



COMMUNITY SUPPORT AND SERVICES COMMITTEE

Members present:

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

Staff present:

Ms L Pretty—Committee Secretary

PUBLIC FORUM—INQUIRY INTO THE PATH TO TREATY BILL 2023

TRANSCRIPT OF PROCEEDINGS

Monday, 20 March 2023

Cairns

MONDAY, 20 MARCH 2023

The committee met at 9.08 am.

CHAIR: Good morning. I declare open the public forum of the committee's inquiry into the Path to Treaty Bill 2023. I would like to respectfully acknowledge the traditional owners of the land on which we meet this morning and recognise elders past, present and emerging. I would also like to acknowledge the other First Nations people who may call this country home. We are very fortunate to live in a country with two of the oldest continuous cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and waters we all now share.

My name is Corrine McMillan. I am the member for Mansfield and chair of the committee. With me here today are Mr Stephen Bennett, member for Burnett and deputy chair; Mr Michael Berkman, member for Maiwar; Dr Mark Robinson, member for Oodgeroo; Mr Rob Skelton, member for Nicklin; and Ms Joan Pease, member for Lytton, who is substituting today for the member for Cook, Ms Cynthia Lui. It is very sad that the member for Cook cannot be with us, but today and tonight the Palaszczuk government is hosting a cost-of-living summit on the Torres Strait islands, and Ms Lui is with the Premier today. I also acknowledge members of the board of Path to Treaty. There are a number of those board members here with us today. I acknowledge and welcome Ms Sallyanne Atkinson, former lord mayor of Brisbane, who is on the board of the Path to Treaty.

The purpose of this forum is to assist the committee with its consideration of the Path to Treaty Bill. Path to Treaty is a negotiation process between the Queensland government and Queensland's First Nations peoples and non-Indigenous Queenslanders. We know that Australia has a very sad history. During colonisation over 200 years ago, we know that there was a very sad history. We also know that there was a lot of hurt through that colonisation process and we acknowledge that there is a lot of work to do to heal the hurt of the past and to rectify the policies, practices and laws of government since colonisation.

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. We also propose, through the bill, that we establish a Truth-telling and Healing Inquiry. As I mentioned, it is not going to be easy. There is a lot of hurt. We know that, as non-Indigenous Australians, a history of this country has been learned and taught which is inaccurate. We need to rectify that. The bill will also outline a Truth-telling and Healing Inquiry and inquire into and report on the effects of colonisation on Aboriginal and Torres Strait Islander peoples. We are here today in Cairns to hear your views and suggestions on the next steps along the path to treaty. Please take this opportunity to share with us your views on 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 Hansard and will be published on the parliament's website. If you have any concerns about this, please talk to the committee secretary, who is Lynda, who is at the back of the room. Media may be present—we thank ABC Cairns for being here—and are subject to the committee's rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or on social media pages. Please turn your mobile phones off or to silent mode.

We have a number of people here today, which is really reassuring and encouraging. It is wonderful to see so many people, both Indigenous and non-Indigenous people, who would like to contribute to the bill. We will need to manage this and to try to give everybody the opportunity to speak. I understand that we are finishing at 11, but we will do our best to hear from everybody who wants to speak about your experiences and any feedback that you have on the bill. We plan to allocate about three minutes to those who have been registered for today's forum. We will do our best to get around to everybody and give everybody an opportunity to share their feedback on the bill but also to share their feelings, their experiences and some of the issues that they believe need to be told, some of their experiences that need to be shared, as we move towards the path to treaty here in Queensland.

I also say that Queensland is one of the very few states that are embarking on the path to treaty process. Queensland will be the first Australian state or territory to move to this recognition. Victoria, the Northern Territory and South Australia have also commenced treaty-making processes. It is very important to our government and I know it is important to our First Nations peoples. I now ask for a brave person to make an initial contribution.

BURKE, Mr Roderick, Private capacity

CHAIR: It is lovely to meet you. Over to you.

Mr Burke: I believe that my identity as an Aboriginal man has been taken away by the Cape York Land Council through native title processes. Native title processes need to be addressed because that has caused a lot of friction in and amongst families over land matters.

I understand that this is about the Queensland government and I will use the term 'traditional owners of Queensland'. If we do not get the process right in and amongst the traditional owners and particularly over land matters through native title then I cannot see how a lot of traditional owners will effectively participate in this treaty process, in its development and also in its outcomes.

What needs to happen is native title needs to be addressed, because that is the No. 1 concern and it is the biggest land asset that any individual would have hold of for economic benefits, as you would all know. Native title stymies our economic growth through that process and, as I said, it has taken away my identity.

I have white people—a social anthropologist and a conglomerate of lawyers—telling me that that is not my country, yet practice and actions of the past from the Cape York Land Council have shown and positioned me in that geographical area but not through native title. I do not know how they find the evidence of Aboriginal ancestry—from a social anthropologist? All he did was read books about past practices.

CHAIR: Thank you, Mr Burke. The issues you raised are very important. We had a meeting with the board of the Path to Treaty on Monday last week. The committee met with the board who established the bill in its draft form. We are well aware of your issue that you raised.

Mr Burke: It is not only mine; it is issues for traditional owners in Queensland.

CHAIR: Yes, that is right. The committee are very aware of the issue, as is the board. We are aware that it is an issue that does need to be resolved. We thank you very much for your feedback and the feedback of traditional owners. Is there anybody else who would like to make a contribution or provide feedback?

WARREN, Mr Binda, Private capacity

CHAIR: For those of you who do wish to speak and make a contribution, we ask you to come to the microphone so Hansard can record it—it is being reported back in Brisbane—so we can capture your contribution in written form for those who do make a contribution and committee members who wish to ask questions or seek to clarify some of what you have contributed.

Mr Warren: I would like to introduce myself. I am Binda Warren. My family are Jane Elizabeth, Williams, Yates, Hornville, Capewell, all the way through from Culgoa National Park Murrawarri in both New South Wales and Queensland—Talby/Tolby and Milroy stations. We have similar issues to do with government and the lack of representation for us. We have gone to the federal government. They have files on our family from the mid-1800s all the way through. We are constantly getting a stonewall reaction from local communities in that area who were told to go to Redfern and north-west New South Wales land council to sort out our family's determination. We have rung the environment minister's office; we have had many conversations, but nothing is being done. My mother and my uncles are very old. They are nearly at the end of their term. They are knowledge holders and they would like to see this done before they are gone.

CHAIR: Thank you. Again, they are really important issues. The Palaszczuk government is committed to passing this bill before the middle of the year. We will then begin around a three-year inquiry into truth-telling and healing, so we are well on our way with the help of everyone here today. Do committee members have any questions of either Mr Burke or Mr Warren?

Mr BENNETT: Mr Warren, have you been involved in the process to date on Path to Treaty? Has anyone been approached?

Mr Warren: Not personally, no, but I am proactive in standing up and sorting out things for our mob. I do support the Voice. I do believe that we have had many attempts underneath many organisations and levels and they are failing. Some things work and some things do not, and I think it is about time it is done right. It is under the watchful eye of government so the accountability and transparency is there.

CHAIR: Thank you. The Palaszczuk government recognises that this is not easy. It will not be easy. That is not a reason not to do it. We believe that 230 years is way too long. The time is right. The time is now. We must do it right, which is enormous pressure on our government and on the parliament. This is so important and it is past time. Thank you, Mr Warren. Is there anyone else who would like to make a contribution?

EATON, Ms Janie, Girringun Aboriginal Corporation

CHAIR: Over to you.

Ms Eaton: I have a little bit of a concern with the start of the meeting. We did not have a welcome to country.

