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*“But there was no slavery in
Australia”*

Makarrata, truth telling and enforced labour in
Queensland

The Uluru Statement from the Heart

- *“We seek a Makarrata Commission to supervise:*
 - *a process of agreement-making between governments and First Nations; and*
 - *truth-telling about our history.”*



Truth Telling

- *“The true history of colonisation must be told:*
 - *the genocides, the massacres, the wars and the ongoing injustices and discrimination.*
 - *how First Nations Peoples have contributed to protecting and building this country.*
- *A truth commission could be established as part of any reform.”*



PM Scott Morrison to Ben Fordham 2GB

“While slave ships continued to travel around the world when Australia was established, sure it was a pretty brutal settlement... *but there was no slavery in Australia*”.



11 June 2020

“ The comments I was referring to was how the New South Wales settlement was first established and the views that were communicated at the time in forming the New South Wales colony.

One of the principles was to be that Australia, or in that case NSW, was not to have lawful slavery. And that was indeed the case, there was not the laws that have ever approved of slavery in this country.

”

My comments were not intended to give offence and if they did I deeply regret that and apologise for that.

PM Morrison apologises for slavery comments.

Fri 12 Jun 2020



High Court of Australia: defining slavery

Critical powers of slavery :

- the power to make the complainants an **object of purchase**,
- the capacity, for the duration of the contracts, to use the complainants and their **labour in a substantially unrestricted manner**,
- the power to **control and restrict their movements**, and
- the power to use their services **without commensurate compensation**.

Gleeson CJ in
The Queen v. Tang, [2008] HCA 39.



“

The work of the Yoo-rrook Justice Commission should lead to a better understanding of our shared history in Victoria and...usher in a new future.

First Peoples across Victoria want ...proper attention to local histories as well as common patterns or trends..

These include massacres, Stolen Generations, slavery, sexual violence, intergenerational trauma, cultural loss, land theft and forced dislocation from home and land.

”



TYERRI YOO-RROOK” (SEED OF TRUTH)

Report to the Yoo-rrook Justice Commission June 2021



**First Peoples’
Assembly of
Victoria**

1. That the Queensland Government facilitate a comprehensive process of Truth Telling to chronicle

- the history of First Nations Peoples prior to British colonisation of Queensland,
- the history and impact of colonisation on First Nations Peoples
- and the more recent history..



