

Transitional Justice in Australia and the Pacific Series:

# TRUTH TELLING AND RECONCILIATION IN AUSTRALIA

Asia Justice and Rights



*This paper is part of AJAR’s series on transitional justice in Australia and the Pacific.*

**Edition:** first, December 2021

**Research and Writing Team:** Kieran Dwyer

**Editors:** Matt Easton, Patrick Burgess and Nick Dobrijevic

**Front Cover and Layout:** Ineke Finlay

**Photos:** front cover photos taken at Black Lives Matter protest in Sydney, June 2020.

Published by Asia Justice and Rights (AJAR).

This work was carried out with funding from the Government of Switzerland. The views expressed herein do not necessarily represent those of the Swiss Government.

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First published December 2021

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This paper provides an overview of Australia's experience with Indigenous truth telling processes. Discussion centres on the Indigenous-led struggle for recognition and rights, dating to the first contact with European arrivals. The paper is aimed at transitional justice and human rights practitioners, including Indigenous peoples, in the Asia-Pacific.

The paper begins with a brief outline of the historical context of Australia, including colonial claims of sovereignty, policies toward Indigenous peoples, and the phases of the ongoing struggle of Indigenous people.

This struggle is the foundation for the historic 2017 Uluru Statement from the Heart. The Statement was the culmination of unprecedented, Indigenous-led consultation with communities across the country. The Uluru Statement reasserts Indigenous sovereignty, which was "never ceded or extinguished", and calls for formal recognition through treaty-making, which has never taken place in Australia. The Statement views truth telling as a precursor to treaties and to constitutional amendments to ensure self-determination.

After outlining the background and ongoing follow-up to the Uluru Statement, the paper reviews emerging treaty and truth telling processes at the sub-national level. Truth telling can take place at many levels and in many ways. Even when national debate and action is necessary, local processes are critical to the daily lives of people, and are sometimes more politically feasible than national action.

The case studies section begins with two major truth telling processes, followed by civil society initiatives involving culture and the arts, university research, and truth telling and reconciliation at the community level. Findings from an Indigenous symposium on truth telling are also described.

Finally, the paper outlines Australia's

30-year process of official policies on reconciliation, especially as it relates to truth telling.

In addition to drawing lessons from the case studies, the paper concludes with overarching lessons useful to practitioners engaged in truth telling processes that involve Indigenous peoples in Asia-Pacific.

AJAR is a regional non-governmental organisation working across the Asia-Pacific region in support of truth telling mechanisms and victims of human rights abuses within a transitional justice framework. AJAR is not an Indigenous organisation. We do not operate programs in Australia. This briefing paper was prepared for members of the Transitional Justice Asian Network, to share experiences and lessons related to truth telling processes and Indigenous peoples worldwide as a step to strengthening partnerships with Indigenous communities in Asia-Pacific.

Asia is home to the world's largest population of Indigenous peoples, many of whom still struggle for the most basic level of recognition as distinct peoples. Many are especially vulnerable in the face of conflicts as well as uncontrolled economic and development practices in their ancestral lands and territories, including continuing acts of dispossession, theft of natural resources and targeted violence.

AJAR has worked with Indigenous peoples in a number of countries. We approach this work humbly, acknowledging that Indigenous peoples themselves lead their struggle for recognition and the realisation of their rights. In solidarity, we have much to learn. At the same time we believe that non-Indigenous human rights organisations, and indeed governments, can do much more alongside Indigenous organisations and communities in a rights-based framework to address past and current injustices.

There are more than 250 Indigenous nations across the continent and islands of Australia. This rich diversity of peoples and cultures have lived on the land for more than 65,000 years as the world's oldest continuous cultural heritage.

Indigenous people make up 3.3% of the population of Australia (2016 figures). Indigenous people and the government often use the term Aboriginal and Torres Strait Islander peoples. They also identify themselves by their specific Indigenous nationalities, or collectively as First Nations or First Peoples.

#### *First contact and early colonisation*

European explorers first travelled to the continent in the early seventeenth century, from Holland, France and Britain. From at least 1700, Makassar fishermen and traders from the island of Sulawesi in the Indonesian archipelago regularly visited the north of the continent and engaged with Indigenous communities. In 1770, Captain Cook of England charted much of the east coast, engaging with Indigenous peoples in a limited way in several locations. Believing no other European power had seen the east coast, Cook proclaimed British sovereignty over the entire region.

In 1788, Britain landed in the area of modern-day Sydney and established a penal colony with a militarised form of government. In doing so, the British claimed sovereignty over not only the coastal area claimed by Cook but to the eastern half of the continent. While they knew of the presence of Indigenous peoples, they did not seek their consent to settle the land, let alone establish exclusive sovereignty. The Indigenous people never ceded their sovereignty, and there was no attempt to make treaties with the Indigenous peoples living across the entire continent in hundreds of nations with distinct territories, languages and cultures.

The British applied the legal concept of terra nullius, deeming the entire territory uninhabited land and therefore open to be colonised under the sovereignty of the British Crown. Underlying this designation lay a deep-seated racism, considering the Indigenous peoples as "savages" and "primitive."

As the colonial settlement expanded, Indigenous communities resisted and a period of frontier wars erupted. Diseases brought by the Europeans also devastated Indigenous communities. Following frontier conflicts, a long period of violent dispossession took place through the nineteenth century and into the twentieth century in some areas. Colonial expansion across the north took place much later than the southern regions. Frontier conflicts and the period of dispossession were marked by egregious violence against Indigenous peoples, including many massacres, poisonings, forced displacement and deaths by disease. This violence also led to terrible damage to the cultural, social and economic rights of Indigenous peoples, individually and collectively.

The Modern State of Australia: from British government to the commonwealth, and from dispossession to assimilation

From 1788, the British governed the colonial territories from London via local governors. In the 1850s, the British government devolved power for internal self-government to most of the Australian states. From 1856 to 1900 the colonial territory was organised and governed as six individual colonies, which pursued policies of dispossession of Indigenous peoples.

In the 1890s, constitutional conventions led to the formation of a unified nation under a single constitution. Indigenous peoples were not included in these deliberations and the Constitution of Australia does not acknowledge the First Peoples of Australia.



In the twentieth century the new Commonwealth of Australia adopted assimilationist policies with devastating effects on Indigenous peoples. These policies included the forced removal of Indigenous children from their families and banning of languages.

*Beginnings of modern Indigenous resistance and activism*

From the 1920s, Indigenous Australians formed organisations to protect and advance their rights. In 1932, William Cooper founded the Australian Aborigines' League and in 1938, the 150th anniversary of the arrival of the British, Indigenous peoples organised a national conference and Day of Mourning. This achievement was the culmination of years of effort and inspired further Indigenous activism.

In 1957 the National Aborigines Day Observance Committee formed with support from federal and state governments, churches and major Indigenous organisations. The practice continues with an annual week of commemoration and celebration of struggle and culture. In 1958 the Federal Council for the Advancement of Aborigines began a ten-year campaign to end the Constitution's discrimination against Indigenous people.