CHAIR: I do acknowledge that. I understand that there are some negotiations happening around those traditional owners. Cynthia Lui, the member for Cook, would be involved somewhat in that process, but I wanted to use a very generic acknowledgement. We do acknowledge all of those First Nations peoples who are traditional owners here but also may call Cairns home and may have been born elsewhere. Janie, did you have some feedback on the bill?

Ms Eaton: Not really. I will put my boss up to answer that question.

Mr BENNETT: Chair, is it prudent to mention that the bill will be debated here in Cairns in May for those who are interested in that important sitting?

CHAIR: Yes. The government's plan is that we will debate the bill here in Cairns when the parliament sits for a regional sitting in May. The dates are 9 to 11 May. That is when the bill will be debated. The whole of the parliament—93 members—will be here in Cairns for that week.

RIST, Mr Phil, Girringun Aboriginal Corporation

Mr Rist: I am a Nywaigi traditional owner from around the Ingham area.

CHAIR: Lovely to meet you. Thank you for appearing today. We would love to hear your contribution.

Mr Rist: I would like to first acknowledge the traditional owners of this country we are meeting on here today. I am from the Girringun organisation as Janie said. The answers to a lot of this have always been with us as traditional owners.

CHAIR: That is right.

Mr Rist: You guys support us, but the answer has to come from us. My own group, Girringun, is a representative organisation of nine groups. For years we have come together as one organisation based on customary lore and all the rest of it, but we are our own entity. We have got our own governance. That is where it has to come from, I think. That is where it really has to come from. We cannot rely on government, or anybody else for that matter. We have been on the front foot with things.

We have initiated a process called Process Unite. It is a process where we hold our mob together. There have been things happening for many years that threatened that stability, that governance, that relationship with each other and so on. This process is all about our relationships between each other, first and foremost, as traditional owners—how we respect each other and so forth and finding that really strong stability.

We have been in operation for over 30 years. Our greatest strength and our assets have always been our unity. We have to use that at that really subregional level to force change. It has to come from us. Whether it is the Voice to Parliament or anything else like that, this is where it is coming from. This is where it really has to come from. We need the support of government to make that happen—and others, not only government but other parties and partners. Over the 30 years or so, that is how we have really consolidated ourselves in our region. We have strong partnerships not only amongst ourselves as an alliance of nine tribal groups but also with local government and all the other parties that we deal with. That is the groundswell, that grassroots level. That is going to really influence change for the better.

This process that we have initiated, Process Unite, is bringing together the mob. Right as we speak we are having numerous meetings amongst our own mobs on how we want to deal with the Path to Treaty. How do we want to deal with the native title compensation issue and other issues? We are having this conversation amongst ourselves and we are building a groundswell. We are going to go into this as a united group and we are going to ask for this and that but also demonstrate strong subregional governance and unity when we talk about these things. That is where the answer is and that is where it needs to be supported.

CHAIR: Mr Rist, it was great to hear your contribution. The government is well aware that there are First Nations groups who are well on the way, particularly around their governance. The Path to Treaty is what you as our First Nations people decide you want and need. It will be we hope with government, but it will also be with other groups with each other. We acknowledge your contribution and thank you. It was positive to hear that groups in your area are having those conversations as we embark on this journey. Do committee members have questions or comments?

Mr BENNETT: Chair, I want to remind everyone in the room that submissions to this bill are still open for your comments on paper or in an email if you feel you want to strengthen your resolve by putting it in writing. We have only had 26 submissions to date, which I find a little disturbing. You can put your thoughts into words, and you should always use the parliamentary process for anything you have to say to Queensland parliament. That is your opportunity to make a statement and I encourage everyone to make a submission to this inquiry.

Mr Rist: Can I make one further note. I do not know whether it is there or not—and you can tell me if it is—but trying to bring nine groups together and continue this momentum is a big ask and we need resources for that sort of thing. I do not know if there has been a lot of thought around getting groups prepared for this and the resources that are needed to support that to happen. At the end of the day, a lot of this comes back to those resources being made available for mob to do their business and conduct their business. I do not know whether that is part of this or not or whether you have thought of that, but you have to put some resources into the front-end stuff, not so much the back end.

CHAIR: Thank you. There has been consideration around the resource allocation and the fact that to do anything in Queensland requires resources, whether it be people or money. Your feedback is really valuable so thank you.

Mr Burke: Can I add to what I said before. As everyone in this room knows, land is the major asset any one individual can have. Through the native title and tenure processes within the state, one of the major beneficiaries from that process is the Queensland government. There are a lot of traditional owner groups out there and individuals who, going on from my earlier comment, do not receive any sort of growth benefits from the outcome of that process. I implore all of you elected leaders to get down to the regional areas and kick some butt with the Public Service and the bureaucrats to make things happen the way you want them to happen as we are discussing around this table today.

CHAIR: Thank you, Mr Burke. Mr Mabo, thank you for your time today. I will hand over to you.

MABO, Mr Kaleb, Private capacity

Mr Mabo: Just touching on the last speaker, I have a question. You said you have had 26 submissions and you also said that this is going to be pushed through in June. My question is: is it a concern of the government that there are only 26 submissions when Queensland has quite a large Indigenous population?

Mr BENNETT: Are you asking me, Mr Mabo? If I can, Chair. I guess the process has been underway with the committee that was established in 2019, and it has progressed to this bill. This bill is about creating an institute to start to prepare the process and also about the inquiry into truth-telling. I always get concerned as an MP when we seem to have a disconnect with submissions and engagement on something so important, but we need to be buoyed by the number of people who are here today who want to come along. In regard to people putting things in writing, we would like to see that. The fact that you are all here today I take as a real positive as well. It is a tight time frame, but I guess we see this as just another step—and I am speaking personally; I cannot speak on behalf of the committee.

We have members of the community who are here today, and I welcome the mayor. We have been down a very extensive road in preparation—and that is why I did ask the gentleman about his involvement in the process, because we would hope that this committee and the board would be engaging as many Queenslanders as possible, and TOs as well. I hope that answers your question. I just had a look and we are extending the submission date for a few organisations, but it has actually closed so my apologies. It would not stop you from writing to us if you wanted to. The fact is: you are here to have your say, Mr Mabo, and we thank you for coming, as well as everyone else here. We are travelling around this great state all week and we hope to hear from a lot of interested people on this important legislation and reform.

CHAIR: Mr Mabo, thank you. We will continue to accept submissions. We encourage submissions. We recognise that not a lot of people may want to put their submissions in writing, which is why you are here today. You can make an oral submission today or a written submission. We are very encouraged to see the number of people here today. Our committee will never not accept a submission if we receive one. It is a really important process and we are all ears. Mr Mabo, do you have something else you want to say?

Mr Mabo: No.

CHAIR: Thanks, Mr Mabo. I also acknowledge Mayor Manning. It is lovely to have you here. Thank you for your contribution and for coming along.

Mr BENNETT: I am just curious about the time line since 2019, particularly those who are interested in the journey and who may not be aware. It may be of interest in relation to what has happened and what has been achieved. A mountain of work has already been tabled. It might be of interest to Mr Mabo.

CHAIR: Are there any other members of the public who would like to make a contribution?

SAMBO, Mr Ray, Private capacity

Mr Sambo: I just read this document and I see it says it is aligned with the Uluru Statement from the Heart: voice, treaty, truth. So far, I have heard the discussions around the treaty and I have heard the discussions around the truth, but where is the third element, the voice? I know it is a federal issue. I know they are talking about a voice at the federal level. I did say this at one of the very first consultations. There should be a voice at all levels of government, not only the federal level of government. We have the mayor here. There should be an Indigenous voice and a very effective Indigenous voice at local government, as well as there should be an Indigenous voice in state government. If you look at the document here, it says a couple of things. It says the self-determination. Once again, if we are not at the table, how can we have an input into the impacts? Whatever things are coming up, we need to be at the table. That is what the federal voice is about. That is why I said it should apply to state government and it should apply to local government.