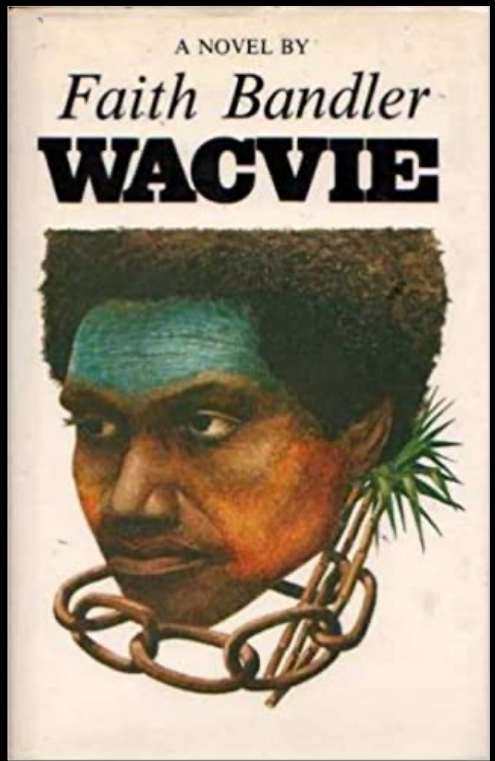
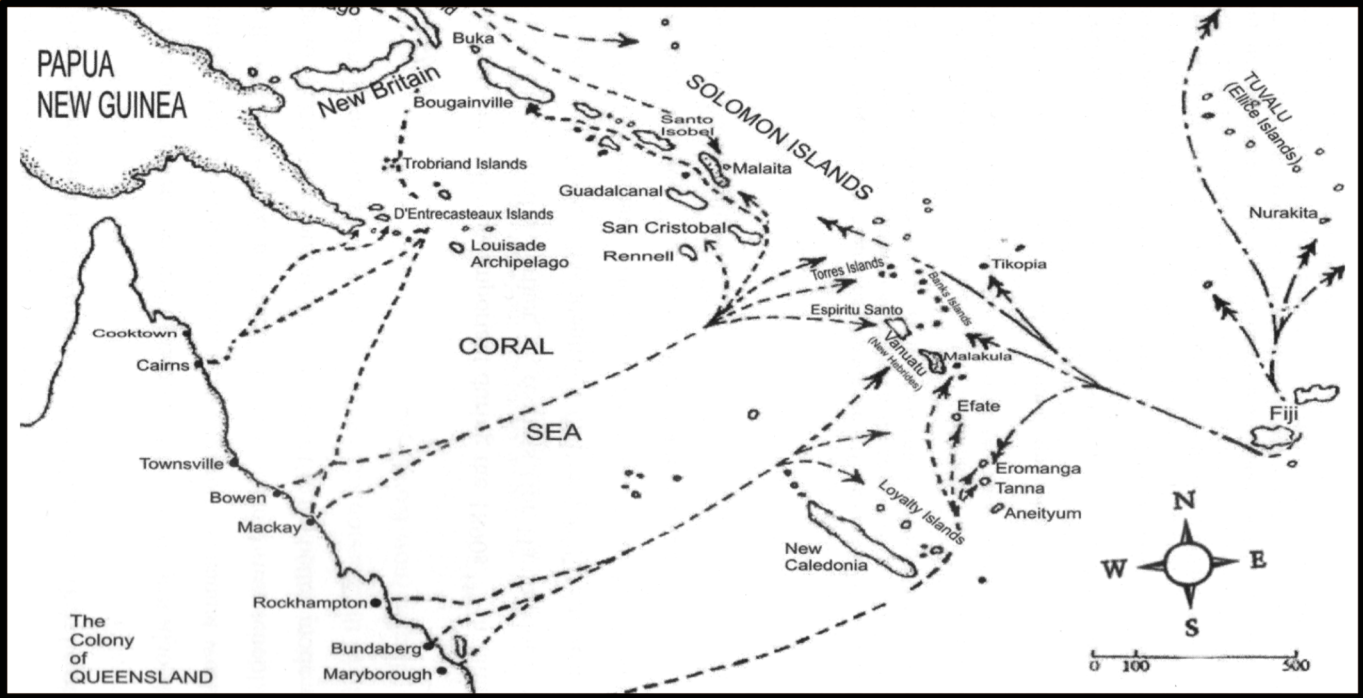
2. That the First Nations Treaty Institute be commissioned and empowered (e.g. the ability to compel the production of documents and witnesses) to conduct the process of Truth Telling and to support participants and witnesses involved in the process.



Eminent Panel on Queensland's
PATH TO TREATY
February 2020

"I can't possibly accept an award from an empire that kidnapped my father and enslaved him as a cane worker"

Faith Bandler 1976



Queensland mayor's history-making apology for 'slavery' shame

“Some 60,000 Melanesian labourers were tricked, coerced and kidnapped from over eighty islands of Vanuatu and the Solomons to work as slaves”

Waskam Emelda Davis



“Although slavery was abolished in the British Empire at the time, the practice of forcing indentured labour into the cane fields was equivalent to slavery and abhorrent.”

Cr Dempsey in formal apology, Bundaberg, July, 2021



Seasonal Worker Programme November 2021

- Pacific Island seasonal workers class action
- 1000 workers left employer in last year
- 16 workers died
- Claims of wage theft, exploitation, forced control of wages, poor safety training
- No choice of employer, freedom of movement
- “May bring shame to your family’s reputation”



ABSCONDING THE RISKS AND CONSEQUENCES

VISA CONDITIONS FOR WORKERS

Your Australian visa is linked to the employer listed in your Offer of Employment.