In 1962, Indigenous peoples were granted the right to vote in national elections. In 1963, Yolngu leaders presented the Yirrkala bark petitions to Parliament, protesting the seizure of more than 300 square kilometres of land for mining in Arnhem Land. In 1966, Aboriginal stockmen and their families staged the Wave Hill station "walk-off" to protest poor working conditions. The Gurindji peoples' struggle developed into Australia's first successful Indigenous land claim.

In 1967, following years of Indigenous activism (including petitions, protests, and

the 1965 Freedom Rides by students), Australians voted to change the Constitution so that Aboriginal and Torres Strait Islander peoples would be counted as part of the population and the national government would be able to make laws for them. This reform marked the beginning of a new era of Indigenous relations with government and policy, shifting authority from the states to the national government.

*The modern era*

Annex 1 sets out a detailed timeline of key moments in the Indigenous struggle for human rights in Australia since 1967.

Self-determination became the national government policy on Indigenous matters in the early 1970s. However, depending on the party in power, the policy has not always been maintained. It has also not always been clear that the government sees self-determination as Indigenous peoples do, in line with international law and principles under the UN Declaration on Indigenous Peoples. In 1972, the White Australia Policy was abolished, and in 1975 the Racial Discrimination Act passed.

Land rights emerged as a central part of the Indigenous struggle from the 1960s. In 1972 the Larrakia Petition was initiated by the Larrakia people in the Darwin area of the Northern Territory, and signed by more than 1,000 representatives of Indigenous nations and communities across the country. The Petition opened with the words "Gwalwa Daraniki", meaning "our land" in the Larrakia language. Petitioning the British Queen, Australia's head of state, it highlighted that Indigenous people were forced to live like refugees on their own land. The Petition was a key action in the major events of 1972 in the Indigenous struggle, which also included the establishment of the Aboriginal Tent Embassy outside the national parliament buildings protesting the government's approach to land rights -

and which became a permanent protest site. In the 1970s, the Royal Commission into Aboriginal Land Rights was a major step that led to the 1976 Aboriginal Land Rights (Northern Territory) Act, the most far-reaching land rights laws in any part of Australia. In 1985, the sacred site of Uluru was handed back to traditional owners. The landmark 1992 Mabo decision by the country's highest court finally repudiated the colonial legal concept of terra nullius following years of struggle by Torres Strait Islander activist Eddie Mabo. In 1993, the Native Title Act established a framework for recognising Indigenous title to land, although 1998 amendments reduced these rights.

1988 marked the bicentenary of the arrival of the first British fleet, and amid large official celebrations Indigenous peoples commemorated Survival Day. Thousands of Indigenous and non-Indigenous protesters rallied across the country.

In 1990 the Aboriginal and Torres Strait Islander Commission (ATSIC), was formed. The body was elected by Indigenous peoples to advise governments at all levels, conduct advocacy at home and abroad, and deliver and monitor programs and services. However, in 2005 ATSIC was abolished.

Two major official truth telling processes have taken place, on Aboriginal Deaths in Custody and on the Separation of Aboriginal and Torres Strait Islander Children from their Families, both discussed below.

In 1991 Parliament launched a decade of official reconciliation policy and established the Council for Aboriginal Reconciliation. In 1998, the first national "Sorry Day" was held in memory of the Stolen Generations, though the Prime Minister did not apologise in Parliament until 2008. The 1990s and 2000s were marked by contentiousness over the truth of Indigenous-settler history, a period known as the "history wars".

In 2010, the Prime Minister appointed an Expert Panel on Constitutional Recognition of Indigenous Australians, which led to the Uluru Statement from the Heart in 2017. The Uluru Statement calls for Voice, Treaty and Truth, a comprehensive strategy with truth telling as the foundation for a new relationship between Indigenous peoples and the state, as well as for people-people relations.

The government initially rejected the Statement as too radical to be accepted by the Australian public in a referendum. Parliamentary committees and advisory groups continue to consider options for the way forward.

*Uluru Statement from the Heart*

In 2010, the Gillard Government established an expert panel on constitutional recognition of Indigenous Australians. This measure led to the bipartisan establishment of the Referendum Council in 2015, with 16 Indigenous and non-Indigenous members.

The Referendum Council organised regional dialogues with Indigenous communities across the country. The effort led to the First Nations Constitutional Convention at Uluru in central Australia, the first of its kind. The convention was a significant response to the historical exclusion of Indigenous peoples from the drafting of Australia's Constitution.

*The Uluru Statement from the Heart: Voice, Treaty and Truth*

Indigenous representatives drafted the Uluru Statement as an invitation from First Nations to the people of Australia to "walk with us in a movement of the Australian people for a better future." They sought a new relationship between First Nations and the Australian nation based on justice and self-determination, allowing Indigenous cultures and peoples to flourish and all to move forward.

The Uluru Statement from the Heart was adopted by the Convention, and endorsed by the Referendum Council as the culmination of its work. The Statement calls for a substantive change in the relationship between Indigenous peoples, the state, and non-Indigenous peoples. This transformation must be enshrined in treaties and the constitution, as Indigenous peoples would not be satisfied with the symbolic recognition some political leaders continue to support.

The Uluru Statement called for three strands of action:

- A First Nations **Voice** enshrined in the Constitution to enable Aboriginal and Torres Strait Islander peoples to be formally consulted on policy and legislation affecting their communities, ensuring self-determination.
- The establishment of a Makarrata Commission, with the related tasks of **Treaty** making and truth telling. Makarrata is a Yolgnu word from north-east Arnhem land, meaning “to come together after struggle, facing the facts of wrongs, and to live again in peace.”
- **Truth** telling would help realise a fair and honest relationship with government and a better future for their children based on justice and self-determination. The Uluru Statement from the Heart did not identify a truth telling model to be adopted, such as local processes or a national commission.

*Responses to the Uluru Statement from the Heart*

*Civil society*

Indigenous, and many non-Indigenous, organisations and communities have made the Uluru Statement from the Heart the central organising point for calls for action.

*National government*

The national government quickly rejected the Uluru Statement's call for an Indigenous voice to parliament as too radical. A parliamentary committee formed to consider the matter further, with hearings across the country. These were followed by a Senior Advisory Group (SAG) led by two senior Indigenous people. The committee recommended that the government support truth telling at both local and national levels, either before or after formation of an Indigenous Voice entity. The SAG will deliver its final report in late 2021.

Constitutional change in Australia requires a public referendum. Constitutional recognition of an Indigenous representative voice, the Makarrata Commission and any treaties will depend not only on political goodwill but also on a majority vote by non-Indigenous and Indigenous people.

State-level treaty and truth telling processes

Treaty processes are starting to emerge at the state level, with a truth telling process consistently seen as a necessary preparatory process. One state truth commission has formed but has yet to begin public work (Victoria), while others are under discussion (Northern Territory, Queensland). In addition, many local initiatives on truth telling and recognition have grown, and a treaty process is in its early stages in Tasmania. A brief overview follows.