CHAIR: Mr Sambo, thank you. You make very valid points around those all three issues—federal, state and local government. Is there anything else you want to say?

Mr Sambo: In relation to what Roderick was saying, when you read the document it is also about respecting and protecting Aboriginal and Torres Strait Islander lore. Again, the central rule of that is connected back to land. I have one quick question. How do you go about negotiating treaty with so many different groups? I heard Mr Rist say that he is having a problem with nine Indigenous groups around the Cardwell area. How many Indigenous groups are there across Queensland and how does the Queensland government negotiate a treaty with all of those individual groups? Obviously there is one big blanket one, but how? They are my questions.

CHAIR: That is a very good point. As I mentioned at the start, we recognise that this is not going to be easy but we also acknowledge that because something is not easy it does not mean we do not do it. What we all know is that the things in life that are the hardest are those that are most worthwhile. We believe as a government that there is a willingness and a genuine need, desire and commitment by our First Nations peoples, and the government brings that same commitment but we know it will not be easy. I know that the mayor has registered to speak so I hand over to you, Mayor Manning.

MANNING, Mr Bob, Mayor, Cairns Regional Council

Mr Manning: Firstly, I acknowledge the traditional owners and pay respects to their elders past, present and future. Thank you to the committee for giving us—‘us’ being everybody—a chance to speak. There are some notes prepared for me but there is one thing that just keeps niggling me. Well, there are a couple of things that keep niggling me, really. One of them is that I am getting pretty old—about the same age as Danny.

CHAIR: Time doesn’t wait for anyone, Mr Manning.

Mr Manning: I realise that. It is very unforgiving too. I lived in West Cairns as a kid. That is where I grew up and that is where I got introduced to the Kangaroos football club. The Kangaroos was always the side that was very mixed, but we were also a side that was very happy and we did well. I cannot believe that it is 77 years of my lifetime and we really have not progressed very far. I always thought that we would. I always thought in my life that I would see major changes. I worry because I am becoming confused and you cannot take the people with you if they are confused. I think I am an average Joe Blow—maybe I am a little bit less than average and maybe that is my problem. Making progress with this is absolutely critical. Confusion is our enemy; goodwill, we have got to find it. That is all I have to say.

CHAIR: Thank you. The committee acknowledges your contribution. If the mayor of Cairns is confused, then we have a lot of work to do. I also say that it is up to each and every one of us to not be confused and to do all we can to seek the information we need so we can unravel some of that confusion. This is a journey and we are on it together, and I really appreciate your honesty and I acknowledge your contribution.

Mr Manning: Can I say that there is nothing lacking in my commitment to this task.

CHAIR: There we have it, Cairns. The mayor of Cairns is absolutely committed to the Path to Treaty and we acknowledge you for that, Mayor. Would anyone else like to make a contribution?

Mr Warren: In relation to Mayor Manning, there is confusion and everything in that. Common sense says maybe we should have Indigenous representation in local council and they will connect through to state, federal and all of that. Our legislation is made and everything and all of that. One thing that I do not understand is how millions of dollars of Indigenous moneys can go towards renovating Martin Munro Park and then turning around and charging the NAIDOC Committee \$20,000 to hire the premises. That is disrespectful, and it has come from a disrespectful position of the NAIDOC Committee of Cairns. If we talk about truth and we talk about transparency, everyone is sick to death of Indigenous moneys being paid elsewhere and not going where it needs to be, and then the cheek to turn around and hit the Cairns NAIDOC Committee up for \$20,000 when touring artists and organisations get a big discount. Thank you.

CHAIR: Thank you, Mr Warren. We thank you for that contribution. Certainly the truth-telling process that will follow this bill will be a really important time for local areas to start to work through some of those issues so that we can move forward.

O'SHANE, Mr Danny, Private capacity

CHAIR: Mr O'Shane, welcome. It is nice to have you here. Over to you.

Mr O'Shane: First of all, I would like to thank the state government for taking the initiative to work towards treaty with the First Nations people. I would like to congratulate the mayor on his position. He is an old friend, of course, and I am a little bit older than him. I am concerned about how you are going to work with each and every group, because each and every group has their own lore. I am a Gugu-Yalanji man. We go by what we call our Ngujakara. Some people used to call that the Dreamtime or something like that. That sets out our lore, our boundaries and all that. There is an old saying that if you lose your dreaming, you are lost as an Aboriginal person in this country.

Now, we would not want anybody else speaking for us as a group of people. I come from a part of the Gugu-Yalanji nation, and that is the Guguri-Warra. 'Warra' is the name we use for people from a particular place, and we come under the lore of the Guguri. We call ourselves Guguri-Warra. All of that country is under our lore. We have never changed that lore, for thousands of years—and we know it is thousands of years because we still have the stories of when the water rose up—science tells us that it is over 12,000 years ago—and then the water went back again. For those people on the coastline, there are stories about when the waters rose up. What it means to me is that everybody has their own knowledge around the place but we did not have wars. We share country with our neighbours and all that, but we did not have wars. It means that we have had sovereignty over our land for thousands upon thousands of years. At least we can time it back to the time when the water rose up. We have to have recognition of us as having our own sovereignty, our own people on our own land.

Our stories are that we must share our country. People might be in hardship and all that sort of thing, and that shared country is a part of what we do as in welcoming people. That, I think, is part of why we had no wars on this continent for 65,000 years. We need to settle with the newcomers to our land. We need to settle it the only way we can possibly settle it out. It is not by somebody forcing laws upon us, taking the children away, children ending up in the corrective services and that sort of thing. The only way we can go is treaty. That is the only true way. It has to be a fair and honest treaty, and it is not one above the other. It is as equals that we talk.

The Mabo decision said that the Murray Islanders were entitled to their islands for their use, occupation and enjoyment as against the whole world. For me, that is sovereignty. That is sovereignty. We need to go back to that sovereignty, and the only way we can do that is through a true and fair negotiation on treaty. I congratulate you and thank you for that.

CHAIR: Thank you, Mr O'Shane. How eloquent that was said. Well done. I think you captured the issues at hand incredibly accurately. Well done to you. Thank you for your leadership and thank you for being here today.

Mr BERKMAN: Thank you so much, Mr O'Shane. This is not necessarily a question just for you but for everyone who has contributed so far. Can I start by saying that I come to this fully recognising that I am a settler and that the kind of conflict that we are looking at here and all the historical wrongs have contributed to that by default. I am not intending to focus on conflict or division when I ask this question, but it seems like it is a bit of an elephant in the room that native title—this process that was set up to notionally provide land back, provide rights to First Nations people, has in fact created a backdrop of conflict against which these treaty negotiations are going to inevitably take place. In talking to Mick Gooda and Cheryl Buchanan about this, they talked about the idea that the First Nations Treaty Institute might provide a forum for negotiation of treaty or discussions between contesting traditional owner groups. I am interested to hear your thoughts on that idea, that possibility. I am trying to tease out a bit how you see issues of native title unfolding in amongst this discussion without treaty.

Mr O'Shane: I thought treaty was slightly different to native title.

Mr BERKMAN: Yes. Sorry, I did not mean to confuse the two.

Mr O'Shane: Indeed, what native title does is recognise the boundaries of the people whose country it is, but native title also says that all freehold land extinguishes native title and special leases extinguish native title, so we have no title. If we are both sovereign people, which is what we are saying, then you have taken land without any compensation, in my book. These are some of the things that will have to be discussed for treaty. How do you come to a circumstance where virtually all our country is taken up houses—million dollar blocks and all that sort of stuff—and not a cent of that goes to the people.

