



# TRUTH AND TREATY

# QUEENSLAND

INTERIM TRUTH AND TREATY BODY  
COMMUNITY CONSULTATION  
FEEDBACK REPORT 2023





## Executive Summary

The Path to Treaty journey in Queensland commenced formally in 2019 and has progressed alongside the national Indigenous voice to Parliament process, embodying the Uluru Statement from the Heart themes of Voice, Treaty and Truth.

The Queensland process is underpinned by the Government's commitment to reframing the relationship with First Nations Peoples.

The Interim Truth and Treaty Body (ITTB) was established on 16 August 2022, and was tasked with maintaining the momentum of the Path to Treaty reforms in Queensland while legislation to establish the First Nations Treaty Institute and Truth-telling and Healing Inquiry were progressed through Queensland Parliament.

The ITTB co-designed this legislation, the *Path to Treaty Act 2023*, with the Queensland Government – what is believed to be the first time in the history of Queensland that a Bill was co-designed with this level of input from First Nations Peoples.

Following the introduction of the Bill to the Queensland Parliament, on 22 February 2023, the ITTB conducted an intensive round of community consultations.

The purpose of these consultations was to provide an update to Queenslanders on progress made on the Path to Treaty, outline the key structures contained within the *Path to Treaty Bill 2023* and to gather community views on three key design elements:

- the Inquiry's Terms of Reference
- the selection process for the Institute Council
- the selection process for the Inquiry Members.

Between 20 March 2023 and 18 May 2023, the ITTB conducted 21 community consultation sessions held in 19 locations across the state, including in: Weipa, Thursday Island, Townsville, Palm Island, Rockhampton, Woorabinda, Mt Isa, Roma, Charleville, Cunnamulla, Cherbourg, Hervey Bay, Bundaberg, Ipswich, Beaudesert, Toowoomba, Redlands, two sessions in Brisbane and two sessions in Cairns. The ITTB also held meetings with key community groups and stakeholders, such as Local Government Councils, Prescribed Body Corporate's (PBC's), Youth Groups, Health Services and Local Decision-Making Bodies. In total, the ITTB engaged with 887 Queenslanders across the state in community consultation sessions held between March and May 2023.

This report presents a summary of the feedback received from both First Nations Peoples and non-Indigenous Queenslanders from across the State, collected at these consultations.

**Hervey Bay**



**We acknowledge all of the knowledge holders who shared with us on the journey towards the creation of this Community Consultation Report.**

**Our journey begins with you.**

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## Introduction

Calls for Treaty and Truth have occurred across generations of First Nations Peoples, advocates and activists.

Queensland's Path to Treaty responds to these calls from First Nations Peoples in Queensland for a formal agreement - a Treaty or Treaties - which recognises Aboriginal and Torres Strait Islander Peoples as the original owners, custodians and carers of their lands and waters, and delivers substantive outcomes.

Truth-telling recognises that First Nations Queenslanders assert their ongoing sovereignty as independent and individual nations with responsibilities to their land, territories, waters and future generations.

The Queensland Government commenced the Path to Treaty journey formally in 2019, marked by a Statement of Commitment and the announcement of the Tracks to Treaty reform. These reforms commit to resolving the unfinished business between Aboriginal and Torres Strait Islander Peoples and non-Indigenous Queenslanders.

As summarised by the then Premier, the Honourable Anastasia Palaszczuk MP:

**“The Path to Treaty will benefit all Queenslanders, help promote reconciliation, foster a shared pride in Aboriginal and Torres Strait Islander culture and heritage, and help heal the wounds of the past and create a shared future for all of us.”<sup>1</sup>**

Hearing First Nations' stories, acknowledging, respecting and accepting the truth about their experiences, and developing a shared understanding of the intergenerational impacts of those experiences is critical to healing and justice for First Nations Peoples.

This shared understanding is also critical to healing the wounds of the past, and reframing the relationship between First Nations, non-Indigenous Queenslanders, and the Queensland Government.

## Relationship between the Federal Voice to Parliament and Path to Treaty

The Uluru Statement from the Heart (2017) was arguably one of the biggest national efforts led by First Nations leaders to reform the national landscape, including correcting the exclusion of Australia's First Peoples in its foundation document, the Constitution.

The Uluru Statement from the Heart called for the establishment of a Makarrata Commission, to oversee truth-telling about Australia's history and agreement making between governments and First Nations peoples, as well as seeking the establishment of a First Nations Voice enshrined in the Constitution.<sup>2</sup>

Standing alongside the Uluru Statement is the Masig Statement; delivered by the Torres Strait Islander people to properly and justly address the unique circumstances of the peoples of the Torres Strait through self-determination and regional autonomy.

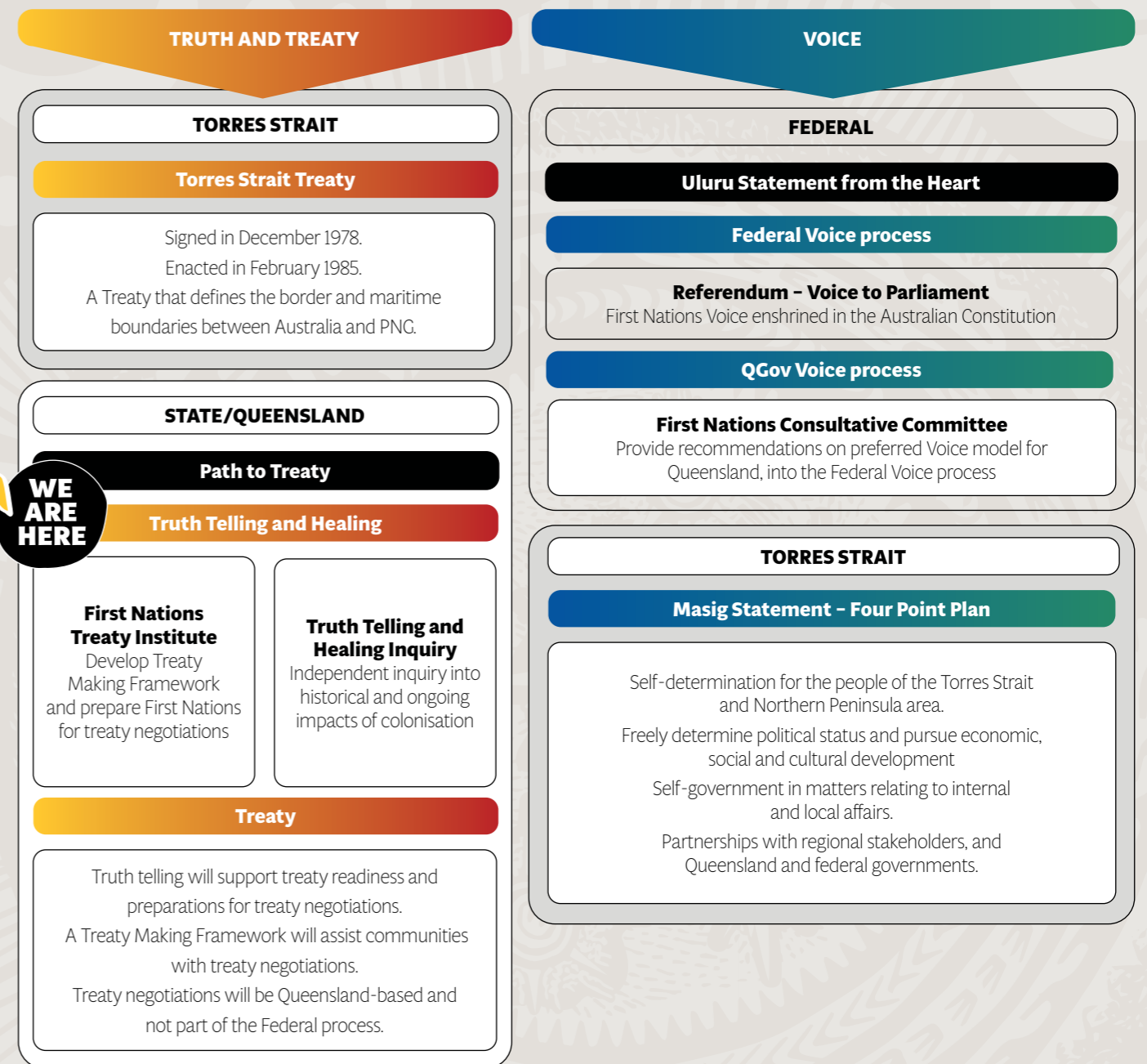
The Federal Government commenced progressing one aspect of the Uluru Statement from the Heart - a First Nations Voice.