*Victoria: Yoo-rrook Justice Commission (May 2021)*

Yoo-rrook is a Wemba Wemba/Wamba Wamba word for truth. In 2019, following more than two years of consultation with Indigenous peoples, Victoria established a First Peoples' Assembly of 32 elected and appointed Indigenous people to lead

treaty making. Acknowledging that a truth telling and justice process was a necessary precondition to a treaty, the state government and the Assembly established the Yoo-rrook Justice Commission in May 2021. Commissioners are yet to be appointed, and public work has not begun.

*Northern Territory*

The Northern Territory Treaty Commission is an independent office established in 2019 to help develop a framework for treaty negotiations. It delivered an interim report in 2020, and will deliver its final report in 2022. The first Treaty Commissioner was Indigenous lawyer Mick Dodson, a former commissioner in the inquiry into the separation of Indigenous children.

The Memorandum of Understanding that established the Treaty Commission acknowledged that Indigenous people are the prior owners and occupiers of the land, seas and waters, that they were self-governing in accordance with their traditional laws and customs, and that they never ceded sovereignty. It was also agreed that deep injustice had been done to the Aboriginal people of the Northern Territory, including violent dispossession, the repression of their languages and cultures, and the forcible removal of children, leaving a legacy of trauma and loss.

The Treaty Commission advised that truth telling should precede treaty negotiations and published a detailed discussion paper outlining key issues and options in February 2021. Towards Truth Telling called for a truth commission to begin work as soon as possible.

*Queensland*

In 2019, the Queensland government established Tracks to Treaty, an initiative to reframe the relationship with Indigenous Queenslanders. An Eminent Panel was established to advise the

process, led by prominent Indigenous leaders. The Panel called for truth telling and healing to chronicle the history of First Nations peoples prior to colonisation, the history and impact of colonisation, and more recent history. In early 2021, the state government committed to a truth telling process as a step toward a treaty and formed a preparatory committee.

*South Australia*

In 2016, the South Australian Government started to prepare for a treaty process, before a pause due to change of government. The former Treaty Commissioner reported to the incoming government and a Parliamentary committee that Indigenous communities wanted to start a conversation on a treaty but overwhelmingly preferred to negotiate separately as nations rather than collectively.

*Tasmania*

In June 2021, the state premier appointed a former governor and a law professor to lead talks with the Indigenous community on a path to reconciliation and a treaty. They are expected to report back by the end of the year with proposals to move forward. Some Indigenous leaders have called for a truth telling process to be included.

*Western Australia*

There has been no government action on treaty or truth telling initiatives following the Uluru Statement from the Heart. However, some commentators, including Indigenous leaders, regard Western Australia to have already committed to Australia's first treaty. The South West Native Title Settlement was a negotiated agreement between the Noongar people and the Western Australian Government in 2015. The Settlement resolves native title claims in perpetuity, in exchange for a package of benefits that includes recognition through an Act of Parliament,



a perpetual Noongar Boodja Trust, access to certain crown lands for customary activities, the joint management of national parks and a conservation estate, and funds and land for a Noongar Cultural Centre. The Settlement aimed to enable the Noongar people to “control their own destiny, and build a solid future for generations to come.”

## Official Truth Telling on Indigenous Issues

Two major milestones in Indigenous truth telling took place in the 1980s and 1990s. They were official thematic inquiries rather than investigations into the full historical experiences of Indigenous peoples.

These groundbreaking processes uncovered terrible truths about the experiences of Indigenous people. Both issues remain unfinished business: the over-representation of Indigenous people in the criminal justice system persists thirty years later, and the removal of Indigenous children from their families continues at high rates, albeit under different policies. Each process has important lessons for truth telling processes in Australian and abroad.

*Royal Commission into Aboriginal Deaths in Custody (1987–91)*  
Background to the truth telling process

Following the large number of Indigenous deaths in custody in the 1980s, Indigenous community activists demanded an inquiry. Soon after they presented their case to the United Nations in 1987, the Australian government announced plans to form a royal commission.

Initially only one commissioner was appointed, but the discovery of more deaths in custody soon led to the appointment of four more. Four of the five commissioners were legally trained, only one was Indigenous, and all were men.

### Mandate

Royal commissions are frequently used in Australia to investigate political wrongdoing or major social issues and make policy recommendations. They are formal, legal entities operating in a quasi-judicial manner.

The Commission examined all deaths in custody between 1980 and May 1989. This commission pre-dated recent multi-disciplinary truth commissions. However, shortly after it began work its mandate was amended to consider the underlying social, cultural and legal issues bearing on the deaths, in addition to more legalistic case by case investigations. It could ask not just how people died, but why:

Why do Aboriginal people ... have twenty times the risk of dying in police custody and ten times the risk of dying in prisons? Why are so many arrested and put in cells and prisons? Are they treated fairly by law? Why are so many Aboriginals unemployed, poorly housed, poorly educated? Why is their health poor? Why is their life expectancy shorter than other Australians?

### Methodology

When hearings began in 1988, the commission set out to examine 44 cases, a figure that eventually grew to 99. The commission conducted interviews with and received submissions from family members, government agencies, Indigenous organisations and community members. Public hearings for each death were held in a quasi-judicial manner in the hometown of the deceased, the town in which the death occurred, or a capital city. The commission avoided using local courtrooms for hearings in rural and regional towns because of their negative associations for Indigenous people.

Investigating underlying issues, the commission relied upon sociological and criminological research, public meetings,

and submissions to understand how Indigenous people lived and to appreciate the way colonisation has affected them. A year and a half after the commission began, Aboriginal Issues Units were set up in all six states and the Northern Territory to improve research into the underlying issues.

### Final report: findings and recommendations

The five-volume report, tabled in the national parliament in April 1991, found that Indigenous people were vastly over-represented in custody, leading to the large number of deaths. The Commission also found that almost half of those who died had been separated from their families as children.

The report made 339 recommendations on underlying issues, focused primarily on:

- The adequacy of police and coronial investigations into deaths in custody.
- Self-determination and empowerment.
- Social, educational, vocational and legal services for Indigenous youth.
- Cultural diversity and the need for culturally sensitive practices in the dominant criminal and legal justice systems.
- Managing alcohol and substance abuse.
- Improving police relations with, and treatment of, Indigenous people.
- Improving custodial care.
- Conforming with international obligations.
- Addressing land needs.
- The importance of reconciliation.

### Follow up

In 1991, Parliament established the Council for Aboriginal Reconciliation, led by an Indigenous former Royal

Commissioner, Pat Dodson. When the Council was disbanded in 2000, Reconciliation Australia formed in 2001 to continue its work.

In 2016, Commissioner Dodson said in a major speech.<sup>1</sup>

By and large, the problem the Royal Commission was set up to examine and advise governments on has become worse. This raises the question of how effectively the Commission's recommendations have been implemented ... and whether the issues identified by the Commission are understood or even considered important ... For the vast bulk of our people the legal system is not a trusted instrument of justice — it is a feared and despised processing plant that propels the most vulnerable and disabled of our people towards a broken, bleak future.

