



## Yoorrook Justice Commission Newsletter Issue 2, August 2022

Welcome to the second Yoorrook Justice Commission newsletter. Since our April issue, Yoorrook has conducted Elders' yarns across the State, held four weeks of hearings and published our first interim report.

You can find more about the contents of the report along with other updates below. You can also follow Yoorrook on social media ([Facebook](#), [Twitter](#), [Instagram](#)) or check the [website](#) for more information.

### **Yoorrook's First Interim Report gives Primacy to Elders' Voices and lays Groundwork for Treaty**

Yoorrook's [interim report](#) was delivered to the First Peoples' Assembly of Victoria and the Governor of Victoria at the end of June.

Throughout the report, Victorian Elders highlight the urgent need for truth telling to prevent injustices being repeated across further generations.

Each of the nearly 200 Elders Yoorrook spoke to pointed to the ongoing effects of discriminatory policies and racist beliefs, including those that led to the Stolen Generation; policies and beliefs that have not only affected them but continue to affect their children and grandchildren.

The report is based on insights gathered during 25 Elders' yarns held across Victoria where Commissioners met with people in yarning circles and one-to-one. Commissioners also visited local sites of cultural importance, locations of massacres, and places of resistance and protest with Elders.



Elders' yarning circle Halls Gap

The report is also based on the testimony of seven Elders who appeared as the first witnesses at Yoorrook's hearings:

- Uncle Jack Charles, Boonwurrung, Dja Dja Wurrung, Taungurung, Wurundjeri, Yorta Yorta, Wiradjuri and Palawa Elder
- Uncle Johnny Lovett, Gunditjmara and Boandik Elder
- Auntie Fay Carter, Yorta Yorta and Dja Dja Wurrung Elder
- Alma Thorpe, Gunditjmara Elder
- Uncle Larry Walsh, Nirai Bulluk Elder of the Daung Whurrung
- Uncle Colin Walker, Yorta Yorta Elder
- Uncle Kevin Coombs, Wotjobaluk, Wemba Wemba and Wiradjuri Elder



Uncle Kevin Coombs supported by his daughters during his appearance at the Commission

The report, the first from an Australian truth telling Commission, details Elders' experiences of historical and ongoing systemic injustice at the individual, family, community and state level organised under eleven key themes:

1. Dispossession and dislocation

[Listen to Aunty Stephanie Charles at the Swan Hill Yarning Circle](#)

2. Political exclusion, representation and resistance

[Listen to Geoff Clark and Jidah Clark at the Gariwerd \(Halls Gap\) Yarning Circle](#)

3. Families, kinship and stolen children

[Listen to Uncle Johnny Lovett yarning in Hamilton](#)

4. Stolen wages and economic marginalisation

5. Legal injustice and incarceration

[Listen to Aunty Liz Heta at the Wodonga Yarning Circle](#)

[Listen to Braydon Saunders yarning at Lake Condah](#)

[Listen to Aunty Tina Wright yarning at Lake Condah](#)

6. Injuries to body and spirit

[Listen to Marjorie Thorpe at the Lake Tyers Elders' Yarning Circle](#) Note:

This video contains images of people who may be deceased.

7. Disrespect and denial of culture

8. Damage to, and denial of country

[Listen to Uncle Possum Clarke-Ugle at the Framlingham Elders' Yarning](#)

## Circle

### Listen to Tati Tati Traditional Owners at Robinvale

9. Stolen and misused knowledge, culture and data
10. A colonial education system
11. Public silencing and denial

In addition to the issues of concern raised by Elders, the first interim report outlines the foundational work of the Yoorrook Justice Commission in establishing culturally appropriate and trauma-informed processes to ensure participant safety and wellbeing including:

- developing a methodology based on Aboriginal ways of knowing, being and doing
- adopting terms from Victorian First Peoples' languages for key processes
- designing a social and emotional wellbeing support model that uses the strengths, resilience and connectedness of First Peoples and their communities to provide a safe, supportive and culturally appropriate forum for First Peoples
- developing Indigenous Data Sovereignty and data governance policies and systems to make sure First Peoples keep control over how their information is used
- designing our nuther-mooyoop (submissions) and wurrek tyerrang (hearing) processes to minimise trauma and provide First Peoples with options for how they can engage with Yoorrook's inquiry
- making sure our premises and communications are culturally appropriate

Finally, the report proposes that the next phase of Yoorrook's work focus on two priority areas — state-sanctioned removal of First Peoples' children from their families, and the continuing injustices experienced by First People in the criminal justice system.

The report makes two recommendations. Recommendation 1 is for a two-year time extension for Yoorrook to 2026. Recommendation 2 is to progress any legislative reform needed to protect First Peoples' choices about how the information they provide to Yoorrook is to be stored, accessed, and used in the future once Yoorrook's work is finished.

**Social and Emotional Wellbeing and Legal Support available to First Peoples telling their Truth**

Speaking to Yoorrook about your experiences may be daunting or distressing. While some people have strong support networks already, Yoorrook recognises this isn't the case for everyone. Free, confidential and culturally safe support is available to First Peoples who want to tell their truth.

The Yoorrook Justice Commission is working with First Peoples' Health and Wellbeing (FPHW) to deliver social and emotional wellbeing support throughout the truth telling process.

Counsellors are available to provide free and confidential support and can connect you with a range of services – before, during and after you tell your story.