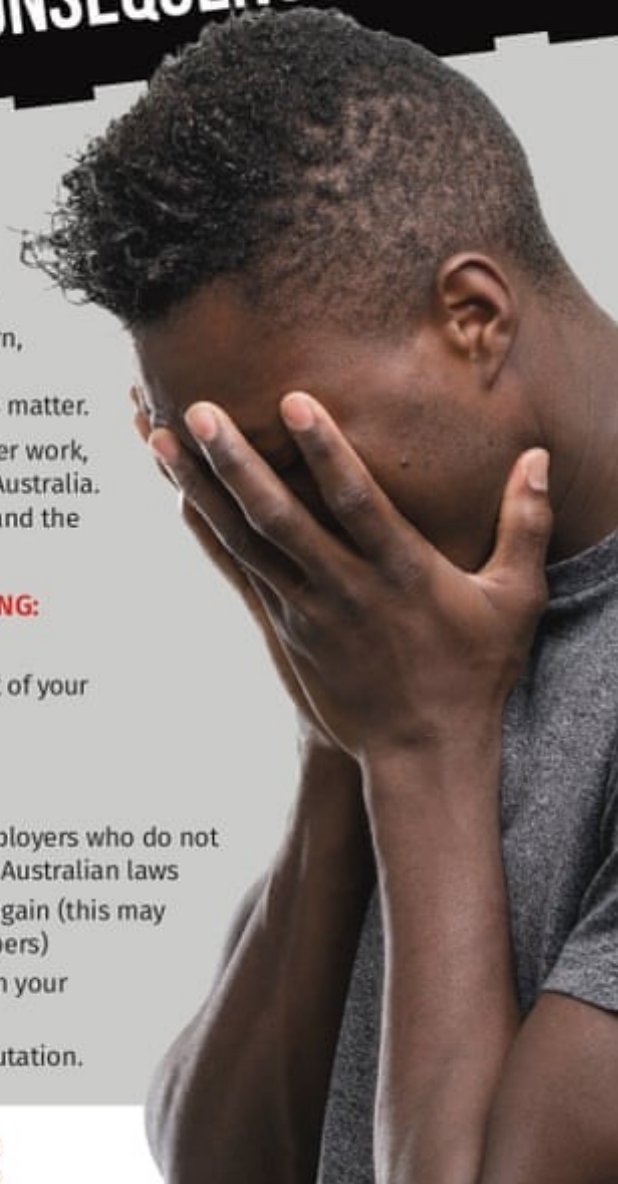
If you leave your job and don't intend to return, you are breaking the conditions of your visa. This is called absconding and is a very serious matter.

Be wary of people who may promise you better work, more money or a visa to live permanently in Australia. This may be a scam and you need to understand the risks if you leave your job.

RISKS AND CONSEQUENCES OF ABSCONDING:

- ▶ your visa may be cancelled
- ▶ your employer will stop arranging payment of your health insurance
- ▶ no guaranteed accommodation
- ▶ no welfare support
- ▶ you could be mistreated by dishonest employers who do not provide fair working conditions that meet Australian laws
- ▶ you may not be able to work in Australia again (this may include your family and community members)
- ▶ you may damage the relationship between your country and the employer, and
- ▶ you may bring shame to your family's reputation.

IF YOU ARE HAVING PROBLEMS AT WORK OR HOME
OR YOU HAVE QUESTIONS, IT'S IMPORTANT TO ASK



‘Protection’ and control through legislation and practice

- *Aboriginals Protection and Restriction of the Sale of Opium Act 1897 (Qld)*
 - Control of labour, location, livelihood
 - Local police as ‘protectors’, and labour supply agents
 - Stolen wages into Government accounts



