

## Path to Treaty Bill 2023

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17 March 2023

Committee Secretary  
 Community Support and Services Committee

Dear Committee Secretary

### ***Path to Treaty Bill 2023 ('the Bill')***

Thank you for the opportunity to provide feedback on the Bill. It is our general position that the Bill be accepted.

### **YFS Ltd ("YFS")**

For more than 36 years, YFS has worked with people in Logan and surrounding areas to help them not just to overcome adversity, but to thrive. Through a range of programs and services we work with people to improve their circumstances and build their capacity for independence and participation. Service areas include housing, domestic violence services, family support, youth outreach and engagement, respectful relationship education, employment mentoring, legal services, financial counselling and capability, and social enterprise.

### **YFS Ltd and commitment to Aboriginal and Torres Strait Islander peoples**

YFS nurtures an inclusive culture that promotes value and respect for everyone. We recognise the important role Aboriginal and Torres Strait Islander people have within community and country. Our vision for reconciliation with Aboriginal and Torres Strait Islander peoples is to develop and provide services based on respect and understanding.

We acknowledge the past and work to build independence, participation and closing the unacceptable gap between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians' health and wellbeing. As a mainstream community-based organisation, the Board and staff recognise our role in contributing to closing the gap and improving the lives of First Nations peoples in our community.

YFS supports the Uluru Statement from the Heart and a Makarrata Commission to supervise the agreement making, the process of truth-telling and a constitutionally enshrined Indigenous voice to parliament.

We believe the Constitution should recognise Aboriginal and Torres Strait Islander peoples as the First peoples of Australia. We know that a Voice to Parliament is needed so that Aboriginal and Torres Strait Islander communities can advise government about First Nations matters.

The Voice will help achieve real change for Aboriginal and Torres Strait Islander people and communities through better-informed government policy.

## **Human Rights Issues**

YFS acknowledges the significance of this proposed Bill in recognising and acknowledging the rights of Aboriginal and Torres Strait Islander peoples as protected in the *Human Rights Act 2019* (Qld) (“HRA”) and the United Nations Declaration on the Rights of Indigenous Peoples.

However, we are concerned that while the Queensland Government is moving forward with this historic treaty legislation, other recently proposed legislation, specifically the *Strengthening the Community Bill 2023* (Qld), sees the same government repeatedly breach several human rights protections which will result in the increase in the detention of Aboriginal and Torres Strait Islander young people.

## **First Nations Treaty Institute (“Institute”)**

YFS acknowledge that the purpose of creating this Institute is to develop a framework for Aboriginal and Torres Strait peoples to enter treaty negotiations with the State.

We support the creation of a First Nations Treaty Institute. It is our hope that this Institute will act to protect and enhance the rights of Aboriginal and Torres Strait Islander peoples to self-determination. Further, that the Institute develop a framework and mechanism that will support capacity building for Aboriginal and Torres Strait Islander peoples to engage in the treaty making process.

## **Truth-telling and Healing Inquiry (“Inquiry”)**

The Bill provides for a Truth-telling and Healing Inquiry to inquire into the continuing impacts of colonisation of Aboriginal and Torres Strait islander peoples, through truth telling sessions and hearings.

The Inquiry is an opportunity for the recognition and truth telling of the true history and origins of this State. Not limited to, but stories of genocide and massacres, sexual assaults, Stolen Generations, stolen wages, forced labour, deaths in custody, “protection” and assimilation policies.

It is an opportunity to discuss the continuing devastating impacts of colonisation including Aboriginal and Torres Strait Islander deaths in custody, the high rate of removal of Aboriginal and Torres Strait Islander into State care, lower life expectancy and health outcomes, the fight for native title, constitutional recognition, Voice to Parliament, Closing the Gap, human rights breaches, and systemic racism and discrimination.

The Path to Treaty must be stepped in truth. It is only when this is done, that we can truly move forward on a journey of healing. This is a time for honest and genuine conversations.

Given the likely nature of the discussion to be had at the Inquiry, YFS believe that it is important that frameworks and supports are clearly established, including access to counselling and legal advice if requested by the participant.

### **Path to Treaty Fund**

YFS agrees that it is important that the Queensland Government demonstrates their commitment to the treaty making process by providing a sustainable and guaranteed long-term financial commitment. This includes stipulating a minimum annual allocation to support the Institute and maintain the Path to Treaty process, being \$10 million from the \$300 million fund.

### **Conclusion**

In summary, YFS acknowledges the valued contribution, guidance, and strength of Aboriginal and Torres Strait Islander peoples in Queensland's long journey for a treaty. We acknowledge that culturally safe frameworks, safeguards, and supports must be in place to protect the truth telling of Aboriginal and Torres Strait Islander peoples.

Yours faithfully

Cath Bartolo AM  
Chief Executive Officer