



YOORROOK
Justice Commission

Strategic Plan

2022–2024

TRUTH • UNDERSTANDING • TRANSFORMATION

CHAIR'S FOREWORD



PROFESSOR
ELEANOR A BOURKE
AM
CHAIR

The Yoorrook Justice Commission is an historic and unique Royal Commission. Commissioners were appointed in May 2021 to enable a truth telling process prior to treaty making in Victoria.

Yoorrook has a broad, historic mandate to investigate the systemic injustice experienced by Victorian First Peoples from colonisation to the present, as set out in the Letters Patent. As the first truth telling commission of its kind in Australia, Commissioners are aware of the great responsibility that rests with each of us. Commissioners recognise the significance Yoorrook holds for other states, territories, and the Commonwealth, as they look for their own model for truth, justice and treaty making processes.

At the heart of Yoorrook's work is the enduring spirit and guiding voices of Victoria's First Peoples. Yoorrook prioritised Elders to lead the first public hearings earlier this year. It is through their testimony and contributions to yarning circles across the state in the first half of 2022 that Yoorrook has prioritised its work. Yoorrook has drawn on the voices of Elders and other experts to direct the next phase of our work, which will comprise intensive evidence gathering and analysis. This work will feed into the release of a Critical Issues Report in 2023.

Thank you to the Commissioners, all staff involved, and especially our consultant Cath Whelan, who participated in the development of this plan.

ACKNOWLEDGEMENT OF COUNTRY

The Yoorrook Justice Commission acknowledges the Traditional Owners of the country of the lands and waters currently known as Victoria, and pays respect to them, their cultures, and their Elders past and present.



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NOTE ON CONTENT

Aboriginal and Torres Strait
Islander people should be aware
that this document may contain
images of deceased people.

Yoorrook is a First Peoples-led Royal Commission – the first in Australian history. Yoorrook currently has four Commissioners. Three are First Peoples, two are Victorian Traditional Owners and one is an Elder. A new fifth Commissioner, who is a Victorian Traditional Owner, will be appointed shortly.

Yoorrook is independent from government. Yoorrook has strong powers to compel government and others, if necessary, to produce documents and official records.

Yoorrook has appointed four Counsel assisting. Two are First Peoples. Yoorrook has appointed law firm King & Wood Mallesons as solicitors assisting. Yoorrook's work is supported by an Expert Advisory Committee.

Yoorrook currently has 36 staff. 34% are First Peoples. Yoorrook's staff are organised into three teams; Legal, Policy and Research; Engagement and Communications; and Operations.

People engaging with Yoorrook can access free, confidential, and independent social and emotional wellbeing support from First Peoples' Health and Wellbeing, and legal support from the Lotjpa Independent Legal Service, run by the Victorian Aboriginal Legal Service and Victoria Legal Aid.

Yoorrook's budget is \$44.445 million over three years.

Yoorrook's organisational chart is set out at Annex 1.



YOORROOK'S VISION

A transformed Victoria,
based on truth and
justice, and grounded
in First Peoples' enduring
spirit, cultures and
self-determination.

YOORROOK'S GOALS

Everything Yoorrook does will contribute to achieving its three goals of Truth, Understanding and Transformation. The goals are based on and linked with Yoorrook's formal objectives described in the Letters Patent. While all three goals are important, connected, and complementary, Yoorrook's primary goal is to tell the truth of historic and continuing systemic injustice experienced by First Peoples in Victoria.

OBJECTIVES IN THE LETTERS PATENT

Establish an official public record based on First Peoples' experiences of Systemic Injustice since the start of Colonisation **2(a)**

Determine the causes and consequences of Systemic Injustice including the role of State policies and laws and which State Entities or Non-State Entities bear responsibility for the harm suffered by First Peoples since the start of Colonisation. **2(c)**

Identify Systemic Injustice which currently impedes First Peoples achieving self-determination and equality and make recommendations to address them, improve State accountability and prevent continuation or recurrence of Systemic Injustice. **2(g)**



Develop a shared understanding among all Victorians of the individual and collective impact of Systemic Injustice and the intergenerational trauma that has flowed from them since the start of Colonisation **2(b)**

Develop a shared understanding among all Victorians of the diversity, strength and resilience of First Peoples' cultures, knowledge, and traditional practices **2(d)**.