Thirty years after the completion of the Royal Commission, criticism persists about the failure to implement recommendations. There continues to be an over-representation of Indigenous people in custody and as victims of death in custody. As of April 2021, 474 Indigenous people had died in custody since the closure of the Commission.

In 2020, Indigenous activists led Black Lives Matter protests across the country, calling for urgent action on the incarceration of Indigenous people and their deaths in custody. In 2021, the rate of incarceration for Indigenous people in Australia was 1,935 per 100,000 adults, compared to a non-Indigenous rate of 166 per 100,000. And they are jailed at younger ages: in 2019 nearly 65 per cent of children under 14 in detention were Aboriginal and Torres Strait Islander.

<sup>1</sup> Pat Dodson's full speech is available via the National Press Club: <http://www5.austlii.edu.au/journals/IndigLawB/2016/12.pdf>

Some lessons

- A supportive and trusting environment requires educating those most affected by the outcome about the reason for the inquiry and its powers. Such an environment is needed to collect information. Building and maintaining wider public support is a key ingredient of success, even before a commission is established.
- A clear understanding of the problem is needed before establishing an inquiry and launching an investigation. The Royal Commission's mandate had to be altered to allow it to look more thoroughly at the underlying issues of the crisis, beyond a legalistic approach to individual cases.
- Some observers considered this research work under-resourced compared to the more legalistic investigations, and the focus on how to prevent deaths to be too narrow, technical and legalistic. Instead, some argued, a deeper study of the underlying issues through sociological research might have served Indigenous people better.
- The all-male Commission has been criticised for marginalising Indigenous women. For example, the commission was said to have inadequately considered major risks to Indigenous women's health and safety, such as family violence and police treatment.
- Lack of time and resources, including the number and type of staff in each office, influenced the scope of the Commission's work to a large extent.
- Some Indigenous people were particularly disappointed with the failure of the Commission to apportion blame to individual police and custodial officers.
- There was inadequate monitoring of the implementation of recommendations, and a lack of involvement of Indigenous peoples and organisations. At the 30th anniversary of the final report, competing monitoring reports brought

a political spectre to the debate rather than a focus on the impact on Indigenous peoples.

*National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families (1995–97) by the Human Rights and Equal Opportunity Commission.*

Background to the truth telling process

Government laws, policies and practices resulted in the forcible removal of generations of Aboriginal and Torres Strait Islander children from their families and communities. The practice became a systematic part of the policy of assimilation adopted by all Australian governments in the twentieth century. Thousands of children were removed by governments, churches and welfare bodies. They were handed over to institutions run by churches and non-government organisations, adopted by non-Indigenous families, or made to work as domestic servants and farm hands. Many children suffered very harsh, degrading treatment, including sexual abuse. They had limited or no contact with families, and were frequently indoctrinated to believe in the inferiority of their people and culture. They are now known as the Stolen Generations.

Laws on Indigenous child removal were still in operation in the early 1970s. The removal of children broke important cultural, spiritual and family ties, leaving a lasting and intergenerational impact on their lives and wellbeing. The resulting trauma has been passed down to children and grandchildren, contributing to family violence, substance abuse and self-harm.

Indigenous activists and organisations campaigned for a national inquiry into the removal of Indigenous children from their families, led by the Secretariat of National Aboriginal and Islander Child Care and the NSW Indigenous organisation Link-up, which had worked on family reunifications since 1980.

They were concerned that public ignorance of the history of forcible removal was hindering recognition of the needs of victims and their families.

The findings of the Royal Commission into Aboriginal Deaths in Custody strengthened calls for an inquiry into the removal of children. A turning point was the 1994 Going Home Conference in Darwin. Representatives from every state and territory shared experiences, bringing to light history and its effects and devising strategies to meet the needs of children and their families.

In 1995 the government referred the issue to the Human Rights and Equal Opportunity Commission (HREOC), which initiated an official national inquiry.

Mandate

The terms of reference for the inquiry were to:

- Examine past and continuing effects of separation on individuals, families and communities.
- Make recommendations to change laws, policies and practices, reunite families and otherwise deal with losses caused by separation.
- Identify the justification for, and nature of, compensation for those affected.
- Review current laws, policies and practices affecting the placement and care of Indigenous children.

Methodology

Mick Dodson, the Aboriginal and Torres Strait Islander Social Justice Commissioner, took primary responsibility along with the Commission President for conducting the hearings of the Inquiry. In each region it visited, the Commission appointed an Indigenous woman as Co-Commissioner.

The Inquiry appointed a representative Indigenous Advisory Council to advise on the process, made up of members from all major regions of the country. A team was formed to publicise the Inquiry, encourage testimony and submissions, and organise hearings. Outreach materials including an explanatory video, information booklets and posters.

The Inquiry held hearings in each capital and in many regional and smaller towns. Limited time and resources did not allow visits to every place people wished to give evidence. The Inquiry took evidence in public and private, in writing and orally.

Due to the traumatic nature of memories and giving testimony, an Indigenous social worker supported witnesses before and during their evidence. Some witnesses received follow-up counselling from an Indigenous psychologist from the Centre for Aboriginal Studies at Curtin University in Perth. Counselling was also provided by local medical and health services during Inquiry visits.

The Inquiry received 777 submissions, including 535 from Indigenous people and organisations, 49 from church organisations and seven from government.

*Final Report: Bringing Them Home - findings and recommendations*

Bringing Them Home, tabled in the national Parliament in May 1997, found:

- Forcible removal policies led to the removal of between one in three and one in ten Indigenous children between 1910 and 1970.
- The effects of such removal were usually negative, multiple and profoundly disabling.
- Indigenous children were placed in institutions, church missions, adopted or fostered, and were at risk of physical and sexual abuse. Many never received wages for their labour.

- Welfare officials failed in their duty to protect Indigenous wards from abuse.
- Removal laws were racially discriminatory, and genocidal in intent, because the principal aim was the elimination of Indigenous peoples' distinct identities.
- Many cases involved breaches of fiduciary duty and duty of care, as well as criminal actions.

The Inquiry also reported that many people did not have the opportunity to tell their stories, were not ready to, or chose not to in this forum. It stated that healing and reconciliation require that testimonies continue to be received and recorded.

In line with submissions from Indigenous organisations, the Inquiry supported calls to create a national archive of the stories. However, the first priority was to enable people to tell their stories and to receive counselling and compensation.

The Inquiry also recognised the importance of reporting in a direct and accessible form to Indigenous Australians, particularly those who gave evidence or made submissions. It provided a summary report and video to every Indigenous witness and organisation involved.

Recommendations

Bringing Them Home contained 54 recommendations, as well as a set of principles for government responses to those affected by the forcible removal of children:

Self-determination: The right of Aboriginal and Torres Strait Islander people, Stolen Generations members and their families to exercise autonomy in their affairs and make their own decisions.

Non-discrimination: The right to be free of racial discrimination, and to access services appropriate to their needs.