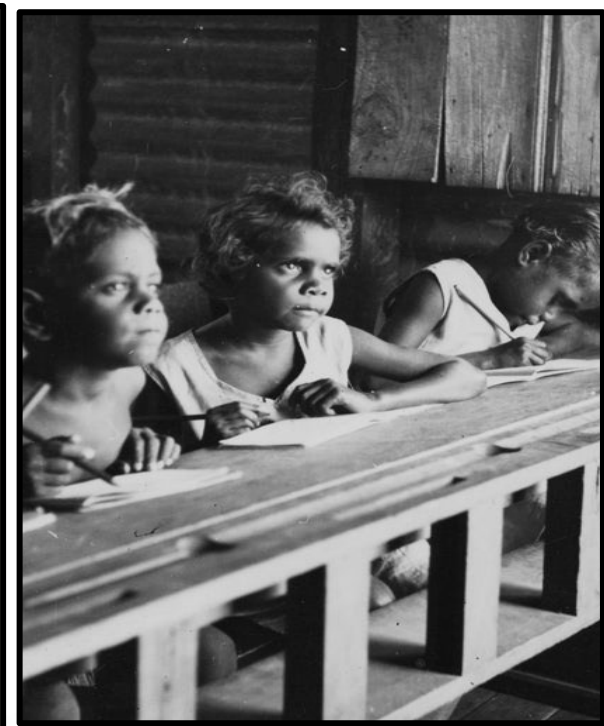
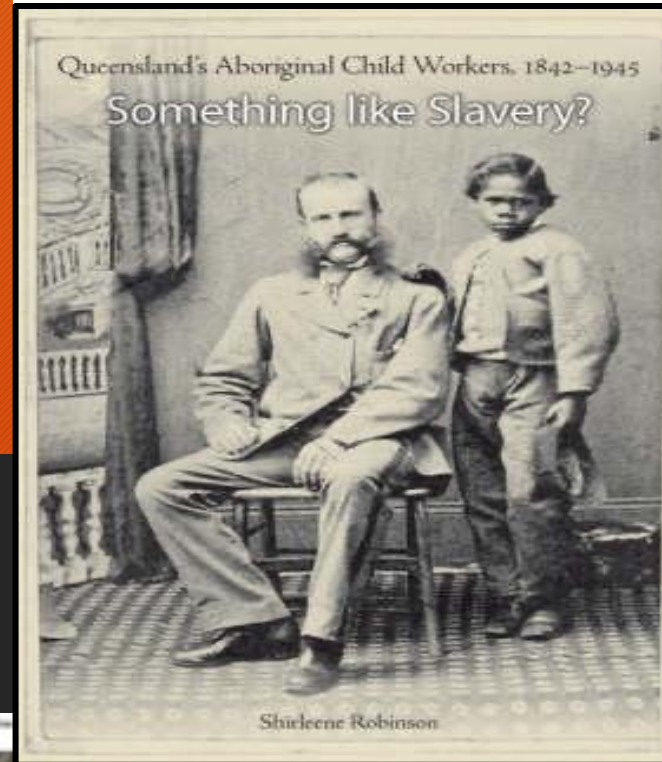
• Pastoralism