On 30 October 2019, the Minister for Indigenous Australians, the Hon Ken Wyatt AM MP, announced the start of the Indigenous Voice co-design process at a national level and encouraged States and Territories to progress Treaties with their First Nations peoples.<sup>3</sup> On 30 August 2023, the Prime Minister, the Hon Anthony Albanese MP, announced that a referendum would be held on the 14th October 2023, to give Australians the

<sup>1</sup> Treaty Advancement Committee, Treaty Advancement Committee Report, October 2021, p.1, at: <https://www.dsdsatsip.qld.gov.au/resources/dsdsatsip/work/atsip/reform-tracks-treaty/path-treaty/treaty-advancement-committee-report.pdf> [accessed 03/07/2023].

<sup>2</sup> Uluru Statement from the Heart, 2017, at: <https://ulurustatement.org/wp-content/uploads/2022/01/UluruStatementfromtheHeartPLAINTEXT.pdf> [accessed 11/07/2023]

<sup>3</sup> Commonwealth of Australia, National Indigenous Australians Agency, Indigenous Voice Co-design Process Interim Report to the Australian Government, October 2020, p.5.



This graphic was created prior to the Federal 2023 Aboriginal and Torres Strait Islander Voice referendum and was shared with community members during the consultation process in early/mid-2023



opportunity to vote on the recognition of Aboriginal and Torres Strait Islander people in the Constitution as the First Nations peoples, and the establishment of a Voice to Parliament.<sup>4</sup> The referendum did not pass, with a majority of Australians voting against the establishment of a Voice to Parliament and the recognition of the nations First Peoples.

The other aspect of the Uluru Statement from the Heart – Treaty and Truth as sought through a Makarrata Commission, has not yet been progressed at a national level.

Makarrata is a word from the language of the Yolngu people in Arnhem Land (Northern Territory). As Noel Pearson has explained: “The Yolngu concept of Makarrata captures the idea of two parties coming together after a struggle, healing the divisions of the past. It is about acknowledging that something has been done wrong, and it seeks to make things right.”<sup>5</sup>

The word ‘Makarrata’ has often been used instead of ‘treaty’, where ‘using the word Makarrata makes it clear this is intended to be an agreement within Australia, between Australians’.<sup>6</sup>

The call for a treaty has existed for many generations. The Barunga Statement, presented in 1988 to Prime Minister Bob Hawke, called for a treaty with the Commonwealth of Australia. In response, the then Prime Minister promised to negotiate a treaty ‘between the Aboriginal people and the Government on behalf of all the people of Australia’ before the end of the current session of Parliament. While this did not eventuate, calls for a treaty have persisted.<sup>7</sup>

Consistent with the view put forward by the Hon Ken Wyatt AM MP, some of the States and Territories have begun their own processes towards Treaty and Truth-telling.

Path to Treaty in Queensland has progressed alongside the national Indigenous voice to Parliament process and embodies the Uluru Statement from the Heart themes of Voice, Treaty and Truth.

While the Queensland Treaty and Truth processes are separate from, and not directly altered by the outcome of the Voice to Parliament referendum, the progress of the reform will need to be cognisant of the implications associated with its defeat.

### How community has been heard

The voices of community are critical to the success of the Path to Treaty journey. Community has been engaged in this process from the outset and will continue to shape and guide the establishment of Queensland Path to Treaty including the operation of the First Nations Treaty Institute and the Truth-Telling and Healing Inquiry. Below is a breakdown of the different phases of the Path to Treaty journey in which community feedback has been sought and guided the outcomes.

#### Phase 1 (2019-2020)

On 14 July 2019, the then Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships, the Hon Jackie Trad MP, announced on behalf of the Queensland Government that the State was initiating a Path to Treaty to help reframe the relationship between First Nations Peoples and the Government. To

undertake the initial work involved in a Path to Treaty, two bodies were established:

- a Working Group to hold public consultations and provide a Report on these consultations and develop recommendations; and
- an Eminent Panel to oversee the Working Group and provide advice to the Government on what a Treaty might mean for Queensland including timing, process and next steps.<sup>8</sup>

Community consultations engaged with 1,700 Queenslanders across the State, which included public community and targeted stakeholder meetings, online surveys and written submissions.

The key recommendations to come out of this consultation that were provided in February 2020 and again in May 2020, was to progress towards treaty negotiations and establish a First Nations Treaty Institute and First Nations Treaty Future Fund through legislation. Further, a consistent view expressed by communities was the need for truth-telling, where any treaty must be based on the truth.<sup>9</sup>

#### Phase 2 (2021-2022)

On 12 February 2021, the Treaty Advancement Committee (TAC) was commissioned to progress the Path to Treaty in Queensland. The TAC was tasked with:

- providing advice on options to implement the Eminent Panel’s recommendations on the Path to Treaty; and

- reporting back to Queensland communities on the results of the Path to Treaty consultations conducted by the Eminent Panel and Treaty Working Group and the Queensland Government’s response.

The TAC recommended that the process of truth-telling and healing be conducted in two stages: firstly, through local and regional initiatives, and secondly through the establishment of a formal Truth-telling and Healing Inquiry.<sup>10</sup>

The Queensland Government accepted 18 of the TAC recommendations in full, and four in principle. The Queensland Government committed to developing legislation to establish:

- First Nations Treaty Institute (Institute) as a statutory body governed by a First Nations Treaty Institute Council (Institute Council)
- a formal legislative Truth-telling and Healing Inquiry (Inquiry) for a three-year term to inquire into the historical and ongoing impacts of colonisation on First Nations Peoples.<sup>11</sup>

In response to the recommendations provided by the TAC, the Queensland Government committed to establishing a short-term Independent Interim Body to maintain momentum on Path to Treaty while the Institute is established. The Independent Interim Body (IIB) was established by the Minister with a terms of reference, and announced by the Premier and Minister for Olympic and Paralympic Games on the 16 August 2022.