Cultural renewal: The right to participate in cultural activities, recognising the diversity of cultures and the need to repair family and cultural ties damaged by the removal of children.

A coherent policy base: The need for an agreed set of services to begin the process of healing and redress, with agreed objectives and goals.

Adequate resources: Funding to address the diverse effects of removal on individuals, families and communities.

Pointing the way to future action, the report stated:

The past is very much with us today, in the continuing devastation of the lives of Indigenous Australians. That devastation cannot be addressed unless the whole community listens with an open heart and mind to the stories of what has happened in the past and, having listened and understood, commits itself to reconciliation.

Follow up

Follow up to the report has been politically fraught. The national government responded in December 1997, providing a \$43 million package for family tracing and counselling, an oral history project, and other measures to address recommendations. The government rejected some recommendations, including all those dealing with contemporary forms of removal, such as national standards, framework legislation and a social justice package. It also rejected monetary compensation to survivors or their families.

In a 1999 Senate inquiry into implementation of the recommendations, the government of the day denied there was a generation of children separated from their families.

It argued that the number of separated children did not exceed ten per cent.

Arguably the public responded in a more open-hearted way than the government. The first Sorry Day took place one year after the report, with tens of thousands of people gathering. In 2000, 300,000 people marched across the Sydney Harbour bridge in support of the Stolen Generations, with "Sorry" written in the skies above. Similar reconciliation marches took place across the country.

In 2008, more than a decade after the report, the Prime Minister tabled a formal apology and Parliament passed the Apology to Australia's Indigenous Peoples, implementing an important recommendation of the report.

The Aboriginal and Torres Strait Islander Healing Foundation was established in 2009, following the apology. The foundation has taken the position that the inquiry was in effect a truth commission that, despite the lack of implementation of recommendations, had positive and lasting effects. These include the mobilisation of political demands around their recommendations; a continued struggle for accountability and reparations; and national conversations about history, power and justice. Even so, the foundation says that for Indigenous Australians, Bringing Them Home remains unfinished business.

Indigenous organisations note that successive Australian governments have opposed compensation. Instead, the response has focused on funding services, often for the broader Indigenous community rather than the Stolen Generations in particular. In August 2021, some states agreed to pay compensation to survivors.

However, the national government insists this is a state responsibility, and not all states have agreed to act - even in those states which have acted, there are major concerns that criteria and reliance on poor official records will exclude many of the Stolen Generations.

There has been no formal monitoring of implementation of the recommendations. Twenty years after the report, two Indigenous NGOs conducted assessments, and found less than one in ten had been fully implemented. They reported that despite progress in some areas, there has never been a systematic attempt to address the recommendations.

Some lessons

- Indigenous people asked to give testimony about traumatic experiences need psychosocial support, often lacking especially in remote areas. The inquiry built support into its process, and the Healing Foundation that emerged later has been an important step towards more sustainable truth telling.
- As documented in the experiences of Indigenous peoples across the world, trauma is often intergenerational, an important factor when designing and implementing truth telling processes.
- Even a relatively well-resourced institution in a wealthy country did not have the time and resources to reach all communities and people who wanted to testify. For some people the time or the forum may not have been right to testify. The inquiry highlighted the need to keep recording testimonies beyond the life of the process.
- Many Indigenous people have not shared stories of their traumatic experiences outside close family and community. Many do not even have these support networks due to the colonial experience. For Indigenous people around the world, it is often not safe to share their stories when they are still targeted with violence.



- Even without physical danger, the legacy of their relationship with authorities makes trusting an official process hard. Leadership plays a vital role, including Indigenous leadership.
- An agreed and credible monitoring system for implementation of the recommendations should include significant participation by Indigenous peoples.
  - The Stolen Generations report had a major, lasting impact on the broader non-Indigenous population of Australia. It shifted national narratives and opened discussions, demonstrating the power of Indigenous people sharing their stories. The Inquiry and the earlier Royal Commission provided a strong foundation for Indigenous truth telling processes.
  - At the same time, it took more than a decade for Parliament to issue a formal apology, and many recommendations of the Inquiry have yet to be acted on.

Civil Society and community-led processes

*Indigenous truth telling through traditional and contemporary culture and art: counter narratives in the East Kimberley art movement*  
Background

Indigenous peoples and communities have their own ways to pass information, knowledge, culture and law across generations. Indigenous media and artistic processes increasingly include truth telling about historic events and experiences, such as a 50-year period of frontier massacres in the remote north-west of the country. A modern Indigenous art movement has presented a powerful counter-narrative during a time of contentious “history wars” about the early colonial settler period.

The East Kimberley region, a vast area in the remote northwest, is home to the Gija people. From the late 1880s to the 1940s the colonial government encouraged pastoralists to expand in the East Kimberley, with little regard for the Indigenous communities. Mass killings, forced displacement and other violations against Indigenous peoples followed. Indigenous communities, who recall at least ten massacres during this period, resisted, sometimes with force. The Gija refer to the fifty-year period from 1880 as the Killing Times. The colonial government referred to it as a time of “pacification.”

In 1927, the state government formed a Royal Commission after one notorious massacre. It found that 20 Indigenous people were killed, with the participation of police officers. Others said many more were killed, with the facts disputed even into the 2000s.

*Art and culture as Indigenous truth telling in a time of contested history*

The Gija peoples have a rich heritage of visual and performing culture, such as song and dance. Rock art throughout the area dates back nearly 20,000 years. In the 1970s and 1980s, an internationally renowned contemporary art movement began with the work of Rover Thomas, who encouraged others to take up painting. Song lines, dance and paintings refer to contemporary or historical events, including the Killing Times.

In the 1990s and early 2000s, an occasionally controversial government policy of reconciliation unfolded alongside the “history wars” about the truth of settler violence. The oral tradition of the Gija peoples had kept alive the history of the Killing Times, but some historians voiced strong scepticism that such massacres occurred. Gija artists decided to take their work to the wider public.

Blood on the Spinifex, a 2002 art exhibition in Melbourne, consisted of paintings by ten artists depicting massacres. The governor-general opened the exhibition, and the curator wrote that Gija elders learned of the denial of the massacres and decided to enter the debate using their culture through painting.

Fire Fire Burning Bright was a performance based on a traditional *joonba* associated with one painting in the exhibition, Bedford Downs Massacre by Timmy Timmes. The Neminuwarlin Performance Group, led by the artist’s sister, a Miriwoong/Gija woman named Peggy Patrick, combined traditional song and dance with elements of the Western theatre tradition. They took the performance to Darwin, Perth and Melbourne “to make white people understand about these things.”

This work presented a counter-narrative by Indigenous people during a period of hotly contested history. It was Indigenous truth telling about the past, combining art, performance and history.

In 2020 an artwork by renowned artist Queenie McKenzie was shown in public for the first time. The National Museum of Australia bought it in 2005 but never exhibited due to disagreements about the massacre depicted. Mistake Creek Massacre was at last shown as part of the museum’s Talking Blak to History exhibition, which aimed to add Indigenous voices to the narrative of Australian history.

