit. I was just getting a piece of paper to read.

**CHAIR:** That is all right. I am sure you will have lots to contribute.

**Ms Meiklejohn:** I am known as Aunty Beryl here. I am actually a Quandamooka woman from Minjerribah, but I have lived in this area for many years. In relation to the treaty, I was actually interested because of the other states that already have it: Victoria and South Australia.

How does the treaty fit into the Voice? We saw the ads start today with the Voice, the negative ads. The treaty is a good step. It is a step in the right direction, but how will it change things? I guess the thing is: how will things change? You wonder how much it will change people—because it is

individual people, no matter what is written or what is said. When you think that 30 years ago the AFL player was vilified because of the colour of his skin, it is still happening today. Is writing a treaty really going to change people?

I always remind people of when I was supposed to be the school captain at Inala High. I was not allowed because I am Aboriginal. I could not represent all of the migrant students—who were mainly English, Dutch and German at the time—at Inala. Even though the grade 11 and 12 students voted me in, the principal would not let me. He had a phone call from the archbishop and he had to apologise to me. That is only because I knew the archbishop. It is that kind of thing that really has not changed. That is why I am wondering how much change really is going to happen. I see things happening in the school with the kids getting a better understanding, because I go to a couple of the primary schools in the area. Just listening to them, they are getting it. It might take over a generation for it to really happen. I think it is a good step, but if anyone thinks it is going to change things like that they are in La La Land, because it is not going to really change. We see the things that are happening.

Even with what we are seeing with the treaty, yes, people will get a pathway to get up and talk. In a way, I guess we are very lucky to have people in Inala like good old Charles—I am sorry, Charles, you are not that old—Milton, Cameron and people like that—and Annastacia—people we can approach. How much does that affect the rest of the state? Yes, Inala has a large Aboriginal and Torres Strait Islander population. It is probably one of the largest, more than anywhere else in the state—I think sometimes more than across Australia. We just look at it and think: what is it? Will we really have a stronger voice? Will we have a different voice? Or will it be like we are seeing from the opposition at the national level with their attitude and the way they talk?

I am being a bit political here, but when I look at the opposition leader and his attitude I really do not like it. I am just thinking: when they get in, are they just going to wipe it? That is the other thing. Put it in now, but can it be wiped when the next party comes in or will it be staying there? Like the Voice can be removed, so will the treaty?

**Mr SKELTON:** My understanding is: because the Voice is a referendum, it becomes enshrined in the Constitution. It cannot be changed by an act of parliament; it can only be changed by another referendum.

**Ms Meiklejohn:** I realise that. Sorry, I should have put that bit in.

**CHAIR:** You raised a number of very important issues, Aunty. Is it your expectation that I respond to the issues you raised, or are you raising them to provide a contribution to the committee's hearings?

**Ms Meiklejohn:** It is probably both: if you can answer or maybe reassure me on some things. Is it for the committee to go away and have a look at when you are deciding some of the things that need to happen?

**CHAIR:** Let me have a go at responding to a couple of issues. The member for Nicklin responded to the referendum question, which was a very adequate answer. Can I just say that my hope has always been that we will continue to improve the lives of our First Nations people as we move through the years. I think about your time as school captain at Inala High—

**Ms Meiklejohn:** It never happened.

**CHAIR:** The time you should have been school captain at Inala High—to 2012, when I very proudly was the first principal at the first school in Queensland to introduce Aboriginal and Torres Strait Islander leaders. The first year that in any school in Queensland had First Nations children as school leaders was 2012, so that was a very proud moment. Things are changing, albeit slowly. What I would hope is that the treaty is an opportunity for our First Nations communities to identify what they want, how they want to do business with the Queensland government, and to come to some arrangement around that. I will hand over to Cynthia very soon and also possibly Cheryl as the chair of the ITTB.

My understanding and my belief is that there are many aspects to what could be negotiated as part of a treaty. We heard many questions and saw many examples across Queensland—and even in New Zealand, to be honest. We saw a number of aspects of treaty negotiations that were very innovative and very responsive to First Nations communities' needs. For example, when we were in Weipa the community said, 'We want to write into our treaty that, regardless of who the principal is in the school, we want our children in our schools in Weipa to learn the language. We want them to know our history. Any student who is educated in Weipa: we want them to know the real history of

what happened here in Weipa and we want our children to learn what language we still have.' I believe that is a very fair and reasonable issue to negotiate as part of a treaty. As a public servant moving into a community, if that is the wish and that is in the treaty of that particular community then we as public servants should be delivering and absolutely committed to those wishes.

As we travelled around other parts of the state, there are claims and negotiations happening around land rights and how that land will be used, how some of the assets around that land or the resources allocated to that land or part of that land will be used, to improve the economic context for our First Nations communities. We also saw that clan groups, displaced persons and traditional owners need to have quite a lot of conversations, meetings and negotiations around what it is those particular groups across different parts of Queensland need. We all know that Queensland is a very different place and that as we move around Queensland people's needs and the contexts are incredibly different.

There are a number of different aspects to treaty. As a non-Indigenous person, I feel it is a real opportunity for us to identify what it is we can do better. We know that all of the resources and contributions we have made and the way we have done business for 235 years has not advantaged First Nations communities in the way that it should have. We still have tremendous disadvantage and we still experience tremendous trauma, so there has to be a different way and a better way to empower and create opportunities for self-determination so that our First Nations communities right across Queensland can prosper so much better than they have for the past 235 years. My wish as a non-Indigenous person is that your next 235 years are going to be a whole lot better than the past. We have to do things differently if we are going to get different outcomes. We cannot continue to do the same things or we will get the same outcomes. I will hand over to my very esteemed and much more informed colleague the member for Cook, Cynthia Lui, and then I will hand over to the chair of the ITTB, Aunty Cheryl Buchanan, to make a contribution.

**Ms LUI:** Thank you, Aunty, for your contribution here this morning. In your opening statement you said this is certainly a step in the right direction. With all of our public hearings and after listening to First Nations people right across Queensland, there have been a lot of mixed emotions about Path to Treaty and what it is going to deliver for First Nations people. It should be acknowledged that we have a vast history here in Queensland, and something that has never been spoken openly about especially are the impacts of colonisation on First Nations people.

What we are doing here with the committee going around and engaging First Nations people right across the state is a process that parliament has to do to pass this as legislation. There are two parts to this: it is setting up the First Nations Treaty Institute to prepare First Nations people along the treaty negotiation process; and it is establishing the healing inquiry that is to come of this. You raised the question here this morning: how is it going to make a difference to First Nations people? I think this is where it is going to start. What the government is trying to do here—and I acknowledge the deputy chair—is to see this through parliament with the bipartisan support of the opposition. How is it going to influence change for the better for First Nations people? The treaty institute and strengthening and reframing the relationship between First Nations people with government is the start of opening up the conversation.

For generations we have come through so many challenges as a nation of people. This is the first time in Queensland's history that government will now be at the same table with First Nations people to talk about some of the impacts of colonisation and to really understand how colonisation has impacted First Nations people right across Queensland. In this day and age we talk about First Nations issues as some of the most complex in Queensland. We acknowledge that a lot of resources and investment have gone into addressing education, health, incarceration rates and so on and so forth. Have we made any substantial changes? We have made improvements, but I do not think we are there. This is the first time we are calling on First Nations people to walk this walk together. I think it is about taking the whole state on this journey with us. Going through this process will create awareness. I have always said that in Queensland's history there have been two histories told: there is the black history and there is the white history. The white history is embedded in our curriculum and whatnot, but we were never given the opportunity to fully understand our First Nations history. This is where we have to take our cap off to Queensland for now starting to talk about this. It also is time for healing, because I think for any change to occur we need to start with a conversation. This is the opportunity for us to talk about things openly and be accepting of what happened in the past but more so to educate Queensland about where we are and where we want to go.

