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IPAN's Vision: An Independent and Peaceful Australia

Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs
PO Box 6021
Parliament House
Canberra ACT 2600

20 Sept 2024

IPAN Submission to: Inquiry into Truth and Justice Commission Bill 2024

Dear Committee Secretariat,

The Independent and Peaceful Australia Network (IPAN) welcomes the opportunity to contribute this written submission. IPAN is a national body comprised of peace organisations, faith organisations, trade unions and environmental and anti-nuclear groups. IPAN campaigns for an Australia that acts independently of foreign influences and alliances in the best interests of the Australian people, seeking and promoting peaceful and mutually beneficial relations with all countries.

IPAN and its member organisations are deeply concerned about the matters being considered Inquiry into Truth and Justice Commission Bill 2024. While IPAN was formed to work towards a peaceful and independent Australia, we believe that the matters under consideration in this Inquiry are pivotal to achieving these aims.

The Preamble to IPAN's constitution states the following:

The Independent and Peaceful Australia Network (IPAN) recognises that the creation of a truly peaceful and independent Australia requires addressing the cruel and unjust colonisation of Aboriginal and Torres Strait Islander lands and seas, which began under British Law, and has continued under Australian Governments since Federation. IPAN acknowledges that sovereignty was never ceded and supports the aspirations of Aboriginal and Torres Strait Islander peoples for self-determination.

IPAN supports the Truth and Justice Commission Bill 2024 which would establish a national Truth and Justice Commission to inquire into and make recommendations to Parliament on matters relating to historic and ongoing injustices against First Peoples in Australia and the impacts of these injustices on First Peoples.

Here below we outline several factors which IPAN believe support the establishment of a Truth and Justice Commission.

- IPAN is aware of the calls First Peoples in Australia, over very many decades, for process to be put in place to allow for truth-telling to take place across the country, which is seen as a critical underpinning to one day establishing truth about our shared history, and as a vehicle toward justice and greater self-determination for their communities.
- It is very important to acknowledge that Community-led truth-telling has been underway for many decades across the continent, often led by First Peoples. The Voice Referendum process revealed much division within our country and exposed some long-standing biases and misinformation that persist within our broader society and we believe that opening up a formal mechanism for truth telling to acknowledge and name historic and ongoing injustices against First Nations' Peoples will greatly assist in fostering a greater shared understanding of the history of this country.

- Part of a national truth-telling process should take a strengths based approach and allow for an increase in public awareness of First Nations’ culture, community and connection to Country so that these can play a more central role in contemporary Australia.
- A national Truth and Justice Commission would provide the majority of Australians with an opportunity to engage in truth-listening to confront the ways in which the settler colonial system continues to benefit non-Indigenous peoples at the expense of First Nations’ rights.
- Truth-telling is an ongoing shared and active process between First Nations Peoples and non-Indigenous Australians that must be more than First Nations’ Peoples revisiting their trauma – and requires non-Indigenous Australians to listen and participate where both parties engage as equal partners.
- IPAN firmly believes that a national Truth and Justice Commission needs to function alongside and as part of a process that is preparing Australia to be ready for a future treaty.
- In 2022, IPAN released the findings of the IPAN-led People’s Inquiry: Exploring the case for an Independent and Peaceful Australia¹, where a number of the 280 submission writers raised issues around the past treatment of first Nations’ Peoples and the need for reforms, for example,

Recommendation 3(d), related to the area of ‘Consultation with Aboriginal and Torres Strait Islander Peoples’. The Australian Government should: (d) Engage in meaningful modern treaties with Aboriginal and Torres Strait Islander Peoples.
- We believe that the process must be enabled and empowered to facilitate structural change to ensure that power relations can be rebalanced in a sustainable way going forward and must include a commitment to meaningful action that ensures First Nations’ communities can exercise their right to self-determination.
- A national Truth and Justice Commission which is backed by the Federal Government would be a very significant indicator of the intent of government to play a leading role in establishing and supporting community-led local truth processes. Strong leadership by the Federal Government would also signal support for truth process to occur also at the state and territory level.
- We also believe that it is critical that there be a non-partisan approach to the establishment of a Truth and Justice commission. In addition it is crucial no side of politics uses First Nations’ people for political ends, whether directly or indirectly through third parties (such as lobby group Advance Australia).
- We believe it is beyond time for governments to relinquish control and to hand meaningful decision-making power back to First Nations communities, where it belongs.
- When landmark truth-telling processes have taken place in the past, unfortunately, the Government has not adequately listened to nor implemented in full recommendations that have arisen from these truth-telling processes. Our country has still failed to implement so many of the recommendations from the 1987 Royal Commission into Aboriginal Deaths in Custody, and the 1997 Bringing Them Home Report, for example.