Frontier Colonial Massacres 1788–1930 Project, University of Newcastle

The project began in 2014, in response to the “history wars” of the 1990s. The project was also influenced by growing international scholarship on the massacres.

Although the final phase of the project was in 2020, it is less a conclusive collection of data and information than a beginning for further research and truth telling. Elements of the project include:

- Innovative use of digital technology to record and show historical data in an accessible and interactive way.
- The open nature of the project, allowing members of the public to add information to the research effort.
- The scale of the research and data, providing an unprecedented truth telling process about massacres in the colonisation of Australia.
- A creative partnership with Guardian Australia to bring the project to a national and international audience.
- Consultation with two Indigenous educational institutions, the Wollotuka Institute and the Australian Institute of Aboriginal and Torres Strait Islander Studies.

*Myall Creek Massacre: local truth telling and reconciliation*

The Myall Creek massacre is one of the most notorious of the frontier period. In 1838, white stockmen hunted and murdered 28 Aboriginal men, women and children at Myall Creek in New South Wales. It was one of the only massacres for which perpetrators were brought to justice, with a colonial court sentencing seven men to hang.

In 1998, the Uniting Church held a reconciliation conference at Myall Creek. The event gave rise to the Friends of Myall Creek Memorial Committee, a group that included descendants of both survivors and perpetrators of the massacre. In 2000, the Myall Creek Memorial Committee erected a memorial to the victims at the site. Each year commemorative ceremonies draw hundreds of people from around the country, including descendants, community members, and school children.

The site has been heritage listed, and is now considered important in the national historical narrative. There are plans for an education centre on the site.

In a 2013 interview, Gamilaraay Elder Aunty Sue Blacklock, a descendant of victims and survivors of the massacre, and founder of the memorial site and annual commemoration said:

It has lifted a burden off my heart and off my shoulders to know that we can come together in unity, come together and talk in reconciliation to one another and show that it can work, that we can live together and that we can forgive. And it really just makes me feel light. I have found no more heaviness on my soul.<sup>2</sup>

During consultations following the Uluru Statement from the Heart, national Indigenous leaders spoke of the Myall Creek process as a model for local truth telling activities needed across the country.

#### *Truth Telling Symposium and Report 2018*

In October 2018, Reconciliation Australia and The Healing Foundation brought together experts for a Truth Telling Symposium. The findings, reflections, and recommendations were especially timely given plans for truth telling processes throughout the country.

Reconciliation Australia's research shows that about a third of Australians do not know or accept fundamental aspects of Australia's history, such as mass killings, incarceration, forced removal from land and restriction of movement.

<sup>2</sup> Sections of Aunty Sue Blacklock's 2013 interview is available online via the Australian Association of Social Workers: <https://www.aasw.asn.au/document/item/6227>

The Healing Foundation has outlined the need for truth telling to address racism and trauma that can be traced to the violent Frontier Wars and the genocidal policies that followed. The foundation identified this lack of a shared understanding of history as being a source of ongoing trauma, and a roadblock to reconciliation.

To address this problem, the Symposium aimed to investigate, foster, and share ways that truth telling can support healing and reconciliation in Australia. It focused on:

- the importance of truth telling
- truths that need to be told
- practices that might be applicable to Australia
- guiding principles for future processes.

Participants developed a list of ten principles to guide truth telling:

1. The right to know our many truths: truth telling must encompass both past and contemporary injustices, empower multiple narratives, and embrace complexity.
2. Safety is paramount: time and effort must be put into creating safe spaces for truth telling. This includes ensuring truth telling is conducted in a culturally safe manner.
3. Aboriginal and Torres Strait Islander recognition and control: Aboriginal and Torres Strait Islander people and communities must lead the design of truth telling processes and the narrative that they create, including how engagement in truth telling occurs, the stories that are told, and the records that are kept.
4. Listen, bear witness and record: audiences to formal truth telling processes must be receptive, that is, able to listen and accept the truths that are shared. Accurate records must be kept and Aboriginal and Torres Strait Islander people must retain ownership of records relating to their personal stories.

5. Build off key documents of truth: truth telling must be informed by the work that has already been done, in particular, the United Nations Declaration on the Rights of Indigenous Peoples and the Uluru Statement from the Heart.
6. Inclusivity and reciprocity: non-Indigenous Australians, including recent migrants, have an important role to play in truth telling.
7. Time sensitivity: balancing the sense of urgency to tell the truth with allowing time for participation of many in what can be difficult processes.
8. Responsibility, action, and accountability: truth telling must involve responsibility and action for ensuring that past injustices are not repeated. Resources are required and there must be accountability for outcomes.
9. Healing, justice, and nation building: acknowledging that truth telling is an uncomfortable process, that the process is not about shame or guilt, but about driving positive change and acceptance.
10. Truth telling is a gift: truth telling benefits the whole nation, and communities must be supported to tell the stories they want to tell in the ways they want to tell them.

#### *Reconciliation and Truth, 1991–2021*

In 2021, Reconciliation Australia stated that the reconciliation movement was at a tipping point. Braver action to achieve reconciliation would require truth telling to be at the centre of the way the country moves forward.

Over 20 years, the reconciliation movement — a combination of government action and a popular movement — has achieved many things, despite significant shortcomings, with implications for the current call for truth telling.

#### *New policy, new movement: the Council for Aboriginal Reconciliation*

The word “reconciliation” was introduced into the Australian debate in 1988 when 14 church leaders issued a statement entitled “Towards Reconciliation in Australian Society”. Three years later, a recommendation of the Royal Commission into Aboriginal Deaths in Custody was for more work on reconciliation between Indigenous and non-Indigenous peoples.

Also in 1991, a bipartisan act of Parliament created the Council for Aboriginal Reconciliation (CAR) with a ten-year mandate ending on the centenary of the formation of the modern Australian state. The CAR was led by Pat Dodson, a renowned leader and the only Indigenous commissioner on the inquiry into Aboriginal deaths in custody. The Council was to consult widely to determine whether a formal document of reconciliation was needed and, if so, to make recommendations.

In 1988 the government had committed to achieving a treaty with Indigenous people. This policy was abandoned, and in some respects the reconciliation movement filled that policy void. From the outset, however, critics argued the reconciliation movement was a deflection from unfinished political business.

The period of greatest energy was during the 1990s, including initiatives at the local and national level. However, bipartisan support dissipated in the later 1990s. Backlash emerged in the 1990s and early 2000s, as the “history wars” took over the debate about Indigenous-settler history. This tension was heightened by major land rights court decisions such as the Mabo and Wik cases. After a shift of government, the conservative Prime Minister derided attempts to tell a story other than one of heroic settlers as “black armband history”

Perhaps the highpoint of the movement was the 2000 reconciliation walk across Sydney Harbour Bridge. Some 250,000 people marched for reconciliation, along with simultaneous bridge walks around the country.