I am not sure if I answered your questions this morning, Aunty, but certainly keep asking those questions because that is how we are going to improve this process and every other process that impacts First Nations people as we go.

**Ms Meiklejohn:** There is something else that I thought of when you were all talking. It is actually how we found out about this meeting. It was nothing that came from you—I am sorry; you might have sent an email to someone or something. It was the Murri vine that told us about it. We found out about it last Friday at a meeting, a welcome to the CEO. It was Matilda who put it up for us. We would not have known about it. You would have come into this room and sat in this room with no-one because the information was not really distributed properly to community. One of the good things is that we have our good Murri vine and that helps us. If you want us to participate and to feed into the treaty, how can we when we do not know that these sorts of things are happening?

I look around this room and I know that most of these people here at least have grade 12 education, are working, own their homes—all that sort of stuff. We always get labelled as unemployed, in jail. People do not see the positive side. I went to grade 12 only because I went to get a job with all the other girls down at a place called Shanks. That was where all the girls at Inala would go. The boys would go to Huttons and the girls would go to this sewing place. She said, 'I'm not employing you. Go back to school.' I went home and said, 'They won't employ me. I have to go back to school.' My father said, 'Go to school.'

When I think about all the challenges that I have had in my life, it has not been easy and sometimes it is still not easy. When I was teaching in a university I had students accusing me of getting money for nothing, a house for nothing, a car for nothing. They were so-called educated kids. I said, 'I paid my kids' school fees. I have to pay for my car. No-one gave me a handout.' I was not even entitled to Abstudy and neither were my kids at school. The thing is that people do not think of the ones who do it. Uncle is sitting over there looking like he is half asleep! The thing is the negativity that always gets spoken about Aboriginal and Torres Strait Islander people. I always used to tell my students if they used the word 'Indigenous' they would lose a mark or 'ATSI' they would lose a mark. I told them straight out. The thing was, as I say to people, 'Indigenous' is in the old act—the flora and fauna and opium act—that we were under. Queensland was the worst state. That is a bit of history. Old Joh would not change things. I will not go too far with Joh.

With this treaty, what I would really like to see—and my thing is that it is not going to happen—is a path. I see those kids at the school that I go to—and not just the Aboriginal and Torres Strait Islander kids; it is the other kids. At one of the schools I am actually the aunty for that school. They ask questions or they want to know things. A lot of them are still getting fed by their parents about Aboriginal people. When you listen to the news, and I know it is to do with the Voice, but the negativity and stuff that is being said, the 'no' ad for the Voice and all that, is so negative for Aboriginal people. We are still getting that thrown on us and it is a burden that I have carried most of my life. Even when I was at primary school, an issue happened at primary school. It was not here but when we were living out west. There were all these sorts of things that happened. A lot of it has not changed and the kids at school are still going through it. For a multicultural place, you would think it would be a bit better, although it is probably better than some other places. I always think about when my son went to school. It was a boys school. I was so proud that the school captain was an Aboriginal boy. I could not believe it. I thought, 'Well, I've sent him to the right school.' It was like a generation later that I saw something like that—not that I wanted it, but that made me feel that I had picked the right boys school for my son. That is the sort of stuff that we need to see.

We need to see that this treaty will help with education, help people with health. We are sitting in an absolutely fabulous place with what Noel has done here. I always say that if it were not for Noel and Nola setting up that clinic across the road a lot more people would have died or their chronic disease would be worse. That is one of the best things with Noel. I know that he wants a couple of other things to happen. He keeps on saying he is retiring but he has not retired yet. Those are the sorts of things that we need to look at—those sorts of models. I worked in community control health. When we were down in Mark's area, in the first nine months, because that health service was there, there was an improvement in health. There are all different things that can be done.

That is where this treaty has to be. We need to have healthy people because if we do not have healthy people you cannot get an education and you cannot get a job. That is probably one of the core things and that is why this starts with the kids—actually, it is before the kids are born.

**CHAIR:** That is correct. Cheryl, did you want to respond briefly to Aunty Beryl?

**Ms Meiklejohn:** I am sorry, Cheryl. I am still talking like I used to 30-odd years ago.

**CHAIR:** Cheryl, thanks for your great leadership on the ITTB. As a parliamentary committee, we acknowledge your great work and your leadership as a very informed chair of our ITTB. Thank you.

## **BUCHANAN, Aunty Cheryl, Co-chair, Interim Truth and Treaty Body**

**Ms Buchanan:** Thanks to sister Kerry, wherever she is, for the welcome and to the committee. Today I came to be an observer, but one of the reasons I really wanted to get here to Inala is that my mother lived here for many years, Una Branfield Ponjydflijydu. My five sisters were brought up here. They went through the schooling system and went through the same racism. I was an activist, as you know. I love to educate all the young people. My sister, Michelle, Lulu Lomas and Trisha Conlon were all kicked out of school because they wore black, red and yellow necklaces to school. It was not for anything else—just a necklace. That was in the eighties. That says it all. I would like to acknowledge what you are saying about how far things have come.

What I have been saying and what our board has been saying as we have gone around is that we all know the negatives. We do not have to worry about the press saying 'yes' or 'no' to the Voice or anything else. We have dealt with negativity and negative media all of our lives—all of our lives. We are looking for change. That is what treaty will bring. Treaty will bring change. It will only bring change if we come with the solutions. We all know the negatives. We can sit and write books and talk those books through about all of the negatives and the impacts on our communities, but what we want to do is start providing solutions.

I am involved in this, as are the rest of the board, because we are very committed and believe that the time is right now. People always say, 'Why now?' Why not now? We are the last colony to have a treaty—the last of the colonies to have a treaty. We have a government that is in support. We have an opportunity and there is a fund set up as well.

I am not going to take up a lot of your time because I would like to encourage all of you to get out on the Murri grapevine or the Torres Strait grapevine as the case may be. We have a session at Jagera Community Hall on Thursday, from 10 to two. If you cannot get to that session there is another session from 10 to two at the Brisbane convention centre on Saturday. I really would love you to come and bring as many people as you can, because we go through the detail of the bill and the path and what it is all about. It gives a full explanation and a real opportunity. It is not a rushed job. We have allocated that four-hour period, with a lunch break in-between, to be able to do that.

Thank you for all of the work of your committee. We have done many consultations. Katie, how many have we done now? Fourteen locations, but in some of those locations we had three meetings. What we are finding is that people are warming to the idea. They want something different to native title. They want something different to that experience. A lot of people who have gone through that suffered greatly where families do not talk to each other, brother and sister do not talk to each other and so on. People need to know that things can be changed.

I think we are at a time, and I like that you mentioned the fact that more and more people have education. With that comes our ability to articulate what we want. We have a strong opportunity and a strong voice now to be able to say, 'These are the things and this is how we want to live as a people.' To me, that is just part and parcel of what a treaty would bring potentially to this state. We love the idea that it is inclusive with the truth-telling and that it is including non-Indigenous Queensland as well. It is no use us getting up and just talking about the truth and telling our stories and sharing all the horror that we have witnessed through our lives and the grief and the sorrow and the anger and everything else. We really want—and that is where your job comes in and all of the non-Indigenous people—to encourage as many people as possible to come forward from non-Indigenous Queensland and share those stories. Everyone has a story. There is some story in someone's family that someone has heard about. It might only be a very short story; it does not matter. We want to be able to put all of those things together and for it to then become part of the curricula. That is the importance of it.