Help build the foundations for a new relationship between First Peoples and the State of Victoria and all Victorians, based on truth and justice to prevent the recurrence of injustice **2(e)**.

Support the treaty-making process between the State of Victoria and First Peoples, including through the identification of subject matters for potential inclusion in a treaty or treaties **2(f)**.



YOORROOK'S GOALS

TRUTH

UNDERSTANDING

TRANSFORMATION

Yoorrook is creating a lasting public record about what has happened in the past and is still happening, how it came to occur and who or what is responsible. It is drawing on a wide range of sources and is taking a holistic approach that recognizes the diversity, commonalities, and continuities of First Peoples' experiences.

Deep listening to the voices of First Peoples, hearing their experiences and learning how culture has evolved and survived amid trauma, will enable the broader Victorian community to understand the links between past, present and future.

Yoorrook will propose changes to laws, institutions, and systems which can be taken up through treaty negotiations and other ways to build new relationships between all Victorians. These reforms must remedy injustices against First Peoples so that Victoria can turn a new page.

FIG 1 | Objectives and Goals

YOORROOK'S VALUES

Yoorrook's values guide all aspects of its work:

- **Culture and connection**
.....
- **Deep listening**
.....
- **Honesty and respect**
.....
- **Justice and rights**
.....
- **Strong spirit**
.....
- **Inclusivity**

Commissioners have also developed a set of [Internal Cultural Protocols](#)¹ to nurture strong working relationships within Yoorrook and to contribute to the development of an organisational culture that reflects Aboriginal ways of knowing, being and doing and supports the work of the Commission.

ABOUT THIS PLAN

This Strategic Plan guides the second phase of Yoorrook's work. It follows the Commission's [Strategic Priorities Document 2021-22](#)² and draws on the [Letters Patent](#)³ and the [Tyerri Yoo-rrook report](#),⁴ prepared by the First Peoples' Assembly.

While the first phase of Yoorrook's work centred largely on building and maintaining strong foundations of trust and legitimacy with First Peoples, the second phase will see a stronger focus on the goals of Understanding and Transformation. However, truth – and truth telling – will remain a central tenet throughout the life of Yoorrook.

The plan outlines six priority themes derived from Yoorrook's mandate, feedback from Elders documented in Yoorrook's Interim Report and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). These themes frame four priority work streams for commencement in 2022-23.

The plan also outlines overarching strategies for open and safe truth telling, strategic communication, fostering understanding and for reform and transformation.



FIG 2 | **Priorities**

Yoorrook was originally scheduled to finish its work on 30 June 2024. The Commission has recommended a two-year extension in its Interim Report. The Victorian Government is currently considering this recommendation and a response is expected after the November 2022 state election.

1. yoorrookjusticecommission.org.au/wp-content/uploads/2021/10/Guiding-the-Path-to-Yoo-rrook.pdf
2. yoorrookjusticecommission.org.au/wp-content/uploads/2021/10/Yoo-rrook-Strategic-Priorities.pdf
3. yoorrookjusticecommission.org.au/wp-content/uploads/2021/09/Letters-Patent-Yoo-rrook-Justice-Commission-signed-10-1.pdf
4. yoorrookjusticecommission.org.au/wp-content/uploads/2022/11/Tyerri-Yoo-rrook-Seed-of-truth-Report-2021_Final-1.pdf