So far as they enter Indigenous relationships, we have some conflict there as well. I will not mention any names or any groups, but people who have lost their knowledge do not know where the actual boundaries are. For 65,000 years they lived in peace as we see it. There might have been battles or fights, but there were no wars that have taken over other people's land. We can understand that from our Ngujakara. If people do not understand that Ngujakara there can be conflict, but that is about working those things out there. Those who have knowledge of the boundaries and all that will stand fast on those and will not give way on it. But that will not lead to conflict, I do not think, because it is about the other people. It is not their fault that their societies have been smashed—knocked right out, particularly in areas like Cairns or something like that, where you have smashed virtually all the native people's things and all that. That has created a situation where people have lost their understanding of those boundaries. Where we go a little bit further out, we understand where those boundaries are, but beyond that we cannot say how much is broken, how much is smashed. When we go to the traditional people who understand our Ngujakara, our dreaming, or whatever people might call their own thing, we can live in peace together by those boundaries that are set out from that time long before.

That is how I see it. But we must address the issue of the taking of that land and taking of the resources. We must come to a situation where our people are not in poverty, where our children are not put into the jail system and all that. You hear people barking about the system: 'Put them in jail.' The correctional centre in Townsville is 100 per cent Indigenous kids. How does it make me feel? It hurts you inside, because we are normal human beings. This is what is happening through the pressures upon our societies, to want to grab and take everything that there is and not understand that we are human beings living alongside you.

CHAIR: Thank you, Mr O'Shane.

Mr Burke: I wish to make a comment on that. In relation to your comment about native title, though, I think a greater majority of people do not understand native title and tenure. Native title is a Commonwealth responsibility under that piece of legislation, where the state government comes in in relation to tenure and they have primary responsibilities for land tenure matters in this state, not the Commonwealth—not native title but under the Aboriginal Land Act and the Torres Strait Islander Land Act. Those are the two pieces of legislation that give tenure to Aboriginal and/or Torres Strait Islander people. My thoughts are to focus more on the tenure issue. I gave my earlier comments about assets base and land being the biggest asset base anyone could have for economic prosperity. Focus on the tenure issues because that is the state's responsibility. That gives us a piece of paper saying, 'Mr Burke, you now own this land.' It is like a house or within local government. Native title is consuming everything and it is so confusing, but it does not give you that piece of paper saying, 'You own the land,' in response to Bundy there talking about building an economic base and building something for our people. We need a base to operate from, and that is having tenure over land.

CHAIR: Thank you, Mr Burke. We will move on. I know that you would like to speak and I am very happy for you to do so, but I just want to reach out to my First Nations sisters who may want to make a contribution. I ask if one of the female members here today would like to speak. You can come up together if you would like. Then we will come to you, sir. Would you like to both introduce yourselves?

JOSE, Ms Samara, Private capacity

Ms Jose: Before I introduce myself, I begin by acknowledging that we are on Aboriginal lands, that our sovereignty was never ceded, that this conversation is one that we have inherited as young people and that we have a responsibility to ensure there is a resolution to it. I am a proud Gudjula, eastern Kuku Yandji woman with family connections to the Torres Strait. We speak to this issue because it is about the fact that, like Mayor Manning said, in his lifetime there was not an opportunity to bring forth resolution, bring forth a state where we as a nation, as a country and as many nations have an opportunity to heal from what we inherit. As young people we inherit the trauma of our past, of our families, the removals, the truth that so much of what happened in this state has affected and continues to affect the lives of our young people.

Treaty is not just about a recognition of landownership. Treaty is about making sure that we heal that hurt, that young people have the opportunity to experience and explore our culture with pride. The same conversations that are had by our elders of what we have not achieved, what we have not done, are the same conversations that we face as young people. What happened back then is still happening now. Nothing has changed. So many of our families have died fighting this fight for recognition, for healing, for respect. We cannot wait. I do not want to die not having a treaty. I do not want to die knowing that our families have not had an opportunity to speak our truth, to be heard, to be respected and for it to be accepted as truth, because so often that is what we face.

CHAIR: Thank you Ms Jose.

KETCHELL, Ms Stacee, Private capacity

Ms Ketchell: I would like to pay my respects, too, to families here, the traditional owners of this place, Cairns. I am a proud Waikaid and Meuram woman hailing from the eastern and the western islands of the Torres Strait. I think with sister here, we know our young people need a place as part of this treaty-making process and to be considered as part of the committee or the institute when that is established. We need to be a part of those conversations early alongside our elders and our community members to ensure that we are there from the start, because we are going to see this out in our lifetime. We respect and understand that we have our own cultural protocols, too, and we need to find that balance there as well.

It is a healing journey, especially for our young people and families, because historically people have tried all kinds of things to pull our families down. I think it is time and I think it is also important that our young people use their voices as part of the process to also remind ourselves that we are doing this for the next generations to come. We need to be at that table.

I also know that as part of that, because of our histories, our young people feel displaced as in not knowing their connections to their country. I have had some yarns with some young people and they ask, 'How can I contribute when that may not be or I might be rejected from my own mob?' I think that is another question to be a part of this. Because of our histories and our families and our children being taken, how is that considered in this process and how do we ensure they are able to contribute as well?

CHAIR: Thank you very much, ladies. What a powerful contribution and feedback on the bill about what we need to do in Queensland. We absolutely acknowledge that the future of our First Nations peoples must be better than in the past. We must do better. We acknowledge that the number of young people incarcerated is an absolute shame and a disgrace on our Queensland community. We must do better. We must acknowledge the displacement and the hurt that has gone on. Thank you immensely for just a beautiful contribution to something very important. Thank you, ladies.

JABURU, Mr, Private capacity

Mr Jaburu (Aboriginal language spoken) Firstly, we need to stop the war, the war that has been raging on our people since 1816 when Macquarie called a war on Aboriginal people. That is when the killing started. This message came from your king back then and still today there is a war on Woomera nation people. You have never lifted it, so how can we talk until these things are lifted off—the killing of our children? You politicians need to go back and look at your history properly and start lifting that off. That is No. 1. There is still declaration notice of war by the Crown on this country, on these people signed off by Macquarie. You need to do that first before we even start talking.

What do we want? We want to live in peace. If there ever is a treaty, it needs to be a peace treaty, not a second treaty where all the colonisers right up until yesterday have held a gun against the people they signed a treaty with. We do not want a second treaty; we want a peace treaty. So you need to take that message back first. Lift off the war, No. 1. We want a peace treaty. We want the killings to stop. You are killing us in jail now. You are killing our children now. That is what you are doing, and you say we are all friends.

Our mob play football at the top level and in every sport in this country. You want to stop them from talking. The NRL stopped these mob from talking. So Latrell had to put socks on, otherwise he would lose his contract. What are you trying to do to us? You have already bought every sportsperson—you think you have bought them until somebody starts putting their socks on.

We ask for all the support from all the Commonwealth countries—all of their support. We are the biggest army in the Pacific. We ask them to support us in this treaty if there is going to be a treaty. We do not know yet because we are still sovereign people and we will remain that until agreement is met—if the agreement is met, because look what you have been doing to us for the last 240 years. You have been murdering us, killing us. This needs to stop. It needs to stop now.

You need to take this back to your political masters and your king because he is the sovereign as far as you are concerned. You do not own anything unless the king grants it to you and he granted hundreds of thousands of acres to the people who have murdered us.

We need to talk—of course we need to do talk—but it needs to be a proper talk. You need to stop killing us. Have you got that in your head? You need to stop. Our children are dying. I will get back to the subject, but that is what I wanted to say first.

CHAIR: I just wanted to thank you immensely for your contribution, sir. I did not get your last name.

