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24 August 2024

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

Dear Committee Secretariat,

RE: Inquiry into Truth and Justice Commission Bill 2024

I am pleased to provide this submission to your important inquiry. I have worked with and for First Nations Peoples for over 40 years and I believe the establishment of a Truth and Justice Commission is a vital step in the maturing of our nation. When we boldly determine to accept the truth of our past, we will be able to move forward as one people seeking justice, inclusion and peace for all.

Truth, Justice and Reconciliation Commissions are not globally without precedent, I believe 33 such commissions were established in 28 nations between 1974 and 2007. Wikipedia currently lists 52 nations as having established commissions, including the Australian State of Victoria in 2021. These commissions in many instances have enabled First Nations Peoples to tell their stories, they have begun a process of healing and reconciliation within many of these nations. The Aboriginal and Torres Strait Islander Peoples of Australia (ATSIP) as a matter of justice must be afforded these same opportunities, to tell their stories, for a process of healing and reconciliation to truly happen.

I am a member of the Uniting Church in Australia (UCA). In the years 2015 to 2018 I was the National President and experienced firsthand the positive effects upon many First Nations Peoples telling their harrowing stories to the Royal Commission into the Institutional Responses to the Sexual Abuse of Children. As a nation we faced up to the truth of this tragic past, ATSIP told their stories, and a process of healing began. Organisations like our Church have said heartfelt apologies – sorry - and have set in place changes to ensure that the ignorance and abuse of the past will not be repeated.

With respect to a Truth and Justice Commission, as a Church we have a National Day of Mourning on the Sunday prior to the 26th January each year.

On this day we encourage individual local congregations to connect firstly, with their local ATSIP community and secondly with the Uniting Aboriginal and Islander Christian Congress group (UAICC) within their state or territory. The UAICC are the First Nations Peoples who are members of the UCA. Stories are told, songs and artwork are presented, and tears are shed. Many relationships have begun to be formed and a process of healing commences. In this I see the very real possibilities for First Nations Peoples to begin a healing and reconciliation process and for us as a nation, if we determine to proceed and establish a Truth and Justice Commission, to move forward together.

Archbishop Desmond Tutu said of the Truth and Reconciliation Commission's purposes in South Africa: "Justice, restorative justice, is being served when efforts are being made to work for healing, for forgiveness and for reconciliation."


The members of your Committee and Australia as a nation can learn a great deal from the wise words and actions of this humble leader.

Broken promises are a feature in the history of successive Australian government relationships with First Nations Peoples. Famously the former Prime Minister Bob Hawke promised a Treaty, which ATSIP are still waiting for. The sovereignty of ATSIP has never been recognized, a sovereignty which the Statement from the Heart described as coexisting with that of the Crown. Prime Minister Albanese promised to implement the Statement's simple and straight forward requests in full. With the referendum on Voice lost based on fabrication, misinformation and fear; the establishment of a Truth and Justice Commission would restore some faith and hope that we can as a nation face the past, own our failures, and move forward together.

I'm a Yolŋu matha (language) speaker, and I know that Makarrata is so much more than just talking and sorting things out in a conversation after a dispute. This is at best naïve of the Prime Minister and possibly disingenuous. The Australian Parliament must move to establish a Truth and Justice Commission if it is to have any credibility with firstly First Nations Peoples, secondly with other Australians of goodwill and indeed globally. First Nations Peoples should not be second class citizens in their own sovereign nation: it is a disgrace and globally brings immense shame upon us.

I urge your committee to recommend the establishment of a Truth and Justice Commission.

Yours sincerely,

A solid black rectangular box redacting the signature of Stuart J. McMillan.

Stuart J. McMillan