



Australia's National Institute for Aboriginal  
and Torres Strait Islander Health Research

# **Inquiry into racism, hate and violence directed at Aboriginal and Torres Strait Islander people**

**Submission to the Joint Standing Committee on Aboriginal and  
Torres Strait Islander Affairs**

**Lowitja Institute, May 2026**

1 May 2026

Dear Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs,

**Re: Inquiry into racism, hate and violence directed towards Aboriginal and Torres Strait Islander people**

Lowitja Institute is Australia's national institute for Aboriginal and Torres Strait Islander health research, named in honour of our Co-Patron, the late Dr Lowitja O'Donoghue AC CBE DSG, and the only Aboriginal community controlled research Institute in Australia. We welcome the opportunity to provide a submission to the Joint Standing Committee's inquiry into racism, hate and violence directed towards Aboriginal and Torres Strait Islander people.

Racism is considered one of the most impactful social determinants of health for Aboriginal and Torres Strait Islander people, and a fundamental driver of all other social determinants of health. Racism within systems and within health research settings continues to generate significant risks to our health. For this reason, racism remains a key policy priority for Lowitja Institute, underpinning our policy and advocacy work at the national, state and international level. Lowitja Institute has also funded research that supports and leads advocacy for a stronger focus on racism.

Lowitja Institute's work consistently works to and supports the *National Agreement on Closing the Gap*, by advocating for and conducting Aboriginal and Torres Strait Islander led research that drives the four Priority Reforms. This includes Priority Reform Three, which commits governments to transforming the way they work with Aboriginal and Torres Strait Islander peoples through identifying and eliminating racism and embedding meaningful cultural safety within systems.

Based on this experience, we offer the following submission and commentary in response to this Inquiry. We would welcome the opportunity to further discuss any of the issues contained herein.

Warm regards,



Paul Stewart  
CEO, Lowitja Institute

## ABOUT LOWITJA INSTITUTE

Lowitja Institute is a national Aboriginal and Torres Strait Islander community controlled organisation working for the health and wellbeing of Aboriginal and Torres Strait Islander peoples through high impact quality research, knowledge translation, and by supporting Aboriginal and Torres Strait Islander health researchers.

Established in January 2010, we operate on the key principles of Aboriginal and Torres Strait Islander leadership, a broader understanding of health that incorporates wellbeing, and the need for the work to have a clear and positive impact. Lowitja Institute invests in knowledge creation and translation by enhancing the capability of the Aboriginal and Torres Strait Islander health research workforce.


At Lowitja Institute our research is built on priorities identified by Aboriginal and Torres Strait Islander peoples. We aim to produce high impact research, tools and resources that will have positive health outcomes for Aboriginal and Torres Strait Islander peoples. To guide this, we work by five principles that underpin our approach to research. These principles are:

1. Beneficence – to act for the benefit of Aboriginal and Torres Strait Islander people in the conduct of our research.
2. Leadership by Aboriginal and Torres Strait Islander people
3. Engagement of research end users (Aboriginal and Torres Strait Islander organisations and communities, policymakers, other potential research users)
4. Development of the Aboriginal and Torres Strait Islander research workforce
5. Measurement of impact in improving Aboriginal and Torres Strait Islander people's health.

## GENERAL PREAMBLE

Over millennia, Aboriginal and Torres Strait Islander peoples have cared for Country and for our communities in this place now called Australia. We have maintained our health and wellbeing with holistic approaches aimed simultaneously at community and individual health and wellbeing. From the early days of European settlement in 1788, racism against our peoples has taken many forms, including murder, exploitation and dispossession from our traditional lands and cultures. Our peoples were forced onto missions and reserves, breaking apart our communities and nations, and the systems that were in place to self-govern. As detailed below, racism has profound and inter-generational health impacts.

Lowitja Institute, as Australia's only community controlled national institute for Aboriginal and Torres Strait Islander health research, leads in the development of Aboriginal and



Torres Strait Islander-led research, policy and advocacy, designed to drive structural reform to eliminate systemic racism from our systems, institutions and society. Based on this experience, we put forward this submission to the Inquiry into Racism, Hate and Violence directed at Aboriginal and Torres Strait Islander peoples and urge governments to take on board all recommendations contained herein.

## Racism within systems

### FORMS OF RACISM

Racism, in all its forms has wide-ranging and lasting effects on the health and wellbeing of Aboriginal and Torres Strait Islander peoples.<sup>1</sup> Racism is an “organised social system that operates on multiple levels to reinforce, justify, and perpetuate and racial or ethnic hierarchy”, one that devalues, disempowers and disadvantages, and withholds opportunities and resources from certain groups.<sup>2</sup> For many Aboriginal and Torres Strait Islander peoples, racism is an everyday reality and the experiences of racism in all contexts remain consistently high.<sup>3</sup> The 2024 Australian Reconciliation Barometer statistics show that First Nations peoples who experience racism stood at 54%, up from 39% recorded in 2014, revealing that racism against Aboriginal and Torres Strait Islander peoples has significantly increased over the last decade.<sup>4</sup>

Lowitja Institute has lead advocacy for decades on a stronger focus on racism within Aboriginal and Torres Strait Islander health policy. Whether it is within the health system and health research settings, justice system, child protection system, education system, or on the footy field, in workplaces, and the playground at school, racism has catastrophic impacts on Aboriginal and Torres Strait Islander peoples and continues to generate significant risks to the health and wellbeing of our people. In addition, allowing racism to fester within systems contributes to and enables the increasing racism, hate and violence experienced by Aboriginal and Torres Strait Islander peoples.


