



ISSUES PAPER: CALL FOR SUBMISSIONS ON HEALTH AND HEALTHCARE

INTRODUCTION

The Yoorrook Justice Commission (Yoorrook) is investigating systemic injustice experienced by First Peoples in health and healthcare.

Colonisation including the taking of land, the removal of First Peoples from their Country and the taking of children from their families, continues to have a devastating impact upon the health and wellbeing of First People.

As a result, First Peoples in Victoria experience stark health inequalities, with poorer health outcomes than non-Indigenous Victorians, caused and exacerbated by discriminatory treatment in mainstream health services and in the medical profession. This continues despite initiatives such as Closing the Gap.

Aboriginal Community Controlled Health Services have stood at the forefront of the battle to improve the lives of First Peoples, providing holistic, culturally safe healthcare at a local level. They respond to health needs and system failures in mainstream healthcare, housing, mental health, aged care and child protection. They are improving health outcomes despite funding challenges.

Health is a fundamental human right. It is also essential to realising other human and cultural rights.

For First Peoples, health is more than just individual physical wellbeing. It includes social, emotional and cultural wellbeing for the individual and the community. It is inextricably linked to land, culture and identity.

The goals of Yoorrook's health and healthcare inquiry are to:

- develop a record of the contemporary health status/circumstances of First Peoples
- identify the source and breadth of injustice for First Peoples across the different dimensions of health
- identify the causes and consequences of health injustice for First Peoples
- improve state accountability to prevent the continuance or recurrence of health injustice for First Peoples
- identify ways to achieve health justice for First Peoples.

Yoorrook is calling for submissions from individuals and organisations to assist this inquiry. Submissions should be made via the Yoorrook website by **8 February 2024**.

ABOUT YOORROOK

Yoorrook is the first formal truth-telling process into historical and ongoing injustice experienced by First Peoples in Victoria since colonisation.

Guided by its values and principles, Yoorrook is:

- establishing an official record of the impact of colonisation on First Peoples in Victoria
- developing a shared understanding among all Victorians of the impact of colonisation, as well as the diversity, strength and resilience of First Peoples' cultures

- recommending immediate legislative and policy changes as well as reforms that may be implemented through the treaty making process.

Yoorrook is independent of government. It has been established as a Royal Commission under the *Inquiries Act 2014*.

Yoorrook's goals are to achieve truth, understanding and transformation in Victoria. [Yoorrook's Letters Patent](#) sets out its mandate in detail. Yoorrook is due to complete its work in June 2025.

Yoorrook was designed and is led by First Peoples.

YOORROOK IS INVESTIGATING SYSTEMIC INJUSTICE IN HEALTH AND HEALTHCARE

Yoorrook is scheduled to deliver its final reform report in December 2024. In addition to other issues, this report will include evidence, findings, and recommendations about systemic injustice in education, housing and in relation to land, sky, waters and resources.

Yoorrook has published separate Issues Papers and call for submissions for Yoorrook's inquiries into land injustice, health, school education and tertiary education, available here: <https://yoorrookjusticecommission.org.au/issues-papers/>.

CALL FOR SUBMISSIONS

Yoorrook calls for submissions from individuals and organisations who have lived experience and expertise in health and healthcare including:

- First Peoples
- First Peoples organisations, service providers and groups including Traditional Owner groups
- current and former staff of organisations and agencies working in health
- advocates and legal representatives
- non-government organisations or entities
- academics and researchers, and
- current or former staff in government or government agencies.

Submissions responding to this Issues Paper should be made no later than **8 February 2024** to allow time to analyse submissions and to inform hearings and other inquiry processes that Yoorrook will undertake for its report. Submissions received after this date will continue to inform Yoorrook's ongoing inquiry and official public record.

Yoorrook will publish the submissions it receives on its website with the consent of the person or organisation making the submission. Yoorrook will not make a submission public without the consent of the person or organisation making the submission. Yoorrook will accept anonymous submissions. Yoorrook reserves the right to choose not to publish all or part of a submission if it considers it inappropriate to do so.