<sup>4</sup> Australian Government, Recognition through a Voice, at: <https://voice.gov.au/> [accessed 11/07/2023]

<sup>5</sup> Parliament of Australia, Uluru Statement: a quick guide, 19 June 2017, at: [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1617/Quick\\_Guides/UluruStatement](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/Quick_Guides/UluruStatement) [accessed 11/07/2023]

<sup>6</sup> Parliament of Australia, Uluru Statement: a quick guide, 19 June 2017, at: [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1617/Quick\\_Guides/UluruStatement](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/Quick_Guides/UluruStatement) [accessed 11/07/2023]

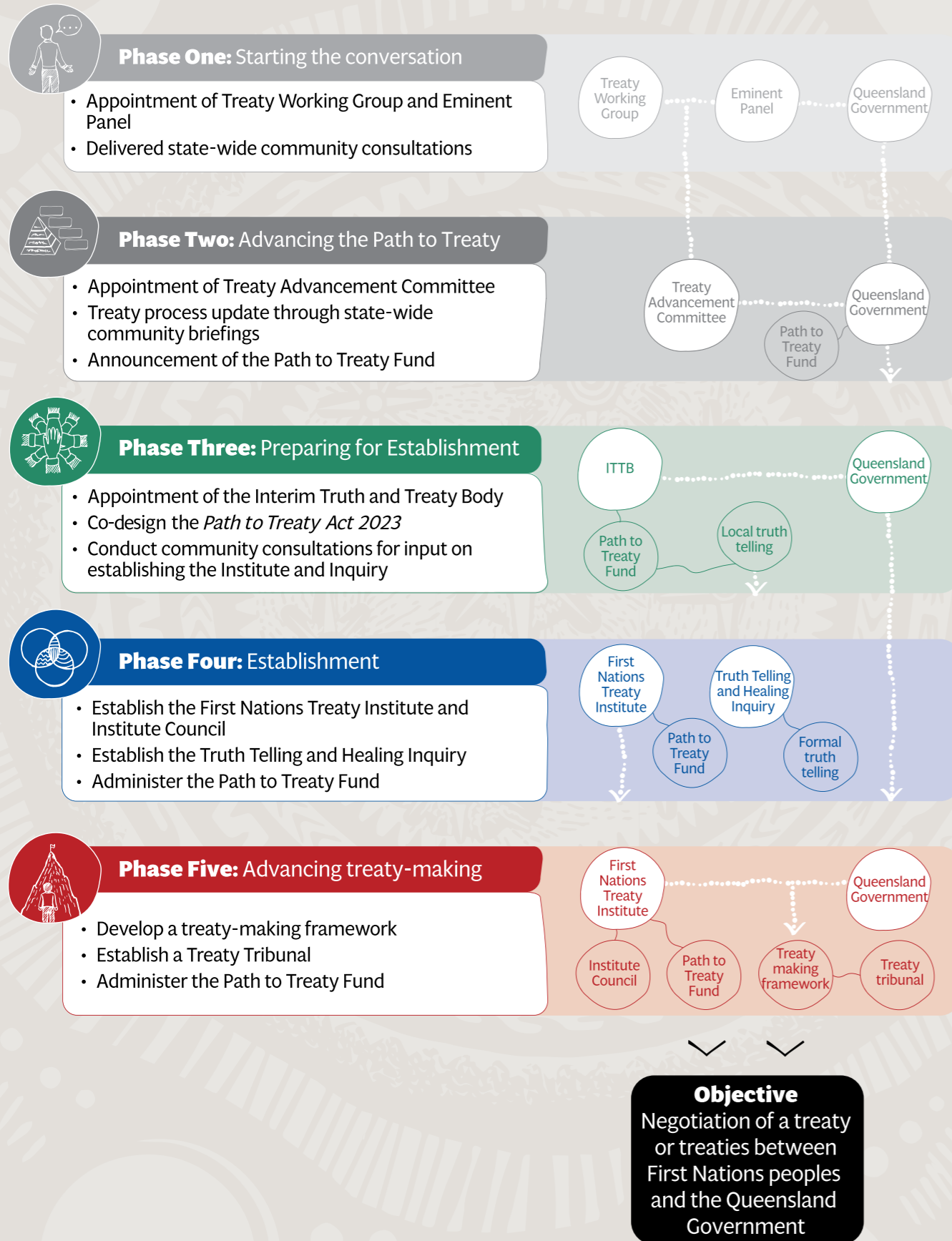
<sup>7</sup> Parliament of Australia, Uluru Statement: a quick guide, 19 June 2017, at: [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1617/Quick\\_Guides/UluruStatement](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/Quick_Guides/UluruStatement) [accessed 11/07/2023]

<sup>8</sup> Path to Treaty Eminent Panel, Advice and Recommendations from the Eminent Panel on Queensland’s Path to Treaty, February 2020, p.2, at: <https://www.dsdsatsip.qld.gov.au/resources/dsdsatsip/work/atnip/reform-tracks-treaty/path-treaty/treaty-eminent-panel-february-2020.pdf> [accessed 03/07/2023]

<sup>9</sup> Path to Treaty Eminent Panel, Advice and Recommendations from the Eminent Panel on Queensland’s Path to Treaty, February 2020, p.3, at: <https://www.dsdsatsip.qld.gov.au/resources/dsdsatsip/work/atnip/reform-tracks-treaty/path-treaty/treaty-eminent-panel-february-2020.pdf> [accessed 03/07/2023]

<sup>10</sup> Treaty Advancement Committee, Treaty Advancement Committee Report, October 2021, p.3, at: <https://www.dsdsatsip.qld.gov.au/resources/dsdsatsip/work/atnip/reform-tracks-treaty/path-treaty/treaty-advancement-committee-report.pdf> [accessed 03/07/2023].

<sup>11</sup> Queensland Government, Queensland Government Response to the Treaty Advancement Committee Report, 2022, at: <https://www.dsdsatsip.qld.gov.au/resources/dsdsatsip/work/atnip/reform-tracks-treaty/path-treaty/ptt-response-tac-report.pdf> [accessed 03/07/2023].



The TAC also recommended the establishment of a Path to Treaty Office within Queensland Government, to build capacity of the Queensland Government to prepare and be treaty ready.<sup>12</sup> The Path to Treaty Office has been established in the Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts (DTATSIPCA).

### Phase 3 (2023-current)

The Interim Truth and Treaty Body (ITTB), formerly the IIB, co-designed the *Path to Treaty Act 2023* with the Queensland Government's Path to Treaty Office, informed by the community input received in the previous two phases of the Path to Treaty Journey. The co-designed legislation outlined two structures - the First Nations Treaty Institute and the Truth-telling and Healing Inquiry (discussed in more detail below).

Following the introduction of the Path to Treaty Bill into Queensland Parliament, the ITTB conducted community consultations across the State. These consultations provided an update to Queenslanders on progress made on the Path to Treaty, as well as to gather community views on three key design elements contained within the draft legislation: the Inquiry's Terms of Reference and the selection processes for both the Institute Council and the Inquiry.

Following this community consultation, the focus of the ITTB and the Path to Treaty Office, through a co-design process, was the operationalisation of the Institute and the Inquiry. The ITTB is working with the Queensland Government to co-design establishment of the Inquiry and the Institute.<sup>13</sup>

### About the Interim Truth and Treaty Body

On the 16 August 2022, the Premier and Minister for Olympic and Paralympic Games announced the establishment of an Independent Interim Body, called the ITTB.

The ITTB had responsibility to:

- maintain the momentum of the Path to Treaty while legislation to establish the Institute and Inquiry is progressed through the Queensland Parliament
- design and deliver local-level truth telling activities with Queensland public institutions including art galleries, museums, libraries and archives
- co-design the Institute and the Inquiry with the Path to Treaty Office
- undertake research and community engagement
- report to the Minister for Treaty on progress.

The ITTB was to remain in operation until the Institute was established and operating, when its work would largely transfer into the Institute.

### Path to Treaty Act 2023

Co-designed by the ITTB and DTATSIPCA,<sup>13</sup> the *Path to Treaty Bill 2023*, was introduced to the Queensland Parliament on 22 February 2023.

On 10 May 2023, the Queensland Parliament passed the '*Path to Treaty Bill 2023*' into law. The Bill received Royal Assent on 17 May 2023, and is now an Act of Parliament.

The input of the ITTB to the legislative design were informed by the community consultations conducted during the Path to Treaty process to date. This is historic - this is the first time an Act has been co-designed with this level of input from First Nations Peoples in the history of Queensland.

<sup>12</sup> Treaty Advancement Committee, Treaty Advancement Committee Report, October 2021, p.7, at: <https://www.dsdatsip.qld.gov.au/resources/dsdatsip/work/atsip/reform-tracks-treaty/path-treaty/treaty-advancement-committee-report.pdf>

<sup>13</sup> Formerly then named the Department of Seniors and Disability Services, Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP).