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<sup>1</sup> Lowitja Institute, 2026, *Racism and the health and wellbeing of Aboriginal and Torres Strait Islander children: the need for targeted policy interventions to protect the health and wellbeing of our future generations*, Lowitja Institute

<sup>2</sup> Thurber, K.A; et al. 2021, 'Prevalence of Everyday Discrimination and Relation with Wellbeing among Aboriginal and Torres Strait Islander Adults in Australia', *International Journal of Environmental Research and Public Health*, <https://mkstudy.com.au/wp-content/uploads/2021/06/Prevalence-of-Discrimination.pdf>

<sup>3</sup> Reconciliation Australia, 2024, 'Reconciliation Snapshot: Racism and First Nations Peoples', 2024 *Australian Reconciliation Barometer* <https://www.reconciliation.org.au/wp-content/uploads/2025/06/2024-ARB-Racism-and-First-Nations-Peoples.pdf>

<sup>4</sup> Ibid.



Racism operates at two intersecting and mutually reinforcing levels – individual and systemic.<sup>5</sup> Racism at the individual level occurs when individuals practise **racial prejudice** and **racial discrimination** in their attitudes and behaviours towards Aboriginal and Torres Strait Islander peoples. **Racial prejudice** refers to holding and sharing attitudes about people who are, identify as, or are assumed to be Aboriginal and Torres Strait Islander peoples, and **racial discrimination** occurs when someone acts on these racially prejudiced attitudes about Aboriginal and Torres Strait Islander peoples – examples of this can include Aboriginal and Torres Strait Islander peoples being paid an inappropriate level of attention or scrutiny, such as being followed in a shop by security or being stopped and questioned by police when they have not done anything wrong.

Systemic racism refers to the interconnected systems and structures within a society that collectively uphold racial inequality.<sup>6</sup> Racism at the systemic level occurs through **cultural racism** and **institutional racism**. **Cultural racism** refers to the ideas and narrative taught, learned, circulated and reinforced in Australian society that diminishes, distorts, limits and misrepresents Aboriginal and Torres Strait Islander peoples, both historically and currently.<sup>7</sup> Cultural racism comes about through learned or practised racial prejudice and racial discrimination which is driven by the media, schooling and systems, informing the broader societal narrative about Aboriginal and Torres Strait Islander peoples. **Institutional racism** occurs when racism is built into how laws, systems, policies and organisations operate in society, which are based on the beliefs, and assumed superiority of the dominant white cultures laws, policies and practises.<sup>8</sup> Institutional racism creates patterns of advantage for people who are part of the dominant culture and compounds disadvantages for people who are not. As a result of institutional racism, Aboriginal and Torres Strait Islander peoples, along with their values and beliefs, are excluded, ignored and systemically discriminated against in Australia, having directly negative effects on their life chances and outcomes.<sup>9</sup>

## **RACISM IN THE HEALTH SYSTEM**

Racism permeates throughout all systems in Australia. Institutional racism within the justice, health and child protection systems is responsible for disempowering our peoples and harming our peoples' health outcomes. Within the healthcare system, racism and

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<sup>5</sup> Mohamed, J; Stacey, K; Chamberlain, C; Priest, N; 2024, *Cultural Safety in Australia: Discussion Paper*, Lowitja Institute, Melbourne, p.9

<sup>6</sup> Calma, T; Hirvonen, T; Bray, A; *Relationship between systemic anti Indigenous racism and social and emotional wellbeing and mental health: recent national and international evidence, policy and programs*, catalogue number IMH 30, AIHW, Australian Government

<sup>7</sup> Mohamed, J; Stacey, K; Chamberlain, C; Priest, N; 2024, *Cultural Safety in Australia: Discussion Paper*, Lowitja Institute, Melbourne

<sup>8</sup> Watego, C; Singh, D; Macoun, A; 2021, *Partnership for Justice in Health: Scoping Paper on Race, Racism and the Australian Health System*, Lowitja Institute, Melbourne

<sup>9</sup> Mohamed, J; Stacey, K; Chamberlain, C; Priest, N; 2024, *Cultural Safety in Australia: Discussion Paper*, Lowitja Institute, Melbourne



cultural bias can have life threatening or fatal consequences for Aboriginal and Torres Strait Islander peoples who are seeking medical care. It impacts the quality of care experienced by many Aboriginal and Torres Strait Islander people, in many cases, leading to death from treatable illnesses.<sup>10</sup> Indigenous woman Naomi Williams, for example, died in 2016 from septicaemia associated with *Neisseria meningitidis* infection, a serious infection that is treatable with antibiotics that would have been readily available at Tumut hospital.<sup>11</sup> Pregnant, Ms Williams had presented to hospital 18 times in the six months prior but was repeatedly referred to mental health or drug and alcohol services.<sup>12</sup> Professor Yin Paradies, in the inquiry into her death, noted that there is evidence of stereotyping of Indigenous people as more likely to use drugs and alcohol, directly impacting clinical decision-making and reducing adherence to best practise. The inquiry found that racial bias impacted Ms Williams' treatment.<sup>13</sup>