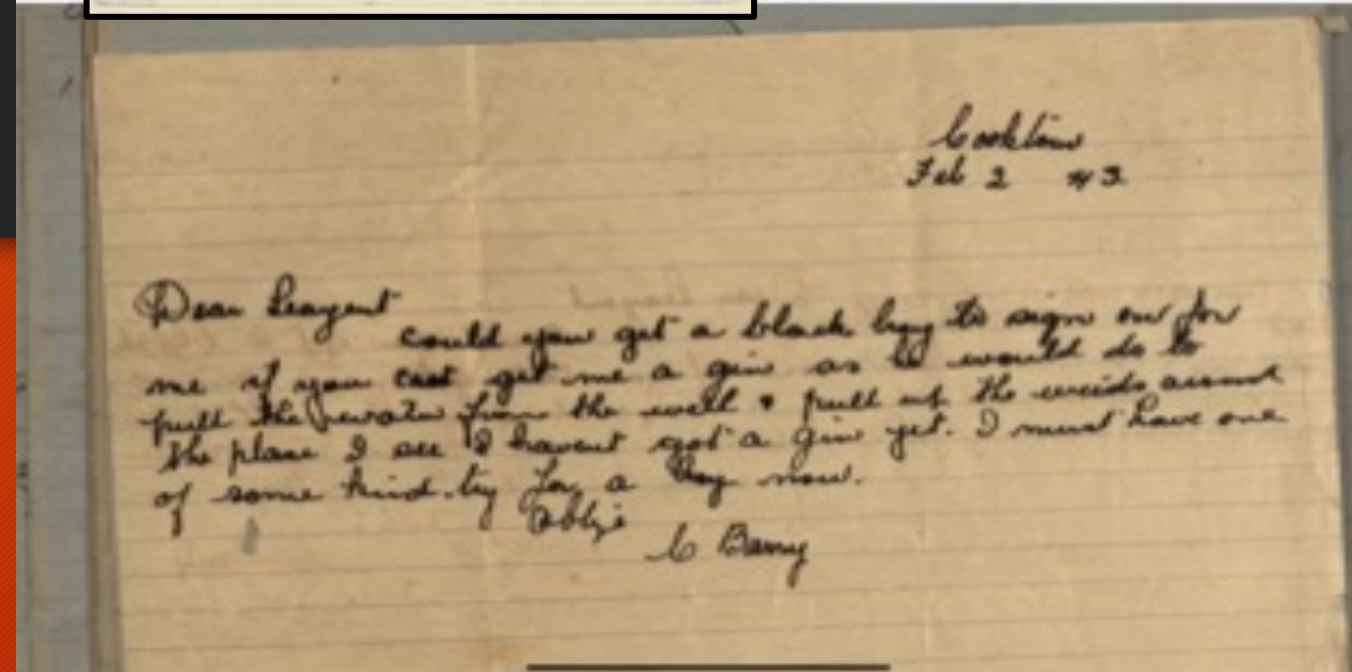
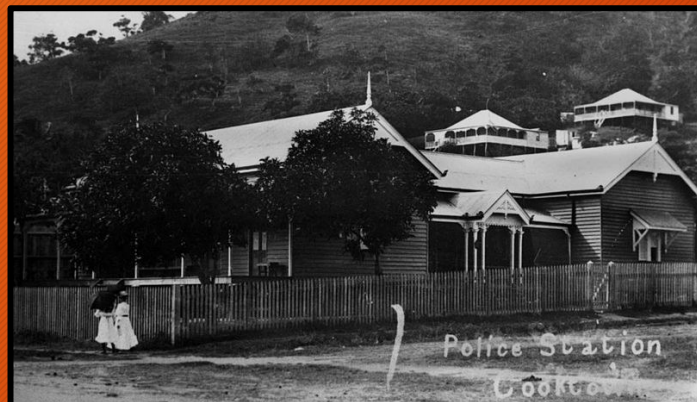
• Pearling



• Domestic servants



Qld Police and Child Labour



Models & Issues for a Makarrata Commission



- Judicial status?
- Powers to compel evidence?
- Local, regional, State or national?
- Findings, orders, recommendations?
- Resources for First nations
- Culturally sensitive processes?
- Accountabilities?
- Truth-telling protocols?
- Healing and reconciliation?
- Implementation.
- *Reparation*

Canada and South Africa

Kowanyama: Voices of Kunjen, Koka Bera, Yir Yoront



Historical Issues

- Loss of land, livelihood, language
- Forced relocation to Mission (Mitchell River)
- Colonial Violence, murder, poisoning
- Forced labour for rations, clothes
- Punishment expulsions to Palm Island
- Institutional controls, paternalism
- “Promises” of Education, employment & opportunity
- Alcohol, Drugs, Violence.

Resources

- Oral Histories, elders
- Linguists, Anthropologists records
- Land and Natural Resources Management Office, Museum
- Mission archives
- Kowanyama Aboriginal Shire Council
- Native Title/ Council of Elders
- Kowanyama Community Justice Group