Please come, if you can, to the Jagera arts centre or the Brisbane convention centre. You will actually hear about the detail of this bill. It is wonderful to see that you have come along—I know most of you here—to participate in this process. It is important. It is not about numbers. It does not matter how many people come to anything at the end of the day; it is who comes to contribute, what they have to say and if they are there to fight for social change. That is the important part of it. Thank you.

**CHAIR:** Thank you very much, Cheryl. It is always an absolute pleasure to hear you speak. You speak with such articulation and passion and belief in what you want for your people. It is always tremendous and inspiring to hear you speak. Thank you for your contribution.

**Ms Buchanan:** Thank you. Do you mind if I fade into the background?

**CHAIR:** That is fine, Cheryl. I know that you prefer that. A wonderful lady at the back has registered to speak this morning. Would you like to come forward?

**FINLAY, Ms Amanda, Private capacity**

**CHAIR:** Amanda, we will start with you. Thank you for being here today. The committee greatly appreciates the fact that you have given up your time.

**Ms Finlay:** I do not know where to start. This is the first time I have ever done anything like this. I give my respects to the elders, the community and the land. I am from the Kalkadoon tribe in North Queensland. There are a lot of things there that need to be sorted out. There are big problems, big issues, and racism is a key player. If only we could change that that would be really good—if there was some way of changing racism.

Everything is always one way and never both ways. Who gets all the jobs? Who gets most of everything in Australia? We sort of back off. We are told what to do. We are told we can only have that, we can only do this and do that. What happened to the Kalkadoon people is a shame. I hope that never, ever happens again, ever, in the world. It is kind of like the Zulus.

Starting off scratch, to help you have people in organisations who want to do this and they want to do that, but they always want to jump in and get their families up and running first instead of helping the whole community like they should be. Everybody should be working as one, helping one another, but that is not the case, especially with racism—family issues too, culture, because the splitting of the families that happened back then. We are still trying to look for our own families today, which is really hard. We do not know if our families could be married into our same families because everybody just fled. Everybody just ran. They had to run and hide. My grandmother and her sister were found underneath a spinifex plant because everybody had to run for their life. My grandmother is Topsy Harry from Mount Isa. My father is Banjo Finlay, a full-blood Aboriginal man who passed away in Camooweal, Mount Isa.

Growing up in Australia, yes, I have seen racism. It is an ugly thing. It stops you from doing a lot of things in your life. Sometimes you just want to get up and go for it, but you cannot because there are limits and people will stop you, saying something like, 'You can't do that.' I have seen this opportunity to come and talk about my Kalkadoon people who, God bless them, are buried, dead, but there has to be the healing process. In Kalkadoon, Battle Mountain, where our last war that we had was, it is all fenced off. Somebody has just come along and put a fence all around the mountain, so how are any of us going to heal or grieve? None of us have the chance to grieve, to put things together—what happened, where our families are. We did not have time for any of that.

They have organisations up and running, but they are not supporting people with housing. We know that Australia at the moment lacks housing. Most Australians are ending up on the street by the looks of it or in tents while the world has got our houses. When they came to Australia they did not build us houses and still today we still do not have houses. It is 2023 now. Yes, okay, there are some that have their land, their house. In Alice Springs people are still waiting for their next house to be built. It is most probably 20 years now. They said, 'Every five years a new house is built,' but it never is. It never happens.

There is bitching and 'who do you think you are?' when you are trying to help people and trying to do your best to help others and people just come along and put you down. You have got all them kinds of things too. Like the Voice, a lot of people have pulled out of it. Members of parliament do not want to join it because nothing was said about it. Everybody has to find their way how this bill and that works and how it is going to work and if it works and will it work. When they say a treaty, is it for the world, for other countries as well, or is it just for Australians? You have a lot of world players too that are coming into the country and doing stuff. That is not to be seen.

My main thing is trying to help the Kalkadoon people try and get back on their feet. Okay, yes, they have their little bit of help—rah, rah, rah—but they are still doing the same thing. They are not getting up. Art is particularly one good thing to get your families back. Your healing, your culture, is through art. Art is one thing that will help you and your families get back together. If only you knew your art. If only you knew the art, because everything has been buried and people have died. Your warriors and all that are gone; they are finished. All you have is a little bit of information here and there—kurdaitcha and all that. There are just glimpses here and there you hear featherfoot and emufoot and all that, you know? That is part of your clan, but where do you stand? Where do you fit? I thought the best idea would be through art—bringing the Aboriginal cultures back into Aboriginal people through art. That is the only thing that I have come up with so far out of the healing process. That is all I can really say.

If I knew my art, I would be finding out more about my culture as well through my art—maybe my language too. Everything I have to look up I have to look in the archives. I have to go into archives and look for my language and certain things. I am glad that I have the opportunity to talk about my Inala



people because I was running around like a mad chook with my head cut off. I did not know what to do, how to do it. People, family, are doing things already in Mount Isa and stuff like that, but you are not included. Your grandmother's name is up there, but you are not involved. You are the granddaughter but you are not there; you are somewhere else. But you are one of them. You belong. All I have to say is: out of everything that I have seen and what I know, the best conclusion would be art to get the people back because everybody loves art, especially Aboriginal people. That is one big healing process that should be put in place.

**CHAIR:** Aunty Amanda, I have a comment and a question. Through the truth and healing inquiry it is hoped that stories like yours will be told. Through that storytelling that you described around the impact that racism has had on you, it is hoped that those stories will be shared so that non-Indigenous Queenslanders understand your experience. You started to speak about the impact of the racism that was imposed on you from others, but it also had an impact on how you responded and how you reacted to your own life and the dreams and hopes you had for yourself. Could you share a little bit more about that impact of racism and how that limited you in your life?

**Ms Finlay:** It was racism at school—everywhere. I was born in Mount Isa but I grew up in Darwin. Never could get anything right. Never could get a job. Never could do this. Never could do that. I ended up drinking, which was the only path. The payments: you are on unemployment; you are copping crap. Centrelink wants you to go and look for work, but they do not know the impact of what you are going through. They would rather use you as a welfare user, but they do not know what you have been through and how you go to the doctors and see doctors and psychologists for help. Aboriginal people—even their own families up in the top end, they go to their full-blood families and the full-blood families are talking rubbish to them.

The racism did not get me to find out anything about myself or my life because the whole thing was full of racism. It kept you put back. You had to step back all the time. It was part of your life. It was in your life. It was in your bloodstream. You were affected by it. You were not able to say this and say that to whoever, whatever. My grandmother could not tell us any stories about her life or her culture because she was afraid that she would get shot. She still had that fear in her that by telling us our story and our culture she could get shot, because the gun was not a good thing. The bullets were not a good thing. That stopped a lot of Aboriginal people from being who we are. My grandmother did not tell me anything because she was afraid that she was going to get hurt.

We grew up in the white society, put up with a little bit of this and that, but lucky we had good friends and good teachers—most good teachers. When my teacher called me a little black bastard at school in front of my whole class, that was not very nice. My mates started watching me then, started making sure that he would not come close to me or warning me to watch out or nudging me—you know, like 'he's coming', stuff like that. I do not know whether he was paid to do it. That is another thing too. I do not know.

