



# **COMMUNITY SUPPORT AND SERVICES COMMITTEE**

**Members present:**

Ms CP McMillan MP—Chair

Mr SA Bennett MP

Mr SSJ Andrew MP

Ms CL Lui 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**

**Friday, 24 March 2023**

**Rockhampton**

## FRIDAY, 24 MARCH 2023

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**The committee met at 3.05 pm.**

**CHAIR:** I will ask Aunty Nyoka Hatfield to welcome us to the traditional lands here in Rockhampton.

*Aunty Nyoka Hatfield then gave a welcome to country.*

**CHAIR:** Aunty Nyoka, thank you very much for that beautiful welcome to country. It will certainly go down as one of my most precious memories and one of the most beautiful welcomes that I have heard. Thank you very much, Aunty; it means a lot to our committee.

I wish you all a good afternoon and acknowledge that we will begin our public forum. This afternoon, the Community Support and Services Committee of the Queensland parliament is here to seek your feedback on the Path to Treaty Bill 2023. I would also like to respectfully acknowledge the traditional custodians of the land on which we meet this afternoon, the Darumbal people, and pay my respects to elders past, present and emerging. I acknowledge the young people here in the room. It is really lovely to see you. We know that you hold the hopes and dreams of First Nations Australia. We are very fortunate to live in a country with the oldest continuing culture 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, which is in Mount Gravatt in Brisbane, and I am the chair of the committee. I acknowledge my good friend Cynthia Lui, the member for Cook, the first Torres Strait Islander to be elected to an Australian parliament. I say how proud both sides of our parliament are of Cynthia. I acknowledge Mr Stephen Bennett, the member for Burnett, who is the deputy chair of the committee. Mr Michael Berkman MP, member for Maiwar, is unable to be with, nor is Dr Mark Robinson, the member for Oodgeroo. Mr Robert Skelton, the member for Nicklin, is with us. On the line I also have the member for Mirani, Mr Stephen Andrew.

I also acknowledge the mayor of Rockhampton. Tony, it is good to see you again. Thank you for being here. I acknowledge our local member, Barry O'Rourke, the member for Rockhampton. It is good to see you, Barry, and thank you for being here. We also have Aaron Fa'Aoso from the interim treaty body. Welcome to you, Aaron, and thank you for being here. We have Katie Kiss from the executive of the interim treaty body as well as a number of other treaty staff who are working with the interim treaty body prior to the treaty institute being established.

The Path to Treaty process is a negotiation between the Queensland government and Queensland's First Nations peoples and non-Indigenous Queenslanders. It may also be a treaty between clans of First Nations Queenslanders. In summary, the bill proposes two things. The first is that a treaty body, or a First Nations treaty institute, be established as a port for Aboriginal and Torres Strait Islander peoples to establish a framework so that they are able to prepare for and then commence treaty negotiations with the Queensland government. The second part of the bill is that the Truth-telling and Healing Inquiry be established to report on and ascertain the effects of colonisation on Aboriginal and Torres Strait Islander peoples.

In this room I do not have to explain too deeply the effect of colonisation on our First Nations people. Colonisation has happened over the past 235 years, since the landing of Captain Cook in 1788. The impact and the effects on our First Nations peoples have been experienced for those 235 years. Our young people continue to experience the effects of colonisation. In many cases, for non-Indigenous and Indigenous Australians, those stories have never been told. We have little bits and pieces of stories here and there but, generally speaking, there is a whole lot of missing information. There is one side of the story that has been told and there is also a huge gap in stories that need to be told. For many of us sitting in this room, whether you are a First Nations Queensland or a non-Indigenous Queensland, our education system has never afforded us the opportunity to learn the truth. Many of our First Nations peoples are not aware of the truth because many of those stories were not told and are not told because they are so hurtful.

The second part of the bill suggests that the Truth-telling and Healing Inquiry be established so that Queensland can establish the truth around our history here. When we capture that truth, it becomes a shared history. It becomes a history for all peoples regardless of our colour. When we  
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have an understanding of the truth we are able to go forward, and so we believe as a government that that truth-telling and healing process is a really important part of the journey of establishing then treaties with our First Nations Queenslanders.

This afternoon we are here in Rockhampton. We have travelled extensively this week to many First Nations communities around the state. We are here to hear from you around your thoughts about the two aspects of the bill: establishing the First Nations Treaty Institute to support First Nations Queenslanders, clans, groups and tribes to develop treaties between yourselves and Queensland government; and establishing the Truth-telling and Healing Inquiry. This first part of the steps towards treaties is a lot simpler than the next steps. We would imagine that once the bill becomes legislated it may take anywhere between three, five or 10 years for us to capture our story and also establish treaties. Treaties may continue to be established for many years and they may need to be reviewed as communities progress, emerge and develop and our peoples become more progressed in their journey.

We also recognise that this process this afternoon is part of the parliamentary process, so it is being recorded by Hansard. Hansard will capture everything we say so that your comments and feedback are captured in the parliamentary archives. Much of your information will also be used for the committee to report back to parliament. We will also publish a report or evidence of this hearing on the Queensland parliament website in due course. Media may be present this afternoon and will be subject to my direction at all times. Please ensure mobile phones are turned to silent mode.

There are a couple of other things before I hand over to the first brave person to provide feedback. When we are speaking, we need to speak into the Hansard microphones so that our voices can be captured in the transcript. We also appreciate that there may be aspects of this afternoon which you may find difficult, and I am sure the coming years of the Truth-telling and Healing Inquiry will be very difficult for both First Nations Queenslanders and non-Indigenous Queenslanders. It will not be easy, and we recognise that as a government. We also recognise that what is easy is not always as rewarding as what is hard. We know that the journey will be difficult, but we believe the journey is essential and we believe it will be worthwhile and rewarding. We are also hopeful that it will set many non-Indigenous Queenslanders free from their shame and their guilt.

Without further ado, I know that the mayor and the member for Rockhampton have to leave sooner than later. I do not mean to take away from our First Nations members of our community, Mayor and member. Did you want to say a couple of words before we start?

**Mr BENNETT:** I wanted to remind everyone that this is a bipartisan committee. I am a non-government member, but we are clearly here in support of the process. The chair has again forgotten to mention two very important parts. The government, in its wisdom, has put a significant amount of money away to fund the institute into the future which gives a perpetual fund to ensure success as we go forward, and that is a really important commitment and acknowledgement. This is putting Path to Treaty in legislation in Queensland for the first time, so the process has a way forward protected by legislation. I just wanted to make those couple of points about the importance of going forward.

**CHAIR:** Thank you, Deputy Chair, for always covering for me when I forget little pieces. Mayor?

### **WILLIAMS, Mr Tony, Mayor, Rockhampton Regional Council**

**Mr Williams:** Rockhampton Regional Council wishes to be part of the process and be inclusive as we move through this. One of the first letters I signed as mayor was the letter of support for TUMRA for the Darumbal people to seek approval and have sea country eligibility there, and also in regards to the Gangulu nation people, the path that council was taking for the compulsory acquisition of some land that was having support from the Gangulu people. I believe our council has that support now to work more collaboratively with our First Nations people and be on that journey and that pathway to look towards healing and what we can do in that space. I am being very short and brief, but council and myself as the mayor are very supportive and want to work with our First Nations people to help achieve the goals of treaty and what is happening along that pathway.

**CHAIR:** Thank you, Mayor. We appreciate your support. We appreciate your leadership, particularly around this matter. I am sure our First Nations communities appreciate your support as well.

**Mr O'ROURKE:** Firstly, I would like to thank everyone for being here today. I thank the committee for coming to Rockhampton. I know that you have been out to Woorabinda this morning and you have travelled all over the state in the last few days, so I really do appreciate it. For our community, this is so important to be able to have our voices heard and be incorporated into future Rockhampton

legislation and future direction in this space. It is so important. I really do encourage everyone here today to speak openly. This is the opportunity to really have your voice heard and be part of this future legislation. I do apologise for not being able to stay for the whole afternoon, I am sorry.

**CHAIR:** That is fine, member for Rockhampton. We as a collective in the room understand how busy both you and the mayor are, so thank you very much.