Mr Jaburu: It is Jaburu. I am from the Woomera nation. I escaped. So many areas have been smashed. We all still carry on and we still know it. The first thing you need to do is stop the war brought by the king that was started by Macquarie in 1816. Your government needs to go back and fix that up before you start any treaty with us.

CHAIR: Thank you very much, sir. I understand how hard that would have been for you and how distressing, but we really do appreciate that feedback. Thank you. Are there any other members who would like to make a contribution?

Mr Warren: I have one more thing to add on behalf of my family. I apologise for constantly getting up here but these are very important issues. I not only represent myself but also a lot of other people including family.

We would like to bring up that we always hear conversations revolving around what treaty is, what it means to us Indigenous as a whole and to us individually. I think there is a sense that so long as monarchs are engaged and are represented by the Australian government, it is reflected that that is the symbolic point where hurt, hatred, death, slavery—and I could go on—it is pointed and directed at that. What I believe and hear from all of my people is that we would like to see Australia disengage from that mechanism to find their new identity alongside the traditional people.

I will speak for my own people. They were told to clear the land. They were told to collect wood. They dug holes. They were shot, stabbed, murdered, raped, slavery—everything. They threw them in a hole. They put the firewood on top. There are mass graves on our traditional land which has been proven through anthropology—the whole lot. These are the things that we feel, as my family to all other people, and these are genuinely shared. In many places that is covered up, and I feel that the right treaty is to ask government to leave the monarch, to get rid of that symbolism of hurt, that control, that colonialism, and we ask for government to find a new model that we can work alongside with, that we feel are looking after us.

Back to that, we would like to speak about deaths in custody. We have many people here, including myself—my little brother was found hung in a cell in Brisbane. Not once did we have anyone contact the family. We got on the phone; we rang and we rang. These are constant conversations that are held with many Indigenous families and no-one is accountable to ring up and say, 'Would you like support? Would you like counselling? Would you like to speak to someone in relation to these deaths?' They all dog-tail it. This is about telling the truth and treaty. They dog-tail it. They never answer their phone calls, they never call back. Indigenous people would like to see someone, as in a body. If it ain't coming from government ways it would have happened, but we would like to see an implementation of a new deaths in custody inquiry. We want answers to questions families have. We would like to physically be contacted by some sort of organisation that says, 'Hi, I'm here to represent Indigenous deaths in custody. Talk to us. Engage with us.' Let's speak empathy and compassion.

Down to youth crime, again we are not seeing on a local, state and federal—especially in a local area in Cairns—Indigenous people, leaders, engaged in that conversation in council and around council and local government. Who is the body that they are going to? It might be an Indigenous body that could reach out to these families and identify who these youths are and go in and have these direct conversations. In respect to that, I am a justice student. I will be stepping into this area very soon so I understand it in a holistic manner, and I feel that there needs to be more Indigenous representation in youth justice, youth incarceration, more accountability. I do positively support a youth detention centre here so we can have our young ones closer to home, closer to families and become more of a rehabilitation entity rather than a punishment sector. For deaths in custody and youth justice we need the right Indigenous body that has the power and authority to go into these places to check on them, to listen to them, to see if there are any assaults, see if everything is all right, monitor them all the way through—rehabilitate. That is not presented on a local level here. Thank you.

CHAIR: Thank you, Mr Warren. Again, another great contribution that you have made and tremendous feedback to the work not only here in this state but in Cairns, and also the federal issue around the monarch and the notion of a republic.

EDWARDS, Mr Wanjibung, Private capacity

Mr Edwards: I acknowledge the traditional owners and the cultural wealth in the room. I have two points that I wanted to have recorded, that my people, the Kokoberra and Kokoberran in Kowanyama and me, Kokoberran, from state and river on the west coast of Cape York Peninsula, still hold customary lore and existing frameworks that govern our society. We still draw on it to protect our indigeneity and we will continue it. There is an existing cultural lore that we have in Cape York that we use—that the committee and those awarded positions in the institute consider that our future generations suffer from complex health issues that affect decision-making, and it be known that FASD, autism and other disorders have to be considered when communicating into the future and celebrate the future generations that we have today to make the right decisions. I also acknowledge the word treaty. I first heard it from Mr Yunupingu.

CHAIR: Thank you, Mr Edwards. Thank you for having the courage to come up and make a contribution. Are there any other sisters who would like to come forward in the essence of moving towards more equitable community? Are there any sisters who would like to come forward—any of our female members of the audience? Please do not be shy. Come on forward. If I can do a callout to any female members who would like to contribute.

LENOY, Mr Peter, Private capacity

Mr Lenoy: Good morning, committee members. The first thing I would like to say is that I think in relation to the Path to Treaty process, one of the critical, essential issues is the rewriting of the history of how this country came together. There is only one side of that story that has been told and the other side also must be told with the same enthusiasm. When I went to school that was not the case. We only heard one side of the story. We have a shared history and we should be proud of that, but it does not seem to be forthcoming, and I think the onus is on this committee to rewrite that and correct the history in our schools so that everyone has an understanding of how this country came to be. We have an opportunity here that we should not let go.

I think the other thing is that we have to look at the other opportunities that this brings forward—the opportunity for the truth-telling stories that were mentioned, some of those stories that people find very hateful and hurtful to bring forward, like those who were part of the stolen generation and the impact that had on generations of families in terms of trauma. Those stories have to be heard. We do not hear enough of that. There is only one side of us that is hearing those stories and believing them.

Every time we have a new year, I start to cringe when we move towards 26 January. We have all this hate that comes out and it comes out from one side of the fence, not the other. We hear the story that they just seem to wait for this day to come so they can just explode and put all their hatefulness out there and blame others for what has happened to this country and try to justify where we are now. That has to stop. We need change. We change the date, we change attitudes—simple things like that.

We have many creeks and rivers around this country with very hurtful names. We have one just south of Cairns, Blackfella Creek. Council, we need for you mob to change that name. Even though it has been around for a while, it is hurtful and offensive to others. We have many others—Yellow Gin Creek. We have many visitors come here, overseas people. I can just imagine what they think when they see those names. They must think people think this is acceptable, but it is not acceptable. It is unacceptable. That needs to change too.

This is an opportunity for Path to Treaty to change things in this country for the better so that we all become one Australian group, not a divided group. We can start these changes by little things: changing a name. We had a statue here of James Cook with a Nazi salute facing north. It has been here for years. People argued that it was good to have it here and people argued that it was not good. In the end the tribe has spoken and it was time to move on, Jim—time to go, Jim—and he went and there wasn't much disruption to the community. These things can happen without people full of hate and anger against one another. That shows true reconciliation when symbolism changes the way we think. You are not born with racism; you are taught it. We have to stop that. We do not want my children's children to go through the stuff I had to go through. That is all I need to say, Madam Chair.

CHAIR: Well done, Mr Lenoy. You raise some very important issues. I know that Mayor Manning is listening carefully. We all are. The issues that you raise are issues that need to be talked about and need to be told. Thank you very much. I know that this is not easy for you and for our First Nations peoples. I know that the board are listening very intently, and I note the committee and the government are listening so thank you, Mr Lenoy.

TAYLOR, Ms Sandi, Private capacity

CHAIR: Thank you very much for coming forward.

Ms Taylor: I actually just came to observe, but seeing you have put it out there that you would like more of a gendered narrative I am happy to comply. To back up a bit, in 2019 I had the privilege to be on the Path to Treaty Working Group. It was part of a working party that did consultations right across the state. When we had our consultation here in Cairns, which was the first, we had roughly 200 Aboriginal and Torres Strait Islander people attend that first consultation. We have been on this journey for a while and now it is 2023. I am still supportive of a path to treaty, but the journey has certainly been fraught with a lot of different layers and obviously this is all part of unpacking and listening to the voices of all of our people. As you have just heard my husband talk and I have heard other people talk, we all hold these stories of trauma and that trauma is very deep because it is also intergenerational trauma, so the truth-telling is a very important part of this process and it should not be taken lightly, as lip-service.