But then you go through that with your Aboriginal families as well, the racism. There is also racism in Aboriginal society where they think you are not one of them: 'You go to a white man's school; you are one of them. You born white blood; you are one of them. You're a traitor. You're just a traitor.' It does not matter that you love them and you care for them; the past is still affecting them today, the whole people. It does not matter what you do. You can help and help, but somebody will come along and say something and then everything just falls apart. For my being, I would like to get back with my Aboriginal family—to see them, to sit down with them, to talk with them—without alcohol, drugs or whatever—about things that we never knew, that we never were told, that we were never taught. This pathway to treaty would help that, I think.

**CHAIR:** Aunty, thank you for being so honest and for the courage that you have shown in sharing some of your story. We hope that as we progress towards the inquiry into the truth and healing that stories like yours will become known to all of us so that we can understand your life and the impact that white people have had on your life for way too long. Thank you very much.

**Ms Finlay:** Thank you for giving me the opportunity.

## **BANI, Aunty Matilda, Private capacity**

**Ms Bani:** Good morning. My name is Matilda Bani; I am a Gumuligal. We come from Mabuiag Island. My people are from the tribe of Wagedagam, which is the major tribe of our island, and our totem is the crocodile. We also affiliate with the westerly winds. That is where my childhood started: on Mabuiag. I have lived in Brisbane for nearly 40 years and lived out at Inala for 36, 37 years. I have dedicated my working life to the families in this area and surrounds. I have worked on this side of the river in Brisbane in nearly all the different offices. I work for the Commonwealth, so I have worked in different offices on this side of the river. I have been here for a long time, but I have always gone back home because it has always been important for me to keep in contact with my people back home. My family has always said to me, 'A lot our family has moved to Cairns and Townsville. We never see them, but you moved all the way to the capital city and it's like you never left home.' That is what I always wanted them to feel—and for myself, too—that I have never left home. I might be down here, but I have never left home.

There are just a few things I wanted to bring up. This is a really good process. Growing up in the 1960s and 1970s on the island we were still under the act. I remember as a child still going to bed at nine o'clock because the community policeman would come around and knock on the doors to make sure that everyone was in bed—or mainly the children.

**CHAIR:** Is that only Aboriginal and Torres Strait Islanders, Aunty?

**Ms Bani:** This was the Torres Strait Islander kids on the island.

**CHAIR:** You were in the Torres Strait, yes.

**Ms Bani:** That is what I grew up with. Then for us, we are language speakers. English is not our first language and we never spoke English. We may have learned it at school, but when the bell rings we are outside talking in our lingo so I never really had a reason to use English. If we were at home we had to speak the language. If we used English or tried to style up speaking another language—you might have heard something—we would get into trouble because nobody in the house speaks that language, so we have to speak our language.

Us kids went to Thursday Island. Thursday Island—I do not know if everybody knows—is the main administrative island in the Torres Strait. It is very multicultural. We had to learn Creole, which is the language that we speak to communicate with other Islanders. For myself, I thought it was a funny language. We had to learn it and it sounded different. I found that going from a small community to TI—which we thought was a big town—was a very different place. Coming there we had to learn Creole to communicate with everyone, but at school, because some of my cousins were on Thursday Island, I just spoke language to them because I know they are my family. I was told, 'We can't talk language here. They're going to say that we're dumb because we don't speak English.' That mentality, that thinking, was around at that time in the 1970s: 'If you speak your language, you are stupid. You have to speak English or you have to speak Creole.' Talking about racism, that was where I started to find a different way of treatment. I found it there.

I am not sure if anybody ever mentioned the movie theatre on Thursday Island. I do not know whether it was the segregation act, but when you walked in if you are a Torres Strait Islander you go to the front seats, where they are made of corrugated iron, and you sit there with no covering. You do not ask questions, because we never did ask questions. If you are of mixed marriage and you live front in town, you go to the back seat where you sit in the canvas seats. You got a covering. If you are non-Indigenous or you are European—back in the day it is what they said, European—you go upstairs. In my lifetime I experienced once I sat in the back seats because I stayed with a school friend in the front in town. A lot of Islanders were put at the back of the island—in the suburbs at the back—so I only experienced it once in my lifetime that I went to the back seats. Otherwise I would have gone to the front seats.

I did not even realise that until I went to university in Perth, and a lady from Broome was doing a lecture and she spoke about their movie theatre. I got very emotional and I thought, 'Why am I getting emotional in here?' After, I went outside and I was talking to a lady and I thought—sorry, I am getting emotional—because I did not know that our people were treated like that. We just never questioned it, I think because us island people are very generous people.

Growing up, you end up hearing that sometime if you are good person, or island person, your generosity will be used against you. People will use that against you, and that happened. At no point in time did our elders, parents or grandparents ever tell us that we had to sit there because of who we were. That was something that really stirred my emotions when I heard about the Broome movie theatre. I started to reflect on how we were brought up, and we never, ever questioned those things.

So that was happening on Thursday Island, and I think that is probably why I was in a hurry to get out of there. Sorry, I should not say that. Our people never questioned things. They would still be nice to people. We still are the best in our hospitality to others because it is ingrained in us. We are told to look after other people. We are told to put others first. That is ingrained with a lot of our Torres Strait Islander families and this is what we are best at. We will feed you until the cows come home. We will fluff around you and stuff, look after you, but a lot of that did go against us.

Anyway, moving on from that, I came down. So I am here, and I have lived my life in Brisbane. I have worked with a lot of our Aboriginal and Torres Strait Islander families in Inala, Woodridge, Acacia Ridge—all of those areas. I have really dedicated my life to living and working with families. I am servicing probably grandchildren and great-grandchildren now. What I see down here also is that I am part of the community out here. We have communities established in urban settings in Brisbane. We have our Inala community, we have Ipswich/Goodna and we have the Logan community. We have communities in an urban setting where we have family connections. Whether it is blood or it is non-blood ties, we have that connection because all of our children go to school together, and that brings all of the families together. We all play sports together. This is what happened with blackfellas, I suppose: we all come together and we get drawn to that kind of stuff.

I know a lot of family trees in this area because we were brought up like that, to talk about family bloodline and who you are related to and who is related to who. In a forum like this I have to be careful what I am saying because I could offend somebody if I am going to talk about someone. We have to have that basic knowledge of how family is connected because it makes our job easy. We do not offend, because a lot of our cultural practices are not to offend the other, so we are very aware of that and I practise that here. I know a lot of families and how they are connected to each other and who is related to who. I have other Aboriginal families ask me, 'Who are they related to?' and I go down their family tree. It comes naturally to me to find out those things; I suppose it applies to all of us. When we do that introduction, we have to get personal and tell you who we are or what our family name is or who our family are. It is important for us to establish that connection and work in a way that we are not offending. That is very important.

My other question is: in this process we are part of these communities that are established around Brisbane, but as a Torres Strait Islander we are also part of the South-East Queensland Torres Strait Islander community. This is an issue with our people in Brisbane. When we have consultation forums they do not come forward. People like myself, late Uncle Steve, Uncle Belza—some of us will go because we need to understand that we have a voice there or we need to be there for the consultation; it is for all Aboriginal and Torres Strait Islander people. Then some of our people take a step back because they have that respect, 'This is Aboriginal land. We can't talk; we have to respect them.' That is a barrier for our people to have a voice in any of this kind of consultation process. I do not know: we have to find a solution for how we can encourage more Torres Strait Islanders to come and engage, because that is an issue with some of them. They have that respect. It is a respect thing—'We're on Aboriginal land so we have to let them talk and we don't come into it', not understanding that we need everybody's voice. That is something to think about.