Racism and racial stereotyping in Australia's healthcare settings are deterring Aboriginal and Torres Strait Islander peoples from seeking and accessing appropriate and timely healthcare and services. Even when Aboriginal and Torres Strait Islander peoples do seek out healthcare within the mainstream system, our peoples are more likely than non-Indigenous Australians to be discharged against medical advice – providing an indirect measure of the responsiveness of the health services to Aboriginal and Torres Strait Islander patients' needs. Discharge against medical advice, occurs when an in-patient leaves a hospital or healthcare setting before discharge is advised by the treating provider.<sup>14</sup>

General reasons for self-discharge from hospitals can include dissatisfaction with care, poor communication or long waiting times. For Aboriginal and Torres Strait Islander peoples, these experiences are compounded by a lack of cultural safety and interpersonal and institutional racism within these settings, which contribute to the disproportionately higher rates of self-discharging from hospital for Aboriginal and Torres Strait Islander peoples. Between July 2019 and June 2021, the rate of discharge at own

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<sup>10</sup> Watego, C; Singh, D & Macoun, A; 2021, Partnership for Justice in Health: Scoping Paper on

Race, Racism and the Australian Health System, Discussion Paper, The Lowitja Institute, Melbourne

<sup>11</sup> Zhou, N; 2019, 'Indigenous patients suffer racial bias in hospitals, Naomi Williams inquest told', The Guardian, 14th March, accessed 14 April 2026,


<https://www.theguardian.com/australianews/2019/mar/14/indigenous-patients-suffer-racial-bias-in-hospitals-naomi-williams-inquest-told>

<sup>12</sup> Jackson, G; Davidson, H; 2018, 'Indigenous woman died from treatable sepsis after hospital sent her home, court told', The Guardian, 17th September, accessed 14 April 2026,

[https://www.theguardian.com/australia-news/2018/sep/17/indigenous-woman-died-from-treatable-sepsis-after-hospital-sent-her-home-court-told?CMP=share\\_btn\\_tw](https://www.theguardian.com/australia-news/2018/sep/17/indigenous-woman-died-from-treatable-sepsis-after-hospital-sent-her-home-court-told?CMP=share_btn_tw)

<sup>13</sup> NSW Courts, 2016, Inquest into the death of Naomi Williams, (File No. 2016/2569), <https://coroners.nsw.gov.au/coroners-court/download.html/documents/findings/2019/Naomi%20Williams%20findings.pdf>

<sup>14</sup> Australian Institute of Health and Welfare & National Indigenous Australians Agency (2024) Measure 3.09 Self-discharge from hospital, Aboriginal and Torres Strait Islander Health Performance Framework website, AIHW, Australian Government, accessed 17 April 2026



risk from admitted patient care was 5.2 times higher for Aboriginal and Torres Strait Islander people than for non-Indigenous Australians. This jumps for Aboriginal and Torres Strait Islander people living in more remote areas, with the highest rate of discharge at own risk being for those living in very remote areas of Australia at 7.3%, and 6.3% for those in remote areas.<sup>15</sup>

Additionally, between the same period, there were 119,278 emergency department presentations for Aboriginal and Torres Strait Islander people where the patient did not wait or left at own risk (9.4% of all emergency department presentations for Aboriginal and Torres Strait Islander people).<sup>16</sup> Those who discharge against medical advice are more likely to re-present to emergency departments and have higher mortality rates. These figures reflect the experiences of racism by our peoples in healthcare settings across Australian jurisdictions, and how these experiences of racism drive health inequities.

## **RACISM IN RESEARCH**

Aboriginal and Torres Strait Islander peoples and communities have historically been subjected to huge amounts of research, entrenched in a legacy of colonisation and unethical research practises<sup>17</sup> Research was, and in some cases still is, used as a tool of colonial violence, with racially prejudiced science and medical research practises instrumental in developing notions of superiority and inferiority.<sup>18</sup> Data was weaponised against Aboriginal and Torres Strait Islander peoples, and embedded in a deficit discourse, which perpetuates the racist presumption that Aboriginal and Torres Strait Islander peoples are the problem,<sup>19</sup> rather than the systemic practises that caused our peoples harm, such as colonisation, genocide, and assimilation.<sup>20</sup>

Since 1788, these Euro-Western research practises have caused significant harm, erasure, and destruction to Aboriginal and Torres Strait Islander peoples, knowledges, and knowledge systems. Our peoples were largely locked out of the research process – non-Indigenous people did research *on us*; it was *about us*, but not *by us* or *for us*.

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<sup>15</sup> Australian Institute of Health and Welfare & National Indigenous Australians Agency (2024) Measure 3.09 Self-discharge from hospital, Aboriginal and Torres Strait Islander Health Performance Framework website, AIHW, Australian Government, accessed 17 April 2026


<sup>16</sup> Ibid.

