




Speech By  
**Laura Gerber**

**MEMBER FOR CURRUMBIN**

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Record of Proceedings, 10 May 2023

### **PATH TO TREATY BILL**

 **Mrs GERBER** (Currumbin—LNP) (2.43 pm): I, too, wish to contribute to the debate on the Path to Treaty Bill 2023. I want to start my contribution by saying that we as a parliament must do everything we can to focus on practical measures that will close the gap and deliver real outcomes for Indigenous Queenslanders—not platitudes, not symbolism, not words alone. Indigenous Australians deserve action, because the gap remains far too wide. I have always held a very firm belief that part of the role of government is to enable, not to roadblock. When it comes to Indigenous affairs, this is absolutely critical. That is why it is so important to have comprehensive consultation with our local Indigenous communities and their leaders, to discuss how we can enable the improvement of future generations of Indigenous Australians.

I am lucky enough to represent an area with a very rich and celebrated Indigenous culture. The community I represent, the Currumbin electorate on the southern Gold Coast, is home to the Yugambah language people of the Bundjalung nation. In my electorate of Currumbin there are a number of proud Indigenous organisations that are working hard in the community to provide education, training and real outcomes for Indigenous people. The Krurungal Aboriginal & Torres Strait Islander Corporation for Welfare, Resource and Housing is one of those organisations. Krurungal are based in Coolangatta. I have had the pleasure of meeting with them on many occasions. Their vision for our community is to have easy access to necessary community services and to enjoy more opportunities, better outcomes, cultural connectedness and a positive sense of wellbeing. For 30 years now, they have gone about the business of achieving this. It is so critical that there are organisations like this that have a holistic approach to Indigenous affairs.

I know that in our community there is a strong focus on Indigenous education and training for our youth. Schools across my electorate have implemented Indigenous programs that are making a noticeable difference in the lives and wellbeing of young Indigenous boys and girls on the southern Gold Coast. Elanora State High School is one of those schools. It has a strong focus on engaging Indigenous leaders with the school community, and this is having a real impact. Through assemblies, education programs and other community partnerships, Elanora State High School is one of the many schools on the Gold Coast leading the way for positive change.

Another school doing fantastic work in this area is Palm Beach Currumbin State High School. PBC's Indigenous partnerships are enabling the youth of today to become the leaders of tomorrow. Through their work with the Clontarf Foundation they are committed to improving the education, discipline, self-esteem, life skills and employment prospects of young Aboriginal and Torres Strait Islander men in our community. This equips them to participate more meaningfully in society.

I also acknowledge the work of the Queensland Aboriginal and Torres Strait Islander Foundation across the state and particularly the uptake of this program in the schools in my electorate including Palm Beach Currumbin State High School and Elanora State High School. The objective of the

foundation is to increase educational choices and life opportunities for Indigenous people. In my view, the practical outcomes that this foundation is achieving for young Aboriginal and Torres Strait Islander people proves that the gap in this space can indeed be closed.

That brings me to the objectives of this bill. The objectives are: to establish a First Nations Treaty Institute to support Aboriginal and Torres Strait Islander people to develop and provide a framework for Aboriginal and Torres Strait Islander peoples to prepare for and then commence treaty negotiations with the Queensland government; and to establish a Truth-telling and Healing Inquiry to inquire into and report on the effects of colonisation on Aboriginal and Torres Strait Islander peoples.

Path to Treaty must be about unity and achieving better outcomes for all—working in unity for real and lasting change. If we approach Path to Treaty dedicated to unity and not division and take real action to close the gap, all Australians can benefit from this process. I do need to point out that people in my electorate—and, frankly, in the chamber, judging by what I have heard over the last couple of days—are confused by some aspects of this bill. What this bill is proposing is not a small undertaking. This bill would result in the negotiation of hundreds of different treaties across various Indigenous communities. It demands, as I have said, meaningful consultation and deliberation with all of our Indigenous communities. As we have heard from other members in this chamber, the state government has not consulted with some of the Aboriginal and Torres Strait Islander communities across Queensland.