**HATFIELD, Ms Nyoka, Private capacity**

**CHAIR:** Auntie Nyoka, I wonder if you might be as brave as you were in welcoming us to country to kick off this afternoon's proceedings and offer your feedback.

**Ms N Hatfield:** Thank you very much, Corrine. I teach in the schools and I teach them little fellas. I go into daycare centres—them little fellas—they are babies, some of them, and I go into primary schools, high schools and even out to the uni. I do cultural workshops—I have done for hundreds of people over the years—and one thing that I try I to get across, especially to the little fellas and my own children and grandchildren, is that no-one alive today is responsible for what happened in the past. No-one alive today is responsible for that. The people I do hold responsible are establishments like the governments and religious bodies. I think they should always hold responsibility. The reason I say that is that we do not want or need our younger people growing up as another generation of traumatised people like our stolen generations were. We do not need that.

When I explained about our black and white history here when white people and Aboriginal people first met, I explained that it was not very good; it was disastrous. One of the reasons it was disastrous is that they could not understand what each other were saying and what each other were doing. One little fella come up and said, 'I hate what my ancestors did to the Aboriginal people.' I did not want him to go away like that. I spoke to him and said, 'A lot of good white people really helped the Aboriginal people. You don't know; your ancestors might have been some of those good white people who looked after the Aboriginal people and helped them.' That is important, because we do not want our Indigenous kids growing up with that hate and we do not want our white kids feeling that guilt. That is why I tried to get that across to kids and adults.

**CHAIR:** Thank you, Auntie Nyoka. There are some really good points there. We appreciate that feedback and the work that you do with our young people. You are absolutely right: the rules, the laws and the policies of consecutive governments over 235 years and which continue today oppress our First Nations people and it is high time that was addressed. Thank you, Auntie, for that reassurance. Can I ask another brave person to provide some feedback or some thoughts?

**Mr BENNETT:** Just a hand in the air, as easy as that.

**SPORNE, Mr Richard, Private capacity**

**Mr Sporne:** Basically, I agree. No-one alive today is responsible for what happened in the past, but people are responsible now to change that. People alive today are benefiting from what happened in the past. This step towards treaty—it depends what that treaty looks like, but it could go a long way to rectifying that. I just wanted to add to Aunty's point there that people alive today are benefiting from what happened in the past.

**Ms N Hatfield:** That is right, but we are all responsible for the present and we are all responsible for the future. The people here today are our future.

**CHAIR:** Very good point, Richard. Thank you sincerely. It is an incredibly valid point that we are all responsible.

**TOBY, Aunty Bino, Private capacity**

**Ms Toby:** My name is Bino Toby. I am a Gangulu woman. I wanted to point out some of the stuff with the Path to Treaty. When we think about the Queensland government and we are talking about our connections to land and how we have to prove our connections to land, we are always getting pushback from government solicitors, especially state government solicitors, and when we do our applications, our determinations, it is forever forceful this pushback on our practices and our connections to land. The workers are not believed because solicitors are in our face all the time and we have to do affidavits and proof of everything. What I am saying is that the whole process of going down this pathway—I know that Jacqui did a lot of stuff in the beginning. We know this. There is a lot of goodwill around there, a lot of good people who want to help us with this, but we are talking about telling the truth now and the truth is that the Queensland government has been blocking our way to our determinations, and they have been doing this for a long time. I do not know how much money it is costing the Queensland government to do this, but it is costing us a lot of money to get into courts over and over again just to do this process. How long has this been going on, Deb?

**TULL, Aunty Deborah, Private capacity**

**Ms Tull:** Thirty years.

**Ms Toby:** Thirty years; it is too long. People get support from native title lawyers and all that stuff. Their determinations get through more quickly than people who want to do it themselves, who want to be self-determined and have that power in determining our own stuff, but it is always blocked. What I am saying is that it flies in the face of the intention of the Path to Treaty. This happens over and over again. There has to be some calling out of the Queensland government.

**CHAIR:** Thank you, Aunty Bino. Certainly that feedback is very valued. We greatly acknowledge and appreciate that you have provided that. Aunty Bino, I wonder if I could be so bold as to ask you something for the benefit of the Queensland community. I am sure everyone in the community understands the importance of land, but through this process we hope to educate non-Indigenous Queenslanders about what is important to our First Nations communities. I wonder if you could just briefly capture the essence of the importance of land and native title for the benefit of educating all Queenslanders.

**Ms Toby:** Everyone in this room knows that our connection to land means everything to us, and having to go and prove that over and over again and our cultural practices really gets people tired. We are talking about culture here; it is not something you can see. It is integral. You can see the dance, you can see the music and you can see the paintings, but you cannot actually see the spirit of us and how we connect to our land. We are talking about people putting big turbines up on our sacred mountains. Of course we are for climate change and renewables—of course we are for that—but people have to understand that connection to the mountain range where there is going to be a wind farm is kind of like hurting us too because that is our land, that connection to our spiritual—you really cannot explain it. Can anybody else explain that better?

**CHAIR:** Thank you, Aunty Bino; that was a very good explanation. When those wind farms and other things are put on your land, are there conversations and permissions granted?

**Ms Toby:** We do have cultural heritage management plans and people have to come and talk to us because we have connection to the country, whether we have our determination or not. Debbie might be able to explain the system a bit better than me because she does it more.

**Ms Tull:** Yes, the companies do come and speak to us. I am a Gangulu woman with Bino and Rosie. My name is Deborah Tull. We do get the companies that come and speak to us but—and the traditional owner groups here in this room probably cannot understand where I am coming from—if you do not sit down with them they just talk over your head and do it. If you want your family or traditional owner group to benefit from them coming in and destroying your country, you have to sit down with them. If you do not, they are still going to come in and do it anyway.

You talk about the Native Title Act and the Aboriginal Cultural Heritage Act, but in reality sometimes they work against us because the proponents can actually still come in and do whatever they need to do without our permission if we disagree because there are time frames. The government loves putting time frames on when you speak and when you have to get agreements. So we do sit down and we do negotiate what we can with the companies, but if I had my way we would veto everything—mines, wind farms, gas, whatever. If we had that power, I would do that on my country. Where my country is we have eight, nine or 10 mines, we have wind farms and we have gas out there. Like I said, if I had my way I would veto everything. The bottom line is: if you do not negotiate with them and talk with them, under the Aboriginal Cultural Heritage Act they just come in and do whatever they need to do without consulting with the traditional owner groups.

Like Bino said earlier, our group is still waiting for a determination. It is still in the court system. It is nearly 18 months and we still do not know what is happening. It is being held up by the state. Then we have the state coming here today wanting to talk to us about treaty, but on the other hand the state will not give groups their determinations. What is that? How many state governments are there? There is only one, I believe. That is just where our group is at the moment.

**CHAIR:** Aunty Deborah, thank you for being so honest. Thank you for that feedback, because that feedback does need to go back to government. If there are impediments to a path to treaty between the government and your people then we need to know what those impediments are, so I thank you for being so honest. Does anyone else have anything they would like to say?



### **WHITE, Uncle Stewart, Private capacity**

**Mr White:** You said it would take five to 10 years for this process of treaty to go ahead. I want to know: if there are any changes to the government, would it go longer? That is what I would like to know. You said five to 10 years, but the government changes all the time and that is a problem for us. Like Aunty Debbie and Aunty Bino said, to get a determination for your country you have to do connection reports. A lot of our people were taken off country, so how can you really have a connection report if you were taken off country years ago? You have to connect to country, and that is what the government wants. It is hard for traditional owner groups to do it. We already have our determination, but there are a lot of groups that do not have it and they deserve to get a determination.

**CHAIR:** That is a really good question. It has come up a number of times this week. Firstly, the report that the committee writes about this bill is due in parliament by 27 April. We hope to debate the bill in Cairns. We are taking the whole of the Queensland parliament to Cairns for the first regional sitting this year. That is from 9 to 11 May. As the member for Burnett and deputy chair of the committee has indicated, the bill has bipartisan support so we hope to pass the bill in Cairns between 9 and 11 May this year. From there, the treaty institute will be established and negotiations will begin. Those treaties could be established at any point after that time when First Nations communities, clans, groups or traditional owners are ready to begin negotiations with government. That may happen more quickly for some groups than others. It may take longer for some groups, particularly when there are a number of clans who occupy common land.