<sup>17</sup> Kennedy, M; Byrant, J; 2024, *Ethics in Aboriginal and Torres Strait Islander health research*, Discussion Paper, Lowitja Institute, Melbourne

<sup>18</sup> Lowitja Institute & MTP Connect, 2023, *Targeted Translation Research Accelerator Needs Assessment and Prioritisation Project*, discussion paper, Lowitja Institute

<sup>19</sup> Fogarty, W., Bulloch, H., McDonnell, S. & Davis, M. 2018, *Deficit Discourse and Indigenous Health: How narrative framings of Aboriginal and Torres Strait Islander people are reproduced in policy*, Lowitja Institute, Melbourne

<sup>20</sup> Kennedy, M; Byrant, J; 2024, *Ethics in Aboriginal and Torres Strait Islander health research*, Discussion Paper, Lowitja Institute, Melbourne



Research has historically been based on non-Indigenous researchers' priorities and presumptions, which did not and do not match the priorities of Aboriginal and Torres Strait Islander peoples. This means that research often does not benefit Aboriginal and Torres Strait Islander peoples and findings have been – and continue to be – used to support policies and practises that further harm us.<sup>21</sup> These poor research practises have caused significant distrust from Aboriginal and Torres Strait Islander peoples and communities towards researchers and research institutions,<sup>22</sup> and have been compounded by experiences of discrimination and racism in the contemporary healthcare system. These practises have also failed to deliver improved health and wellbeing for Aboriginal and Torres Strait Islander peoples.

The legacy of racist research practises and priorities has informed policy across the board. Not surprisingly, research too often failed to translate findings into meaningful changes in health policy or practise, and these ill-informed policies have had lasting impacts on the health, wellbeing and lives of our peoples.

### **INCREASE IN RACISM POST-REFERENDUM**

While the year of the 2023 Referendum on the Voice to Parliament saw extraordinary strength, advocacy and action from Aboriginal and Torres Strait Islander communities, it revealed the true nature and scale of racism in Australia, and the need, now more than ever, for a national truth-telling process. A consequence of the Referendum was the intensified and normalisation of racism and increased hostility towards Aboriginal and Torres Strait Islander people, emboldened by mainstream media and political commentary, which projected an intense deficit lens about our peoples, politicised our very existence, and debated our fundamental human rights for self-determination and a voice.<sup>23</sup>

A fear campaign based around the slogan, 'if you don't know, vote no', was led by the leader of the Liberal Party Peter Dutton, demonstrating the institutional and structural nature of racism towards Aboriginal and Torres Strait Islander peoples.


This pattern is reinforced by the normalisation of overtly racist rhetoric within Australia's highest democratic institution. Recent examples involving Senator Pauline Hanson include parliamentary statements widely condemned as "deeply offensive and harmful" towards Aboriginal and Torres Strait Islander peoples, alongside a broader history of inflammatory conduct. When such rhetoric is aired in parliament, without consistent and

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<sup>21</sup> Lowitja Institute & MTP Connect, 2023, *Targeted Translation Research Accelerator Needs Assessment and Prioritisation Project*, discussion paper, Lowitja Institute

<sup>22</sup> AIATSIS and Lowitja Institute. 2013, 'Researching Right Way', *Aboriginal and Torres Strait Islander Health Research Ethics: A domestic and international law review*, National Health and Medical Research Council, p. 3

<sup>23</sup> Close the Gap Campaign Alliance Group for Indigenous Health Equity, 2024, *Close the Gap Campaign Report 2024: Voyage to Voice, Treaty, truth and Beyond*, Close the Gap Alliance Group



meaningful accountability, it does not remain confined to political debate; it legitimises prejudice, emboldens discriminatory attitudes, and signals to the broader public that these views are acceptable. In this way, the failure to adequately challenge racist discourse at the institutional level plays a direct role in shaping and reinforcing societal attitudes towards Aboriginal and Torres Strait Islander peoples and other marginalised communities.

Racism in all its forms is unacceptable. There must be accountability for leadership at the highest levels of government, for pedalling racism and misinformation to undermine the human rights of Aboriginal and Torres Strait Islander peoples. Yet, to date, there have been no consequences for such actions – actions that caused so much harm – and Aboriginal and Torres Strait Islander peoples and communities were left to pick up the pieces of the failed Referendum, and push on despite the wave of racism, hate and violence that was unleashed throughout the process.

The Call It Our First Nations Racism Register was officially launched in March 2022 and is led by the Jumbunna Institute for Indigenous Education and Research in partnership with the National Justice Project. Its aim is to expose and resist racism in Australia. The Call It Out register provides a simple and secure way for people to report incidents of racism and discrimination towards First Nations People – designed to build an evidence base to combat the ongoing denial of the existence and negative impacts of racism on Aboriginal and Torres Strait Islander peoples.<sup>24</sup> Call It Out Racism Register 2023-2024 report, *If you don't think racism exists come take a walk with us*,<sup>25</sup> found the 2023 Voice to Parliament Referendum normalised racism towards Aboriginal and Torres Strait Islander peoples, with one-fifth of all 453 validated reports of racism towards Aboriginal and Torres Strait Islander peoples between 21 March 2023 and 20 March 2024, containing a reference to the failed Referendum.<sup>26</sup>

Of these reports:

- 35 per cent highlighted aggressively racist behaviour including physical violence, verbal abuse, hate speech, threats, intimidation, bullying and property damage
- More than 20 per cent of identified government and private institutions or services as the location of these incidents

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<sup>24</sup> Call it Out, accessed 14 April 2026, <https://callitout.com.au/>