We also feel sometimes that when the government looks for a Torres Strait Islander voice they go back to the homeland, but we are here. There are more of our people on the mainland than back home. We choose to live here, even though we still have that connection to home. That is something to think about when doing this process—how we capture our voice on the mainland.

For my partner, Brian, and me, language is very important. We have been teaching our language in the community to Torres Strait Islander people who are interested in learning our language. Both Brian and I are fluent speakers. We make it our business to teach our language before anything happens to us. There is a lot of influence and outside impacts on our language. Our younger generation talk on Smart Chat and things like that and use short cuts. When they talk on the phone they speak like that, too. They are not speaking our language fluently. They are mixing Creole language with Facebook language or language they use on other devices. That is our concern. We will probably be the last generation that speaks fluently, so we need to pass it on. That is something that is very important to us.

Going from there to talking just about Inala, we do have a high number of youth suicide in this area. We have had lots and lots of meetings about that issue here. The numbers are not that good. We did have a mental health team established here. We got funding recently to build a mental health team because mental illness within our community is not being addressed.

I am working with another organisation and we are trying to train facilitators in the community to run support groups. That could be another part to assist some of the families in the area—to learn from each other about their own experiences with suicide or living with loved ones who have Inala

addictions. Ice is an epidemic out here. Families sometimes do not understand the drug or do not understand the effects of the drug. They have families living in the house, and that can be dangerous with the impacts of that drug. There is a lot of that here too. There are a lot of grandparents in Inala who look after their grandchildren because of the impacts of drugs.

A lot of families here are struggling. Families will not claim family payments because they are frightened they might get bashed by their kids because you are taking the money off them. We are trying to help those families so that they get enough money to feed the kids. Those kinds of things are happening out here.

That is the other side of it, where I am working to try to create support groups and to find local people to facilitate those support groups and bring people together to talk about their experiences and learn from each other. The medical part can be here, but this could be about the community working together to assist one another.

**CHAIR:** Thank you, Aunty. Sorry, did you have anything else to add?

**Ms Bani:** No. I think I have gone through the list of things I needed to bring up. Thank you for this opportunity for us to come and have a say and contribute. Thank you, sissy, for welcoming us here on country.

**CHAIR:** Thank you, Aunty Matilda. Cynthia, did you want to respond in any way to Aunty Matilda?

**Ms LUI:** Just on the language part, Aunty Matilda, I think it is absolutely wonderful. I know that in the western, top western and eastern areas they still speak fluent language. I have shared before in our committee and in other public hearings about the loss of language for my family and my community. That has always been something that I envy others for, especially in the Torres Strait who speak their language fluently, because I was never given the opportunity. I think it is really important because it is part of our identity. It is part of who we are. I think these are all of the things that are coming out of this process.

There were many decisions—and you have shared a few this morning—around why certain things happened a certain way. We never questioned because you are not meant to question. I think this is why Path to Treaty is important. Aunty Amanda spoke before about that fear of asking questions or saying something about hurt and trauma; if you do not say anything then you are safe. With language—and I can certainly speak from my own experience—for whatever reasons it stopped down my family lines. I am here today speaking the common language in the Torres Strait. I will never pass our language to my family, and I think that has always been the hardest thing. That is only one of many examples for First Nations people. I think this process now gives us the opportunity to feel safe, to ask those questions that instilled fear in us, to speak our language proudly because we can. I think this process will only empower us to bring back some of the traditional customs that were lost.

I acknowledge that people have moved away, and we have met many people who have moved away from country, especially in the Torres Strait, to major centres. That is okay too but, when we talk about strengthening and reframing the relationship with government, it is about taking all of those factors into consideration and consulting Aboriginal and Torres Strait Islanders widely. You are right: I think oftentimes we tend to focus on Torres Strait Islanders in the Torres Strait because it is the Torres Strait. That is where we all come from, but we do have Torres Strait Islanders with views right across the state. I think it is an important lesson for all of us to take away from today.

I am learning through this process. Racism has always been the cornerstone of any success stories. It makes you or it breaks you. It gives you that fire or it takes away that fire. I think this is where those sorts of stories now are really important to create awareness and educate Queensland society, because this is our story now and we need to own it. Not everyone is going to agree with this process, but I think the more people we get on to this it will make us better and a stronger collective of people in this state.

I would like to say that I have been blessed with this opportunity to sit here and be part of this process because in years to come, in generations to come, I would like to see that this is the process that turned the narrative of First Nations people in Queensland—where we are going to improve outcomes and in 250 years from now everyone will look back on this turning point in our state's history because we have acknowledged all the wrongs of the past. We are now doing our best to right the wrongs of the past but we are also creating opportunities for our future generations. Aunty mentioned that it is not going to happen overnight. We acknowledge that, but it will happen and it has to start somewhere.

**CHAIR:** Thank you, Cynthia. You are always very articulate and you always arouse immense emotion in everyone who listens to your story. Thank you. Aunty Kerry, did you want to make a contribution?

**Ms Charlton:** I do.

**CHAIR:** I thought you would.

## **CHARLTON, Aunty Kerry, Private capacity**

**Ms Charlton:** I think that covered a lot of my points. Do you want me to start talking or did you want to ask me anything?

**CHAIR:** No. We look forward to your contribution.

**Ms Charlton:** I have taken a lot of notes. I am glad to hear from my sisters—sister Amanda as well. I am sorry there were no males that could be here today. I am sorry that Uncle Neil Bond could not be here. He had not had enough notice. Uncle Neil follows in the footsteps of his very well known uncle Kevin Bond, who was one of our great elders—the choreographer of ‘Stylin’ Up’, which took Inala to a new place on the map in Australia and I think opened opportunities and doorways for development and created a place for our youth in the music scene and creative scene. I just want to acknowledge those who have gone before us out here.

As to my background, most of my primary schooling was on Stradbroke island, living at One Mile Hill. Four generations before that my family had all been under the Aboriginal Protection Act. Of course, the first generation were those who had survived massacres and the diseases and the disruption and the disempowerment and the murders that happened to our people. I want to say that straight up because it is a part that often gets glossed over.

I want to say that I do support the process of the treaty and where it can take us. I like the options of a treaty—what it could involve. I think it is going to have to involve all of those things because, hearing aunty sitting here nearly in tears or tearing up, and that is after a lifetime of processing and learning and also experiencing, that is that handed down trauma. We are all carrying that. We use a lot of humour when we get together to debrief. We debrief, talk, yarn. I will not say any more about that. It is part of our coping mechanisms.

I want to acknowledge Cheryl, too, because her mum played a role in the Inala scene and also in the Brisbane scene. Then Cheryl followed into activism, along with my older sister Donna Ruska, who I want to acknowledge as well, and the elders that looked after them.

Why I wanted to acknowledge what had happened with Uncle Neil goes back to when I did the welcome and our kinship structure, and Aunty Matilda spoke to that as well—learning who is who. Those Bond families were very important people within our traditional sense, particularly also as part of cultural custodians during decades of incarceration under the Aboriginal protection act and being on missions and reserves and forcible removals from country and then forcibly sent out as domestics and servants and unpaid servants/slaves. I am going over that because Yagara country sits in the middle of five other countries with distinct languages. There are families that have worked very hard with the cultural transmission of culture and what we have of language and what we can share, so there are key families that live out here and live in the surrounding districts.