I cannot speak for future governments. I know that the deputy chair, as a member of the LNP, will want to contribute to this. I cannot speak for future Labor governments, but what I can say is that this government, both LNP and Labor, is supportive of the bill. I believe it would be a very brave government that would wind back treaties in the future.

**Mr BENNETT:** Without reiterating how complicated the Queensland parliament can be, enshrining a path to treaty in legislation is a significant move. As the chair indicated, there would have to be an act of parliament to repeal or change the trajectory of what I think all of us see is needed in modern Queensland. Any act or regulation in parliament needs a vote on the floor of the parliament by all 93 members as it stands today. I say to you that we are all going down the path in good faith and goodwill because in order to work it has to come from non-Indigenous and Indigenous Queenslanders.

The significance of enshrining this in legislation is very important, and I think that is its strength. I think that gives it credibility and it will stop this talkfest. This is about real legislative reform that allows us to continue on a pathway. As I say, the current government has rightly and commendably started a process. I have no doubt that in May we will have a process. It might seem quite benign, but it is such an important historic moment to start to enshrine this process in legislation. Remember, there has to be a majority vote on the floor of parliament to change any legislation. I know what you are saying; I get it.

**Mr White:** When you say 'in good faith', I hear that all the time. It comes from parliamentary people, state and federal, and also from proponents that work on country, so when you say 'in good faith' it is not very good words I like.

**Mr BENNETT:** Mr White, can I just say to you that the thing here is to get your head around where we see this being different from everything else. An institute separate from government is going to come and work with traditional owners and First Nations groups to get you ready to have a negotiation. As I said around the state this week, this has to come from First Nations up because we have to change the narrative about governments always dictating to you. This is about you bringing this stuff up and then negotiating a treaty with government. We are all getting our heads around what it means because this is a historically different concept to anything that has happened before. Just remember, the institute is going to be there as the body to assist everyone to get ready for negotiations, separate from government. There will no interference from government, and that is the way it should be. That is my interpretation.

**CHAIR:** Thank you, Uncle. I have a young man behind me. His name is Tarryn.

### **CORA, Mr Tarryn, Private capacity**

**Mr Cora:** I am a proud Darumbal man, and today I am going to be speaking on what I feel the youth needs and what in my opinion as a young person we could benefit from. With regard to community meetings, I feel like the community needs to be at the forefront of the decisions being made on country. It is a big thing for us to be our own leaders. The community needs to be set as the main foot for our voices. I think we should be the ones making our own decisions and everyone else should be listening to what community is talking about. They also need to be funded. At the moment our old community meetings were completely voluntary, but if we want something to change it needs to be funded and people need to be compensated for their time.

Also, culture needs to be at the forefront of deterring our young people away from the stuff that is happening. I strongly believe that if culture was at the forefront, whether that be in schools or education, there would be a lot less crime because young people would actually understand what it is to be an Indigenous person and understand what it is like. I found through programs that I have run myself that there were kids who had been disengaged from school and kids who have been at the point where they could be at risk of going through to the system. They have come through our programs and made a full 180 turn. From talking to their parents and grandparents, they have become leaders of their household through learning culture. I think culture is at the forefront of where we need to go to make our youths better people and to become a stronger generation.

It would be beneficial to have more younger mentors. We do not have a lot of young mentors. We do not have a lot of young people speaking to the young people, it is more the older generation trying to speak to the young people. I feel if we had more younger mentors that would also be beneficial for our young people because, as I have found, young people tend to sync more and talk more and are more prone to speaking about their problems and trying to express where they want to go with younger people like myself. I have had a lot of conversations with young people. They have said to me, 'I couldn't talk about this with aunty. I couldn't talk about this with uncle.' It is just a familiar face and you have to build that rapport with the kids. I think that is definitely a big thing that we also need.

We need services to be 24 hours. I know that is a hard ask. Crime happens after 4 pm. We only work from eight until four and then most of what happens is after dark. I feel like if services were 24 hours, if young people are at risk of offending and there is a place where they can go to just have a yarn about what is going on or if they do not have a safe family space to live they can go and have a yarn with these people and try to get onto a better track. We have found with the drop-in centre that we used to do at Darumbal Community Youth Service, a lot of the kids that were at risk would come to Darumbal, they would have a good time, we would put on games and activities and just sit there and yarn with them about what is wrong and have mentors there. We found a good response out of that. I feel like if there were more services that were 24 hours that that may be beneficial for our younger people and it could potentially stop some of the crime and some of what is happening in our communities which would be beneficial for everybody. I am sure that everyone is fed up with what has been happening in the past couple of months.

Also, young people need to be at the forefront of making their own decisions. Instead of the older generations trying to make decisions for young people, ask the young people what they want, listen to their voices and make sure that they are at the forefront of their decision-making. The young people do not really have a voice at the moment. That is why I am here speaking for them and hopefully, if this gets out and young people can listen to what I am saying, it might spark some interest to try and get their voices out so they can make a change.

They are just some of the big things I feel would be beneficial for our community and things that could change not only my generation but also the generations to come, and give the younger generation a voice for times to come. If you start them young, start giving them a voice while they are young, it is only going to make them grow up to be stronger leaders and that is what we need in this community because at the moment, as you have seen in the news and as you have seen time and time again, there is a lot of crime. We could deter these kids who are doing crime to become leaders because at some point they are going to wake up out of their ways and then they are going to have that information to say, 'Hey, look, we have been down that road. We have done this and this is the road that you fellas need to take', which then would hopefully phase-out the youth crime and bring stronger leaders into the community. Thank you.

**CHAIR:** Thank you. Congratulations, Tarryn, and to the Darumbal group. Thank you for your contribution. I have one very small question. If you were to be part of helping your elders and working with your community to establish a treaty with the government and with each other, would you wish for some of the issues you raise to be reflected in the treaty that you establish?

**Mr Cora:** One hundred per cent, because those young people are going to be elders at some point as well and I feel that if they are brought into that and some of those issues were fixed, that is only going to benefit the elders now and the elders in future generations. If we are going to start with a treaty, a youth voice would be beneficial just as much as elders, just as much as middle aged men. Bring everyone to the table because young people have ideas and young people have visions that the elders do not see, not even myself. I do not see some things that these young people see especially when they have come from different homes and different backgrounds. I definitely think the youth voice should be listened to and it would definitely be beneficial for everybody, for government to hear, just for ideas. I definitely think that everyone needs to come to the table—youth, middle age and elders—and work together as one. As I said, we are all one community, we are all one people and everyone needs to come to the table.

**CHAIR:** Thank you. Well done, Tarryn. The member for Cook has a question.

**Ms LUI:** Tarryn, thank you so much for your time and thank you for sharing your insight into this bill because I think it is really important that we listen directly to young people. As you say, you are going to be elders one day. My question to you is how do you imagine treaty being delivered to enhance the lives of First Nations people in the future? I think what we are missing here is we know what happened in the past, we are at this critical moment in time where we have heard many different perspectives about treaty, some are in support and some are not so trusting of this process. As a young person, what would you like treaty to deliver for you?

**Mr Cora:** Just inclusiveness. I feel like inclusiveness is probably the biggest thing, and, yes, just everyone working together. You cannot have a treaty with everyone butting heads and different people coming in and saying this and saying that. I think we all just need to work as one people. That is kind of a hard question. I definitely think inclusiveness is the main one and giving the young people a voice. Maybe asking the question what do young people see in a treaty if you explain to them what a treaty is and seeing what their opinions are on what they feel would be beneficial. I think that would be great. Maybe in the form of, I am not too sure, a survey or something like that, but definitely young people's voices on what they want to come to the table. I think that would definitely be beneficial and them getting in touch with their elders and seeing what their elders think, talking to their elders and then coming to the table as one group and delivering it as one. I think that that would probably be the beneficial thing to do.