<sup>25</sup> Allison, F; Cunneen, C; Coombes, L; Selcuk, A; 2025, *"If you don't think racism exists come take a walk with us": The Call It Out Racism Register 2023-2024*, Jumbunna Institute for Indigenous Education and Research, UTS, Sydney, <https://callitout.com.au/wp-content/uploads/2025/02/Jumbunna-Call-It-Out-Annual-Report-2023-2024-Final.pdf>

<sup>26</sup> Syron, M; 2025, 'Report finds Voice referendum normalised racism and increased hostility toward First Nations People', *NITV*, 7 March, <https://www.sbs.com.au/nitv/article/report-finds-voice-referendum-normalised-racism-and-increased-hostility-toward-first-nations-people/bngw83lbw>

- More than four in ten of all incidents were witnessed or experienced in traditional or social media.<sup>27</sup>

## IMPACTS OF RACISM ON HEALTH

Racism is considered one of the most impactful social determinants of health for Aboriginal and Torres Strait Islander people, and a fundamental driver for all other social determinants of health. The link between poorer health and social and emotional wellbeing, and experiences of racism is well documented.<sup>28</sup> No matter the experience of racism, it has a profound impact on health and wellbeing. The national Indigenous-led Mayi Kuwayu Study was the first study outlining the experiences of racism and health outcomes among Aboriginal and Torres Strait Islander peoples in Australia.<sup>29</sup> Researchers from the Australian National University analysed data from more than 8,000 Aboriginal and Torres Strait Islanders during this study, between 2018 and 2020. The results demonstrated the extent to which racism is harming our peoples, with consistent links between racism and poor mental health, physical health and cultural wellbeing. The study found that discrimination was linked to all negative outcomes examined in the study, including pain, poor life satisfaction, psychological distress, anxiety, depression, heart disease, high blood pressure, high cholesterol and diabetes.<sup>30</sup>

Racism has been found to initiate physiological dysregulation, immune system changes, psychological responses, with exposure to chronic stress resulting in a high allostatic load, which is associated with various health and mental health challenges, lower quality of life across the life span, and a reduced life expectancy.<sup>31</sup> Racism also contributes to changes in health choices and behaviours, including disturbed sleep patterns and substance abuse.<sup>32</sup> Long-term effects of racism are the experiencing of worse health and education outcomes, persistent employment and workforce

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<sup>27</sup> Ibid.

<sup>28</sup> Thurber, K.A; et al. 2021, 'Prevalence of Everyday Discrimination and Relation with Wellbeing among Aboriginal and Torres Strait Islander Adults in Australia', *International Journal of Environmental Research and Public Health*, vol.18, no.6577

<sup>29</sup> Mayi Kuwayu Study: The National Study of Aboriginal and Torres Strait Islander Wellbeing, accessed 16 April 2026, <https://mkstudy.com.au/>

<sup>30</sup> ANU, 2021, 'Racism linked to poor health among Indigenous Australians', ANU, accessed 16 April 2026, <https://www.anu.edu.au/news/all-news/racism-linked-to-poor-health-among-indigenous-australians#:~:text=%22These%20results%20highlight%20the%20breadth,physical%20health%20and%20cultural%20wellbeing.>

<sup>31</sup> Calma, T; Hirvonen, T; Bray, A; *Relationship between systemic anti Indigenous racism and social and emotional wellbeing and mental health: recent national and international evidence, policy and programs*, catalogue number IMH 30, AIHW, Australian Government

<sup>32</sup> Lowitja Institute, 2026, *Racism and the health and wellbeing of Aboriginal and Torres Strait Islander children: the need for targeted policy interventions to protect the health and wellbeing of our future generations*, Lowitja Institute



roadblocks, over-representation in the criminal justice and child protection systems, and negative representations in the media.<sup>33</sup>

Racism and discrimination are a significant driver of poor mental health and increased risk of suicide. Aboriginal and Torres Strait Islander suicide rates are at a crisis point,<sup>34</sup> and must be understood in the broader context of Australia's history of colonisation and its ongoing legacy. Constant exposure to experiences such as racism, discrimination, inter-generational trauma and marginalisation, negatively impacts the social and emotional wellbeing of Aboriginal and Torres Strait Islander peoples, increasing psychological distress and ultimately suicidal behaviour.<sup>35</sup> In 2024, 306 Aboriginal and Torres Strait Islander peoples died by suicide, an 8 per cent increase on the previous year and the third consecutive annual rise.<sup>36</sup> Between 2021 and 2024 there were 70 suicides of Aboriginal and Torres Strait Islander children, a quarter of whom were aged 14 or younger. Of all deaths of Aboriginal and Torres Strait Islander children during this period, 21% were suicides.<sup>37</sup>

Target 14 of the *National Agreement on Closing the Gap* commits governments to reducing the rate of suicide of Aboriginal and Torres Strait Islander peoples to zero. If governments are serious about their commitments to the *National Agreement*, they would work to seriously address racism.

As outlined above, racism and discrimination within health systems deter Aboriginal and Torres Strait Islander peoples from seeking and accessing appropriate and timely healthcare and services; significantly increasing the risk of experiencing poor health and wellbeing outcomes. Even when our peoples do seek out healthcare within the mainstream system, we are more likely than non-Indigenous Australians to discharge against medical advice – increasing the rates of re-presentation to emergency departments and increasing mortality rates.

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<sup>33</sup> Ibid.