There has been an effort to balance consistency and continuity of members with fresh thinkers across the different stages of the Path to Treaty journey.

The purpose of the Act is to establish the key enabling structures to support treaty making and truth-telling. This includes:

- the First Nations Treaty Institute, which will co-design a Treaty Making Framework, and support First Nations people to enter into and participate in treaty negotiations; and
- the formal Truth-telling and Healing Inquiry. The Inquiry will examine and document Queensland's full and collective history, and report on the impacts and effects of colonisation on Aboriginal and Torres Strait Islander Peoples.

These two structures and functions will be grounded in Aboriginal and Torres Strait Islander laws and customs, and are underpinned by the principles of the United Nations Declaration on the Rights of Indigenous Peoples:

- self-determination
- participation in decisions that affect us including giving our free, prior and informed consent
- respect for and protection of culture
- and equality and non-discrimination.

Following the introduction of the Bill to the Queensland Parliament, on 22 February 2023, further community input was received during the Queensland Government's Parliamentary Committee Process.

Nine public forums and three public hearings, including an online video conference for community participation, were held across the State. Online submissions were also received by the Committee.

Informed by the community consultations, the Parliamentary Committee made a number of recommendations including for amendments to the Act. Three amendments were made to the Bill to be considered by Parliament.

### Community Consultations

While the ITTB were central to co-designing the Act, the community consultations, which commenced on 20 March 2023, provided the first opportunity for the ITTB to engage on the key elements contained within the Bill.

The consultations were designed to hear the views of Queensland communities as to whether the draft legislation met their expectations and aligned with input provided during the course of the Path to Treaty.



Townsville Community Consultation.



Rockhampton Community Consultation.

## Interim Truth and Treaty Body Community Yarning sessions

**887** Queenslanders' attended engagement sessions

**11** Meetings with community organisations

**21** Community Yarning sessions across the state

**5** Members of Parliament hosted events

Community input was then sought once the Bill had been introduced into Queensland Parliament on 22 February 2023. The Community Support and Services Committee of the Queensland Parliament had a set timeframe to conduct consultation on the Bill following its introduction into the Queensland Parliament. The Bill was debated and passed at the Parliamentary Sitting from 9-11 May 2023.

The ITTB conducted an initial round of consultations that aligned with the Parliamentary Committee Public Forums, to minimise the burden and expectations on community members to attend meetings on different days and at different locations. This provided an opportunity for the ITTB to ensure community input on the draft legislation was gauged.

This was also the first opportunity the ITTB had to re-engage Queenslanders on the Path to Treaty since their appointment in August 2022, and since the completion of Phase Two with community consultations conducted by the Treaty Advancement Committee in 2021.

In addition to providing an update to Queenslanders on progress made on the Path to Treaty, the ITTB's aim through the consultations, that aligned with the Parliamentary Committee, was also to gather community views on three key design elements:

- the Inquiry's Terms of Reference, and
- the selection processes for both the Institute Council and the Inquiry.

Following the conclusion of the Parliamentary Committee's consultation, the ITTB continued to conduct community sessions, seeking input into the above three key design elements.

Between 20 March 2023 and 18 May 2023, the ITTB conducted an intensive round of community consultations, with 21 sessions held in 19 locations across the state, including in: Weipa, Thursday Island, Townsville, Palm Island, Rockhampton, Woorabinda, Mt Isa, Roma, Charleville, Cunnamulla, Cherbourg, Hervey Bay,

Bundaberg, Ipswich, Beaudesert, Toowoomba, Redlands, two sessions in Brisbane and two sessions in Cairns. In total 488 people attended the Community Yarn Sessions.

The ITTB also held meetings with 11 key community groups and stakeholders, such as Local Government Councils, Prescribed Body Corporate's (PBC's), Youth Groups, Health Services and Local Decision-Making Bodies.

In total, the ITTB engaged with 887 Queenslanders across the state between March and May 2023.

This report presents a summary of the feedback received from both First Nations Peoples and non-Indigenous Queenslanders from across the State, collected at these consultations.

### Consultation Feedback

The following outlines what the ITTB heard from community consultations and targeted stakeholder interviews.

### Developing the Terms of Reference for the Truth-telling and Healing Inquiry

While the TAC provided guidance on the term, objectives and the membership of the Inquiry, which has informed the drafting of the Act, the TAC did not provide an established terms of reference. Rather, they highlighted the importance of ensuring that there be "extensive First Nations involvement in establishing and framing the formal inquiry", which included "settling the Inquiry Terms of Reference and the Inquiry membership." Therefore, seeking community input into the Inquiry Terms of Reference was a key focus of the community consultation sessions conducted by the ITTB.

### What does community need to see explored and achieved through the Inquiry?

#### Documentation of the pre-colonisation period

- "We need to talk about the strength of who we are and where we come from."
- - Brisbane Community Consultation

Consultations conducted across Queensland since 2019, highlight that most Australian's know very little about colonisation, the ongoing impacts of that legacy, and the 65,000 years of civilisation on this land before colonisation. Communities have stressed that it is this history and ongoing impact which must be documented through the Inquiry.

Queensland is home to two of the oldest living cultures in the world, in Aboriginal Peoples and Torres Strait Islander Peoples who have and continue to provide custodianship and stewardship of these lands, territories, waters, seas, air and resources for at least 65,000 years prior to British colonisation, and for all Queenslanders into the future.

Community members stressed the importance of prioritising the collection of evidence and stories from Elders and senior knowledge holders, who through their oral histories have stories about how their ancestors lived prior to colonisation. Stakeholders highlighted the need to understand the loss that has been incurred as a result of colonisation.

It has been suggested by community members that drawing on traditional knowledge and practices can support the ongoing maintenance of the oldest living cultures on the planet as well as collective healing and identity building. This has been a key theme raised in community consultations and particularly with communities who are concerned about the loss of senior knowledge holders and the ongoing cultural maintenance for their First Nations youth.

- "A lot of our elders are passing away, which means there is a loss of knowledge. This information can be lost if we don't sit down and yarn with them. We need to record their stories before it's too late."
- - Ipswich Community Consultation



Brisbane





**Cherbourg** ●

“Our old people always believed they needed to have something in place for the next generation, and we need to think about that in the context of treaty. Have a go at it, see if it works. It won't be perfect. But people can buy in and make a contribution, so they own it meaning it has a better chance.”

- Cherbourg Community Consultation

The telling of stories of resilience and achievements of First Nations peoples

- “Stories should include achievements through the hard times that highlight our achievers
  - - stories should help us to find out who are prominent Aboriginal people that contributed to the economy, to show that we are smart and what we have done.”
- Mount Isa Community Consultation

The colonisation of Queensland occurred without the consent of Aboriginal Peoples and Torres Strait Islander Peoples. The incursion into Indigenous lands was often met with active resistance. However, colonisation has resulted in significant loss for Aboriginal and Torres Strait Islander peoples, including of connection to country, removal from lands and territories and family, loss of law, cultural and language, the foundation of Aboriginal and Torres Strait Islander society. Despite this, Aboriginal Peoples and Torres Strait Islander Peoples have contributed to building the State of Queensland, including the establishment and development of the economy through key industries.

Feedback from consultations emphasised the importance of future generations, particularly First Nations youth, to hear positive stories about their ancestors, and to learn about the resistance, achievements and contributions of First Nations Peoples. Stories demonstrating the resilience and strength of First Nations peoples from the time of colonisation need to be chronicled and emphasised. This includes stories of warriorship, warfare and resistance demonstrated in the frontier wars across Queensland.

