

13 November 2024

Our ref: [MC-LP]

The Hon Fiona Simpson MP
Minister for Women and Women's Economic Security,
Minister for Aboriginal and Torres Strait Islander Partnerships and
Minister for Multiculturalism
1 William Street
Brisbane QLD 4000

Dear Minister

Legal profession issues

On behalf of the Queensland Law Society (QLS), I extend my congratulations to you on your appointment as Minister for Women and Women's Economic Security, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Multiculturalism.

I take this opportunity to offer the assistance of the legal profession and in particular, QLS's legal policy committees, where your responsibilities involve legislative and policy reform. QLS has 30 policy committees comprised of volunteer legal practitioners, with substantial expertise across many different practice areas relevant to your portfolio, including the QLS First Nations Legal Policy Committee.

We welcome engagement and consultation with QLS and our committees which might be helpful to progressing the policy objectives of the government on the issues discussed below and in your portfolio generally.

We would welcome the opportunity to meet with you at your earliest convenience to discuss these issues further.

Treaty and Truth-telling

QLS was disappointed to learn of the government's intention to pause the Truth-telling and Healing Inquiry and to repeal the *Path to Treaty Act 2023* (Qld).

QLS has supported the Path to Treaty Process and has sought to work with our Aboriginal and Torres Strait Islander members to support continuing reconciliation in Queensland. We believe there is a benefit to all Queenslanders in understanding our past and walking forward together.

Recording the stories and experiences of Aboriginal and Torres Strait Islanders is one of historical significance for our community and will help to inform culturally appropriate and effective policy development into the future.

While we acknowledge the Government's stated commitment to repeal the *Path to Treaty Act 2023*, we would urge Government to continue the process of formally recording the history and experiences of Aboriginal and Torres Strait Islanders and the impacts those events have had

on Queenslanders through a new Inquiry or formal process. This is a tangible way to promote reconciliation through a shared and honest understanding of where we have come from together.

Closing the Gap initiatives

In its response to the QLS 2024 Queensland State Election - Call to Parties, the government identified its focus on addressing the Closing the Gap outcomes.¹

In progressing initiatives to Close the Gap, QLS commends to the government the findings of the Productivity Commission's findings in its January 2024 report, "Review of the National Agreement on Closing the Gap".² QLS endorses the recommendations of the Productivity Commission's findings in its report.

Youth justice reforms and Aboriginal and Torres Strait Islander children and young people

QLS recognises the priority of the government to introduce youth justice law reform. However, we highlight the over-representation of Aboriginal and Torres Strait Islander children and young people in the youth justice and child protection systems.

We support culturally appropriate and community-led programs that reflect the perspectives and needs of Aboriginal and Torres Strait Islander Peoples and communities.

In September 2022, the Queensland Family and Child Commission report "*Yarning for Change*" observed 'the rights and aspirations of First Nations children and young people with a lived experience of the youth justice system are largely rendered invisible in the discourse, in the policy and practice of justice'.

We encourage the government to continue with the *Yarning for Change* study to ensure the voices of children, young people, their families, their communities and those who support them are heard and considered when informing and evaluating changes to the youth justice system in Queensland. The study highlights the importance of embedding an effective evaluative mechanism into program design and practice and in assessing progress.

Other priority issues

QLS has previously called for recommendations from previous consultations, inquiries and reports to be implemented. Our 2024 Queensland State Election - Call to Parties included calling for a commitment to:

- Meaningfully engage and take active steps to implement all of the recommendations in the Productivity Commission's final report on its review of progress on the National Agreement on Closing the Gap.
- Consider new targets, including justice targets, under the National Agreement on Closing the Gap, to ensure they are achievable and work towards reducing rates of Indigenous imprisonment.

¹ <https://www.qls.com.au/Pages/Legal-Policy/Call-to-parties/State-Election-2024-Call-to-Parties-Statement>

² <https://www.pc.gov.au/inquiries/completed/closing-the-gap-review#report>

Legal profession issues

- Prioritise the finalisation of the review of the Cultural Heritage Acts, namely, the *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003* and introduce meaningful reform to ensure the Cultural Heritage Acts meet their purpose and provide for First Nations justice; and
- The efficient and effective resolution of native title compensation claims.

We would welcome the opportunity to meet with you at your convenience to discuss these complex issues further. Please do not hesitate to contact our Director of Advocacy and Legal Policy, [REDACTED] to arrange a convenient time.