**CHAIR:** Well done to the Darumbal team and thank you for your support for Tarryn.

**Ms Toby:** Before you go, Tarryn, there is a system in place where Darumbal youth can get together and put a submission in to this committee. Everything you said about inclusiveness, a youth voice, you do that. When is the cut-off date?

**CHAIR:** We will accept it up until around—the deputy chair is here.

**Mr BENNETT:** You have got safety in numbers here, Chair.

**CHAIR:** We will accept it when we get it.

**Mr BENNETT:** A simple email to the secretariat is probably the easiest way.

**CHAIR:** We will give you some information. We have captured the sentiment today, but if you could put together your thoughts that would be great. Thank you, Aunty Bino, for reminding me of that.

**Ms N Hatfield:** Could I say something before you go? This is the Darumbal Community Youth Service. They have nothing to do with DPAC—Darumbal Peoples Aboriginal Corporation. They are two different organisations altogether. They are Darumbal in name only. They are a community youth service. We are the traditional people, custodians. I just wanted to make that clear because people get us mixed up all the time.

**Mr Sporne:** I apologise, I spoke before and did not acknowledge Aunty Nicky and Darumbal people here. Also I want to acknowledge the Yiman people, the Gungaloo people and the other Indigenous groups here. I probably do not know them all. Basically, I just want to congratulate the government for introducing this bill and the way you introduced it. You set up this committee. I believe it is the first time in the Queensland parliament that that has been introduced that way. So big congratulations. Blackfella law, the basis of it never changes. Whitefella law changes every day and it changes to suit. We have had native title watered down. We have had our elders basically give their all. We have had experts of the state agree with the blackfellas and the state still disagree. This treaty to me is the end document. If we do not get this document right I think it is going to be the worst thing for Indigenous people in Queensland. To get it right we have to have the state be a part of this process in a meaningful way, not just have these information sessions. If we talk about truth, we need the

state to be truthful. What did you do with our stolen wages? You talk about truth, what is going on with all the museums, all our artefacts? I have been to a museum and our artefacts go for 50 metres stacked full of artefacts. You talk about truth, it is not just education in the schools. You want this treaty to be meaningful, we need the state to be meaningful.

Another good thing that I want to commend the state on is any negotiation, any good faith negotiation, requires both parties at the table to be on equal footing. You are giving that money to get Indigenous groups up to that level and that could take a lot of time and even how we negotiate, who we put there will be a process in itself because not only have you got traditional owners, you got regional people, you have some Indigenous people who do not even know, because of stolen generation or past acts, who their mob is. For allowing time for that and for giving it resources, you need to be commended on that. Unfortunately for some of us it might take a long time. That is the truth part. The treaty part itself, we need to have some meaningful actions in there. It is not all about money. We need to have a say in how this state is run. You go out on my country and it is green. You think, 'It's deadly, it's green.' It is full of weeds. We need to say how this country is run. We don't want just money. We don't just want education. We don't want meetings like this. We need to have a say. We need power in how this country is run. We don't need to have full power, but we need to have meaningful power. This treaty depends on how the state acts and how the state negotiates with us. That is where the state needs to be open. I congratulate the Liberals for being a part of this.

Basically, it is on its way, I can see that, but, as I said, whitefella law changes every day. On native title your law has to stay back in 1707, but our law can change every day. I do not want to dominate the conversation, but basically it depends on the state and what you are willing to give up. To me, if we do not have a right to veto, if we have not got a right to a say in this country then again it will be all our old people being interviewed, giving all their time, getting their hopes up and then when the day comes to sign the treaty, just like in native title determination, the same people are sitting there crying because they did not get what they thought they were getting.

**CHAIR:** Thank you, Richard. Again, that was a great contribution to the discussion. Thank you.

### **VEA VEA, Aunty Sally, Private capacity**

**Ms Vea Vea:** I am Aunty Sally, a Darumbal elder from the native title people given the accreditation by the federal judge. We got our determination and yet the state government funds organisations that are not Darumbal, yet we have the native title. Besides that, what I want to say is that when you walk on this country you walk on the blood of our ancestors. Like I said, I am an elder. My mother told me the stories. I know all the stories. I do not have to read a book about them. When you come to me today and say Path to Treaty, I am a little bit distrustful about it. I do not trust it. I would like to see what is in the treaty. We have not trusted what the government have told us since Cook first sailed up that coast and told us that we were now subjects of the King of England.

We have been distrustful of that and we continue to be distrustful because when we got our native title we had to fight with the state like you guys have done, but also that group that just walked out there they are not Darumbal. They are Darumbal people, but they are not the body corporate and they are not the native title people and yet the state government funds them a big office downtown and we had to buy our office. We bought an old house across from the cemetery. That is why I do not trust the Queensland government, and I have been Labor Party all my life. My mother was on the council. She was a Labor Party woman.

In terms of this Path to Treaty Bill, what I want to know is why is Queensland doing one. Victoria is doing one. It seems like all the states are doing one, but when are we going to get one from the federal government? What happened to the Makarrata treaty? What happened to all these treaties? I am glad this is happening because finally something is happening for us, but I am a little bit distrustful about the whole thing. I would like to know more about what is going to happen. I would like to read the fine print because I do not trust the Queensland government and have not trusted the Queensland government in 200 years, so I would like to know more.

It is just in my blood. I am the Chairperson of the Gawler Aboriginal Land Trust. We have a massacre site there. In a few weeks time we are going to go there just to have a memory day for the frontier wars. This is where we are coming from—Aunty Nicky listening up the back here. I am distrustful about what happened, not only here on Darumbal country but Gungaloo country, Yiman country, the Torres Strait, what happened everywhere. The blood of our ancestors is still on the rocks up there and still cries out for us. Our old people are still there. You can feel them when you go there. Our old people are still here on this country and so that is why I would like to know what the treaty is about, the Path to Treaty Bill 2023. I would like to know more about it. The social issues that are happening today can be dealt with by the state government, but this treaty needs to be above politics and it needs to be something that we Murris agree with and understand. That is all I am going to say. Thank you.

**CHAIR:** Thank you, Aunty Sally. I thank you for your courage and your honesty. Those people in the room who have any knowledge of the past can appreciate why First Nations peoples do not trust government. I can appreciate that and I think anyone here in the room who has any knowledge absolutely agrees with you. I guess there comes a time where we need to do better and we need to try to fix and address what has happened. The deputy chair made mention of the fact that treaties are developed by you. They are not imposed on you. They are not provided to you by the government. They are what you as a culture, as a clan, as a group, as traditional owners want for your people and it is established by you and you come to the government with what you want in your treaty. We do have quite a bit of information here today that we can give you. Aaron is here from the truth and treaty interim board that has been established. Aaron, do you want to say a few words at this stage?

### **FA'AOSO, Mr Aaron, Interim Truth and Treaty Body**

**Mr Fa'Aoso:** First and foremost, before I start speaking I want to acknowledge the traditional owners and the elders who are present in the room from all the nations which make up the Rockhampton community and the wider community and also those First Nation groups that have been brought here through the removal of people from their own countries as well that make up this community.

Just in relation to the interim treaty board, we have been established and charged to set up the institute. The institute, as the deputy chair of this parliamentary committee has stated, will sit independent from government and that particular institute will assist communities become treaty ready, but the actual organisation will not be party to any treaty making. As has been stated here today, treaties will be created by the First Nations groups, traditional owners, the community. It has to come from community. The institute will be charged to assist and support communities in becoming treaty ready to negotiate directly with the state.

There will also be an independent treaty inquiry that will take place as well which the chair has spoken around in terms of the other function that the bill enacts or activates. Once that truth-telling inquiry commences, the inquiry will compel government agencies and government bodies that are record keepers of our records that have been collated over time so that communities will be able to access them. When I think about that I think about the removal of the Hope Vale people down to Woorabinda. If I can share my own experience with my own family members, my great-grandfather was incarcerated in the Ipswich mental institution in 1939 and passed away evidently in 1949. With these records my family can have closure through this particular process that I can have access to. This is what this will also afford. In our journey towards the treaty-making processes truth-telling will occur which is critical for the healing to take place. This is about reforming or realigning new relationships as First Nations people and the wider Queensland community. Is there anything else that I have missed?

