




Speech By
Don Brown

MEMBER FOR CAPALABA

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PATH TO TREATY BILL

 **Mr BROWN** (Capalaba—ALP) (3.28 pm): I quote—

It begins, I think, with that act of recognition.
Recognition that it was we who did the dispossessing.
We took the traditional lands and smashed the traditional way of life.
We brought the diseases. The alcohol.
We committed the murders.
We took the children from their mothers.
We practised discrimination and exclusion.
It was our ignorance and our prejudice.
And our failure to imagine these things being done to us.

Over 30 years ago Paul Keating made the famous Redfern speech. Since then, too few leaders have been willing to truth-tell in this nation and even fewer political leaders have listened to truth-telling. The change happens here, today and this week. It begins.

I would like to acknowledge the traditional owners and custodians of the land on which we meet here today. I pay my respects to elders past, present and emerging. I would like to pass on my respects to all Indigenous leaders and Torres Strait Islanders across our vast state. Indeed, I recognise my electorate of Capalaba. In traditional language it means 'ringtail possum', which are native to Quandamooka country. I also recognise the richness, strength and diversity of the Quandamooka people from their three distinct tribes—the Noonuccal, Gorenpul and Nughie people—and their connections to the lands, winds and waters that we get to enjoy every single day in my part of the world.

I would like to acknowledge our First Nation parliamentarians and colleagues: Minister Leeanne Enoch, a proud Quandamooka woman herself and the member for Algester; Cynthia Lui, a lamalaig woman, the member for Cook and the first Torres Strait Islander island person to hold a seat in any parliament of Australia; and Lance McCallum, a proud Gubbi Gubbi man and the member for Bundamba, but he also grew up on Quandamooka country like me.

For far too long the voices of First Nations peoples have been marginalised, ignored and silenced. Their cultures, language and traditions have been suppressed, their lands taken away and their rights trampled on. As a nation we must acknowledge this history and work towards a better future—one where Indigenous Australians are treated with respect, dignity and equality.

The Queensland Path to Treaty Bill 2023 is a significant step in this process. The bill responds to generations of calls from Aboriginal and Torres Strait Islander peoples in Queensland for a formal agreement, a treaty or treaties, that recognises Aboriginal and Torres Strait Islander peoples as the original custodians of the land, waters and winds and provides a just and realistic foundation for a reframed relationship—an agreement that delivers broad-ranging, substantive outcomes for Aboriginal peoples and Torres Strait Islander peoples and the wider Queensland community.

A treaty is a legal binding agreement between two states or nations that sets out the rights, responsibilities and obligations of each party. Other countries colonised by Britain, such as Canada and New Zealand, have formed treaties between the Crown and First Nations people. Australia is one of the only Commonwealth countries without a treaty with its First Nations people.

The notion of terra nullius, or unoccupied land, was upheld in court cases and Privy Council rulings through the 1800s despite much evidence to the contrary coming from Australia. It suited the times. It remained so until the landmark decision in Mabo which was handed down in 1992—barely more than 30 years ago—and which obviously flowed on to the Redfern contribution by Paul Keating. This is our chance to do what we should have done 200 years ago: make a treaty or treaties with Aboriginal and Torres Strait Islander peoples.

There are rare moments in time—perhaps just once in a generation or even once in several generations. Path to Treaty recognises that the process of colonisation has marginalised and disempowered Aboriginal and Torres Strait Islander peoples. Equally, it is built on the enormous resilience of our First Nations people and the strength drawn from their rich history, culture, law and knowledge of 65,000 years of Aboriginal peoples and the unique culture, law and knowledge of the peoples of the Torres Strait. Path to Treaty seeks a foundation for a better future for these peoples—a respectful relationship between the state and our First Nations people—and, from this foundation, benefit for all Queenslanders.

The main purposes of the bill are to establish the First Nations Treaty Institute to develop and provide a framework for Aboriginal peoples and Torres Strait Islander peoples and the state to enter into treaty negotiations and to support these people to participate in the negotiations. It will also provide for the establishment of the Truth-telling and Healing Inquiry to inquire and report on the impacts of colonisation of our First Nations peoples and the history of Queensland. The institute will be a statutory body and independent from the Queensland government. It will be given powers and functions to perform its role to support Aboriginal and Torres Strait Islander peoples in the treaty process.

The Queensland Path to Treaty Bill is a significant and necessary step to reconciliation in our state. It acknowledges the historic injustices suffered by our First Nations people and commits to redressing these injustices through a process of truth-telling, healing and negotiation. Reconciliation is a journey, not a destination, and there is much work to be done. We must continue to listen to and learn from First Nations people, to respect and celebrate their cultures and identities, and to work towards where all Australians are treated with respect, dignity and equality.

While we cannot change the past, we can move forward together by facing our history with honesty and courageousness. I urge all members of the House to support the Path to Treaty Bill. I want to thank the committee. I want to thank the Premier for the hard work that she has done and also Minister Crawford for all he has done to bring this bill forward today. I wholeheartedly support this treaty process. I commend the bill to the House.