Just sitting here listening and I am reading the flyer that talks about the bill sets out the main principles for administering the Path to Treaty act in partnership and good faith, the rights and history of Aboriginal and Torres Strait Islander peoples are acknowledged and respected in accordance with the Human Rights Act 2019 and the principles of the United Nations Declaration on the Rights of Indigenous Peoples. Now, I have a hard time trying to figure that out because there is something wrong with this picture, because a few weeks ago at the Pullman—and we were not even notified of it because there was hardly any information out sent out to our people—there was a public hearing around the Strengthening Community Safety Bill 2023. We tried to certainly let our people know but it was too short notice to come in. Now, that particular process of public hearing was actually about being aware that the Palaszczuk government had suspended or overruled the Human Rights Act 2019. I sit here and I read that and then there is the contradictory action of what has just happened with the same government.

Then it is about good faith. We come here with good faith. We have been part of a reconciliation journey for the last 35 years in good faith. We have enormous humanity in our people. We really do. We have bugged all, but we still will give and help our people out—even the fellas who are down on their luck. Our humanity has never left us. Our values of sharing have never left us. We might bicker and argue or our love and care might wax and wane, but we all know how to share because we have been so impoverished and oppressed. We try to stay constant to those things. We expect the other party to also demonstrate the same thing. You must understand, Ms Corrine McMillan, as the chair, that there is great scepticism, suspicion and hurt, but we are still willing to come to the table and go through this process because it is about our children and our children's children. We need to really take into account that this Path to Treaty Bill should not be seen in isolation or in a vacuum; it is linked to everything else that impacts on our people.

As I just mentioned, the Strengthening Community Safety Bill seemed to me to be definitely a communication debacle. Our people never got a chance to really fully put in a submission or to have their voice heard. It is about a process, but it is also about a process that is well thought out and developed. It is about listening to our grassroots people on the ground. I heard the other day that in some other parts of Queensland the actual consultation period is very short, so people are not getting that information out.

I will just leave you with one thing: if you are not at the table, you are probably on the menu. Okay? We want to be at the table and we want to be listened to. We have heart, we have intellect, we have courage, we have leadership. It is about closing that disparity. We are the First Nations; we are the custodians of this beautiful land. It is not 65,000; it is roughly 80,000. I am a Kalkadoon woman. Where I come from, there was an inland sea thousands of years ago around Mount Isa. My daughter has a language name which means 'shell'. Our people were out there. We still try to continue that cultural knowledge. Now with climate change, who are they turning to? They are turning to First Nations people. What did you do? We are still willing to come to the table and provide that cultural knowledge, because we still want to care for country. We still need to work in partnership, but I find it hard. It is a little bit schizophrenic at the moment. There is the suspension of the Human Rights Act. It just seems like we are always getting thrown under the bus. Do people remember the intervention in the Northern Territory? 'Oh, that's right; it's just our rights.'

If it is about proceeding forward with the Path to Treaty Bill that is legislated, let's make sure we actually respect that it is a rights-based agenda and actually recognise the rights of our Aboriginal and Torres Strait Islander people. They are not up for sale or they are not to be used in a discretionary way to get something over the line. Let's also remember respect. When I was on that working party,

we had a very tight timeline. We went everywhere, but it started here with the participation of the local Aboriginal and Torres Strait Islander community. We never got the numbers that we got here. We went right across the state. Obviously I did not go to all of them because we had to have smaller parties, but there was a commitment and a motivation in the room to discuss this very important transformational—and it could be if it is facilitated and done the right way—and empowerment tool for both. It is state building. It is building the state. It is building the future of Queensland. We are all Queenslanders. We all have our traditional countries, but we are here. We want to make this work, but you really have to listen and really hear what we are saying. Do not just dismiss it and be disingenuous. Thank you.

CHAIR: Thank you, Ms Taylor. Ms Taylor, your contribution was just so powerful—the humility that you have shown and the forgiveness that you have demonstrated, particularly in light of the last few weeks, but also your leadership on that Path to Treaty journey back in 2019. You are to be commended, because we are here today because of you and your group. Please do not lose hope. I acknowledge the contribution of both you and your husband as a tremendous commitment to hope, which is what I have heard loud and clear. We need to do better, and this is about doing better. Thank you for your great leadership and please acknowledge that we are here today because of you. Thank you.

Mr Jaburu: What is the go with the treaty? What is the treaty about and all that sort of thing? One thing: we need to bring our children up. You need to take your hands off our children—No. 1. You need to let us work with the children, because for 200 years you have done a very bad job—killing and mistreating our children. We do not want our children going to a home. We want to get our children back on country. We do not want our children to be locked up and we certainly do not want you to be the gatekeepers of that, because you have done a bad job.

There are places, like Bob the mayor of Cairns will tell you, down at the waterfront there where there was an agreement to stop killing back in the early days of this place, Cairns. That is how far it went. They said, 'Let's stop killing.' There was no other agreement from that. You have never been real. Would you sign any treaty like this sort of thing? They should have sat down and said, 'What's the boundary here?' In every town and city there is a Boundary Street. Every city in this country has a Boundary Street. Do you know what the boundary street is? 'The blackfellas cannot go over there. It's after six o'clock.' That is the boundary street that you have been running all your life to keep us out.

It makes us think, 'How will you conduct this treaty talk?' On an equal basis, between sovereign? Who was the sovereign? The state of Queensland? I know by a fact of law that that person over there who calls himself King owns every land on this country. That is a fact. Even you whitefellas who have personal land: it is up to his discretion to take it off you. You are not safe at all.

We need to be very careful about the one thing we want you to take your hands off—our kids and our families. You need to be put something in place so we can work with our families. You need to bring funding of money for us, for organisations to work on our terms—not yours—because you have done a bad job. A lot of children died under your care. You need to bring them back today, or yesterday. You should have brought them back. You need to put in a process of this treaty talk, conversation or whatever you want to call it. This has to happen before we can sit down properly and talk as equal. You need to bring our children back, because you cannot look after them. We need places so we can take our children to lift their spirit so we can be productive again, because you have stood on our heads and our bodies for so long. It needs to stop. We need to come together, otherwise you cannot talk.

Mr O'Shane (Inaudible)

MILLER, Mr Norman, Private capacity

Mr Miller: First of all, I would like to honour our heavenly father, creator of the heavens and the earth. It is important that we have the Lord's Prayer to continually base the foundations. We can talk about many things but, importantly, we need to come back to the biblical foundations, whether we are talking about voice, treaty or truth, because Jesus said, 'I am the way, the truth and the life. I am the voice and my sheep will listen to my voice.' Treaty is biblical. Abraham and Abimelech made a treaty, so it has biblical foundations. Anything that does not have biblical foundations to it will fail. There have been many treaties in the world that have failed. I believe that we need the foundations not only at a state level but federally. I encourage you not to take the foundation that this nation was founded on, the Judeo-Christian nation. It is important that we keep that, because there are many Christians like myself. We also make decisions and we make stands. I also would like to honour the traditional owners of the land, because when God created everything he put the tribes. He comes from a tribe himself—lion of the tribe of Judah—so he understands tribes. As someone who has been to Israel over 11 times myself, taking Indigenous people to the land of Israel, I have a great understanding of biblical things and foundations.

Importantly we have come around here to talk about this Path to Treaty. In terms of my wife, who is non-Indigenous, that is an act of reconciliation. When we look at many things such as the 1967 referendum and other things—sorry for jumping there, but I believe that it is so important—there were white and black people who stood. One of the catalysts of the referendum, along with many others, was William Cooper, who is a Christian himself. He had very strong Christian values. He is the father of NAIDOC and that is something that my wife and I teach not only in places that I go to but in schools. There were so many questions that talked about foundations and other things.