THE FOCUS OF YOORROOK'S INQUIRY

Barriers and access to health justice remain despite the tireless work of many First Peoples individuals and organisations and their historical and continued advocacy. This includes the work by First Peoples in the development of key policies and frameworks such as Korin Korin Balit-Djak, Balit Murrup and the Aboriginal Governance and Accountability Framework.

Yoorrook acknowledges the previous work and will not duplicate the inquiries that have already been undertaken in this area. Rather, Yoorrook will build on this work, drawing on its unique perspective as a First Peoples led inquiry. Yoorrook will highlight First Peoples experiences in health and healthcare.

Yoorrook invites submissions addressing the historical and ongoing systemic injustice experienced by First Peoples in health and healthcare and how these injustices contribute to inequities in health outcomes for First Peoples. Yoorrook adopts a broad understanding of health that encompasses not just physical wellbeing but the social, emotional and cultural wellbeing of individuals and the whole community across all stages of life.

Yoorrook defines healthcare to include prevention, early intervention, primary and tertiary healthcare and specialist care including mental health, drug and alcohol services, justice health and maternal and child health.

Yoorrook wants to hear lived experiences and explore the following themes:

- past and present injustices within the health and healthcare sector
- challenges and barriers to accessing healthcare, including primary, secondary (specialist) and care
- existing gaps in the system
- cultural safety for First Peoples in mainstream health services
- healthcare for Elders
- employment of First Peoples within the health sector, including in leadership positions
- adequacy and sustainability of funding/investment in Aboriginal health
- investment in early intervention and preventative healthcare
- examples where the state has failed to meet its obligations or implement health related policy and/or recommendations (including in relation to Korin Korin Balit-Djak, Balit Murrup and the Aboriginal Governance and Accountability Framework)
- adequacy of existing governance and partnership arrangements under the Aboriginal Health and Wellbeing Agreement and Action Plan
- prospects for self-determination within the health system
- the importance of historical and ongoing advocacy by First Peoples in health including advocacy leading to the establishment of Aboriginal Community Controlled Health Organisations.

Building on those themes, Yoorrook has identified relevant key issues including:

- racism and lack of cultural safety for First Peoples in mainstream health services and across the health sector
- barriers to increasing the number of Aboriginal healthcare professionals including racism
- First Peoples' experiences in hospitals including critical incidents and avoidable deaths
- mental health and wellbeing, including strategies and actions to reduce suicide rates

- access to culturally safe palliative care
- gaps in State oversight and accountability for policies, frameworks and previous recommendations
- excessive administrative burdens for Aboriginal health providers arising from multiple funding, regulatory compliance and reporting requirements.

The priority themes and key issues identified above are intended to guide your submission. You may respond to any or all of these issues or raise others. You may attach relevant submissions or research you have provided to other inquiries or reform processes.

In addition to submissions on these key themes and issues, Yoorrook welcomes:

- examples of good practice, innovative approaches or successful models that could be adopted or expanded upon to improve health outcomes and experiences of First Peoples
- consideration of what self-determination within healthcare might look like now and into the future
- suggested systemic changes or recommendations needed to remedy health injustices, ensure State accountability and prevent the continuance or recurrence of health injustice for First Peoples.

WHAT YOORROOK WILL NOT DO

Yoorrook cannot overturn or change decisions of courts or tribunals or make findings about whether those decisions were correct or not. However, Yoorrook can inquire into First Peoples' experience of these processes and whether they cause or contribute to systemic injustice and may make recommendations for processes or systems changes to ensure this injustice does not continue.

HOW TO MAKE YOUR SUBMISSION

To make your submission please click [here for individuals](#) and [here for organisations, agencies or other entities](#).

Submissions should be made by **8 February 2024**.

For queries about this issues paper or making a submission please contact enquiries@yoorrook.org.au or 1800 YOO RRK (1800 966 775).