<sup>34</sup> Dudgeon, P; Collova, J; Schultz, C; Darwin, L; et. Al; 2025, *An Aboriginal and Torres Strait Islander Systems Approach to Suicide Prevention: Framework and Implementation Guidelines*, Lowitja Institute, DOI: 10.48455/xx4e-5j74

<sup>35</sup> Ibid.

<sup>36</sup> Australian Bureau of Statistics. (2024). *Intentional self-harm (suicide) deaths*. ABS. <https://www.abs.gov.au/statistics/health/causes-death/intentional-self-harm-suicide-deaths/latest-release>.

<sup>37</sup> Ibid.

## JUDICIAL FAILINGS AND CULTURAL RACISM AT A SOCIETAL LEVEL

Allowing racism to exist and grow unchecked and without accountability within systems and society, incites and enables racism, hate and violence towards Aboriginal and Torres Strait Islander peoples. There are a few key examples of this in action.

The killing of Kumanjayi Walker in Yuendumu by police officer Zachary Rolfe, and the case that followed, is a key example that demonstrates not only the reality that institutional racism is embedded within the Northern Territory Police, but its consequences for Aboriginal and Torres Strait Islander people. Kumanjayi Walker was 19 years old when he was shot three times inside his home by NT police officer Zachary Rolfe on the 9 November 2019. His family sought truth, justice and accountability, as Rolfe was tried for murder and the alternate charges of manslaughter and violent act causing death. The jury, with no Aboriginal or Torres Strait Islander representation, decided in March 2022 that Rolfe acted in self-defence and was found not guilty.<sup>38</sup> The issue of police and institutional racism, within the NT Police and specifically on the part of Rolfe, came within the scope of the inquest. The coronial inquest revealed the scale and level of systemic and institutional racism within the NT Police. Racism was not just confined to Rolfe – it was endemic, normalised and widespread.<sup>39</sup> Coroner Elisabeth Armitage said the evidence gathered over three years showed the Zachary Rolfe was not a “bad apple”, but instead “the beneficiary of an organisation with hallmarks of institutional racism”.<sup>40</sup> Despite the Coroner’s scathing critique of the current police complaints system in the NT, the recommendations fell short of long-standing calls to meaningfully hold police to account for misconduct by creating an independent police watchdog.<sup>41</sup>

For the public, seeing that level of racism, hate and violence towards Aboriginal and Torres Strait Islander people from the police is not taken seriously, and lack serious accountability and repercussions, sends the message that racism and violence towards Aboriginal and Torres Strait Islander peoples is okay.

This is reflected in the murder of Elijah Doughty, who was run over and killed by a man in Kalgoorlie in 2016, the murder of Cassius Turvey, who was brutally assaulted on the outskirts of Perth in 2022, and the recent terrorist attack in Boorloo (Perth) in January

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<sup>38</sup> Anthony, T; Cubillo, E; 2025, ‘Kumanjayi Walker inquest: racism and violence, but findings too little and too late’, *The Conversation*, 7 July, accessed 16 April 2026, <https://theconversation.com/kumanjayi-walker-inquest-racism-and-violence-but-findings-too-little-and-too-late-257636>

<sup>39</sup> Ibid.

<sup>40</sup> MacKay, M; 2025, ‘Five key findings from the NT coroner’s inquest into Kumanjayi Walker’s death in police custody’, *ABC*, 8 July, accessed 16 April, <https://www.abc.net.au/news/2025-07-08/five-key-findings-coronial-inquest-kumanjayi-walker-death/105503218>

<sup>41</sup> Human Rights Law Centre, 2026, ‘Inquest Finds Structural and entrenched racism in Northern Territory police’, *HRLC*, accessed 16 April 2026, <https://www.hrlc.org.au/case-summaries/inquest-kumanjayi-walker-death/>

2026. In the case of Elijah Doughty, the 56-year-old non-Indigenous man who admitted to running over and killing him was cleared of manslaughter and found guilty of the lesser charge of dangerous driving causing death. He was sentenced to only three years' jail, but in 2018 was granted parole after only 19 months in prison<sup>42</sup>. In the case of the murder of Cassius Turvey, who was murdered by a group of non-Indigenous men while walking with friends after school in Perth in October 2022, Chief Justice Peter Quinlan stated the attack was not racially motivated, despite recognising that the perpetrators were using racist language towards Cassius and his friends.<sup>43</sup>

"The failure to regard the racial slurs, the targeting of a group of Aboriginal children, and the killing of these children, as 'racially motivated', upholds the idea that white people's racist treatment and crimes against Aboriginal and Torres Strait Islander people exist in a vacuum free of a long history of colonial violence, massacres and occupation."<sup>44</sup>

As put by Professor Chelsea Watego, "the Australian psyche is more comfortable with an abstract concern with racism; racism without actors, or rather perpetrators".<sup>45</sup> This narrative sanitises racial violence and holds no one responsible. The Supreme Court's reasoning in this case set an impossibly high bar for racial vilification, and specifically racial violence, to be identified, denounced and redressed. The judgement relegated racism to being an unfortunate and unintended incident of co-existence, rather than willed harm.<sup>46</sup> This is negligent and evidence of institutional racism within our criminal justice systems.