**CHAIR:** No. Aaron, you summed it up really well. The institute will continue to consult and work with local communities so that knowledge continues to develop around the process. Aunty Sally, we can certainly give you a little bit more information and people like Aaron and other interim treaty body members are available for you to talk to, but we really thank you for your contribution, Aunty Sally.

## **GELA, Aunty Annie, Private capacity**

**Ms Gela:** I would like to acknowledge the First Nations people here today and visiting groups. My name is Annie Gela. I am a Mualgal woman from Moa Island in the Torres Strait from St Pauls community. I came down on to the mainland when I was 12 years old. When we were ready to come down—my five older brothers were already working in cane cutting and on the railways—I was so happy because I was going to see them again. I came home and asked my mum—this is on TI—‘When are we going?’ She said, ‘We have to wait for the protector to give us permission to leave.’ My elder sisters were still on TI, but they were married. She said, ‘When we leave we’re not allowed to come back,’ because once we leave we have to have good reasons to come back to TI. Not only that, they had to have permission to go to TI when they left St Pauls. There are 13 of us in the extended family. I just want to say what Aunty Sally was saying. The government says one thing. I have read in books where the protector was done away with in the early 1960s, but this was 1968 and we still needed to go to ask permission to leave. If we wanted to go back, we had to ask permission to return and have a good reason.

I grew up on TI where when you go to school the first thing that they have on the blackboard is you are only allowed to speak the King’s language or Queen’s language. I could not speak English, but those types of things are built into you. You grow up in that and when you have your own kids and you are living in a place away from your own traditional area our kids on the mainland—Torres Strait kids—face five different worlds when they walk out of the front gate. They can speak language and they can learn culture at home, but as soon as they walk out of that front gate they have to learn all these other worlds and try and balance it, because I had to do that when we moved down to the mainland and it is hard when you have been taught protocol and culture from the age of, like, two years old to 12. You learn all the titles of different members of the family and the community. We had an Aboriginal family that lived next door to us and I called the lady by her first name. My mum, for the first and last time, backhanded me across the mouth and said, ‘Don’t you dare call her by her first name. You call her “aunty”’. I go, ‘Why? She’s not related to us?’ My mum said, ‘We are all God’s children, so we respect each other.’

I come to this meeting today and it is just a Torres Strait cultural thing that you wait for others to talk first. It is a protocol thing. I am glad that Cynthia is here today because I am so concerned about this treaty and how it is going to affect Torres Strait people living on the mainland and the ones living on the homeland. The ones on the mainland seem to think they are making all the decisions for our traditional areas. We have a big piece of land on Moa Island and they have been digging soil from there without notifying others. Will this treaty join mainland Torres Strait Islanders with the homeland ones? They are making all of the decisions up there and we are in limbo down here. Maybe when you go up there next time you could talk to them.

**Ms LUI:** Thank you, Aunty. Aunty Sally, thank you for your contribution as well. We have heard about past policies that have had a huge impact on First Nations people. As a government representative I acknowledge all of that—I really do. For me, sitting here and listening to all of the contributions at all of our public hearings, we cannot change the past—we really cannot. As a government representative I want to be part of a better future. I think we all deserve to be heard in this conversation. Right now it is not easy for anyone. There is a lot of hurt. Having many conversations around the bill and the intent of the bill puts us in a very positive place for where we want to go as a nation of people and, more importantly, as Queenslanders. For the people I get to work with every day—also acknowledging the opposition here—this is a bipartisan process where we all want to do better. I am saying this as a member of this government but also as a First Nations person, because we can all do better. This is the first step towards doing better. We are never, ever going to change the past but, like Tarryn said earlier, we have the influence now to change the future.

There is a reason we are all around the table today. We had a public hearing in Woorabinda today and I spoke to a very smart, intelligent man who gave his contribution. It is really important for us to speak our truth. We have a voice and it is important that we express our voice now. It is safe to do so. What government is doing now is telling us that it is okay to do so. Aunty, you shared your experience about the protector. We were never, ever allowed to share our thoughts, our views, our experience. We were all just meant to think this is how life was meant to be. Right now we are here as a committee to take back to government, ‘This is what First Nations communities are saying now.’

I want to acknowledge Aunty Sally because it is hard. It is a process that no-one is going to trust, but we have to trust that we are all in this together. Despite where we come from, what region we come from, whether you are Indigenous or non-Indigenous, we are all in this together. That is what I want to see: I want to see the decision that comes out of this. This is why it is so critical that, when we pass this legislation and it gets to the point where you need to make all of the decisions

around treaty negotiations, it happens because that is how you want it to happen. You talked about native title and acts still not honouring First Nations views and concerns. Make it part of this process. Speak your truth. It is important that you speak your truth. I know that everyone here and everyone I have spoken to is passionate about this issue. It is important that we let government know, because this is the time now where we are all wanting to talk. We want to be on the same page. It is about building relationships. It is about creating those important partnerships.

I know you said you do not like the words 'in good faith'. Let's find another word. Let's find a different word to use. If it is not 'good faith', what is it that we use? But this is about us now; this is us setting a new narrative for our future. There is a lot going on here. I know that no-one is trusting of this process, but we have to start somewhere. This is where we are moving towards now. I want a brighter future for all of us. The generation of hurt that we have carried through our time, we are finally going to work through all of that and heal from our past so we can set a different agenda for your future.

To your point about native title in the Torres Strait or access to land and how you will be involved in this process, I encourage you to have that conversation with the Interim Truth and Treaty Body because they will be able to walk you through that process. At the same time, also connect with traditional owners or traditional people back home. That is really important because this process is not just about relationships between traditional owners and government; it is also about relationships or negotiating treaties between clan groups. I think it is really important that, whether you are down south or back home in the Torres Strait, you have that conversation so we can all put practical measures in place so you do not sit in Rockhampton feeling displaced, because you are still connected to your land back home.

**CHAIR:** Thank you, Cynthia. I am sure Aunty could reach out to you in the future or Katie from the Interim Truth and Treaty Body. Thank you very much for your contribution.



## **HOFFMAN (TOBY), Aunty Rosemary, Private capacity**

**Ms Hoffman:** I just listened to Aunty Annie speak about what happened to her people. I come from a very, very strong woman. Her name was Annie Asi. She is actually Uncle Stewie's grandmother too. They were put at a place called Bundulla. It is called Taroom now. I think it was in 1927. They were moved from Bundulla because the government wanted the land. They were made to walk through the bush with one dray horse. There were at least 30, maybe 40 people. Uncle Stewie's mum, Aunty Marcia, was the baby. She was six months old. The reason we are here today is because Gran was a very strong-minded woman. Her name was Annie Asi. She was Chinese Aboriginal. She stood up for people out at Bundulla. She wrote letters. She educated herself. She wrote letters to government to tell about the treatment, what happened there—how they were flogged, how they were made to stand in the rain, how they were interfered with—the word is rape. All that happened at Bundulla, and because of her we are here today. We stand up for our rights. Granny Annie—we call her Annie because all our second names are Annie—was a very strong woman. I have the paperwork. I have actually got the paperwork sent to me by—I will not say what thing—about what she wrote. There are letters in the archives that she wrote. They are very distinct about the treatment, about the diseases, how they were treated, how they had to get permission to get married or if they could get married. Religion was brought in and of course the main thing: they were not allowed to speak their language. Their language was taken away from them.

I sit here and I listen to all of the stories. Aunty Annie, I am so sorry because I could not take in what you were saying. But the reason we sit here at this table today is because of that woman who spoke back to the government in the 1920s. My mum was born at Woorabinda. They were the Rebels and they were born at Mount Woorabinda. They were held back there too. To leave Woorabinda or get permission you had to talk to the governor or whatever he was called in those days. They had to have an exemption to leave Woorabinda to come and live in a town. To go back there you had to get permission, and they had not been there for years and years. You talk about treaty. Personally myself, I am sitting here listening and I do not actually like that word 'treaty'. Honestly, I do not. I do not know why, but I just do not like it.