You can find out more about Yoorrook's approach to Social and Emotional Wellbeing on [the website](#) or connect with counsellors by contacting [sewb.yoorrook@fphw.org.au](mailto:sewb.yoorrook@fphw.org.au) or calling 1800 YOO RRK (1800 966 775).

It is also important to get legal advice if you want to say something to the Yoorrook Justice Commission that could impact you or your legal rights. For example, if you want to share details of something you agreed to keep private, or if there is a current court case that involves things you're not allowed to talk about publicly.

You can get legal support by talking to a lawyer at the Lotjpa Independent Legal Service. The service is free, confidential and independent from Yoorrook. It is run by the Victorian Aboriginal Legal Service (VALS) and Victoria Legal Aid (VLA). Find out more about legal issues in the [Lotjpa Independent Legal Service – Legal Help Fact Sheet](#).

You can contact Lotjpa Independent Legal Service by phone or email:

Lotjpa phone line (operated by VLA): (03) 8373 7918 or email:

[lotjpa@vla.vic.gov](mailto:lotjpa@vla.vic.gov)

Lotjpa phone line (operated by VALS): (03) 9418 5999 or email:

[lotjpa@vals.org.au](mailto:lotjpa@vals.org.au)

## **The Next Phase of Yoorrook's Work; Removal of Children, Criminal Justice and Treaty**

After a particularly busy period of hearings, Elders' yarns and delivering our interim Report, we are now planning the next phase of our work. This will focus

on two priority areas; state-sanctioned removal of children and injustice in the criminal justice system, alongside issues which may be appropriate to inform the treaty-making process. We will produce a second report which will make recommendations for consideration in the process of negotiating Treaty with the State.

We will share details of how to engage with this next phase of our work in the coming weeks.

## **Yoorrook Operations**

### **Commissioner dhamangalnya Dr Wayne Atkinson departs**

The Yoorrook Justice Commission extends our deep gratitude to dhamangalnya Dr Wayne Atkinson who has stepped down from his role as Commissioner for personal reasons. Yoorrook Justice Commission Chair Professor Eleanor Bourke AM thanked Commissioner dhamangalnya Atkinson for his profound contribution to the establishment of Australia's first truth telling commission.

“On behalf of all Commissioners, I wish to thank Commissioner dhamangalnya Atkinson for his tireless pursuit of justice for First Peoples. We thank him for his long contribution seeking transformation in the way Victoria's true history is understood. We are very sorry that he has decided to step down but support his decision to do what is best for himself and his family.”

“Commissioner dhamangalnya Atkinson has guided Yoorrook through our first year of operation with wisdom and provided a deep cultural context to our work. Our work has been forever strengthened by his knowledge of and connection with Country and lore. On a personal note, I would like to thank Commissioner Atkinson for his support to me in my role as Chair and his unwavering faith in the importance of truth telling.”

### **Recruiting a New Commissioner**

The recruitment process for a new Commissioner to replace Commissioner dhamangalnya Atkinson is now underway. Applications were sought from extraordinary Aboriginal male candidates who demonstrate impartiality, moral character, and cultural integrity, who are empathetic, and trauma informed.

Candidates were also required to have knowledge and understanding of systemic disadvantage and its causes; expertise in Aboriginal rights, community engagement, decolonisation, transitional justice, government system reform and/or historical injustices.

Applications from Aboriginal men were sought to support gender representation on the Commission, maintain cultural competency and to foster engagement, trust and participation of First peoples.

Applications closed on Sunday 7 August and recruitment is now progressing.

### **Welcoming Yoorrook's new CEO, Hugh de Kretser**

Yoorrook was delighted to welcome Hugh de Kretser as Yoorrook's new CEO on 4 July.

Hugh has most recently been the Executive Director of the Human Rights Law Centre, a not-for-profit organisation that uses strategic legal action, policy solutions and advocacy to support people and communities to eliminate inequality and injustice and build a fairer, more compassionate Australia.

He has also served as Commissioner of the Victorian Law Reform Commission, a Director of the Victorian Sentencing Advisory Council and a board member of the National Association of Community Legal Centres. He played a key role in founding knowmore – the national service that provided legal help for people navigating the Royal Commission into Institutional Responses to Child Sexual Abuse.



Yoorrook CEO Hugh de Kretser

### **NAIDOC Week**

Yoorrook Commissioners spoke at and attended a number of events to mark NAIDOC week 2022 including the flag raising at Federation Square and the NAIDOC march.



Yoorrook Commissioner Maggie Walter speaking at the Moreland City Council Truth and Treaty event with First Peoples' Assembly of Victoria Members Tracey Evans and Ngarra Murray

Yoorrook also held stalls throughout the week at the VACSAL 3x3 basketball, Koorie Sunday Market, GEGAC NAIDOC event in Bairnsdale, and the NAIDOC Family Day at GLAWAK in Lakes Entrance among other events.



Yoorrook staff member Joey Saunders at the VACSAL basketball

## New Office

After spending our first year in temporary accommodation, Yoorrook moved to our permanent offices at 54 Wellington Street Collingwood in June. The internal fit out is still being completed but we look forward to welcoming visitors soon.

## Follow us on social media:



We acknowledge the Traditional Owners of Country throughout Australia and pay our respect to them, their culture and their Elders past and present.