The new ones come in, but the people who are traditional to the area have never gone and the ones who survived stayed. If they were sent away to those missions like Cherbourg, Deebing Creek, Durundur Station and Myora, they tried to return and would return, because in our ancient laws you did not take over somebody else’s country. There are all of these foreign concepts within the western system which are not working for us, and giving time to explore that in the development of what a treaty could involve is going to be very important. We are all talking about aspects that lead to social emotional wellbeing vulnerabilities, and we see that when we are working on the ground and also trying to develop policies or programs which will address that.

There is an intensive multilayered trauma informed approach which is needed, because there are generations of trauma—multiple traumas, bilateral traumas—that need to be addressed which are continuing to affect us all. Having said that, different ones of us work in it. I know that across a lot of community services—people services—that is part of their training and policy in the mainstream as well as Goori way. I think that is a big issue that gets overlooked. When our children in the schools are not learning, not engaging, not present but present, there are many things going on. Suspensions lead to already diminished self-worth and loss of culture, identity—just loss of self, and that then leads down to vulnerabilities to drugs and suicide.

One of the other great things that I have seen happen in Inala from the community has been the response to one of our earliest youth suicides which led to the family Rugby League day. That has helped to strengthen the community and bring us all back, so then we have duplicated that. Gosh, is that 25 years ago?

**Ms Bani:** Yes. We now have it every November. It is the family touch carnival where a lot of the families put their teams in, so we are getting all of the families involved and they put their family team in.

**Ms Charlton:** That is the community talking and wanting to support the family and the friends of the families and all of that. Prior to that, one of my aunties who had been here forever had strong ties from Stradbroke, so then we set up the Naval Coghill Shield and Inala goes down and plays Straddie every year for the memorial and then they try to work out who is going to play for Straddie and who is going to play for Inala. They say, 'Who's going to fight and be game? If that big fella's going, I'm following him. I'm not going to get tackled by him,' and then now they have all of the women's sports happening on the day. The Auntie Winnie Conlon Shield is another one. That brings in the Cherbourg mob. They are here in Inala or down at Stradbroke, so we are truly, like Auntie Matilda said, keeping up those communities within that urban setting and our cultural ways and a lot of that is our initiatives and then we go and find the funding and see if it can be funded. So I see that the treaty can bring many more layers of resourcing to those sorts of contextual—I do not want to say 'problems'—gaps for us. When ATSIC was in we had a lot of opportunities for sports registrations and equipment for the kids to pay for their fees and all of that, and that has left quite a gap. Buses would pick them up or other transport, especially those in the socially emotionally depressed areas.

One of the big things that I say that the Queensland government has done, and I was part of it, was the Many Voices languages policy. I think that is a really great thing where we are wanting to work on rolling our languages out in the schools. The downside—and this is what happens quite a lot—is that it is pushed too fast. As we have said, we grew up with only certain bits and pieces left and fragments. I have been working in language and culture repatriation with the Yagara language for a long time and we are nearly there, but we are not really ready to have it rolled out in schools because most of our people cannot even speak it. Schools are wanting to support the policy, but there are very strong checks and balances that we said had to happen and be put in place but there are no legs to it. So now there are non-Indigenous people learning our language and teaching it in schools or there are Aboriginal people from other areas teaching it in schools, but Yagara elders have not been consulted and given permission.

We are trying to pull ourselves together enough to get our community people and reps to be able to get the resources, because the benefit was to be bringing an economic pathway and teaching culture and language in schools which fits some of those contexts there—those little bubbles—showing what might happen. That has been taken away now because the western system has a good way of excluding us, particularly in this situation. They are saying, 'You have to be a teacher to teach the language. No, no, forget that you learnt a bit and grew up with it. Forget that. No, you've got to be a trained teacher. And if you aren't from here or if there's not one of your people here, then we'll make our own arrangements.' That is happening. That is the western system of thinking and of outcome and it is forgetting that process. The process for us with healing is where there is culture and language.

You can say all the rhetoric you want to—identity building et cetera—but you need to give us the time and the resources to do that. There should have been a five-year preparation. We have been totally disfranchised of our language. It is not language loss; it was removed. Everything was forcibly removed, and my background is the same. I had grandparents who were very affected by many years under the act, and their parents and their parents. When we grew up we were wards of the state growing up with them, but they did give us a lot of strategies to not go through what some of the sisters have said and not use the language—caste, half-caste, quarter-caste, yella fella. They refused to use the language of the coloniser, but sadly it is still here and it gets thrown at you all the time.

We do not know where it is coming from and we have people then who are from the stolen generation who are coming and wanting to learn and needing to learn. There need to be repatriation programs on so many levels before it goes into the system and gets taught and handed around to everywhere else. In terms of my language that a whole big group of us have worked on for 40 years, it is not revitalisation. It is not revival. We are not at that stage. We are still in repatriation. We are not fluent. A couple of us are semi-fluent, but certainly it is going to get taken out of our hands because the majority rules.

I just want to say that the way things are rolled out has to be really looked at. There is this assumption that First Nations people—Aboriginal people, Indigenous people—on one hand know more than we do and then when it is convenient we know less, so we always have this tension going in these structural procedures and infrastructure, so layers of repatriation are needed. We have to also come to a point where when making decisions we have a choice. When it is given back and returned and we have had it for a while—whether it is language, culture, arts, stories or whatever—then it is up to us to decide if we want to give it and how we will give it, but we are being told. Principals are saying, 'No, we'll do it this way,' and then they go out for what we call 'elder shopping'. They go out and shop for an elder who will work with them and sit with them and say yes to them. That then

brings repercussions into the community and you start to get all of this tension and conflict. This machinery of colonisation left Yagara and many other countries fragmented, but we are all at different stages. Sister, you were saying some of your groups still have fluent language, but here and along the coast it was just removed earlier and there was annihilation. People were just trying to survive what was happening for the first few generations—squatters going out on nigger hunts on a Sunday afternoon and all that sort of thing. There are stories upon stories.

One of the other things is Indigenous cultural intellectual property copyright. I am wearing my nephew's T-shirt. He does a great job with his design. He is working for a mainstream organisation, but he does not get the copyright. He does not get paid commissions. He is on a very low rate. It is very sad to know that these organisations are out there. I think they mean well when they start and then it sort of goes somewhere. With this thing called Indigenous cultural intellectual property copyright, there are legal issues, legal frameworks and laws that have to change to support us. Our younger artists and older artists are getting caught up with it. Even though there is this talk about economic pathways and development, they are not getting any wealthier or, should I say, any more stable and a higher rate of pay. There just is not enough in the system to protect their interests.

It is the same with language: you cannot stop somebody using your language. Wikipedia has taken somebody's language. Terri Janke writes about it in her book *True Tracks*. She wrote to them on behalf of a client because this group in Wikipedia just took their language out and started giving access to everyone. They just said, 'Well, there's no laws against it and we can do it,' not even understanding why it might upset a whole group of people, a whole country, that their language is being taught and appropriated and used elsewhere.

We had Goori law protocols, Goori lore—L-O-R-E, L-A-W—for thousands of years and we still abide by them and walk with each other with them. With our Torres Strait Islander sisters and brothers, we have worked through that. I have a few now of yours in my family and my family in your family. We are using those old protocols in managing our kinship and our systems and they need to inform any of this.

On this western way of doing it, I am part of the Quandamooka native title group. My family are the only ones with a completed connection report to Stradbroke Island and there is not a big lot of us. The rest of the tribe got sent elsewhere or killed or died. However, because that native title is for the whole area, everyone else who is not from Stradbroke Island and does not have a completed connection report is now benefiting from our native title rights. Most of them are calling themselves Goenbal or this or that, which is totally against our Goori law protocols. We do not even bother going to the meetings anymore with the native title representative body, the prescribed body corporate, because there is a majority there who belong to all these other families so we are voted out from the get-go.