We are fighting for our land now and we are fighting because our father—our father was Bill Toby. I remember one day we were sitting having tea or coffee or whatever and he said to me, 'Bub, I'm going to get our land back off this government.' That was 30 years ago. Dad was not an educated man. There were 13 of us, but he got out and he got jobs. He has fought the government all the way. He was involved in a lot of organisations here in this town. He said to us, 'Kids, get out there and get an education.' Most of us are Catholic educated because we lived at Mount Morgan. We did not live on a reserve, as they called them back in those days. We were in town because dad did work and then he got mine work. That was an important thing to dad. Dad said, 'Get your education and your health; they are the most important things.' I always hold Gran in my heart because I know what she did and what she wrote. The letters I have, I read them. They keep me strong because she was writing about what was happening to her people. They were flogged, stood in the rain, tied up, raped, the whole thing, and then they were made to walk from Bundulla—or Taroom as it is called now—through that grass. I do not know how they did it. We did it in 1977 in cars and everything. How they did it, they walked through that grass to Woorabinda.

Do you know why they were put there? They were put there to die because the government said, 'They won't live out there.' What happened? They prospered. Then they wanted to take all the credit for whatever. There are stories out there that are horrific. Like Aunty was saying, we have had our crises. We have had people killed on our land, people murdered, people pushed into lakes. We have a lot of history. I am sitting here and for some reason I just do not like that word 'treaty'. I do not know why; I just honestly do not like it. I know it is going to be a long process, and how we are going to do it I just do not know. We do not have a long time frame. You said May?

**CHAIR:** No. The legislation we are talking about today will be passed in May by the government, but then the treaty negotiations will begin and the time frame is whatever you need. First of all, if you want a treaty; secondly, the time frame will be whatever you need to work out and sort out what you would like in the treaty. Then if negotiations are needed between clans, amongst traditional owner groups, then when you are ready you will have that conversation with government.

**Ms Hoffman:** When will that be? There are some beautiful, strong people in this room who are still fighting. Listening to Aunty Annie has just broken my heart. Honestly it has. She was sent away. That happened at Woorabinda, too. People were sent to Cherbourg and families from Palm Island were split up. People are just finding their families now. It is sad. We are in 2023, aren't we? It is a

long time since 1770 when whoever his name was—that is what I was taught at school—Captain Cook. That is all I knew, but now I have grown up and, boy, have I learned a lot of things since I have been educated and brought up. There are a lot of things I do not approve of.

I do not know what is going to happen with this Path to Treaty Bill. Like you said, it is going to be a long process. It has been a long process for us to get where we are today—to educate ourselves, to educate our kids. Sometimes you are frowned upon because you have got a bit of an education. There are knockers out there—black, white and brindle. When you start speaking up for yourself, your people, your children or your grandchildren, that is what will happen. It will be our kids and our grandkids, because I am way past my time but I will still talk. As long as this old tongue can still speak, I will say what I want to say. That is how I was brought up.

**CHAIR:** Good.

**Ms Hoffman:** I think I get that from granny Annie, because of what she did years ago. She was not frightened of the government. She was not frightened of the 'bogeyman' or whatever she called it. She stood up and spoke her mind. That is all I have to say.

**CHAIR:** Thank you, Auntie Rosemary, for sharing some of your story. I have a couple of comments. One, we are not closing the gap. We have made some progress but we are not closing the gap. In many cases across the western world, the gap between the rich and the poor is getting wider. There is a lot of work to be done. We were not taught this at school, but we recognise that your language was taken from you to disempower you.

**Ms Hoffman:** I worked up in the Territory for years. I worked with the people up there. I felt so inferior because their language is first language. They have their own language before English up there. Yothu Yindi was my placement because I was on dialysis. The Territory government tried to say to his wife Yalmay, a schoolteacher, that they wanted to take their language out of the system. Of course, she is a very strong woman, too. She stopped that—this one Aboriginal woman. They want to take their language. English is the fifth language up there. I was so envious, because you can hear people and the kids all talking in their language. We were disempowered, like you said. That was taken away from us. The government back in the day have a lot to answer for. Is this a fix-it bill?

**CHAIR:** I do not imagine that we can ever fix the past, Auntie Rosemary. As the member for Cook, Cynthia, said, we cannot fix the past but we can try to make the next 235 years better than the last.

**Ms N Hatfield:** Aunties, you are our neighbours. You have been our neighbours for thousands of years and we have always got on well with the Gungaloo people and the Darumbal people. We visit each other's country. We talk about good faith, Uncle Stewie. This native title has always been on us to prove that we belong to that country, so how about the government changing it and the onus being on them to prove that we are not from that country? Ninety-nine times out of 100, you will not have an Aboriginal group claiming that country if they are not from there, because their neighbours would soon have something to say about it. That needs to change in good faith. How about doing that?

**CHAIR:** That is a really good suggestion, Auntie Nyoka.

**Mr White:** We are not saying anything about you or this treaty—we are for it, too—but like we said, you say you came in good faith but we just want it to go forward, too. A lot of us traditional owners did get a determination but it still does not give us the rights. We are still fighting for our rights with the government now. Because some of us have determination, we just cannot go and walk on country and do things like that. We have to have permission. We are still fighting a battle now, even though we have got determination. I am pretty sure Auntie Nygi would know the same thing. We are still fighting for it.

**Ms N Hatfield:** You just get a fraction of your land back. Most of it is recognition that you are the traditional people of that country. That is the bulk of it.

**Mr Sporne:** Can I add to that? You talk about closing the gap. That is what we need: close the gap to our country. Close the gap to ownership and close the gap to access—that is what we need. When it comes to the truth-telling stuff, you talk about us having ownership of all those records. There are a lot of records there and for us groups to have ownership—I do not know how that would work. What I would like to see is an Indigenous body set up to own that information. Instead of us going to State Archives, we would go to an Indigenous body that holds those records and they know how to give us access. That is what I would like to talk about.

**CHAIR:** Richard, I think you made some valid points. Do you think it is important that all Queenslanders have access to that information so that we have a shared history?

**Mr Sporne:** I do not have a comment on that. That would be for my elders. Another thing I would like to see in the treaties is Indigenous people in the parliament—Indigenous seats in the parliament that are not linked to Labor or Liberal. That is one point. The other question I have is: is there anything in the bill that you have in the parliament—I have not read it; I do not know who has read it here—that could restrict treaty if we get there? What I am trying to ask is: if we want to go up here, is there something in the bill that stops us from getting up here? When we deal with government and native title, we are always waiting for the hook. There is always a hook. They promise you this, but there is always a 'but'. What we want we never get. The state's anthropologist only has one expert witness—sorry to bring this back to native title—and that expert witness agrees with the Indigenous people. Who does not agree with their own witness? The state government. That is why we always think there is a hook; there is always a hook.

**Mr BENNETT:** I wish you all the very best. I hope we can talk more. I do have to make a run back to Bundaberg, so I will get on the road if that is okay. All the best, everyone.

**CHAIR:** Thank you, member.

**Mr Sporne:** Is there anything that could restrict the treaty?

**CHAIR:** My understanding is that when the Premier introduced the treaty bill to the parliament she gave an indication that there was nothing off the table, that essentially treaties needed to reflect what community wants—not what government wants but what communities want. Treaties a negotiation. A negotiation is always give and take, but I assume that you would not sign anything you were not happy with. The call has been made by the Premier of Queensland that our First Nations peoples need to be clear about what they want in their treaty. Is that your understanding, Cynthia?

**Ms LUI:** Katie, would you be able to help with some of the detailed information? You are having a more in-depth discussion with community.

**Ms Kiss:** Thank you, Cynthia. I pay my respects to the Darumbal people, the traditional owners of this land that I sit on today. I grew up here in Rockhampton, born and bred. My grandfather was a very recognised member of this community and he contributed a lot to making sure that young people coming through here were able to access services. I am the executive director of the Interim Truth and Treaty Body. The question you have asked is around the detail. Our understanding of the legislation is that, once the bill is passed, there will be arrangements around developing a treaty negotiation framework. That will start to set some of the parameters around how people want their treaties negotiated. Then community groups need to start having those conversations around what their treaties need to look like and how they are constituted. As you said, Cynthia, they may be traditional owner treaties, community treaties or regional treaties. Then the institute will help support conversations to get to that point. It is going to be a long process and we have a lot of stuff to sort out, but hopefully the bill and the structures that come from that help to put us in a good position to sort some of that stuff out.

