

FREQUENTLY ASKED QUESTIONS



**First Peoples'
Assembly of
Victoria**

Truth-telling

Find answers to our frequently asked questions about truth-telling below.

What is truth-telling?

Truth-telling is a process of openly sharing historical truths after periods of conflict to allow societies to move forward in a more inclusive way, based on justice and human rights.

Why is truth-telling important?

The colonisation of the Australian continent began over 250 years ago. Since this time the First Peoples of our continent have been systemically murdered, disposed of their lands, natural resources and cultural practices, with disastrous and ongoing impacts.

Truth-telling will:

- Recognise the injustices that have been largely ignored and actively hidden from the Australian consciousness and will change how the history of Australia is viewed.
- Empower individuals to openly share their own stories and have their truth acknowledged.
- Exposes what has happened as a result of colonisation, what the causes were, who is responsible, the harm that was caused, and how these structures continue to impact the First Peoples of Victoria.

Truth-telling is critical for developing an official record and shared understanding across the Aboriginal and non-Aboriginal community in Victoria of our history, so it cannot be denied or minimised. Through this process, Truth-telling can change people's minds and behaviour.

What is the Yoo-rook Justice Commission?

The First Peoples' Assembly of Victoria and the State have committed to Australia's first ever independent truth-telling process, the Yoo-rook Justice Commission.

First Peoples in this country have been calling for a Truth-telling process for generations, and the Commission builds on this legacy of Aboriginal activism.

Yoo-rook means 'truth' in the Wemba Wemba/Wamba Wamba language, which is spoken in the north-west region of Victoria.

The Commission is expected to commence in July 2021 and will run for three years.



What will the Yoo-rrook Justice Commission do?

The First Peoples' Assembly of Victoria has worked with the State to develop proposed functions for the Yoo-rrook Justice Commission. These functions will be finalised when the Yoo-rrook Justice Commissioners are appointed.

The proposed functions include:

Establishing an official record of the impact of colonisation on First Peoples in Victoria using First Peoples' stories.

This would be done by:

- Inquiring into and reporting on historical systemic injustices perpetrated against First Peoples since colonisation (e.g. massacres, wars and genocide, cultural theft and misappropriation and protectionist and assimilationist policies).
- Inquiring into and report on ongoing systemic injustices (including in relation to policing, child protection and welfare matters, health, invasion of privacy and exclusion from economic, social and political life).

The Commission will be able to make broad recommendations about practical actions and reforms needed in Victoria.

Recommendations would work to effectively redress and address systemic injustices and promote healing for First Peoples and the broader community.

These include recommendations about cultural restoration and healing, public awareness and education, law and institutional reform and subject matters that should be included in Treaties.

Who will run the Yoo-rrook Justice Commission?

The Yoo-rrook Justice Commission will have five Commissioners, a majority will be Aboriginal including at least two Traditional Owners of country in Victoria (and one must be an Elder).

There will be a gender balance across the five Commissioners.

All candidates must demonstrate impartiality, moral character and cultural integrity, and be empathetic and trauma-informed.

As a group, the five Yoo-rrook Justice Commissioners should have knowledge and understanding of:

- Systemic disadvantage and its causes.
- Expertise in Indigenous rights.
- Community engagement.
- Decolonisation.
- Transitional justice.
- Government system reform and/or historical inquiries.



How are Yoo-rrook Justice Commissioners selected?

A public expression of interest process is now open to recommend suitable candidates to be Yoo-rrook Justice Commissioners.

Applications close 12pm, Tuesday 6 April 2021.

Expressions of interest will be assessed by an independent panel. The public will have the opportunity to provide confidential feedback or comments in relation to any candidates shortlisted by the panel, and the candidate will have the opportunity to respond.

For more information visit www.pipelinetalent.com.au/yoo-rrook

Will Yoo-rrook Justice Commission look at what churches or other private institutions have done?

Yes. While the main focus is likely to be on state policies and practices, there were many institutions involved in historical injustices. The Yoo-rrook Justice Commission will be able to look at how these institutions were involved.

What powers will the Yoo-rrook Justice Commission have?

While not final, it is likely that the Yoo-rrook Justice Commission will be set up as a Royal Commission. Royal Commission powers include the power to compel government and others (for example churches or schools) to appear or produce documents and to answer questions.

The Yoo-rrook Justice Commission will be able to make recommendations for reform. However, it will not have the power to order reparations, punish individuals, or implement reforms.

What support will be in place for people to participate in the Yoo-rrook Justice Commission?

The proposed functions of the Yoo-rrook Justice Commission include providing a safe, supportive and culturally appropriate forum for First Peoples to participate in the process, including by adopting practices to minimise harm and avoid re-traumatisation.

It is also proposed that culturally appropriate mental health and counselling support services are available.

How will the Yoo-rrook Justice Commission be different from past Royal Commissions and inquiries?

There are many past Royal Commissions and inquiries that have looked into aspects of injustices against Aboriginal people. These include the Bringing Them Home Inquiry and the Royal Commission into Aboriginal Deaths in Custody. The Yoo-rrook Justice Commission will look at the findings, recommendations and responses to those inquiries as part of its own inquiry.



There has been understandable frustration about lack of meaningful change from past inquiry processes. However, as the Commission will start before Treaty negotiations, its recommendations can be considered in future Treaty negotiations.

Will government be involved?

Yes. The Assembly and the State have worked together on the Yoo-rrook Justice Commission. However, the Commission will be independent of both the Assembly and government, so it can hold government and other official institutions to account.

Will Aboriginal and Torres Strait Islander people from country outside Victoria and non-Aboriginal people be included?

Yes, but the Truth-telling about historical injustice will focus on what happened on country within Victoria. This may include stories from people removed from country in Victoria.

Stories of continuing harm caused by past policies are likely to include stories from Aboriginal or Torres Strait Islander people from country outside Victoria who are living or who have lived in Victoria.

Non-Aboriginal people may have stories that contribute to Truth-telling about historical injustice and are also an important audience for the Truth-telling.

What role has the Assembly played in this process?

The campaign for a Truth-telling process for Victoria and Australia more broadly has been ongoing for many decades.

In June 2020, the Assembly decided that truth needed to be the basis of Treaty and requested the State to work with it on establishing an appropriate process.

The Assembly's function is to build a Treaty negotiation framework that includes recognising historic wrongs, ongoing injustice and that helps heal past wounds. It has worked closely with the State to drive the design of the Truth-telling process.

As a representative body of and for the First Peoples of Victoria, the Assembly is well placed to incorporate input received from community into this design process, so that truth-telling reflects community needs.

Does the Yoo-rrook Justice Commission affect the Stolen Generations Redress Scheme?

The Stolen Generations Redress Scheme that the State announced in March 2020 is likely to be relevant to the Truth-telling process. The Yoo-rrook Justice Commission will need to consider how to interact with the Scheme and coordinate their respective functions.

How do all mobs have a say?

To have your say visit www.firstpeoplesvic.org/truth-telling/ or email truthtelling@firstpeoplesvic.org.