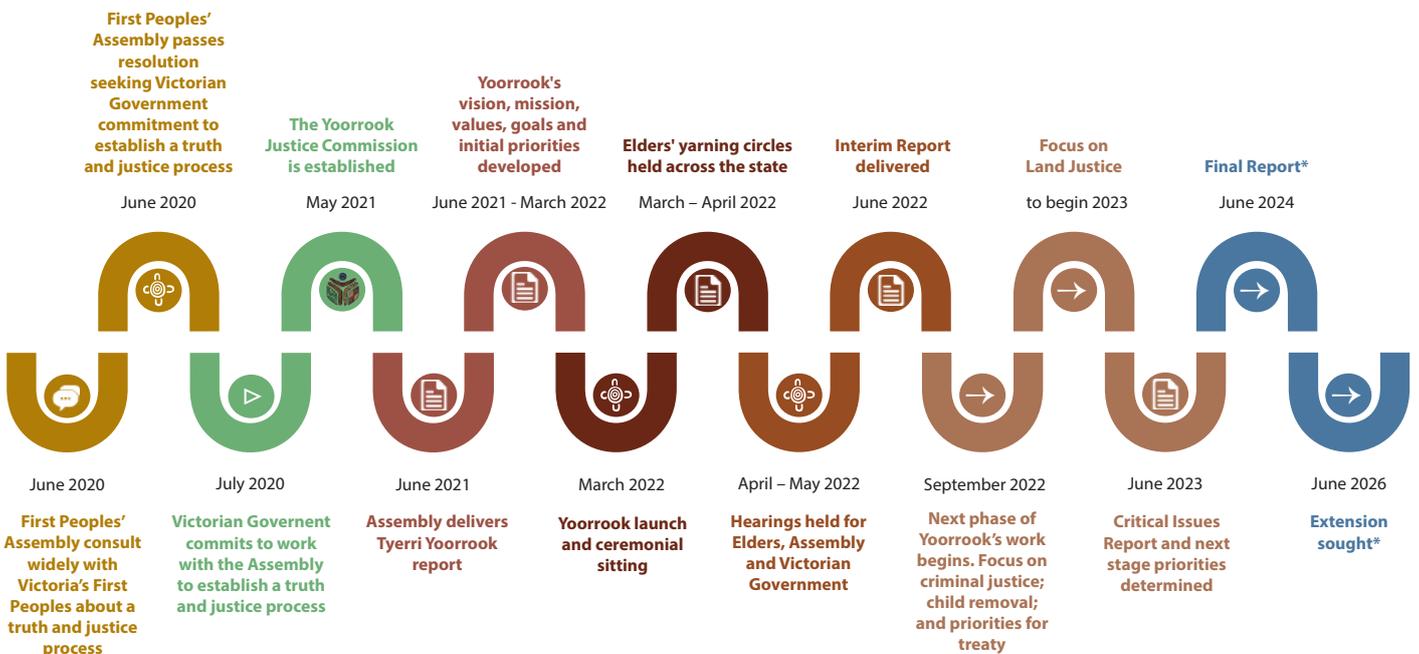


FIG 3 | Yoorrook Justice Commission Timeline

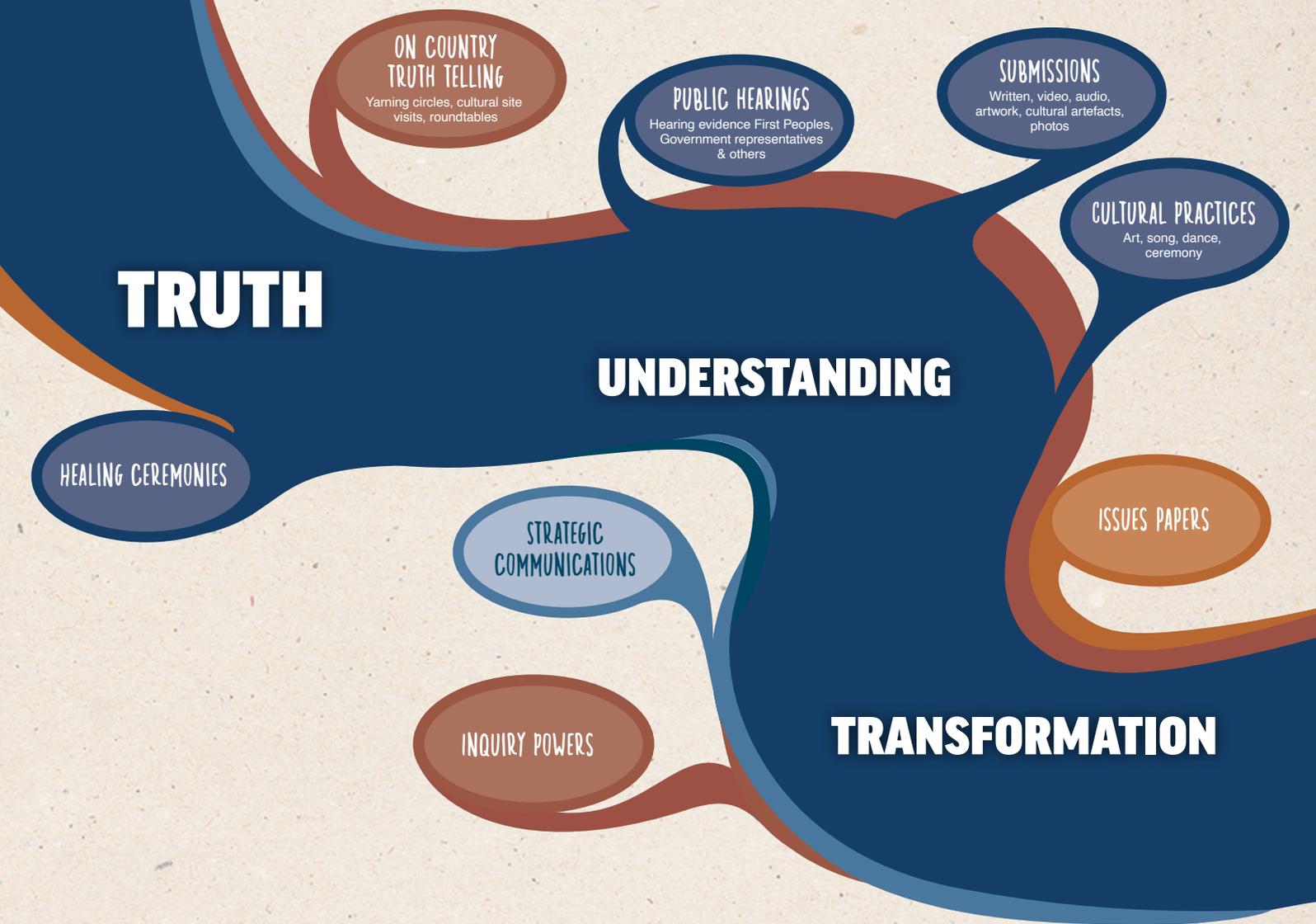
YOORROOK'S PRACTICE

Yoorrook's unique, flexible suite of culturally appropriate practice reflects the rich and diverse ways that First Peoples give evidence including through storytelling, song, video, and cultural artefacts as well as through formal hearings and submissions. All processes in Yoorrook's practice are a vehicle for formal evidence giving and all have equal status.