There are issues with the western systems and structures that are leaving big loopholes. We are not making the money. Native title has not brought any more benefits for us. The families who are all on the boards and involved are the ones with the latest jet skis, the big cars, the big boats, the big salaries, and my family is still living a life as they were living it before. Native title is there for lots of benefits; I am not saying that. I am saying that the way these loopholes are there brings others in to take over.

My elders were running the land council and we were part of it in the early days when it was registered. We removed ourselves for five years and it could not proceed because of all these incomplete connection reports. Then they came, hat in hand, from Canberra to my elders, my aunts and uncles. They talked very nicely and said, 'Look, we'll have a community apology and we would love to have you back in. We can't go any further. We will treat you well and all the issues that you speak of—we will fix them up after we get recognition.' You can guess what happened after that. They were all voted out. The majority are voting against us all the time. There is no major benefit for us but we are the TOs of Stradbroke Island or Terangerri. I am saying that because we talk about the structures that knock us out all the time. You cannot bring in a western structure that says this is democracy and the majority rules, but we have a small tribe who battled to survive massacres, incarceration, diseases. Most of our people are in the cemeteries there and in burial sites.

Apart from that, I am proud of our Quandamooka communities because I grew up there and lived there. Those old people would not have approved of what has happened to us in the past 15 years because their words have been twisted and changed. I grew up in a community that was proud to say 'we are from here' or 'but we are not from here because we are from there', but they proudly told us the stories of how they looked after us and each other during the mission. They cared for each



other if anyone was sick. Even if there was a big blue on the football field or down the pub, they would go and sort it out. It would not turn into a big brawl. It was not allowed to. It had to get sorted out at six o'clock the next morning, at sunup. That was always because it was about protecting our kinship interests and community interests.

**Memorials:** I am glad to see the memorials but we need to have education out there. We know there are quite a few massacre sites on Yagara country, just like everywhere, and that that is being worked on. Yesterday afternoon we were at the nephew's who did this shirt—not the one who did this shirt; the other one. We were just watching a thing on YouTube about one of the air crash investigations. A plane from Greece had crashed, from a minor oversight. What really struck me was: where it had crashed and 120 people lost their lives, on that hill, was a big memorial. I thought that is what we should be having. We should be having these memorials with the story, gatherings there of the people involved and the families and communities, mainstream and Indigenous.

Those are the things that I wanted to talk about, the opportunities that are there. I resonate that racism is still alive and well. I can still go into a shop and be served last. I can still take people to the shop. I go up and see my son and daughter-in-law in Rocky. I am talking about adults in their late 40s. We had ordered pizza. My daughter-in-law was 15 minutes. I was nearly ready to go in and jump up and down. She came out and she was crying because the staff would not serve her. They kept serving everyone else. This goes on. This is what wears away any self-worth or that internal infrastructure that we work very hard on, with all of our mobs and little ones to raise them up strong.

That is why it is very important to bring the rest of Queenslanders on the journey and have as many education sessions out there with them as well, because we will have lots more supporters. My sister was a project officer when they had the inquiry into designated seats in the Queensland parliament 20 to 25 years ago. It did not come up and we did not need it because slowly over time attitudes changed and we do now have First Nations people representing in parliament. So much change has happened, but there is a core there that is still not being touched into. I think that is because you try to put a western framework into an ancient Goori framework. I think us all working together will sort that out, if the powers that be are happy to allow it.

**CHAIR:** Aunty Kerry, thank you on behalf of the committee. I have learned so much from you. I still have so much to learn but I have learned so much. I thank you immensely for your great contribution. Thank you sincerely, Aunty Kerry, for taking the time to teach us.

**Dr ROBINSON:** Chair, may I respond?

**CHAIR:** You have one minute to respond and then we will move to Bob.

**Ms Charlton:** I did not know whether to say that we know each other.

**Dr ROBINSON:** Thank you, Aunty, we do. Basically, I wanted to thank you for your contribution today. As the local member for North Stradbroke Island, Minjerribah, it has been a high learning curve for me over 14 years, particularly in understanding those cultural dynamics. I have a hat, from before politics, in cultural studies. That is the area of my postgraduate research, mainly in Asian cultures but the dynamics carry over into how western structures of governance connect with local Indigenous First Nations decision-making processes. I think we have to learn from these things. I have seen good decisions made. I have seen decisions that have impacted in a way that were not meant to be.

I am being completely apolitical about it but I wanted to thank you for your contribution. As members of parliament, we are all trying to improve this process and I think that is why there is multiparty support for the process. It is an opportunity. What we do with it and where it lands is so important, and picking up the stories on the way is so important. As I have said, I have seen a range of things play out on Minjerribah; some have been great and some not so great. I have had TOs come to me to say, 'Mate, we completely missed out from the native title process,' and that was not meant to be. Sometimes it is internal things being sorted and whitefellas do not understand necessarily all of those dynamics. I want to thank you for sharing very openly, because if we do not learn and understand and hear then we keep repeating the mistakes. It takes bravery to come out and say it very openly, I understand. Thank you. If I, in some other way, shape or form, can contribute as the local member as well as being on this committee then please take it as an invitation for ongoing conversation.

**CHAIR:** Thanks, Aunty Kerry, and thank you, member for Oodgeroo. Welcome, Bob.

### **SMITH, Mr Bob, Private capacity**

**Mr Smith:** Before I continue, I want to take a moment to acknowledge the traditional custodians and caretakers for this country which we live, work and play on. Thank you, Aunty, for your welcome this morning. I also take a moment to acknowledge the current sorry business taking place in our communities. For myself, when I refer to 'sorry business' I refer to the human loss but also the ongoing sorry business attached to our people going in and out of home care, our people going in and out of custody as well as the ongoing destruction of country. My thoughts are with the communities and families impacted in that space.

My name is Bob Smith. I am a Kamilaroi man with ties out to St George. I was raised on Mununjali country, out at Beaudesert. I actually was lucky enough to have Ms McMillan as a deputy principal back in the day at Beaudesert High. I am not showing up anyone's age there! I went to Beaudesert State High School. I think back then we had only one set of traffic lights. It has most definitely changed. I grew up in a very small, tight community where everyone knows everyone and the elders are very supportive and inclusive of what we do out there.

The first thing I want to note is that I do have some significant concerns around our mob being able to articulate what this Path to Treaty is. I have recently started as the CEO of Inala Wangarra, after all the hard work that Karla and many other elders and community members have done over the years. It does concern me that we do not have representation from our community here between young people and elders, as well as the communities within our communities. When I refer to the 'communities within our communities', I am talking about Aboriginal and Torres Strait Islander people with disabilities, Aboriginal and Torres Strait Islander people within our queer community and the other groups that we are of service to. We all see the world very differently, so how we tell our truth will come out differently in different spaces.

One of the things that I wanted to note is about growing up and going to school. In grade 10, you had your history teacher—or back then it was cit. ed, citizenship education, funnily enough—telling you that Aboriginal people were wiped out and non-existent. We would be sitting in the back of the classroom looking at each and other going, 'What the hell? Our grandmothers are still alive.' Not having the safe space to be able to readdress those conversations again has promoted a lot of our mob sitting back and not feeling safe to have the confidence to speak up again.