- “A lot of Queenslanders don't know the true history; it hasn't been factual and we need to be involved in telling the truth to help dispel the myths and tell the story of survival and resistance.”
- Reflection from the majority of consultations

- “Stories should help people to understand how First Nations peoples supported their families, and how the old people fought. Imagine those achievements while in servitude, yet still managing to do things like send kids to school.”
- Mount Isa Community Consultation

The truthful history and impacts of colonisation, both positive and negative

- “We had our structures in place before colonisation, so from colonisation to now lots of things have been taken from us. It's been disempowering, it's messed our spirit, health and country up. It's caused a lot of friction in community and family.”
- Toowoomba Community Consultation



Thursday Island Community Consultation.

Communities have stressed that a wholesome, truthful, and accurate history of Queensland must be told, researched and documented through the Inquiry. This history will include graphic, confronting and previously untold and unheard stories from First Nations Peoples and communities, including accounts of the atrocities experienced. This will highlight the violence and human rights abuses that were and continue to be associated with the colonial project.



This state-wide history of massacres, dispossession, removals and destruction of culture is to be recounted. Views were also expressed by communities that in exposing this truth, the Queensland Government must also acknowledge how their policies, including the 1897 Aboriginal Protection and Restriction of the Sale of Opium Act, influenced and informed colonial practice in other jurisdictions, such as the South African Apartheid regime.

There are also positive stories that need to be told, including where non-Indigenous people and organisations were considered allies to First Nations Peoples and attempted to stop the treatment and abuse of Aboriginal and Torres Strait Islanders. Those that played a role in documenting and advocating for the rights of First Nations peoples, and the relationships that were forged, need to be highlighted and acknowledged.

• **“Truth needs to be told as to what happened. This includes the graphic stories, which need to be told to our communities.”**  
- Beaudesert Community Consultation

• **“The information being shared about the truth can’t be watered down or filtered so that non-Indigenous people can accept it more.”**  
- Ipswich Community Consultation

• **“The stolen generation needs to be told, and material from this time included.”**  
- Ipswich Community Consultation

• **“There is so much institutionalised racism in the pillars of our society. There is also a great Australian silence and an intentional forgetfulness about our history. They don’t want to hear about the massacres.”**  
- Bundaberg Community Consultation

Community members have highlighted the importance of understanding that colonisation is an ongoing experience - not a point in time or a particular event. Consequences and impacts of colonisation are informed by ongoing colonial practices and the imposition of the western system over the acceptance of and engagement with Aboriginal law and custom and Torres Strait Island law and custom.

Further, a common theme arising through the community consultations was the need to acknowledge that the way government has engaged with First Nations communities has not significantly changed over time. For example, the historical forced removal of children and adults from their lands and families to missions and reserves, was considered by communities as no different to the contemporary practices of the current child safety and criminal justice systems. Community has stated that emphasis is to be placed on understanding the relationship between historical events, treatment, mentalities and policies with the contemporary injustices, disadvantage and social outcomes that are experienced today by Aboriginal and Torres Strait Islander Peoples.

• **“Contemporary issues are a consequence of the intergenerational and systemic trauma that we are still suffering today”**  
- Bundaberg Community Consultation

• **“The impacts of colonisation are still here today. The trauma is passed on from one generation to the next.”**  
- Cairns Community Consultation

The need to see real change

• **“We hear the same thing from Government, we tell them the same stories over and over again, but none of this is taken on board and nothing ever changes.”**  
- Redlands Community Consultation

Community members have raised the need to ensure that participation and engagement in the Inquiry will not be ‘in vain’ and will provide for meaningful change and transformation. This stems from communities’ scepticism and lack of trust in Government caused mainly by frequent engagement in initiatives that never result in genuine acknowledgement, change, or better outcomes.

• **“The Government needs to be honest in truth telling, they need to be really honest. Government also needs to be really interested in the lives of Aboriginal and Torres Strait Islander peoples. Leadership needs to be honest too.”**  
- Thursday Island Community Consultation

Communities have highlighted that at the end of the Inquiry, there will be a need for some evidence of real commitment to implement what is learnt through the process. This could include critical reform, legislation and policy to address the systemic and structural barriers that continue to disadvantage First Nations Peoples.

## Healing

Through the Path to Treaty process, both First Nations and non-Indigenous Queenslanders have expressed their concern that the voices and experiences of Aboriginal and Torres Strait Islander Peoples have been silenced, suppressed, and ignored for too long. Truth-telling is a crucial step towards acknowledging the atrocities committed in Queensland, including the forced removal of children, cultural genocide, and ongoing systemic racism. Community members have highlighted that it is therefore crucial that both First Nations and non-Indigenous Queenslanders are engaged and involved in the Inquiry, through an exchange of truth-telling and acknowledgement of wrongdoings, to assist healing to occur and to reframe the relationship between Indigenous and non-Indigenous peoples.

• **“Healing will look different for different communities, depending on the community needs and wants.”**  
- Redlands Community Consultation

Communities have highlighted the need for healing to be a core objective of the Inquiry. This will involve exploring what healing, health and wellbeing means to First Nations Peoples in particular, taking into account cultural, physical, social, economic, mental and spiritual aspects of healing. Healing is aspired to occur particularly in relation to loss of spirit, loss of culture, and healing of country. Truth-telling ultimately has the power to heal - it has the power to change the way First Nations people see themselves, are seen by others, and how we exist together into the future.





- **“Truth telling can be healing, but it is also what happens with the stories that are told which will help with ongoing healing – it is the impact of the stories being told.”**

- Brisbane Community Consultation

- **“We need to heal – if we aren’t healing ourselves then we can’t move forward, this process should bring us together. Healing is the key foundation.”**

- Brisbane Community Consultation

### Education and awareness

- **“Truth telling is about education, most people don’t learn about Indigenous history at school – white schools teach white ways and how to do things in a white context, but first nations communities are different to this and this needs to be taught and respected.”**

- Rockhampton Community Consultation

It is communities aspiration that the information gathered through the Inquiry promote awareness and a deeper understanding with the Queensland community of Aboriginal peoples and Torres Strait Islander Peoples’ cultures, histories, languages and traditions and the ongoing responsibility to their traditional lands, seas and waters.

Feedback from consultations overwhelmingly supported the need for Inquiry recommendations to consider how the Inquiry research and outcomes will be incorporated into and mandated in school curriculum to inform public understanding. Material produced in the Inquiry can be used to support the teaching of a complete and holistic history of Queensland, in particular the history as told from an Aboriginal and Torres Strait Islander perspective. The community yarns identified key matters to be taught in school and highlighted the importance of place and local context. For example, the teaching of local First Nations languages and key local history that includes truths and occurrences that impacted the lives and societies of the local Aboriginal or Torres Strait Islander

peoples in the area, so that generations know and learn more about the Country that they are living on.

- **“Schools are very important to help the young ones to know who they are and about their culture- they need to go back to land, and need to understand their language and stories. Indigenous languages should be taught in schools.”**

- Roma Community Consultation

- **“Continuing the ongoing education of community is important; we need to ensure that there is constant engagement to keep the community educated.”**

- Cairns Community Consultation

- **“There is a need for non-Indigenous people to understand, accept and know their role in the colonisation of Queensland.”**

- Cunnamulla Community Consultation

### How the Inquiry is to be conducted

Communities highlighted the need for the Inquiry to be flexible in its approach and conduct, in order to meet the needs of First Nations peoples.

#### Format of sessions – culturally appropriate

- **“First Nations people need to have the confidence to speak in a safe environment. They need to know that it is a culturally safe place before coming forward, and they need to know what the ramifications will be of telling confronting stories.”**

- Redlands Community Consultation

Community members emphasised that the format in which evidence can be provided is to be flexible, culturally safe and appropriate. This includes through creative formats, such as dance and art.