**CHAIR:** Thank you, Katie. I now welcome Gay Sirriss. We will hand over to you.

**SIRRISS, Ms Gay, Private capacity**

**Ms Sirriss:** Thank you. First of all, I would like to acknowledge the traditional owners of this area, the Darumbal people. I have come up from Gladstone, which is an hour away. I am just wondering if you are coming to Gladstone or going to any other towns in Central Queensland. This is all foreign language to me. I have never heard that each group has to have a treaty. I do not know if anyone else in Gladstone knows this, either. We have four who have had native title passed in Gladstone, so we have four different groups in Gladstone. It is a big area to cover. My question is: are you coming to Gladstone or Bundaberg?

**CHAIR:** Thank you, Gay. First Nations communities do not have to develop a treaty. There may be, for whatever reason, First Nations communities, groups or traditional owners who do not wish to develop a treaty, and that is okay. Secondly, the bill was introduced in the last sitting of parliament, and we have done our best to get to as many places as we can in the time we have. The Hervey Bay First Nations community have invited us to visit. They really want to talk to us about the bill, so we will try and get a couple of members of the committee to Hervey Bay in the next week or two. I aware that the Quandamooka people on North Stradbroke Island also would like some time to have some discussions. We obviously cannot reach everyone. Certainly, if the Gladstone community are interested, we could do some videoconferencing. You are able to provide a submission to the bill. If time permits, we will do whatever we can to get there, but we obviously cannot visit every community in Queensland.

What I will say is that, once the bill passes in May, the consultation and work to support traditional owner groups and clans by the Interim Truth and Treaty Body—the institute—which is separate to government, will really heat up. There will be lots of opportunity to get support and to talk to the institute about process, the bill and treaty. The Community Support and Services Committee is also available if you wish to continue to talk with us. We have three First Nations members on the government team: the Hon. Leeanne Enoch, MP, member for Algeester; the member for Cook; and the member for Bundamba, Mr Lance McCallum. There are people available should you wish to talk more about the bill.

**HATFIELD, Ms Barbara, Private capacity**

**CHAIR:** Would you like to make a contribution?

**Ms B Hatfield:** My name is Barbara Hatfield. My maiden name is James. My mother's name is Nola James. My father, Thomas Anderson, was sent to Palm Island. My country is Kairi country, which is Springsure. We had a situation in Springsure where there was a massacre in the late 1860s which killed a lot of ancestors. I appreciate people who can grow up with their ancestors, because we never did. When the big government trucks came in, a lot of the Kairi people who were not shot were taken to various government reserves across Queensland. We were just dispersed. We were never able to claim native title on our country because we cannot demonstrate that continued usage. We have gone to various parts on Kairi land. My mother grew us up to appreciate and accept both worlds, and that is what she did. She was a founder of Dreamtime Cultural Centre because she wanted to bring Aboriginal people and everyone else together, but in reality it does not happen that way.

When I go back to Kairi country, there are some property owners who have, over the years, allowed us to go onto their properties to look at certain sites. We have been to some houses as well where we have entered into their open area, into their lounge rooms, and on the lines of the walls are all these skulls of my ancestors over their big huge mantelpiece, and they just think nothing of it.

Reconciliation came and went, and now we have the Voice, and now we have a treaty. How many more events do we need to go through? If you take this meeting out to Springsure, you will get a totally different reaction. I am struggling with these new things that government comes up with all the time. It will never benefit me and my descendants. Respectfully, people are talking about government reserves here today. There are quite a few of us who look at the fact that our people were sent there as a saving grace, because they survived. They grew up. They had children. Their descendants are there. In that sense, that was a value for us with the continuing ongoing area of our descendants. I am still living. There are only two Kairi people living on country now out there. It is a very redneck area. It is very hard.

Where the massacre happened, they call it Murderers' Gap. They put it on the sign. You will not find a gravesite of any of my ancestors there. The talk is that even after six months they were still left on the ground to rot. But you go out there to the Wills massacre site and you see these beautiful, elaborate gravesites with the big high marble headstones and all the writings on it with the big wrought-iron fence around them to acknowledge them. Where is the equity in that? There is not. How can you talk to them? How can you build a bridge with them, walking together towards establishing a treaty?

It seems to be, in the years of my growing up—and I have come to realise things—that it is always the Aboriginal and Torres Strait Islander people putting their foot forward first to try and establish a change, to try and build a bridge between us, you know? That is all I have to say.

**CHAIR:** Thank you, Aunty Barbara, for that contribution. It was very moving and it will stay with us for a long time. In response to the whole notion of treaty, our government has been working on this since 2019 with the interim treaty body, and we believed over 235 years that a treaty is what our First Nations peoples have been asking for. The Premier said in her speech when she introduced the bill that she had read in some documents that were published in 1800 that the English lawmakers sent the governors to Queensland or to Australia and the English government made it very clear that whoever went to Australia was to develop a treaty with the First Nations peoples. That was documented in 1800, and those people began to think about coming here in around 1760. That never happened. Sadly, in places like New Zealand that treaty did happen. The treaty has been in place for the New Zealand traditional owners and the government for a very long time. Sadly, that never happened here. The Premier spoke about the fact that it is high time. I really thank you for that contribution. It will be collected as part of our report. I accept and acknowledge how hard that would have been for you, Aunty Barbara, so thank you.

**Ms LUI:** Thank you, Aunty, for your contribution here today. Again, I think it goes back to the fact that there is going to be a lot of distrust, and I respect that. In reliving the stories, there is a lot of hurt and a lot of pain. 'Sorry' is never going to cut it. You mentioned reconciliation before. Reconciliation was probably an umbrella under government where this was something that we committed to, and we wanted to reconcile with First Nations people. Through this bill and also with Voice, this is the first time, I think, where you will see the narrative has really changed in this space in that we are looking to partner, to strengthen relationships, to partner with First Nations—Aboriginal and Torres Strait Islanders. I do not think in any other bills you would see that you have partnership with First Nations people here in Queensland. I think that needs to be acknowledged and recognised today.

I think what our Premier has done with this government, and also with the bipartisan support from the opposition, is about recognising our past. For a very long time, governments over many generations have failed our First Nations people. However, we are at this point in time now where we have gone through many policies and much legislation that influenced our lives, and the trauma continued time after time. I think this is the first time in our history, both state and federal—I cannot speak for anywhere else, but certainly in Queensland and also in the country—that we are looking to partner with First Nations people. When we now talk about our future, I think partnership is going to get us across the line, because this is where government is coming to the table now and saying, 'Let's sit down. Let's talk. Let's do this together because it is about all of us.'

I firmly believe that there have always been two histories to our state: Aboriginal and Torres Strait Islander history—First Nations history—and white history. What we are doing now is pooling all of our stories together, because it is not a black/white issue. It is not Aboriginal and Torres Strait Islanders against white Australia; it is all of us together. That history where we have carried our hurt and pain over many generations—we are now coming to that core where we need to talk about it openly, we need to be truthful about our past and we need to be more accepting about where we want to go.

When it comes to policies and legislation we know, because we have been there. We have lived experience. We have stories that were passed down through many generations. We are at this critical point in time now where it is about us uniting both histories, Aboriginal and Torres Strait Islander with non-Indigenous history, and walking this path together with Queensland's history. I think that should be the core of the discussion moving forward and the journey moving forward, as hurtful as it is.

I am sitting here as a government representative today. It is hurtful sitting through it. I am learning as well. I shared the other day that, while I am excited about this process, I am also sad that there is a big part of my history that I do not know. However, it is that journey for all of us. I think through state, with Path to Treaty, and through the federal government, with Voice, we are in the seat now to take control of our own destiny. I can only do the best that I can in this position, as part of the committee process, and speak up, but also relying on the stories that are shared. Most importantly, we must all work towards something great for all of us.