Social and emotional wellbeing support and legal advice are available to all First Peoples wishing to give evidence or tell their stories to Yoorrook.

Commissioners have developed guidelines to assist in choosing the appropriate practices for use in each work stream.

FIG 4 | Yoorrook's Toolkit



YOORROOK'S PRIORITIES 2022-2024

Workstream priorities

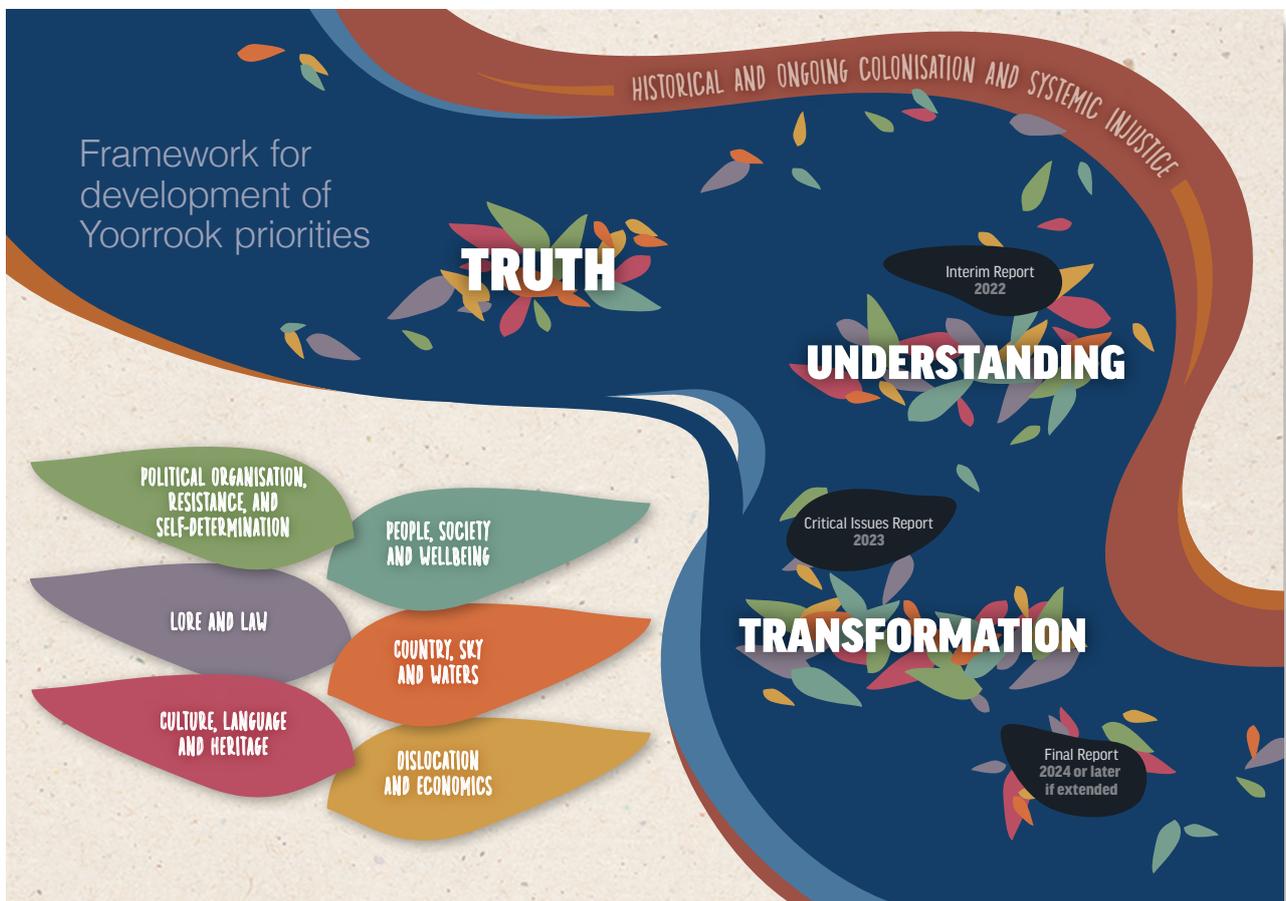
In yarning circles and hearings held during the first half of 2022, Elders consistently tied ongoing injustices to past injustices and as the *continuing* impact of colonisation.