One of the things I really want to encourage you to have at the forefront moving forward with this consultation is the cultural safety that is provided to our mob. A lot of times we are consulted but we are not responded to. There is no accountability within a lot of different systems and structures. I think ultimately that comes down to the racial violence or oppression that continues to exist.

What we see a lot when we are working with government in particular, in all different agencies, is the willingness to actually listen but also the willingness to have a response in regard to what our elders and our community members are sharing. We have had many yarns about suicide rates, housing and many other things that are topical at the time, but often we do not get the responses that should be afforded. Sometimes our elders and community members do not feel safe to have that yarn. A large part of it is due to having a number of public servants who are sent out into community who lack the cultural confidence and lack cultural safety that they bring into our community consultations. Furthermore, quite often the yarn that is told to members who are coming out to do these consultations is taken back into the system, put into a western context and put into a nice brief for the ministers or the directors-general. Therefore, it loses context. Therefore, we do not get responded to in the way we probably should be. That is something that I really encourage you to consider moving forward—that how we talk is captured, that it is not changed into a western way of thinking, because our words do mean very different things to that of the system.

The other thing I want to note is that, when our people are sharing story and experiences to support truth-telling, we are doing our best to put things in place, whether it be in local organisations or elders groups or whatnot. The funding or the resources for our mob to provide that care needs to be there because sharing these stories triggers. Given the amount of hurt and danger that has been inflicted upon our people, I think that is something we need to take seriously. We have the drug problems we have because of unresolved trauma and many other things but, ultimately, it is all due to the impacts of colonisation.

One of the things I see take place within systems is the number of leaders, white middle-aged men in particular, who sit in different leadership positions and lack the cultural capability or confidence to respond appropriately to our communities' needs. Again, the public servants who come out to do consultations that will enable truth-telling and accountability—and a big piece that is missing a lot of the time is accountability—need to have ongoing understanding around what is white fragility and

what is unconscious bias. Our cultural awareness is not one tick in a box. We still have government agencies that do not even have mandatory cultural awareness training, Education being one. Education is one of the largest employers in the state and we still do not have mandatory training to address that.

Furthermore, if we are going to continue having non-Indigenous folks in leadership positions pushing buttons on decision-making that takes place in our communities, whether it is in agreements or not, the one thing I want to encourage the government to consider as they go forward with this is being able to support the recruitment of First Nations peoples into those leadership positions. Quite often when we have mob come out from government agencies they are in the lower paid positions. They are sent out to collect message; they are sent out to do the consultation and then send back a report. Having them within leadership positions in the system, with some authority and power to inform structural change and systemic reform, is what is needed from my point of view. Ultimately, we would have mob supporting mob.

If you do look at having mob come out to do consultation with our people to enact this truth-telling, you need to understand the cultural load that comes with that and that cultural supervision is considered for those staff members when they come out to do that. It is not easy when our mob work in those systems to do the fixing of the consequences of colonisation ultimately, so we need to make sure we look after them if we are having mob come out to do that consultation.

Aunty also touched on cultural intellectual property. I think that is something that needs to be taken seriously as well moving forward. Some of our mob will not want to hand over information to the systems because of the number of times we have been stripped of that knowledge and then the systems own it. The number of people who work with the system, whether it be through art, song, dance, language—you name it. As soon as it gets put in a document, ultimately the government owns it, so agreements really need to be looked at and reformed. When we talk about systemic reform, from my point of view it is going to be around a number of different levels. This truth-telling part through treaty will definitely make a change, but it is about where the accountability lies within that, whether it be around policy or around funding all of those agreements.

Ultimately, we know that schools, for example, operate in the system in which they are provided. When you have people working from Brisbane making decisions for schools in these types of communities and other communities, they have to follow suit. The biggest part of this systemic accountability is being able to performance manage people in those positions so we can end racial violence. When we have leadership positions that are making decisions that are ultimately based on a certain opinion or bias, we are going to continue perpetuating that racial violence that exists within the system. I encourage you to take that on board.

Ultimately, I really strongly encourage you to reconsider and have another yarn, to come back out here. I know that for us at Wangarra, we most definitely would be able to get most of our mob in—young people and old people—but also support them to get to these types of forums. Whether we pick them up, drop them off—whatever—it is a big thing. We would have more mob here. Considering we are one of the largest in our Indigenous communities, access is still a thing. Thank you.

**CHAIR:** Thank you, Bob. I will share what I think many of us are thinking. It gives me great hope to see a young person—and I can say that because you were one of my students, so I reckon you are still young and of course I am still young. We are talking 23 years ago, Bob, and we both looked very different then. It gives me great hope hearing a young person articulate with a degree of sophistication—and I am sure Cynthia and Aunty Kerry would agree—and your understanding of the complexity of the issues, what needs to be done to challenge those complex issues. That was absolutely commendable. It makes me very proud to have contributed to your education, but also it makes me very proud to see a young person espouse such hope and such a great vision for your people into the future. Well done, Bob. The contribution you made was spectacular. It was very good.

The Queensland government is under no illusion about how difficult the process of the Truth-telling and Healing Inquiry will be. It will be a very hard time, particularly for our First Nations peoples but also I think for a number of non-Indigenous peoples—people like me who have worked in systems for a long time and have seen a lot of things that perhaps I should not have seen. It is going to be a very hard time for our First Nations peoples, and the Queensland government will need to ensure that adequate support is provided to those peoples so we do not create more hurt. That is certainly not the intention. Deputy Chair, we are going to close. Do you want to make a couple of comments?

**Mr BENNETT:** Sure. I have sat here all morning. Again, it is truly remarkable that all of us in the Queensland parliament are going on this journey. We represent the opposition on our bipartisan committee. All of us have gone on a tremendous educational journey as we have travelled around the state. It has been quite humbling and moving as well. I also share the aspirations of hope and change that I think all of us in Queensland would hold.

Again, taking the words, it is going to be a process that we all have to work hard on. Please have faith that it will make a difference; I think we all have to do that. If we all come to the table—I talk about good-faith negotiations. For me, the one thing that I want to take out of this is that self-determination becomes a reality and you should be able to draft the treaties yourself. The less government involvement in your treaty negotiations the better. It needs to come from First Nations people to drive the change, and I think we all agree. Thanks for coming this morning.

**CHAIR:** Thank you, Deputy Chair. You are always very articulate and speak with such passion and commitment to our First Nations Queenslanders. As the deputy chair said, it has been a great experience to go on this journey together as a committee. This is our last in-person hearing. We have been everywhere, man. We have enjoyed the opportunity to speak to hundreds, if not thousands of First Nations peoples in the last couple of weeks throughout Queensland. We do have a couple of other consultations via teleconference and videoconference this evening, but that will bring us to the end of our consultation. A report will be provided and tabled in the parliament on Friday, written by me and the committee, with a set of recommendations for our government to go forward. Hopefully, we will debate this bill in the coming months in the parliament and we hope to enshrine it into legislation here in Queensland. That begins the process of a much better life for our First Nations peoples and begins our journey as Queenslanders on a Path to Treaty, which is only 235 years too late, but it is better late than never.

We do appreciate your time this morning. It has been great to be back here at Inala, great to be back here with old friends and really tremendous to have your support and to hear your stories. We thank Aunty for having us on your land. Thank you very much. We appreciate your warm welcome. We look forward to you reading our report. We hope we do not disappoint you. We will be sure to keep in touch and we look forward to a much better life here in Queensland for many generations to come. That being said, I will close our public hearing and thank you all again for your wonderful contributions.

**The committee adjourned at 12.12 pm.**