¹ IPAN 2022, *Charting Our Own Course* https://ipan.org.au/wp-content/uploads/CHARTING-OUR-OWN-COURSE_softcopylinks.pdf

- The IPAN People’s Inquiry also highlighted issues around the ‘Lack of Adequate Consultation and Respect’, stating that:
 - *“It is notable that a consistent theme in all forums was the lack of adequate consultation and respect in relation to decisions about military exercises or defence developments on the lands of Aboriginal and Torres Strait Islander Peoples. In this context, the work of researcher Amy Thomas and Indigenous researcher Yin Paradies is important. Although this pair recently noted the increased ‘inclusion’ of Indigenous perspectives across mainstream newspaper and television networks, they found this often does not go beyond ‘surface level inclusion’.*

In addition, according to Thomas and Paradies, surface level inclusion is: absence of negative stereotypes, but excluding Indigenous authors, perspectives, historical and cultural contexts, and voices.²

- The IPAN Inquiry report also noted that:

*Aboriginal voices representing lived experiences and concerns are hard to find in the space occupied by Australia–US military involvement. In addition, discussions relating to matters of this Inquiry highlighted strong concern especially about land-clearing and associated damage to sites, land and fauna. Another concern was failure in consultations to seek and obtain guidance from custodians, in contrast to ‘decimation [of Country] for greed’.*³
- The establishment of a national Truth and Justice Commission would also complement and support the many community-led truth telling processes that are underway at a local level, and encourage these place-based processes to be established in other communities. It has been well established that many First Nations Peoples believe that engaging in these local, community-led truth-telling processes with their non-Indigenous neighbours and community members will be a powerful and transformative process that can change how individuals see each other, and develop greater collective responsibility and social cohesion and avoid mistakes from the past being made again.

Factors to consider in how a national Truth and Justice Commission might operate

- It is vital that once a national Truth and Justice Commission is operational, that there is opportunity for anyone who wishes to make a submission to the Commission to be able to do so and for everyone who wishes to be able to listen or view the submissions being able to do so as well.

For maximum value, this exercise must be both national and local community-centred. To that end:

- (i) Hearings should be public unless the person making the submission requests a closed session, in which case that should be respected.
- (ii) Hearings should be held not just in capital cities, but in suburbs of capitals and also in regional/country and remote areas
- (iii) Some hearings should be conducted in evenings/Saturdays to maximise the opportunity for working people to be able to attend to listen or make submissions.
- (iv) Flexibility regarding the lay out for hearings - e.g. more formal court style procedure OR circle style format which could be more inclusive and impactful, and less formal. Layout could be determined by the wishes of the person making the submission.

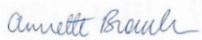
² Archie Thomas & Yin Paradies 2021, ‘Included, but still marginalised: Indigenous voices still missing in media stories on Indigenous affairs, The Conversation, July 1, 2021. cited in IPAN 2022 https://ipan.org.au/wp-content/uploads/CHARTING-OUR-OWN-COURSE_softcopylinks.pdf

³ IPAN 2022, *Charting Our Own Course*, https://ipan.org.au/wp-content/uploads/CHARTING-OUR-OWN-COURSE_softcopylinks.pdf

- (v) The Commission needs to be resourced to allow for every public session to be recorded and be broadcast publicly to give maximum opportunity for the broader community to access. If live broadcasting of public submissions is not possible then it will be important for recordings to be subsequently made available for public access.
- (vi) The Commission also needs to be resourced to ensure appropriate security measures are in place to ensure the physical and emotional protection of all people making a submission (and their supporters) as well as members of the Commission.

IPAN thanks the Committee for the opportunity to contribute to this Inquiry and read the matters that we have raised. We look forward with optimism and hope to the outcome of this inquiry process.

Yours sincerely



Annette Brownlie
IPAN Chairperson
On behalf of the Independent and Peaceful Australia Network



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