Commissioners recognise that any attempt to separate historical systemic injustice from current injustice would be artificial and have framed Yoorrook's work in the context of the ongoing consequences of colonisation and the enduring racism that underpins it.

In its first Strategic Priorities document, the Commission identified six priority themes linked to the overarching systemic injustice of dispossession, that would inform its work:

1. **Political organisation, resistance, and self-determination**
2. **Lore and Law**
3. **Culture, Language, and heritage**
4. **People, society, and wellbeing**
5. **Country, sky and waters**
6. **Dislocation and economics**

FIG 5 | Priority Themes



In view of its fixed term and finite resources, Commissioners have identified four initial streams of work through which Yoorrook will explore these themes. These were identified drawing on feedback from yarning circles and meetings with First Peoples across Victoria and Yoorrook’s Interim Report. The criteria Commissioners are using to guide the selection of work streams are set out at Annex 2.

Comprehensive implementation plans are developed or underway for each of the work streams outlined in this plan as well as for the overarching strategies and Yoorrook’s organisational development and wellbeing priorities.



Criminal Justice System

In 2022/23, Yoorrook will investigate the systemic injustice experienced by First Peoples in the criminal justice system in Victoria. It will inquire into:

- **why First Peoples are overrepresented at all levels of the criminal justice system;**
.....
- **key agencies’ record of engaging with First Peoples in culturally safe ways within the criminal justice system including police, courts and prisons;**
.....
- **First Peoples’ experiences with different parts of the criminal justice system;**
.....
- **how to improve accountability of the criminal justice system to First Peoples;**
.....
- **examples of safe and culturally appropriate good practice within key agencies that should be adopted or expanded upon;**
.....
- **key agencies’ record of implementing existing recommendations on how to improve First Nations criminal justice systems experiences, interactions and outcome;**
.....
- **what is preventing change and improvement in the system; and**
.....
- **ways to address and provide redress for past and ongoing injustice in relation to the criminal justice system.**

Child Protection System

In 2022/23, Yoorrook will investigate injustices against First Peoples’ children and their families in relation to Victoria’s child protection system. It will inquire into:

- **why First Peoples’ children are overrepresented within the child protection system;**
.....
- **the record of key agencies’ ability to engage with First Peoples in culturally safe ways within the child protection system;**
.....
- **the experiences of parents and children dealing with the child protection system;**
.....
- **how to improve accountability of the child protection system to First Peoples;**
.....
- **examples of safe and culturally appropriate good practice within key agencies that should be adopted or expanded upon;**
.....
- **key agencies’ record of implementing existing recommendations on how to improve experiences, interactions and outcomes of the child protection system;**
.....
- **what is preventing change and improvement in the child protection system; and**
.....
- **ways to address and provide redress for past and ongoing injustice in relation to the child protection system.**

Supporting the Treaty Making Process

Throughout its work, Yoorrook will support the treaty-making process between First Peoples and the State of Victoria including by:

- **building a shared understanding of systemic injustice affecting First Peoples;**
- **highlighting the causes and consequences of systemic injustice;**
- **highlighting priorities identified by First Peoples in their engagement with Yoorrook;**
- **recommending ways to address ongoing systemic injustice and redress past injustice including the critical importance of self-determination;**
- **recommending other potential subject matter for inclusion in a treaty or treaties; and**
- **gathering evidence on different ways to implement treaty objectives.**

Land Justice

Commencing in 2023, Yoorrook will investigate systemic injustice experienced by First Peoples in relation to Country. This will include:

- **the centrality of Country to First Peoples' identity, culture, physical and spiritual wellbeing and economic opportunities and the disconnection and devastation wrought by the forced taking of Country;**
- **how First Peoples were dispossessed of their lands including through state sanctioned policies and laws; massacres and other violence;**
- **the past and present benefits obtained by the colonising state, other entities, land holders and settlers through their dispossession of First Peoples of their Country;**
- **the theft, misappropriation and destruction of cultural knowledge;**
- **the ways First Peoples maintain/ed their culture and connection to Country despite attempts to suppress culture; and**
- **ways to address and provide redress for past and ongoing injustice in relation to First Peoples dispossession of the Country now known as the State of Victoria.**



Future Priorities

Further work streams will be identified by Commissioners for commencement in 2023-24 subject to available resources and the outcome of Yoorrook's request for a two-year extension.

Future work streams may include health, education, language, cultural heritage, housing, employment and economic development.

Overarching strategies for truth-telling, understanding & transformation

Those elements of Yoorrook's mandate concerned with fostering understanding and transformation require ongoing work alongside on-going truth telling and the second phase workstream priorities outlined above.

To achieve this, Yoorrook will implement four key strategies:

1. Open truth telling

Yoorrook will continue to engage with First Peoples to ensure the Commission's processes reflect the diversity of First Peoples' experiences and preferred truth-telling methods. Yoorrook will ensure it has a substantial, purposeful on-Country presence across its life.

2. Strategic communications

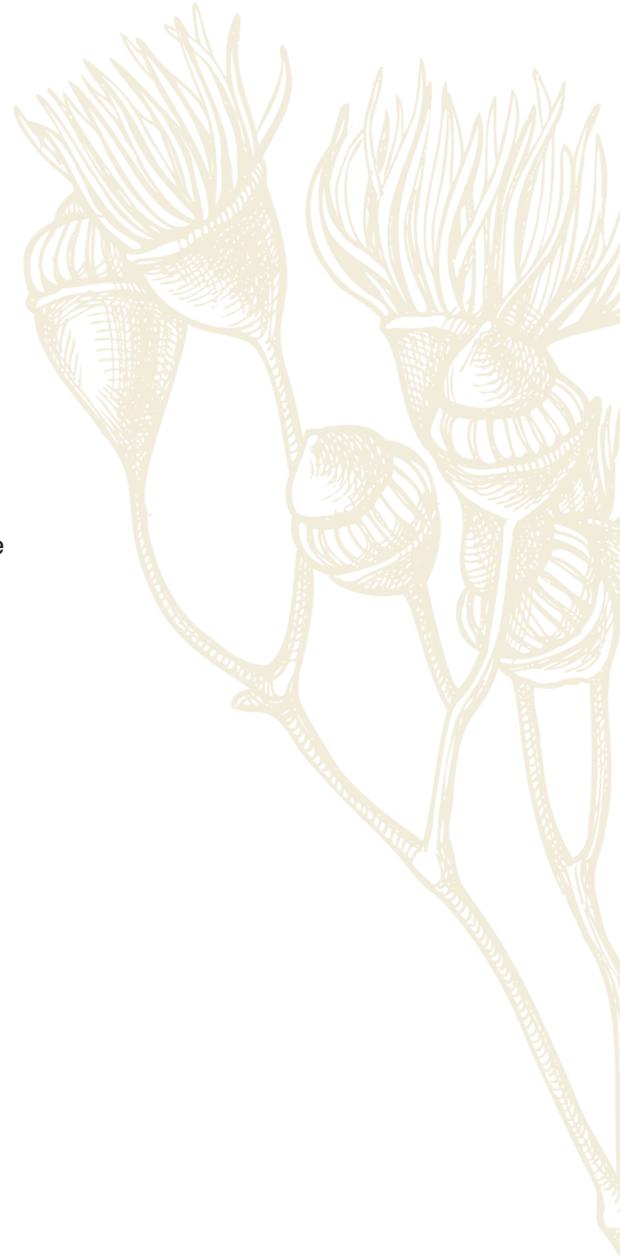
Yoorrook will continue to harness media, content development and digital channels to encourage truth telling and promote the Commission's work.