**Mrs Frecklington** interjected.

**Mrs GERBER:** I take the interjection from the member for Nanango that her Cherbourg community has not been consulted. I note the contributions of many other members, like the member for Nanango, that the time frame given by the Palaszczuk government has meant that this bill has not been widely consulted on, meaning that it has not addressed some of the concerns of community members. The reality is that Labor state governments have dominated policy affecting Indigenous Australians over the last 25 years, yet the gap remains wide in many areas including health and education. If this bill really is about truth-telling, the truth is: despite making up just 4.6 per cent of Queensland's population, young Aboriginal and Torres Strait Islanders account for 62.6 per cent of youth in our prisons.

In fact, in the 2020 Closing the Gap report, the Palaszczuk government revealed that six of the target outcomes were not on track to be met. Now the Palaszczuk government has changed the goalposts on the metrics that measure the success of the target outcomes for Closing the Gap to hide the fact that it is not meeting its targets. Let's have some truth-telling around that. The lack of progress in fixing these shameful truths is an indictment on this state government. The state government also should be focused on real and tangible action to address these shameful truths.

The LNP has a proud history of delivering tangible outcomes in partnership with Indigenous communities, helping to improve the lives of young Aboriginal and Torres Strait Islanders across our great state. We provided early access to childhood education for all Indigenous four-year-olds in remote communities and improved year 12 Indigenous attainment rates. We put in place legislative amendments which gave Aboriginal and Torres Strait Islander people the right to freehold land title. In 2014 we also implemented Solid Pathways, a program to support Queensland's high-achieving Aboriginal and Torres Strait Islander students. Going further back, the Bjelke-Petersen government was instrumental in the ultimate signing of a treaty between PNG and Australia. This international treaty secured the Torres Strait's place in our country. Many will recall the historical significance—

**Government members** interjected.

**Mr ACTING SPEAKER:** Pause the clock. I am sorry to interrupt, member. The tone of the debate thus far has been outstanding. Let's continue in that tone and that framework. We are debating difficult issues and they may be particularly difficult for people in the gallery, so let's continue this debate with a respectful tone.

**Mrs GERBER:** I want to address the proposed amendment that was circulated yesterday by the state government. The state government is seeking to move an amendment to this bill which would see Treaty Institute Council members no longer disqualified from serving in their position if they have a conviction for an indictable offence. Amendment 5 seeks to change clause 55 by removing the automatic indictable offences criminal history disqualification provision. This move would allow for people convicted of an indictable offence to serve as a member and a senior executive officer on the Treaty Institute Council. This move is not in the best interests of Queenslanders, including our Indigenous Australians, who would hope for this council to best represent them. It is quite unprecedented and I think it is potentially dangerous.

We are not talking about summary or minor offences; we are talking about convictions for indictable offences. Indictable offences incur severe penalties up to life imprisonment and they include things like rape, murder, armed robbery and assault. I do not think this is what people want. In one breath the Palaszczuk government is saying that this is critically important for the future generations of Indigenous Australians, yet in another it is lowering the bar for the members of the Treaty Institute Council, removing the clause that disqualifies a person with an indictable offence conviction. This means that someone could be on the Treaty Institute Council with an indictable offence conviction in their criminal history, but that same person may not be able to even hold a blue card. What message does that send to young Indigenous Australians? What message does that send to hardworking young boys and girls in my electorate going to school and taking part in important Indigenous programs, wanting to improve their lives and the lives of those in our community? What message does it send to our state as a whole—one standard in keeping with other Queensland legislation and a different standard for members of the Treaty Institute Council? In my view, this is a really poor decision by the state government that detracts from the purpose of this bill, and I do not support this proposed amendment.

The wellbeing and progression of Indigenous Australians is extremely important, and I welcome the bipartisan commitment that this House has to provide outcomes for Aboriginal and Torres Strait Islanders. The Path to Treaty Bill largely offers a way forward and I am supportive of the Path to Treaty Bill, but I want it on the record that I do not support the proposed amendment to remove from the bill provisions relating to indictable offence convictions.