"Racism does not only harm when it becomes physical violence. It also harms when it is normalised, tolerated or dismissed in public life. What is accepted in public discourse shapes what is permitted in practise and the consequences are carried by our communities".<sup>47</sup> It was evident when Adam Goodes was racially abused and vilified on

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<sup>42</sup> Wahlquist, C; 2018, 'Man who killed Indigenous teenager Elijah Doughty given parole', *The Guardian*, 27 March, accessed 16 April 2026, <https://www.theguardian.com/australia-news/2018/mar/27/man-who-killed-indigenous-teenager-elijah-doughty-given-parole>


<sup>43</sup> Supreme Court WA, 2025, *Sentencing Remarks for the State of Western Australia v Brearly 2025 WASC SR 21*, [https://www.supremecourt.wa.gov.au/\\_files/Sentencing\\_Remarks\\_Brearley\\_Palmer\\_Forth\\_Gilmore\\_Mackenzie.pdf](https://www.supremecourt.wa.gov.au/_files/Sentencing_Remarks_Brearley_Palmer_Forth_Gilmore_Mackenzie.pdf)

<sup>44</sup> Anthony, T; Walsh, M; 2025, 'The sentencing of Cassius Turvey's killers shows courts still struggle to deal with racism', *UTS*, 30 June, access 15 April 2026, <https://www.uts.edu.au/news/2025/06/the-sentencing-of-cassius-turveys-killers-shows-courts-still-struggle-to-deal-with-racism>

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Gayaa Dhuwi (Proud Spirit) Australia, n/d, *Terrorist Attack in Boorloo Shows the Cost of Delayed Action: Gayaa Dhuwi Calls for Urgent Reform*, <https://www.gayaadhui.org.au/media-releases/terrorist-attack-boorloo>



and off field en masse by AFL fans over 2013-2015, after he spoke out against racism.<sup>48</sup> It was evident when Camp Sovereignty was attacked by a group of neo-Nazis in Melbourne in 2025, and it was evident when a man committed an attempted terrorist offence, by throwing a bomb into a peaceful gathering of Aboriginal and Torres Strait Islander people and allies on the 26 January 2026. Whilst the device did not detonate, it was intended to cause mass casualties. These examples are evidence of the ever-present, increasing and intensified racism, hate and violence being directed towards Aboriginal and Torres Strait Islander peoples as racism is normalised, ignored and minimised, allowing neo-Nazi and white supremacy movements to gain traction.

Aboriginal and Torres Strait Islander Social Justice Commissioner, Katie Kiss, echoed the thoughts and calls of many following the 26 January 2026 terrorist attack, who questioned why stronger language was not used and swifter action taken to address the increasing threats of violence against Aboriginal and Torres Strait Islander peoples,<sup>49</sup> and compared this terrorist incident in Perth to other attacks, demonstrating the stark difference in how governments and the media responded. The response by Governments and the media in the 24 hours following the incident was slow, inadequate and silent. It was framed as “something to move past”, when only months earlier, after the Bondi attacks, the nation stopped – political leaders spoke with urgency, changing gun and hate speech laws, and the media saturated coverage. We knew immediately who the perpetrators were, and the country reacted as one with sadness and empathy.<sup>50</sup> Despite the 26 January events and what it represented about Australia, it did not get the publicity or attention it warranted.

Mainstream media negligence, racism and selective reporting has also recently been on display when the podcast and interview series, *Unfiltered*, which is hosted by Hamish McLachlan and available on Channel 7, sat down with former Hawthorn Football Club coach Alastair Clarkson, giving him a chance to share his perspectives, struggles and personal fallout from the Hawthorn Football Club “racism saga”.<sup>51</sup> Former AFL player Cyril Rioli lodged a claim in the Federal Court against his former team, the Hawthorn Football Club, alleging that he and other First Nations players and their wives endured racism


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<sup>48</sup> Australian Human Rights Commission, n/d, *Have I ever been racially abused after a game or match?: Research on racial abuse after sport*, <https://humanrights.gov.au/know-your-rights/rights-of-individuals/race-discrimination/guides,-tools-and-resources/questions-and-context/have-i-ever-been-racially-abused-after-a-game-or-match>

<sup>49</sup> Boltje, S; Jash, T; Flanders, K; 2026, 'First Nations urge stronger response after alleged Invasion Day rally attack', ABC, 28 January, accessed 15 April 2026, <https://www.abc.net.au/news/2026-01-28/first-nations-reactions-to-perth-rally/106278632>

<sup>50</sup> Ware, S, 2026, 'Language matters with regard to rally attack', 11 February, *The Koori Mail*

<sup>51</sup> Noakes, C; 2026, 'Unfiltered: Master coach Alastair Clarkson opens up on stress of AFL industry, and why he pushes on', 7News, accessed 30 April 2026, <https://7news.com.au/sport/afl/unfiltered-master-coach-alastair-clarkson-opens-up-on-stress-of-afl-industry-and-why-he-pushes-on-c-22078876>



during their time at the club.<sup>52</sup> Alastair Clarkson publicly denied the racism allegations, and executives at the AFL have largely remained silent; the silence and lack of accountability on those who were leaders at the Hawthorn Football Club and the public dismissal of these allegations by this high-profile figure at the centre of them, demonstrates where loyalties lie, and “[shifts the] focus away from those who came forward and back onto protection reputations and institutions”.<sup>53</sup> Channel 7’s decision to platform Alastair Clarkson, allowing him to tell his side of the story, is yet another example of racism and bias within mainstream media and its selective reporting and by extension, backing of those who have been accused of racism. It reflects “who is listened to, who is protected, and whose voices are prioritised”.<sup>54</sup>