3. Fostering understanding

Yoorrook will continue to amplify the truths emerging from the Commission to increase awareness and wider public understanding of the connection between colonisation and First Peoples' historical and present experiences of injustice, and the need for reform. Yoorrook will hold healing and commemorative ceremonies as part of this work.

4. Reform and transformation

Yoorrook will identify necessary reforms and develop recommendations. It will ensure that the Commission's recommendations are driven by First Peoples, and are implementable, effective in remedying injustice, and transformative for Victoria.



Organisational Development

Yoorrook's goal is to be a strong, inclusive, capable organisation that places First Peoples' culture, values and practices at the centre of everything it does.

Accordingly, Yoorrook will continue to:

- 1. Establish Yoorrook's home base in Collingwood as a welcoming, supportive and culturally safe space**
.....
- 2. Prioritise the employment and leadership of First Peoples**
.....
- 3. Nurture a healthy workplace culture that reflects Yoorrook's values, cultural protocols and principles of social and emotional wellbeing**
.....
- 4. Develop a clear, culturally appropriate organisational structure, roles, systems and processes that support Yoorrook's work**
.....
- 5. Use Yoorrook's resources in ways that are mandate-related, culturally appropriate, and financially and environmentally sustainable**

Official Public Record

The official historical record of First Peoples' experiences of colonisation is incomplete. Yoorrook will change this. Yoorrook's Letters Patent require it to establish an official public record based on First Peoples' experiences of Systemic Injustice since the start of colonisation. Yoorrook's public record will be an indelible, unsanitised record, created by First Peoples. It will lay the foundations for a new relationship between First Peoples, the State of Victoria, and all Victorians, based on truth and justice. This record also will highlight the strength, diversity, and resilience of First Peoples.