Community members frequently suggested truth-telling sessions be conducted (where possible) on country. This will require the Inquiry Members and staff to travel across the State.

Opportunity and capacity should also be provided for individuals to participate online should this be communities’ preference and to enable individuals to participate if unable to physically attend.

When engaging face-to-face with Inquiry members, the format of conversations should be determined by community members and their needs. This may include, but is not limited to, one-on-one conversations, group discussions and yarning circles.

- **“The places that the Inquiry will be held need to be flexible, and cater to what people want, whether that means being held on country or not.”**

- Mount Isa Community Consultation

#### Trauma support to be provided

- **“Trauma is regenerated in telling the stories. There needs to be trauma counsellors who understand and are trained in our inherited trauma.”**

- Bundaberg Community Consultation

Communities strongly emphasised that all engagement with First Nations Peoples and non-Indigenous Queenslanders conducted by the Inquiry should be trauma informed and responsive. This trauma informed and responsive support should consider practices outside mainstream western forms, and is to take into account spiritual and cultural approaches and requirements as determined by First Nations Peoples. It is important that the Inquiry operates under the principle of ‘do no harm’.

Communities advised that in order to operate in a manner that ‘does no harm’, it will be necessary to procure services to support the conduct of the Inquiry, such as healing forums, reconciliation services, or access to community/cultural healers where possible and as appropriate. This could include engaging First Nations and non-Indigenous trauma counsellors, including at the local level where sessions are conducted, to assist First Nations and non-Indigenous Queenslanders. The creation of healing rooms at each truth-telling session or hearing could also be provided, as part of the broader function of the Inquiry to support trauma response services and promote healing.





Feedback from consultations also highlighted the need to enable community support networks to be involved in trauma support, and the need to consider vulnerable population involvement (such as those in incarceration and rehabilitation facilities) and the support required for them.

• “There is ongoing trauma experienced in all communities, there needs to be the skills and approach to manage trauma in the process of truth telling.”

- Cairns Community Consultation

• “There needs to be spiritual and cultural frameworks as part of the trauma informed solutions.”

- Roma Community Consultation

• “It can’t be just clinically trauma informed but must also be culturally trauma informed.”

- Cairns Community Consultation

## Engagement of both First Nations and non-Indigenous peoples

• “There needs to be a story exchange between Indigenous and non-Indigenous Queenslanders.”

- Brisbane Community Consultation

Communities argue that it will be important to bring together Indigenous and non-Indigenous peoples to acknowledge the harm that has occurred and mourn together, as well as recognise the positive occurrences, and embark on a mutual journey of healing that is inclusive and based on a desire to reframe the relationship.

It has also been raised by community members that the burden of re-storying the truth is not to be only the responsibility of First Nations Peoples, but that non-Indigenous people are to be engaged and also have a responsibility in chronicling the effects and impacts of colonisation.

• “Our history and issues need to be shared with non-Indigenous people to hold them to account, and outline how government has let down community. This needs to be shared with non-Indigenous community so they are aware.”

- Toowoomba Community Consultation

• “Through this process we need to talk to non-Indigenous people too, not just to the Government but to non-Indigenous community members.”

- Cherbourg Community Consultation

## Indigenous Cultural and Intellectual Property Rights and Indigenous Data Sovereignty

• “Managing information needs to empower people with regards to how that information is shared or not shared.”

- Mount Isa Community Consultation

The Inquiry provides an opportunity to correct past practices, including where First Nations Peoples have had no control over records kept about them. In contrast to these past practices, the Inquiry’s recordkeeping procedures should provide ways for First Nations Peoples to have control and ownership over material that is produced about them, as well as material they provide to the Inquiry process. This is in consideration of that fact that data has historically been collected “about” Aboriginal and Torres Strait Islander peoples, without their consent or knowledge, which has often been used against them. Community feedback from the consultations highlighted that an aspiration of the Inquiry is to empower communities to become owners of their own records, including receipt of, and repatriating material and information back to country. This speaks to the need for local community members (not just the Inquiry) to have access to their own records, including those that are held by government agencies and statutory bodies. Proposed methods of protecting Indigenous Data Sovereignty and Intellectual Cultural Property Rights included applying tailored access permissions, based on the guidance, consent and cultural authority of individual/s who are participating in a truth-telling session.

• “Work needs to be done to determine how to protect the intellectual and cultural property rights for people who are telling their stories.”

- Redlands Community Consultation

• “There are lots of reports that have been written about our community by the Government, and some that have been done in partnership with the community - we need to get copies of these reports, we need to maintain their access.”

- Palm Island Community Consultation

## Members of the Truth-telling and Healing Inquiry

The *Path to Treaty Act 2023* outlines that the Inquiry will be conducted by five members, appointed by the Governor in Council on the recommendation of the Minister. The members must reflect the gender diversity of Queensland, and there must be at least one Aboriginal and one Torres Strait Islander person. The majority of members must be First Nations Peoples, and at least one member must be a lawyer with at least five years standing.

The ITTB consulted communities on how these Inquiry members should be selected, and what sort of people should be appointed.

## How to become an Inquiry Member

• “It is an important process to get character references, as these tell the truth. Character references could be from someone in community with standing to say what the candidates character is like.”

- Beaudesert Community Consultation



Cunnamulla



Communities expressed support for an Expression of Interest (EOI) application process, where candidates are required to provide their resume as well as a written statement or alternate format which sets out:

- how they meet Key Selection Criteria
- how they meet Group Selection Criteria
- their motivations for wanting to be an Inquiry member and/or Chairperson of the Inquiry
- what they could contribute and bring to the process.

Some considered that a separate EOI process may be appropriate for the Inquiry Chairperson, noting the unique role that the Chair will be required to play. Communities expressed the need for candidates to provide or demonstrate community endorsement through either a letter of support from an Elder or community organisation, or through a cultural referee. Communities recommended that an Independent Assessment Panel, separate from the Queensland Government be used to assess applications and provide recommendations to the Minister for the Inquiry Members. This Independent Assessment Panel could include both First Nations and non-Indigenous people, but all individuals must enjoy the confidence of both the Aboriginal and Torres Strait Islander community, and the Queensland Government.

It was also suggested that an independent recruitment agency be procured to assist the Panel to handle enquiries, receive EOIs and compile applications. This recruitment agency ideally would be a First Nations company.

- **“There is merit in having an assessment panel separate from Government. This panel could be the same for the Institute Council and the Inquiry Members.”**

- Redlands Community Consultation

### Candidate criteria for Inquiry Members

- **“We need people who have powerful voices, but will also act and are do-ers. We can’t have people that are just voices. Indigenous people all their life have been put down – people need to be able to use all that racism as their power to drive and make change. We need people who are passionate and to stand up.”**

- Roma Community Consultation

Feedback from community consultations broadly supported the need for candidate selection criteria to assess demonstrated experience and performance to select high calibre Inquiry members.

There are key selection criteria that were consistently raised by communities, that all candidates must meet.

These include:

- Cultural integrity
- Being influential and driven
- Having impartiality, independence and objectivity
- Being empathetic and trauma informed
- Have a demonstrated ability to work in a team-based environment.

- **“You need high calibre people to be involved in this. They need to be highly skilled.”**

- Hervey Bay Community Consultation

In addition to these criteria, it was suggested by community members that there is a broad range of ‘group’ selection criteria which can be used to help guide selection of the right people to lead the Inquiry. It was agreed that not all members would be required to have these skills, but collectively across the membership, these skills would be available.

These group selection criteria include demonstrated expertise in a range of areas, including interrogation/ inquisitorial skills, analytical and research skills, critical and lateral thinking skills, legal experience, knowledge in First Nations Data Sovereignty, Indigenous Knowledge and Intellectual Property rights, social work /psychology and trauma-informed experience and negotiation and debating skills.