As someone who has been living in Cairns for 50 years—I come from three tribes of Dyirbal, Mbabaram and Yidinji—I understand when there were thoughts that came up about name changes. I was born in Atherton but grew up in Wondelcla-Herberton. There was a creek called Nigger Creek, and that creek name was only changed in the last 10 years—Nigger Creek. As a child I used to walk when I missed out on going on the bus. My sisters and brothers would walk when we missed the bus to school, so it was walkabout time for land, so I understand land. I understand family values because family values are so important. I grew up in a family where my mum and dad taught us good moral values. My brother and four sisters are very well educated in government positions. They worked very hard, just like Mum and Dad worked very hard to get to where they got to. Even though in Queensland there were policies that Indigenous people could not go past grade 4 and my mum and dad never went past grade 4, it never stopped them from going forward and reaching their strength and great education.

I am not sure of Mayor Bob Manning, but my dad was a liaison officer for Kevin Byrne. Dad got on very well with the mayor of Cairns. I have also had very good relationships with the former mayor of Cairns, Tom Pyne, and strong council members. When you start to think of moral values, there is a lot of truth. I think we need to also as Indigenous people—and something for you to consider—consider the tribe that you identify with. We hurt our own tribes. We hurt our own people. We fought against our own people. There was a lot of fighting. You only have to look at the history. You cannot go and throw the books of history out whether you like Captain Cook or you did not. My wife and I visited England four times in my journey and one of the places that I always wanted to go was where Captain Cook got his values. He did have Christian values. Maybe many of you may not have thought of that, but I went on the boat with Captain Cook right down there at Whitby and for me that was a journey of healing, my first time in London—actually, in 1997. It was when Princess Diana passed away. We just got there on the plane and thought, 'Hey, what's happening here?' because we saw all these roses. It was just a time there of what took place, but for myself as an Indigenous person it was going to London because we talk about atrocities; we talk about things of colonisation.

If we are true to it, if we have truth-telling in ourselves, we hurt our own families. Indigenous people have hurt your own families. Non-Indigenous people have hurt your own families. Some of you probably have not even made it right with your mum and your dad, your brothers or your sisters or grandma or grandad, and sometimes you need to get back on the phone. So bring a lot of accountability. Bring a lot of truth back to where you are directly at. Make those reconciliations. My wife and I, as I said, set up the Centre for International Reconciliation and Peace. We have been an organisation that is not government funded. I am a businessperson that has been in this city. For 27 years I am not government funded. I am not government funded—never was—because that is the values; that is the integrity. People cannot attack me and say, 'This Murri fellow must have government money thrown at him.' You can do it.

From small beginnings, I never forget where I was born. I never forget where my meetings took place right around the camp fires with my brothers and sisters, Mum and Dad. I know what it was like cooking damper and all those things and when you boil a cup of tea over a boiling hot fire and when you smell the gum leaves, when you see the bush light the transformation that takes place. We are so privileged. I am in this place because of Mum and Dad and what they did for me when they put food and that on the table. I think we need to go and thank our grandmas and grandads, great-grandparents, great-grandfathers. I lost my dad in 1997. At the time I was standing for election for the federal government, for the seat of Leichhardt. As someone who stood for the seat of Leichhardt I had many things. I stood as a federal leader for the Labor Party because of my Christian values and also as an Indigenous pastor, but Labor did not want that. I was endorsed by then prime minister Julia Gillard—Jan, you would know this story very well—who actually sent me a letter ‘to the endorsed candidate for Leichhardt’. I believed that I would have beaten Warren Entsch at that time.

We are in a situation where we are talking about voice, treaty and truth. We have 11 Indigenous parliamentarians who have been democratically elected. Why can't they be the voice? There are voices of many Indigenous people in our city. I am one of them, as I said, as a business for 27 years, not government funded. When jobs skills and all those things came out, I am like many thousands of Australians—not only black Australians but white Australians—who have never had that government funding thrown at them. What happened was because of my faith level and because I am someone with integrity and accountability. Ask my wife; she will tell you. We talk about many things. That is when we get back to a lot of things in truth-telling.

We need to go back and Indigenous people need to be open and honest about your conversations. Have you hurt your own brother or your own sister? Have you made it right with them? With the tribes we can identify so many issues with things like that. I am on this path of treaty and I think it is very important, but there must be that truth and agreement that we can all have and the understanding.

I am here with a mic in front of me around the table, but there has to be those discussions. When I grew up, as I said, I grew up with nothing. I grew up around camp fires, so I can understand. When I introduce a lot of these things, I introduce them around a camp where my grandfather used to write stories. It was in the Tablelands; they called it Sundowner. He was someone that had a non-Indigenous family that came and supported him. So for anything to go through, Indigenous people need each other. We need black and white to really walk it through, to be honest in our conversations, to have those sit-down meals. Every meeting does not have to be in a five-star hotel where people are not only having those meetings but wining and dining at taxpayers' expense and things like that.

We need to have those conversations like we have now, but I would say to you that my gallery is open. My gallery is just down the road. Come and have those conversations with me. Come and have those conversations with me under a mango tree. You know this, Bob, but I love singing as well, so I will go down the Esplanade and I love singing. I have been doing it for about five years. I always sell Cairns. I am not into real estate, but I love Cairns. I sell Cairns as a city in a reef and rainforest. There are so many entrepreneurs of Indigenous people that we need other people to encourage us. Do not go throwing money. I probably do not need your money. I would love to have it, but I would put it in a good way where there are so many homeless people. I know what homelessness is like. I see their faces and I would encourage the four politicians from the Labor state election to come and have a walk with me down the Esplanade and we will see.

There are a lot of Indigenous kids and that on the streets here as well. For many of the Indigenous people in this room they are probably your nephews and nieces that you need to go and have a yarn with and get them off the streets and help them in a better way, so there is an accountability and a responsibility that you need to take. I know the importance of this. I am all for treaty, but as I said I believe that it has to get back to biblical foundations. If the voice that they are talking about does not come back to the biblical foundation, Jan, you can let the Prime Minister know. If it does not come back it will certainly fail.

I have been someone that has been walking. There are 11 Indigenous democratically elected politicians. There are many voices for Indigenous people, but we cannot get syncretism. We cannot go into tokenism with this in our own city, Bob. We need people that have good values—good moral values, good hearts of integrity. Do not take this position on or do not even try to step into something if you are not accountable, if you do not show integrity, if you do not show family values in yourself, because somewhere along the track the flaws will begin to open up for yourself. I believe that we can be on the right track, my sister McMillan. Sorry, I do not mean disrespect.

CHAIR: No.

Mr Miller: I think the importance is there of having these conversations more and more. Let's go and sit under the trees along the Esplanade. Let's do it in a way that would be culturally appropriate to things that we have. Let's go and have those meals. Let's go and have that cup of tea together. Let's go and have those dampers or fish. I remember when Nelson Mandela was in prison and the guy that jailed him. The story in the end was like a wonderful reconciliation.

I will just finish off with the Captain Cook statue. You cannot go pulling down everything that has been around, and unfortunately that has been happening. You cannot change history. Indigenous people cannot go into the libraries and go and throw out everything into a fire. History is history. Are you true to your history as well? As I said, one of the things, Mayor Bob Manning, that I wanted to do was to have a big 10-metre boomerang as an act of reconciliation. Cooktown in the next couple of weeks will be doing the reconciliation. They do it every year. The Indigenous people up there act out the reconciliation. I believe that we could have had a 10-metre boomerang right there close to the Captain Cook statue. That would have been an act of reconciliation. Actually, I did a painting for that and on the Captain Cook painting that I did I put the word 'treaty'.