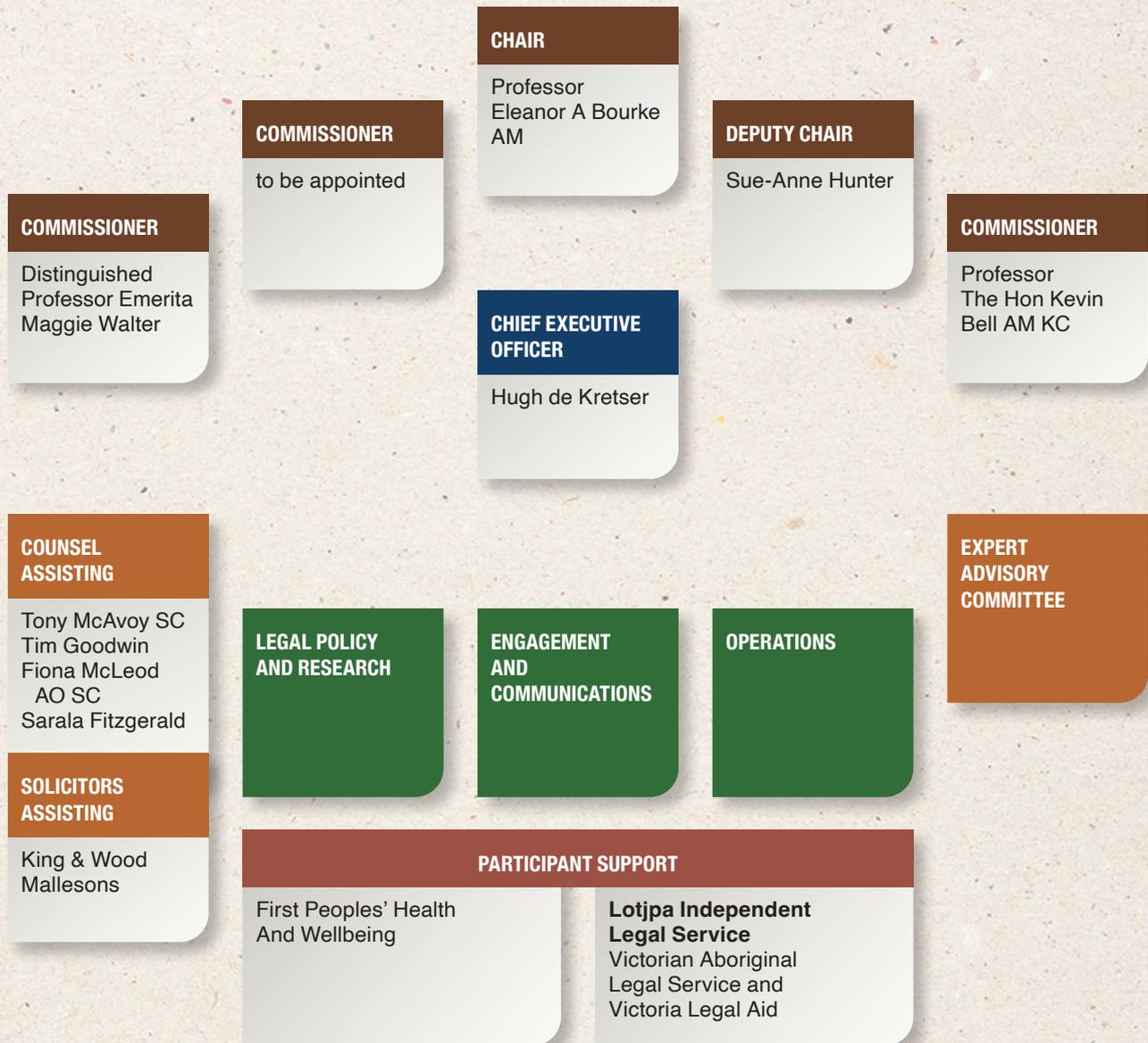
Yoorrook's public record will be a rich multi-media archive comprising its official published reports as well as stories, photographs, oral histories, and other significant cultural, ceremonial, and artistic materials. As with all Yoorrook's work, the creation of its public record will be guided by the Commission's Indigenous Data Sovereignty protocols and free, prior, and informed consent from participants.

Yoorrook's record will be transferred as an archive to the Public Records Office of Victoria or, subject to government reform processes, a First Peoples' records body.



ANNEX 1

Yoorrook's Organisational Structure



ANNEX 2

Criteria to Guide the Selection of Yoorrook's Work Streams

Commissioners are using the criteria below to guide the selection of work streams.

To what extent will the work:

→ Contribute to the achievement of Yoorrook's goals of -

Truth: How will this work assist in creating a record of truth and who or what is responsible?

.....

Understanding: How will this work assist in creating broader Victorian community understanding of First Peoples and the links between the past, present and future?

.....

Transformation: How will this work support change to remedy injustice against First Peoples in Victoria?

→ Have impact?

Is the issue widespread or limited to certain groups? What is the impact on affected people and groups? What is the degree of harm/s caused? Does the issue relate to multiple forms of inequality and injustice, such as gender inequality?

→ Result in redress & healing?

Will the work contribute to redress and healing? Will the work avoid further trauma?

→ Respond to community views?

To what extent is the issue of concern to First Peoples and First Peoples' organisations? Have we heard the quieter voices on the significance of this issue?

→ Achieve desired change?

Is Yoorrook well-placed to use its mandate, powers and status to address the issue? Will the issue be effectively addressed if Yoorrook does not work on it?

→ Be implemented in an environment conducive to success?

What timing or other factors create opportunities or barriers for impact on the issue?

→ Represent an efficient use of resources?

What level of resources does the issue demand in terms of time, money or staff for Yoorrook to have impact?

→ Support self-determination?

How will Yoorrook's work on the issue support First Peoples' self-determination and the treaty-making process?





Strategic Plan

2022–2024



TRUTH
UNDERSTANDING
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