



27 November 2024

Committee Secretary
Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs
PO Box 6021
Parliament House
Canberra ACT 2600

Via email: JSCATSIA@aph.gov.au

QUESTION ON NOTICE
Truth and Justice Commission Bill 2024
Public Hearing Perth, 12 November 2024

Anglicare WA written submission 19 September 2024

Anglicare WA recommended a **minimum** of 60% of Commission Members be First Peoples in response to the proposed:

Part 2 – Establishing the Truth and Justice Commission; Section 7 Appointment of Members; Clause (4) *“In appointing the members, the Joint Ministers must ensure that a majority of the members are First Peoples.”*¹

Anglicare WA recommended that at least a minimum number of First Peoples be represented as Commission Members to maintain the integrity of the Membership, as well as the role and function of the Commission. Additionally, Anglicare WA supports increasing First Peoples representation if such a proposal is put forward.

Question on Notice – Extract from Transcript²

Senator COX: *In your submission, you talk about only 60 per cent of the commission being First Nations people. Is there a reason why you have come to that figure of 60 per cent?*

Ms Kane: *We got some advice from Reconciliation WA on that and looked at Jody Nunn's experience and the research she did in another jurisdiction. That was just the starting point, a baseline. We can take that on notice and ask Jody for a reference to it.*

¹ Parliament of the Commonwealth of Australia, (2024). [Truth and Justice Commission Bill 2024](#). Presented by Senator Cox and Shoebridge.

² Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs (12 November 2024). [Truth and Justice Commission Bill 2024, Public Hearing, Proof Committee Hansard](#). Perth

Senator COX: Yes. I am interested in unpacking what the other 40 per cent comprises. We are seeing only 60 per cent of First Nations people, but we talk about self-determination, Indigenous led and Indigenous designed. I am a little confused about your comment regarding 60 per cent, because that is just over half. So are we talking about legal expertise, professional counselling or other bits and pieces? You picked up on this in your submission. You talk about free, available, accessible, trauma informed, and culturally appropriate counselling and services to support the commission in its work, which are important features. But I just picked up on the 60 per cent: 'If we are self-determining, would mob say that?' I am interested in your submission's point of view.

Ms Cottam-Williams: As Sara said, it's probably more from the reconciliation lens, and allowing for where we need other people to—

Senator COX: If you could provide that to me on notice, I will be able to see what the thinking is behind it, and we can be a little bit informed. I'm pretty sure Ms Nunn didn't provide that in her evidence this morning.

Ms Kane: We can take it on notice and follow it up. I think it is based on some of the research that she has done, and as a minimum.

Senator COX: So as a floor not a ceiling.

Ms Kane: Yes, absolutely.

Response to the Question on Notice

During the Public Hearing, representatives from Anglicare WA stated that while researching and writing our submission, we sought guidance from Reconciliation WA and a recent study tour of truth and justice commissions in other jurisdictions.

One such jurisdiction was Canada. The [National Centre for Truth and Reconciliation](#) in Canada ³ provides an example of how a governance structure could be established in Australia; providing clear minimum representation requirements in the governance structure.

In the Canadian National Centre for Truth and Reconciliation, no decisions are made without input and authority from the Survivors Circle, which also has membership in the Governing Circle.

National Centre for Truth and Reconciliation Governing Circle⁴:

Of the eleven members in the Governing Circle, three must represent Survivors, four must identify as Indigenous, and the remaining four members represent the University of Manitoba and partner organisations.

"In summer 2014, an 11-person nominating committee selected the first Governing Circle of the NCTR. Governing Circle members:

³ <https://nctr.ca/about/about-the-nctr/nctr-governance/>

⁴ <https://nctr.ca/about/about-the-nctr/nctr-governance/>

- Ensure Indigenous people are in control over the materials
- Provide guidance on policies, activities, ceremonies, and protocols
- Provide guidance on ways to increase the Centre's records, materials, and resources and on prospective partners
- Provide support on accessing the Centre's records, materials and resources

Three members of the Governing Circle represent Survivors, their families or ancestors (one First Nation, one Inuit and one Métis) and, at all times, at least four members of the Governing Circle must self-identify as Indigenous. The remaining four members represent the University of Manitoba (UM) and other NCTR partner organizations.

Governing Circle members serve a minimum two-year term, meet quarterly and advise on the NCTR's policies, priorities, activities, ceremonies, protocols and methods. The Governing Circle ensures ongoing Indigenous oversight of the NCTR."

The seven of the eleven members who are Survivors or identify as Indigenous represent a minimum of approximately 63% of the Governing Circle.

National Centre for Truth and Reconciliation Survivors Circle⁵:

"Today, a seven-member Survivors Circle continues to guide the NCTR. These members:

- Ensure that Survivors' voices and perspectives remain central to NCTR programs and policies
- Provide guidance and advice to the NCTR, the Governing Circle, UM and partners on anything important to the broader Survivor community

We hope this addresses the question posed to Anglicare WA representatives during the Public Hearing⁶.

We would like to emphasise that Anglicare WA's recommendation for at least 60% of Commission Members to be First Peoples is the absolute minimum necessary for the Commission to fulfill its role and function authentically and effectively and would support a higher proportion of representation if such a proposal is put forward.

Yours faithfully,



Mark Glasson
Chief Executive Officer

⁵ <https://nctr.ca/about/about-the-nctr/nctr-governance/>

⁶ Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs (12 November 2024). Truth and Justice Commission Bill 2024, Public Hearing, Perth.