Let me just say this: be true to what you say, have hearts of integrity, have hearts of accountability and, as I said, have good family values and moral values within yourself. I am a person that does not drink and does not smoke, and I am all for the bans of getting rid of the grog because grog was not Aboriginal culture. We have just taken on things, but it is not part of us. So let's get back to all those things.

CHAIR: Thank you, Mr Miller, for that great contribution. There were many issues that you raised and I know that every member of our committee was all ears, so thank you very much.

NEAL, Mr Percy, Private capacity

Mr Neal: I heard by accident that you were holding this hearing today. I come from Yarrabah, one of the biggest Aboriginal communities in the country. About 98 per cent of the people do not know what you are talking about—the state or the feds. I just wanted to make that clear.

Since 1788—that is when the war started; we all know that. It was about the wealth, the stealing of the land. There was no agreement. There was no treaty. In a sense I think there could be an opportunity to actually address that. The majority of people in parliament, the Migaloo people in this country—that is the white people—carry the stick at the end of the day. We just try to agitate for change. It is a good thing that you are listening, that the government is listening, both federal and state, but there has to be some real meat on the bone.

If you are a betting person, you can bet that 99 per cent of the people in Yarrabah and in all of these Aboriginal communities—and Bobby and a few other politicians here can tell you about that—live in poverty. We actually live below the poverty line. That was the plan; it was the previous government's policies. That is what they were doing: to keep us poor, to keep us under the jackboot, and we all know that. We have to be honest about it.

This talk about treaty and leading up to treaty, both federal and state—and I understand that you guys cover the education, police et cetera, but we have to be real. I do not know if the state have anything in there about an economic treaty to give our people economic development. We watch cattle stations there that do nothing. Do know why? The system still keeps us poor, and they are doing a good job, too—that is our mob. All the Murris here—is there anybody from Yarrabah here? Put your hand up. Is there anybody from any other Aboriginal communities here? Put your hand up. There is one lady there.

You can legislate like you legislated the act that prevented us from leaving Yarrabah. I grew up going to jail as a six-year-old lad for not getting a permit to travel from Yarrabah to Cairns. In 1958 when they had the strike over there, my dad wanted to get out of the place. I still have my exemption card to say that you are moving. There has been a lot of bad things. I hope that you guys are genuine and that the white people in this country are genuine. I do not like using that word 'white' people because to me it sounds a bit like racism, but that is a fact. If in your heart and mind you want to make a change, you are in a position to do it. We are only the agitators. That is all we can do. We can only agitate state for change.

I would like to see an economic treaty with our people, even with our brothers up in the north in the Torres Strait Islands. We could do a treaty amongst ourselves, the Aboriginal people and the Torres Strait Islands people or the Yidinji people and the Yarrabah people. I think you guys are going to be fair dinkum. There is all this talk about reconciliation and everybody being happy, but it really does not make any difference to us. We do not need to reconcile; maybe you guys have to do that. In a way it is a bit of a bullshit talk. I hope that this thing here does not go down the same path and be just a talkfest.

I would like to see some real meat on the bone. I would like to see an economic treaty to address the economics in this country. We are still the poorest of the poor in this country. You guys are lucky because in 1788 your grandfather took land; a lot of it was stolen. We all know that. You guys all know the history. I saw on Q&A about a week ago this guy, who is Wiradjuri man, trained to be a builder, a carpenter, but his parents were dirt-poor. His grandparents never had anything. The land of his great-great-grandparents was stolen. It is not like that other young white guy who was a friend of his; he went broke, but guess what. He has his parents there; his parents have money and they can give him a loan. His parents got their wealth from the grandparents who had the land. Land is the basis—and we all know this—for the wealth in this country. We do not share in the wealth of this country. We never have. We want to. We want to be able to pay our taxes the proper way, too. We want to support the local economy. We are kept out of that race.

It is a good thing you are doing this, but I do not understand. With the state and the feds there are two treaty conversations running concurrently. I do not know which one is the best for our people, the Aboriginal people. Is there anything in there that I can plan for my grandkid to actually have a proper future so they can see a light at the end of the tunnel?

In Aboriginal communities and elsewhere, if you want to buy a house in Yarrabah the IBA will give you the money. They will give you the money for a \$350,000 house. They will give you the money for that, but when you pay the money back you pay the IBA, so the feds have their finger in the pie straightaway. Because it is Aboriginal land, the market value of the land means you cannot sell it. I am almost sure you cannot even insure it because it is on Aboriginal land. There is all that bullshit that goes on.

I do not know if you want a true treaty. I do not know anyone in the world that has something good like the Canadians. If we want to be proud of ourselves, we should strive to get the best treaty. The people who have been left out for the last 250 years have to be in there.

CHAIR: Yes, absolutely. Thank you. That is a great contribution and you raised some really tremendous issues.

Mr Neal: Thanks for listening.

CHAIR: Our pleasure. Folks, before I introduce the last speaker I just want to say that the board that was responsible for drafting the bill—Professor Michael Lavarch, Sallyanne Atkinson and Katie Kiss from the executive—are going to be continuing our session from 12 until three. The committee needs to go very soon. We need to head to Weipa to do some consultation, but the board will be here from 12 until three and they will be very keen to hear your feedback. I will just finish with our last speaker and then the committee will need to move on.

GIUGNI, Mr James, Private capacity

Mr Giugni: I will be as snappy as I can. I do not have my own story to tell. I just want really wanted to, if Ms Taylor will indulge me, add my voice to her very powerful statement earlier. What Ms Taylor raised in terms of Human Rights Act I think is really important, but it is not only me that believes that. I have had a lot of conversations with lots of people across the political aisle recently. Everyone has a different take on the youth crime issue, and that is a different matter entirely, but I have not heard anyone say that the Queensland government undermining its own Human Rights Act was a good idea. I have never heard anyone articulate that position and I think what Ms Taylor said earlier was perfect. I think this question of human rights is fundamental to the Path to Treaty. I wanted highlight that statement and add my voice to that as well. That is all I have.

CHAIR: Thank you. Again, you raised a very important issue. I think we are all moved by the contribution of Ms Taylor. We really appreciate that contribution, Mr Giugni.

Mr Giugni: Thanks for your time.

CHAIR: Folks, that concludes the time that we have with the committee. As I said, the board of the Path to Treaty, who have been on this journey for some years now, will continue the conversation and continue seeking your feedback. That concludes the time that we have together as a committee and the community. I thank our Hansard reporter. A transcript of these proceedings will be available on the committee's webpage in due course.

Before we go, I thank each and every one of you. Today I acknowledge as a person the tremendous courage and hurt and the tremendous trauma that an event or a session like this can cause, but these stories need to be told. We want Queensland to be a better place in the next 240 years than it has been in the last. We cannot do this without knowing truth, so I encourage each and every one of you to continue speaking the truth with non-Indigenous people. Non-Indigenous people need to hear the truth. It was very well said earlier today by Mr Lenoy around how every single one of us was educated in Queensland, including me. Every single one of us shared a story that was one-sided, and we need to rectify that and we need to correct it. However, we cannot do that without our First Nations peoples being truthful with our non-Indigenous people. So every opportunity you have to have that conversation with a non-Indigenous people, we must share that story. I commend you on your courage, your commitment, your humility and the level of forgiveness that you bring to the table.

I wish you well. We are committed as a government to introducing the Path to Treaty. We will do that before the middle of this year. We hope that our journey well into the future will address many of the issues that have been raised today by Mr Jaburu. Many of the issues that you raise today are issues that need to be addressed. I now declare the hearing closed. I thank you immensely for your time. I will hand over to Professor Lavarch, Ms Sallyanne Atkinson and their team.

The committee adjourned at 11.12 am.