**Ms Toby:** We know what and we know why. My question is how. I know you have the treaty and the system here and you have the interim body. After we agree and the bill gets passed, the body is still there to have the treaty. We have developed to treaty, but then what happens after that? We are talking about making change. How is that going to happen? What are we going to have alongside Thriving Communities and what DATSIP is doing, setting up those bodies? I know that Natural Resources have TO groups all over the place (indistinct) own voice. There are lots of systems going on around the place, but how are we going to do this after the treaty? I am assuming that the interim body will become the First Nations institute.

**CHAIR:** Thanks, Auntie Bino. You have raised some really good questions. Firstly the Palaszczuk government has put aside \$300 million recurring funding, which will yield up to about \$20 million per year to assist First Nations communities to establish their treaties. Treaties will look different between different groups. The 'how' part of how the treaty will be implemented will be different for every group. There will need to be some change in governance. I imagine that First Nations communities and traditional owners will have a greater say and their treaty will outline how resources are managed, how resources are used and what they need in terms of government resources to achieve what they would like to achieve.

**Ms Toby:** This does mean input into decision-making and talking about funding submissions—you know, those selection panels and where funding goes. This does mean really input in that.

**CHAIR:** Yes, absolutely. The whole of Queensland operates with a pie of money and that pie has to be divided up for our schools, our roads, our hospitals, to fight disease and to do a whole range of things. That pie is not getting any bigger, although our population continues to increase et cetera. Those are a couple of comments I would make around the question. I know that the member for Cook has something to offer.

**Ms LUI:** That was a really good question. There is a body of work that has already been done up until this point. Katie, one example is that, in 2020 or 2021, we passed the traditional adoption bill, Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill. That was the first time we have seen a traditional practice being recognised under western law, so it was pretty significant. We also have cultural heritage being reviewed. That body of work is also happening in this space.

Not so long ago, the Minister for Employment and Small Business announced our First Nations strategy for employment and training, which I think is a pretty significant one that sets out a framework for how we can better engage our First Nations people around employment and training. In the Northern Peninsula Area of my electorate, last September we did a big land transfer back to traditional owners with the focus on empowering communities to have more self-determination over their land. That body of work is happening right across the state.

What treaty does for us now is collaborate and set in concrete how government is working with First Nations people, because we have all this good work but different work happening across all different government portfolios and agencies. I think this treaty process brings it all together nicely where all of this work now sits under the banner of treaty and how we work effectively with First Nations people.

**CHAIR:** Thanks, Aunty Bino. Uncle Stewart, I am sorry: I want to introduce Sallyanne Atkinson, the chair of the interim treaty board. Sallyanne has popped in. She is the former lord mayor of Brisbane and also the chair of the interim treaty board. I want to mention her. I know that Uncle Stewart wants to speak but I also know that you have a contribution. If you would like to make a contribution, we will come back to you, Uncle Stewart. Then unfortunately we will have to wrap up.

**TOBANE, Ms Heather, Private capacity**

**Ms Tobane:** Before I begin, I would like to pay my acknowledgements and respects to Auntie Nicki and the Darumbal people and the other clans from around here and the land on which we meet today. My name is Heather Tobane. I am the chairperson of the IMAN Wardingarri Aboriginal Corporation. We only got our determination back in 2016. In the past 18 months we have got ourselves an office in Rockhampton. We had to work hard for that for ourselves.

I want to quickly say that I do think things are changing slowly for the good. We had the young group in here this afternoon. I want to tell you a little story. Last year, during NAIDOC, in Taroom—it was only our third year this year coming up—one of our young guys, who was 11 years old, did our NAIDOC speech. He spoke about how he wanted to follow in his great-great-grandmother's footsteps. He wants to go out there and do a story all about Taroom and Bundulla, where his roots are, where my roots are and my father's. He was one of the little boys who, when he was five years old, walked across—1929 it was—from Bundulla to Woorabinda. My grandson is the one I am talking about. He is doing a story on that. He wants to do these stories. He went into the schools back in Rockhampton. He spoke into three public schools, talking about NAIDOC and what it meant to him and why other students should be getting up and talking and listening to their elders. The elders play a big part in all our children's lives. Going back to Taroom, he got up and spoke about the footsteps of his great-great-grandmother.

I am saying that a lot of people did not know that the Yiman people were still around. The Star of Taroom came back three years ago. The guy who brought the Star of Taroom back, the big artefact, walked it back from Brisbane. He had no idea that the Yiman people were still around. He was told that we were all wiped out.

I do think things are slowly changing for the good in education. Nicki works in education and I worked in there for 20 years. Before I finished up about 15 years ago, it was starting to change then for the good. We were starting to teach our culture, our language—what should have been taught in schools instead of the other cultures, like Japanese and all that stuff. Our kids did not want to know that or hear that. They wanted to learn our culture, which we did teach in the end.

Auntie Rosy was talking about the old people who went back to Woorabinda. I can tell you that every two years we have the old people who come down from Hope Vale. You go out there during NAIDOC and they will come out there. They have a big celebration and you can hear the wailing and the crying. They are crying for their loved ones who are still buried there at the cemetery. They want to take them back home. They were taken away from their country. They had to walk over.

My main thing is that we are slowly changing with education. Education is a key thing here. To have a black face in the government now for us says a lot. We have had a couple but to actually have someone come in and sit down and talk to us—we have not had that before, so thank you. Thank you all for bringing them all here and doing this. I think it is very important. We have a long way to go. We have a very long way to go and this is the start of it. Things can only get better slowly over the years, but we would like to see some more of this and coming together with all the old group in town here. That is what I want to say.

**CHAIR:** Thank you, Auntie. As I said earlier today, anything in life that is hard is more worthwhile than anything in life that is easy. We do not try to pretend that it is not going to be hard—it will be—but we believe that that difficulty will bring great rewards in the end. Thank you, Auntie. Uncle Stewart, we will finish with you.

**Mr White:** You said there was \$300 million and that there is a process and you said \$30 million a year.

**CHAIR:** It is \$20 million. What happens is that the government has set aside \$300 million. They will invest that money and the money we will make from the \$300 million will be about \$20 million a year, so the primary capital investment will continue. We will draw on the investment. The benefit or the dividends of the investment will be about \$20 million a year and that money will be used to help First Nations communities establish their treaties.

**Mr White:** Is that in an agreement?

**CHAIR:** It is in the bill.

**Mr SKELTON:** It is budgeted for by the Treasurer.

**Mr White:** A lot of First Nations people would like to see it in an agreement because otherwise we do not trust the government.

**Ms Tull:** It is not in good will.



**CHAIR:** Ladies and gentlemen, that is probably a good point to finish on. I think the quote of the day—

**Mr Sporne:** Corrine, I just want to get this on record. I will be 30 seconds. If the state does not value these treaties, we do not want it to be another document that is an advisory document. If you do not give us the power to veto things then that is not in the interests of the state. If you do not give us the right to veto things and have a say in how this country is run, that treaty is going to be money—you will get Indigenous groups that will sign the treaty because there is money and education and all that. But what my people need, what my family needs, is a right in how this state is run. If we do not get the right to veto, our country is sick out there. It is sick. Every Indigenous person in this room can say this country is sick. The right to veto needs to be part of the treaty.

**CHAIR:** Thank you, Richard. I also make the comment that it is not just Indigenous people who recognise that our Indigenous people are sick; non-Indigenous people also recognise that our First Nations people are not well.

**Mr Sporne:** No, I am saying the country is sick.

**CHAIR:** Thank you very much, Richard. Certainly your contribution today, Richard, was really tremendous so we thank you for that. We have a lot of work to do. The committee really appreciates the time that you have given to this process. It is so important that we continue to share our stories, that our First Nations stories become Queensland's history and that we no longer rely on the history that we were told from school. It is inaccurate and we recognise that.

I really thank you tremendously. I thank those of you who found today very hurtful and distressing. I acknowledge our elders and I acknowledge Cynthia as well. I also acknowledge those non-Indigenous people who found this afternoon very difficult. We thank you for your time. We thank you for your feedback. The transcript will appear on the parliament's website in the next few days. We wish you a good afternoon. We wish you well. We hope we continue these conversations in the coming years. I declare the public forum closed.

**The committee adjourned at 5.15 pm.**