- **“The Inquiry could have a mix of people – it could have two or three people who are good at bringing stories out of people, and 2 others that may be better at report writing – rather than everyone having the same skillsets, there can be a division of roles.”**

- Beaudesert Community Consultation

- **“You won’t want ‘group think’ – you need individual thinking with different perspectives.”**

- Beaudesert Community Consultation

### Membership Structure for Inquiry

While the Act provides some guidance as to the structure of the Inquiry Membership, communities provided further parameters that should be considered.

#### Non-Indigenous member

- **“We need to be inclusive of non-Indigenous people. Every community needs to work on being more inclusive.”**

- Toowoomba Community Consultation

While the majority of members of the Inquiry are to be First Nations peoples, there is capacity within the Act to have one non-Indigenous member. While some feedback was supportive of all members being First Nations, the majority believed that the Inquiry should include at least one non-Indigenous member.

This non-Indigenous member will be critical in assisting to reframe the relationship between First Nations peoples and non-Indigenous Queenslanders.

- **“Truth telling and healing is everyone’s business. Everyone should be involved.”**

- Ipswich Community Consultation

#### Rotating or subbing membership model

- **“Having rotating members who can sub in when needed would assist with dealing with trauma.”**

- Beaudesert Community Consultation





Communities suggested the need for a core membership of five members (as outlined in the Act), with a pool of five additional 'substitutes' that would be able to temporarily take the place of an Inquiry member as required. Feedback noted the trauma that members could experience given the sensitive nature of the topics and issues being discussed, and the possibility for members to take a break from the Inquiry. Substitutes could therefore be used when an Inquiry member is on leave or if there is no appropriate person available to conduct a truth-telling session.

### Gender and cultural diversity

While community feedback stressed the importance of getting both gender and cultural balance, having the right skill-base of members was seen as fundamentally more important. Therefore, while a priority should be placed on attempting to achieve gender and cultural balance, this may be more appropriate as an aspiration rather than a strict requirement. Overall, community feedback outlined that there does not need to be equal Aboriginal and Torres Strait Islander, or equal male and female representation on the membership, but they should be considered in attempting to get some sort of balance.

### Role of the First Nations Treaty Institute

As outlined in the Act, the key priorities and functions of the Institute are to develop in consultation with First Nations peoples and the State a treaty-making framework, and to support and empower First Nations peoples to participate in the treaty process.

- *“There needs to be some kind of safeguard, such as with rotating members. There could be a model where there are five active people, but a pool of 10 people to draw from. This considers the challenge of work involved and the duration of the Inquiry (currently three years).”*

- Ipswich Community Consultation



The treaty-making framework will consider elements such as the construct of a treaty party, the roles and responsibilities of a treaty party, dispute resolution strategies and the legal effect of treaties.

The Act clearly states that the Institute itself cannot be a 'party' to treaty negotiations, nor can it act on behalf of a party to negotiation for a treaty - its role is to support First Nations peoples to enter into treaty negotiations. Supporting First Nations peoples to become 'treaty ready', will be a key focus of work for the Institute.

The Act outlines that the Institute will be governed by the Treaty Institute Council, made up of 10 First Nations peoples. As mandated by the Act, there is an inaugural Institute Council, that runs for a term of two years from the date the Institute is established. The role of the Institute Council, during their inaugural two-year term, is to fulfil the functions of the Institute as outlined above, and provide advice to the Minister through an 'inaugural report' on the recommended appointment process for Institute Council members into the future.

- *“Giving Queensland a treaty means we have a voice, so we want a treaty. We want a voice because we don't have one currently. We have different organisations that are divided, but we need to come together.”*

- Weipa Community Consultation

- *“Our old people always believed they needed to have something in place for the next generation, and we need to think about that in the context of treaty. Have a go at it, see if it works. It won't be perfect. But people can buy in and make a contribution so they own it and it has a better chance.”*

- Cherbourg Community Consultation

- *“Treaty is about giving back what was stolen.”*

- Woorabinda Community Consultation

### Inaugural Members of the First Nations Treaty Institute Council

The following section provides an overview of the community feedback provided in selecting the inaugural two-year Institute Council. This inaugural Institute Council will be responsible for providing a recommendation to the Minister regarding the ongoing appointment process of Council members.

### How to become a member of the Institute Council

- *“This selection process is key to the ultimate goal of having responsibility for choosing who will guide the process - the process for the selection of people needs to engage both locally and regionally. We need to have a transparent and unbiased process.”*

- Bundaberg Community Consultation

Similar to the application process for Inquiry members, community members supported an EOI application process for Institute Council members, where candidates are required to provide their resume as well as a written statement or alternate format which sets out:

- how they meet Key Selection Criteria
- how they meet Group Selection Criteria
- their motivations for wanting to be a member of the Institute Council
- what they could contribute and bring to the process.

Feedback from consultations emphasised that the EOI process for the Institute Council must be flexible and cater for diverse needs and requirements of applicants. This was based on community views that other formats, such as a video statement, can showcase other skills, such as oral communication skills.

Communities expressed the need for candidates to provide or demonstrate community endorsement through either a letter of support from an Elder or community organisation, or through a cultural referee. Candidates can also be nominated by a First Nations person or a community-controlled organisation. For the process to have legitimacy and credibility,



Institute Council members must be selected through an accountable process and as much as possible be guided by the views of First Nations Peoples.

Communities recommended that an Independent Assessment Panel, separate from the Queensland Government be used to assess applications and provide recommendations to the Minister for the Institute Council Members. This Independent Assessment Panel should contain all First Nations People, who enjoy the confidence of both the Aboriginal and Torres Strait Islander community, and the Queensland Government. An independent recruitment agency could be procured to assist the Panel to handle enquiries, receive EOIs and compile applications.

• **“Applicants will need to have a letter, or some kind of evidence to show community support – it could be going and talking to your PBC.”**  
- Hervey Bay Community Consultation

### Candidate criteria for the Institute Council

• **“The people need to be passionate, be driven and have the courage to speak up. They need to not be scared to back down when confronted with racism and discrimination.”**  
- Mount Isa Community Consultation

Like the candidate criteria for the Inquiry members, community suggested that there are criteria which should be considered mandatory for all individuals to meet, and group criteria which the Council Members should collectively meet, to ensure that there is a broad range of interdisciplinary skills in order to complete the complex work required of the Council Members. Applicants should be required to outline and demonstrate how they meet both the individual criteria, and any of the group candidate criteria.

The idea that members of the Institute Council be selected based on strong cultural principles and values relating to individual character and behaviour, was seen as important to many communities consulted. Many communities indicated that technical and educational

skills and qualifications while important, were not as important selection criteria as demonstrated experience and expertise of working with and understanding First Nations communities and cultures.

Council members should demonstrate the following key selection criteria:

- Cultural integrity and authority
- Courage and strength
- Impartiality and independence
- Lived experience as an advocate for Aboriginal and/or Torres Strait Islander peoples.

• **“The consensus is about having community involvement and participation, so there needs to be something in the candidate criteria about what you have done in the community – for example, what events you have attended and what involvement you have had.”**  
- Townsville Community Consultation

• **“We need to have people from the grass roots on the Council – grass roots people are educated and know how to figure out problems.”**  
- Rockhampton Community Consultation

Communities expressed that while experience and expertise of working with First Nations communities is crucial for all members of the Council to possess, professional experience and technical expertise would also be required. Community identified specific skills which would need to be present across the Institute Council, but that not all members must possess. These collective skills are required in order for the membership group as a whole to effectively meet and deliver the key functions of the Institute.

It was considered that Council members meet one or more of the group criteria:

- Demonstrated experience and expertise in negotiation, actioning and resolving problems

- Demonstrated governance experience of working on a Board/s and compliance with legislative requirements
- An in-depth knowledge of relevant financial systems
- An in-depth knowledge of the legal obligations of a Board member
- Demonstrated experience in Indigenous rights and social justice.

