

To The Committee Secretary  
Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs  
PO Box 6021, Parliament House, Canberra ACT 2600  
20 August 2024

Dear Madam/Sir,

The Sophia Anti-Racism Action Group offers the following submission:

We are a group of non-Indigenous women who are committed to creating a fairer, non-racist Australia. We salute the Greens party for putting forward the Truth and Justice Commission Bill 2024.

#### Clause 5: Definitions

We would like to see an attempt at defining the concept of "injustices" and suggest that this include 'actions causing hardship, pain and suffering, loss of livelihood, loss of opportunity, loss of quality of life and years of life by commission and omission (for example, exclusion from educational, employment or cultural opportunities).'

#### Clause 7: Appointment of members

We suggest that "consultation with relevant stakeholders" specifies inclusion of leaders within First Nations communities.

#### Clause 8: Terms of Reference

We mostly agree with all the Terms of Reference and in particular, the broad scope to include government and non-government institutions and historical, as well as current, injustices towards First Nations peoples.

We suggest that Terms of Reference #5 be strengthened to include budgetary allocation for programs to address and redress injustices. We also suggest adding the option of compensation for pain and suffering and losses incurred.

#### Clause 11: Hearings

#11. The proposed Bill should articulate how people will come to give witness at the Hearings, that is, will they do so voluntarily, by invitation or by order?

#12. As well as giving “consideration to the customs, traditions, rules and legal systems of First Peoples who are appearing before the Commission”, we strongly suggest that care and counselling services be made available to First Peoples witnesses in recognition of potential trauma that may ensue as a consequence of recounting lived experiences of injustices. In addition, we suggest that suitable care be paid to communication methods used by Commission members towards First Peoples witnesses so that trauma is not further perpetuated, intentionally or unintentionally.

Clause 13: Power to summon witnesses and take evidence

#15 With respect to powers invested in the Commission to compel witnesses to attend a hearing, it is important to have these powers constrained by #18 “the Commissioner is required to give consideration to the context of First Nations people’s negative experiences in the justice system and the overall best interests of First Nations communities.”

Time-frame of Commission

The time frame of 4 years to submit the report and then possibly another year or more before any meaningful reforms get put into place, is a long time for First Nations peoples to wait for change. We suggest that reparations and reforms be instituted by government and non-government institutions during the period of the Commission's term, where these seem obvious and achievable.

With thanks for considering our comments,

The Sophia Anti-Racism Action Group

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