On 27 May 2000, a huge public event known as Corroboree 2000 marked the Council's presentation of its recommendations on documents of reconciliation to the Prime Minister, other national leaders and the nation. The Australian Declaration Towards Reconciliation and the Roadmap for Reconciliation contained formal recommendations. These documents were followed by a Final Report, presented to the Prime Minister in December 2000, including six recommendations. The recommendations targeted all governments throughout the country and society as a whole. The Council concluded that despite progress, the work of reconciliation was not complete.

After the Council for Aboriginal Reconciliation (2001–present)

Reconciliation Australia was established in 2001 to carry on the work of the Council. The reconciliation movement became less prominent, although work continued in communities across the country.

“Historical acceptance” is one dimension of reconciliation the organisation focuses on, along with race relations, equality and equity, unity and institutional integrity. Reconciliation Australia believes in the necessity of widespread acceptance of Australia’s history and agreement that the wrongs of the past will never be repeated.

Reconciliation Australia regularly surveys the public, as well as interviewing stakeholders and leaders. Findings show that a lack of historical acceptance remains a barrier to reconciliation.

Until non-Indigenous people accept the past, make amends for injustices, and pledge to ensure these wrongs are never repeated, Australia will not achieve true reconciliation. The organization also recently reported that Aboriginal and Torres Strait Islander people believe that past wrongs have not been righted, a major barrier to reconciliation.

In 2021 Reconciliation Australia also reported anger and exasperation among both Indigenous and non-Indigenous peoples at the government response to the Uluru Statement from the Heart. The national government is lagging behind the public on reconciliation, although Reconciliation Australia found a more positive environment at the local government level, including opportunities for truth telling.

Reconciliation Australia reported that many stakeholders see truth telling as a priority in the reconciliation process. This view has wide public support, as 90 per cent of Australians believe it is important to learn about past issues, just below the 93 per cent of Aboriginal and Torres Strait Islander people who believe so. Reconciliation Australia also reported strong support for more truth telling in education at all levels.

Truth telling, the organization reports, can foster a wider appreciation of Indigenous culture, acknowledging what has been lost in the denial of Indigenous rights. In 2021, Reconciliation Australia stated that, with the reconciliation movement at a tipping point, truth telling should be at the centre of the way the country moves forward.

Lessons from the reconciliation movement

- The Council for Aboriginal Reconciliation initially enjoyed bipartisan support, solid funding, and strong Indigenous leadership, all important ingredients for success.
- National partisan politics drove divisions around the reconciliation movement, and the change of government in 1996 had a major impact. The fact that reconciliation means different things to different people was politically exploited.
- In particular, a significant question remains whether the kind of reconciliation most non-Indigenous Australians want meets the expectations of Indigenous Australians. In the 1990s, there was often a distinction between “symbolic reconciliation” and “substantive reconciliation”. Later the government focused on “practical reconciliation”, meaning delivery of services to improve daily lives, rather than a focus on the fundamental relationship between Indigenous and non-Indigenous peoples. Pat Dodson described “practical reconciliation” as “reconciliation on white settler terms.”
- Many non-Indigenous Australians showed that they were interested in “symbolic reconciliation”, such as mass marches and celebrating Indigenous sporting heroes. This approach has sometimes been labelled as “soft reconciliation.” The search for “substantive reconciliation”, a rights-based approach involving a genuine reckoning with the past, has been driven by Indigenous activists.

This situation leaves a big question about future truth telling: can the expectations of Indigenous and non-Indigenous Australians be reconciled? Indigenous peoples made it clear in the Uluru Statement that they see truth telling as a step on the path to recognition of sovereignty, treaty making, and a Voice to parliament that would guarantee self-determination.

It is not clear that large numbers of non-Indigenous Australians are committed to this substantive action. Do they see truth telling as an end in itself, an important step of acknowledgement, or the beginning of a commitment to substantive rights-based political change?

Overarching lessons

In addition to specific lessons highlighted above, overarching lessons have emerged from Australia’s experience with truth telling.

Political drivers of change and potential obstacles

- Indigenous leadership and activism continues to be the driving force behind positive change in Australia. Beginning with the earliest acts of resistance to colonial settlement, to organising during the first half of the 20th century to demand voting rights and constitutional change, to the land rights movement and advocacy for self-determination, Indigenous leaders and communities in Australia have set the direction of a long and ongoing struggle.
- The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) provides agreed principles for truth telling processes. The consultation process for the Uluru Statement from the Heart was unprecedented in Australia in both the depth and widespread nature of consultation. Many delegates at the First Nations Regional Dialogues referred to the importance of the UNDRIP, in particular the right to self-determination as enshrined in Article 3. Following these Regional Dialogues, the Referendum Council enshrined as one of its guiding principles that any option for constitutional recognition must, “advance self-determination and the standards established under the United Nations Declaration on the Rights of Indigenous Peoples.”



- Indigenous people in Australia are integrating plans for truth telling into a larger political and rights strategy. They aim to build a foundation for a fundamentally new relationship between Indigenous peoples and the state, as well as for people-people relations. Indigenous peoples relate truth telling to sovereignty, self-determination, and constitutional changes to enshrine this new relationship.
- Lack of political consensus between the two major parties at the national level has led to profoundly different approaches to truth telling. The process that led to the Uluru Statement from the Heart was initiated in 2015 with political consensus. However, since the delivery of its findings, the Referendum Council has not moved forward with joint leadership. While national parliamentary and other committees examine the way forward, this lack of consensus is likely to create problems for future action on fundamental issues.
- While treaty and truth telling processes are moving forward in at least three sub-national jurisdictions, some fundamental demands of Indigenous people require national commitment and action, in particular those requiring constitutional change.
- In addition to the political issues surrounding the way forward, significant questions remain about whether the majority of non-Indigenous Australians are committed to truth telling in the way that Indigenous peoples envisage: as a step toward substantive changes in recognition of sovereignty and self-determination.
- Indigenous Australians seek substantive changes to the Constitution. There may be lessons to be learned from the reconciliation process in this regard. It will likely take time and significant engagement with the wider population to develop common vision and support.

It is also likely that there will be significant opposition to contend with.

The nature of Indigenous truth telling and some specific concerns and opportunities

- Truth telling about violations of the rights of Indigenous peoples cannot be limited to contemporary experiences or specific themes without considering underlying causes. This approach in turn requires an accounting of the consequences of past practices and policies all the way back to first colonial experiences, as seen in the two official national inquiries held to date. This pattern must be factored into truth telling in other countries in the Asia-Pacific region, where specific rights and violations inevitably relate to the fundamental issue of recognition and colonial and modern state responses to it.
- Physical, psychological and cultural safety for Indigenous peoples is fundamental to truth telling. Indigenous peoples have had bad experiences with state and related institutions, which makes proactive efforts to building this safety even more critical.
- There can be great value in developing a range of truth telling methodologies, especially for the use of Indigenous cultural and traditional ways of expressing truth and sharing story. Truth telling mechanisms do not need to be limited to legalistic methods.
- Creating processes that allow people to participate at a local level is very important to facilitating change at that level. Truth telling should not be limited to distant, national processes. It is especially important to include people living in remote communities.
- A truth telling process must have adequate language capacities to engage all Indigenous peoples.
- Particular efforts and programs must be made to enable Indigenous women to safely testify and tell their truths.