• **“People need to have experience in governance and being accountable and compliant, as well as know how to negotiate – including negotiating with Government. They need to be able to get people to talk freely.”**  
- Cairns Community Consultation

• **“It would be valuable to have someone who has a legal or constitutional background. They would be able to lead this work and have knowledge of the key parts of a treaty and can understand its significance.”**  
- Mount Isa Community Consultation

### Membership Structure for the Institute Council

In accordance with the Act, the Institute Council must be constituted by First Nations peoples and reflect gender diversity. Further considerations for the structure of the Institute Council included:





## Cultural diversity

- **“The membership needs to reflect the diversity in our population. There is census data from 2021, where a majority of people identify as Aboriginal, there are less Torres Strait Islanders and people who identify as both Aboriginal and Torres Strait Islander. The makeup needs to reflect this.”**

- Ipswich Community Consultation

Acknowledging that it is not possible to have a representative model across all the nations in Queensland, some communities expressed support for using demographic data to inform the cultural makeup of the Council, in alignment with the most recent census data. According to the latest 2021 census data, 81.5% identified as Aboriginal, 9.2% identified as Torres Strait Islander and 9.3% identified as both Aboriginal and Torres Strait Islander. If pursuing a demographic model, a majority of Council members would be Aboriginal, with a smaller proportion of Torres Strait Islander, and people who identify as both Aboriginal and Torres Strait Islander. In addition to this cultural breakup, community members stated that the Council must be representative of Aboriginal and Torres Strait Islander peoples across the entire state of Queensland where possible, as well as include Torres Strait Islander representation from both the Torres Strait and the mainland.

- **“There is something like 50,000 Torres Strait Islander People who live on the mainland, and who never get their voices heard. They have different needs and cultural differences that need to be advocated for and included.”**

- Rockhampton Community Consultation

- **“Mainland Torres Strait Islanders have different perspectives and views to those that live in the Torres Strait - this needs to be taken into consideration.”**

- Thursday Island Community Consultation

## Geographic representation

- **“There needs to be representation from remote, rural, regional and metro areas. We all have different needs. People in DOGIT communities have different interests and needs as well. And there are different laws that need to be taken into account.”**

- Townsville Community Consultation

While the Act does not mandate geographical diversity/representation, a representative cross-section of geographic regions in Queensland, was viewed by the majority of communities as favourable.

While some communities expressed support for following a geographic model of representation, such as utilising previous Aboriginal and Torres Strait Islander Commission (ATSIC) boundaries, there was no set consensus on using these boundaries. If not implementing geographical guidance through the ATSIC boundaries, communities have strongly expressed that there must be a certain degree of geographic representation, which is to take into consideration the differences between urban, regional, rural and remote communities, and have members who come from across the spectrum.

Community feedback stated that while Council Members do not have to reside within Queensland to apply, they must come from and be connected to country and community within Queensland.

- **“For it to be considered representative, you can't have all Council Members coming from Brisbane. There needs to be a spread.”**

- Hervey Bay Community Consultation

## Diversity of people

- **“Diversity is really important - there needs to be consideration of people with disabilities, as well as elders and youth. We need to think of everyone. There are people with lived experiences, not just with qualifications. Diversity across all sectors is important.”**

- Townsville Community Consultation

Community feedback recognised the particular circumstances of the dispersal of both Aboriginal and Torres Strait Islander peoples during the colonisation of Queensland. Communities broadly supported stolen generation representation to be on the Institute Council. This is raised with consideration also afforded to the cultural knowledge that a stolen generation representative might have, and the need to consider how an individual engages with community and their efforts made to learn about their community. A stolen generation representative would need to have the desire and commitment to being connected to their community, and demonstrate cultural integrity and standing, in order to be on the Institute Council. Feedback from consultations reinforced the need for diversity of age and backgrounds to be represented on the Institute Council. This includes having representation from both Elders and youth. At the same time, it was recognised that with only 10 members there are limits to the extent of representation across all different groups and sectors of the Aboriginal and/or Torres Strait Islander populations.

It has been highlighted that the work of the Council can be buttressed by the advisory committee structure provided in the Act. Various committees can be established to provide additional expertise, to assist the Council to perform its functions. This can also take into consideration the limitations of achieving cultural, gendered and geographical or regional representation amongst ten Council members. Suggestions have been made by communities that it may be culturally appropriate to establish committees that provide additional cultural and gendered expertise, such as a specific female Aboriginal, male Aboriginal, female Torres Strait Islander, and male Torres Strait Islander committee. This can be used to ensure gender and cultural inclusion which would prove difficult to achieve on the ten person Council when prioritising communities' preference for appointing a skills-based council.

- **“One of the members could be a stolen generation representative - but they have to be someone who engages in their community.”**

- Roma Community Consultation

- **“While diversity is important, it should be about getting the best people for the job, and this doesn't always equate to diversity.”**

- Beaudesert Community Consultation

## Next Steps

The Institute is anticipated to be operational in 2024. At this point, the ITTB will be resolved and the work of the ITTB will largely transition to the Institute. The information and feedback provided during the ITTB community consultations will be provided as advice to the Institute, including relating to for example the framing of the Treaty-Making Framework and treaty readiness, and aspirations for truth-telling, as well as community experiences and concerns relating to native title, the criminal justice system and service delivery.

## Treaty

Once the Institute is operational, a key priority of its work will be the development of a treaty-making framework in consultation with First Nations peoples and the State. In order to be done right, this framework may take a few years to develop.

The treaty-making framework will need to consider the processes for engaging in and conducting treaty negotiations, any required dispute resolution strategies as well as approaches to ensure legal enforceability of treaties.

The Institute will also need to work with communities to consider the different ways a treaty party can be constituted, as determined by First Nations Peoples. Work will also need to be done to build community treaty readiness, in order for communities to be ready to enter into treaty negotiations. Consideration will need to be given to First Nations communities experiences of other processes, such as native title, and ways of bringing everyone to the table.



## Truth-telling

Local truth-telling will play a role in engaging, informing, and educating local communities. It provides opportunities for communities to learn about themselves, significant events or community characters who have shaped their history and informed their community identity and relationships today, prepare individuals and communities to participate in the formal truth-telling and healing inquiry, and promote healing.

Collective stories can be used to tell local histories that come together as part of the collective Queensland story, through a variety of formats, including for example documentaries, online formats, memorials, music and art, repatriation and ceremonies to return items of importance, renaming, and commemoration events.

The ITTB has begun engaging with Queensland communities to begin to lay the foundation for a sustained approach to truth-telling and healing. Discussions often occurred at ITTB community consultations regarding examples of local truth-telling, ways truth-telling could be conducted, and what sort of supports may be required in order to conduct truth-telling effectively and culturally appropriately.

This information will be used by the ITTB to inform the work of the Institute and the Inquiry, as preparation for the ongoing truth-telling that these two bodies will be required to undertake.

## Truth-telling Strategy and Community Guide

To prepare for truth-telling, the ITTB is facilitating the development of a Queensland Truth-telling Strategy and Community Guide. The Strategy will support the different stages of truth-telling, and the Community Guide will provide guidance to Queensland communities to design, develop and deliver trauma informed, culturally safe local truth-telling activities, in accordance with local aspirations.

## Community experiences and concerns

The vast range of community challenges, issues, concerns and priorities that were identified and discussed at the ITTB community consultations across the State will be provided to the Institute to inform their work. Commonly identified issues were the trauma and disruption associated with Native Title, a lack of trust in the Government and their commitment to the process, a lack of community-based decision-making power and resourcing to address issues within communities, and service delivery failures.





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TRUTH AND  
TREATY BODY**