- Involving Indigenous organisations at the national and local level in partnerships will be critical to a successful process and to follow-up.
- Indigenous people have made it clear that a truth telling process is a step in a longer journey. There must be ongoing processes of truth telling and retelling national narratives, as well as treaty and constitutional changes. The archives of truth telling processes must be maintained in a way that is acceptable to Indigenous people, and as accessible to the public as possible.
- Implementation of recommendations of truth telling processes is nearly always challenging and requires adequate monitoring and advocacy over time. Indigenous people and organisations must play a central part in these monitoring and advocacy systems.

Annex 1: Timeline of key moments since 1967

1967 can be considered the beginning of the modern era in Indigenous-government relations. Key moments in this era leading to the Uluru Statement from the Heart include:

DATE	EVENT
1972	Aboriginal Tent Embassy is established outside national parliament to protest government refusal to acknowledge Indigenous land rights, adopts the Indigenous flag. The embassy became a powerful symbol and received widespread national and international attention. It became a permanent site of protest for wider Indigenous rights issues.
1972	Larrakia Petition initiated by the Larrakia people of Darwin in the Northern Territory and signed by more than 1,000 representatives of Indigenous nations across the country and delivered to the British Queen, Australia's head of state - highlighting land rights and that Indigenous peoples were forced to live like refugees on their own land.
1972	New national government abolishes White Australia policy, adopts self-determination for the first time as the policy on Indigenous peoples.
1973	National government establishes National Aboriginal Consultative Committee, which later became the National Aboriginal Conference in 1977.
1973-74	Royal Commission into Aboriginal Land Rights, with the purpose to inquire into appropriate ways to recognise Aboriginal land rights in the Northern Territory of Australia.
1975	Racial Discrimination Act.

<b>1975</b>	Prime Minister Whitlam hands back land to the Gurundji people in northern Australia.
<b>1976</b>	Aboriginal Land Rights (Northern Territory) Act 1976 passed, the most far-reaching land rights laws in any part of Australia.
<b>1979</b>	National Aboriginal Conference calls for the Federal Government to negotiate a "treaty of commitment" between representatives of Aboriginal Australians and the Commonwealth, using the term "Makaratta."
<b>1985</b>	Uluru is handed back to traditional owners.
<b>1988</b>	The Barunga Statement is delivered to Prime Minister Hawke, calling for the Australian government and people to recognise Indigenous rights. The Prime Minister commits to complete a treaty between the national government and Indigenous peoples.
<b>1988</b>	Indigenous peoples commemorate "Survival Day" on the 200th anniversary of the arrival of the British, during large-scale official bicentenary celebrations. Thousands of Indigenous and non-Indigenous protesters rally across the country.
<b>1990</b>	Aboriginal and Torres Strait Islander Commission (ATSIC) established, a body elected by Indigenous peoples to advise governments at all levels, provide peak national and international advocacy for Indigenous affairs, and deliver and monitor Indigenous programmes and services.
<b>1987-91</b>	Royal Commission into Aboriginal Deaths in Custody - among its 339 recommendations, the initiation of a process of reconciliation between Indigenous and non-Indigenous peoples.
<b>1991</b>	Council for Reconciliation established by Parliament with a 10-year mandate.
<b>1992</b>	Prime Minister Keating's "Redfern speech" acknowledging past injustices.
<b>1992</b>	Doctrine of terra nullius is overturned by the High Court in the Mabo case, recognising the Meriam people's ownership of Mer (Murray Island) in the Torres Strait.
<b>1993</b>	Native Title Act is passed.
<b>1995-97</b>	Human Rights and Equal Opportunity Commission's National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children - Bringing Them Home report issued.
<b>1996</b>	The High Court rules in the Wik decision that native title and pastoral leases can co-exist.

<b>1996</b>	The Council for Aboriginal Reconciliation launches Australia's first National Reconciliation Week.
<b>1998</b>	First national "Sorry Day" is held to remember the Stolen Generations.
<b>1998</b>	Native Title Amendment Act, placing some restrictions on native title claims under the Native Title 1993.
<b>1999</b>	Prime Minister Howard issues a "statement of deep and sincere regret" about the Stolen Generations, but refuses to make an official apology.
<b>2000</b>	Corroboree 2000. The Council for Aboriginal Reconciliation presents its reconciliation documents (the Roadmap for Reconciliation and Declaration towards Reconciliation) to the largest ever gathering of Australian leaders. The Council's work culminated in its final report, Reconciliation: Australia's Challenge (the Final Report) which was presented to the Commonwealth Parliament in December 2000.
<b>2001</b>	Reconciliation Australia established a non-governmental body to follow on work from the Council for Aboriginal Reconciliation.
<b>2005</b>	ATSIC abolished services for Indigenous peoples mainstreamed across national government departments.
<b>2007</b>	National Indigenous Television (NITV) launched.
<b>2008</b>	Prime Minister Rudd formally apologises to Indigenous people in Parliament for the Stolen Generations, as large gatherings across the country come together to mark the apology.
<b>2009</b>	Australia endorses the UN Declaration on Indigenous Rights (Australia had been one of only four countries to oppose the 2007 Declaration).
<b>2009</b>	The Healing Foundation established, an Indigenous non-governmental organisation, following recommendations from the Bringing Them Home report and consultations with Indigenous peoples - with the aim of addressing the harmful legacy of colonisation, in particular the history of child removal.
<b>2010</b>	Congress of Australia's First Peoples established, as a national representative body of Indigenous peoples.
<b>2010</b>	Prime Minister Gillard appoints an Expert Panel on Constitutional Recognition of Indigenous Australians, a process that ultimately leads to the Uluru Statement from the Heart.
<b>2011</b>	The Expert Panel on Constitutional Recognition of Aboriginal and Torres Strait Islander peoples leads wide-ranging public consultations and delivers its findings in January 2012.

<b>2012</b>	The campaign to recognise Aboriginal and Torres Strait Islander peoples in the Constitution begins.
<b>2013</b>	The National Congress of Australia's First Peoples is established.
<b>2013</b>	The Australian Parliament passed with bi-partisan support the Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012, recognising the unique and special place of First Nations peoples as the original owners of the Australian continent and islands.
<b>2015</b>	Referendum Council established with multilateral political support, beginning process of widespread consultation with Indigenous people on constitutional change.
<b>2017</b>	First ever First Nations Constitutional Convention held at Uluru, with Indigenous delegates from all over the country - culminating in the Uluru Statement from the Heart. Initial national government response to the Uluru Statement is to reject the call for a constitutionally enshrined voice for Indigenous peoples; government establishes a committee to consider the matter further.
<b>2021</b>	The State of Victoria establishes the Yoo-rrook Justice Commission, Australia's first truth commission focused on Indigenous truth telling, related to the process of treaty-making. Other States and Territories have committed to establish similar truth telling processes, namely Queensland and the Northern Territory, while others are still considering initiatives, namely Tasmania.
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