The legacy of racism towards Aboriginal and Torres Strait Islander peoples, and the state’s involvement and complicity in denying justice to Aboriginal and Torres Strait Islander people, families and communities, is evidenced in these examples. They demonstrate, unequivocally, that not only does racism in systems, institutions, in playgrounds, sporting fields, workplaces and society kill our people, but that people who are racist kill us. They demonstrate a systemic pattern of institutional racism, and how allowing racism and hate, and the violence it provokes, to go without genuine accountability and consequences, has created a system that not only incites and enables racism, but undermines the severity and frequency of violence directed at Aboriginal and Torres Strait Islander peoples<sup>55</sup>. The response, or lack of appropriate or swift response or accountability from government and institutions, shows that racism is rooted in institutions and influences the operation of justice. These examples demonstrate the level of racism that permeates society and the need for full-scale, urgent, accountability and response on the scale that is given to other national crises.

## Government responsibility for addressing racism in society

In Australia, racism is illegal – since the Racial Discrimination Act of 1975 and online since the Online Safety Act of 2021.<sup>56</sup> And yet “racism is still something we are forced to live with every day, not because the laws don’t exist, but because they are rarely enforced and people aren’t fearful of the consequences”.<sup>57</sup> The Government bears significant responsibility for its failure to protect Aboriginal and Torres Strait Islander peoples from racism, hate and violence, and for a lack of genuine action and accountability for the way that systems, institutions perpetuate racism, enable cultural racism, and protect

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<sup>52</sup> Mark, D; 2024, ‘Cyril Rioli lodges racism claim against Hawthorn Football Club in Federal Court’, ABC, accessed 30 April 2026

<sup>53</sup> Ware, S, 2026; ‘Prioritising Aboriginal voices’, *The Koori Mail*, 25 March, p.59

<sup>54</sup> Ibid.

<sup>55</sup> ANTA, 2026, *Racism in Policing*, accessed 20 April, <https://antar.org.au/issues/racism/policing/>

<sup>56</sup> Ware, S, 2026; ‘Time to tackle racism head on’, *The Koori Mail*

<sup>57</sup> Ibid, p.4

those who are guilty of racism and discrimination towards Aboriginal and Torres Strait Islander people.

## **THE IMPORTANCE AND ROLE OF THE ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY CONTROLLED SECTOR**

Mainstream services and systems consistently fail in their duty of care towards Aboriginal and Torres Strait Islander peoples, failures that can be seen in the ongoing impacts of racism within the Australian health system, the poor standard of care many Aboriginal and Torres Strait Islander people experience, preventable deaths, and deaths in custody.<sup>58</sup> Aboriginal and Torres Strait Islander community controlled organisations (ACCOs), however, consistently achieve better outcomes because they are designed, governed, and delivered by the communities they serve. The model of Aboriginal and Torres Strait Islander-led and controlled health services is exemplified by Aboriginal community controlled health organisations (ACCHOs), which offer transformative, rights-based approaches, that operationalise self-determination, cultural safety, and community-led health governance.

ACCHOs have a long-standing reputation for providing the communities they serve with holistic, equitable, person-centred, and culturally safe healthcare, and in doing so, they support the social emotional, physical and cultural wellbeing of Aboriginal and Torres Strait Islander people and communities. ACCHOs play an important role in providing flexible and responsive services that are tailored to the specific needs of Aboriginal and Torres Strait Islander communities are free from racism or discrimination. They not only play a vital role in addressing immediate healthcare needs but frequently support their clients in tackling various social factors, such as racism, housing, income insecurity and employment, all of which are significant determinants of health and wellbeing outcomes.<sup>59</sup> This holistic and comprehensive approach to health embraced by ACCHOs differs significantly from that of mainstream services, which deliver healthcare within a Western biomedical view of health, rather than looking at the wider determinants and how this interrelates with an individual's physical and emotional wellbeing.


The *National Agreement on Closing the Gap* Priority Reform 2 commits governments to building the community-controlled sector.<sup>60</sup> It recognises that Aboriginal and Torres Strait

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<sup>58</sup> Watego, C; Singh, D & Macoun, A; 2021, Partnership for Justice in Health: Scoping Paper on Race, Racism and the Australian Health System, Discussion Paper, The Lowitja Institute, Melbourne

<sup>59</sup> Pearson, O; Schwartzkopff, L; Dawson, A; et al. 2020, 'Aboriginal community-controlled health organisations address health equity through action on the social determinants of health of Aboriginal and Torres Strait Islander peoples in Australia', *BMC Public Health*, vol.20, no.1859, pp.1-13

<sup>60</sup> The Coalition of Aboriginal and Torres Strait Islander Peak Organisations & all Australian Governments, 2020, *National Agreement on Closing the Gap*, accessed 14 April 2026, <https://www.closingthegap.gov.au/national-agreement/national-agreement-closing-the-gap>



Islander community controlled services provide better care for Aboriginal and Torres Strait Islander people, achieve better results, employ more Aboriginal and Torres Strait Islander people, and are often preferred over mainstream services. It is the commitment and responsibility of all governments, to arm the Aboriginal and Torres Strait Islander community controlled sector, through secure, long-term and flexible funding, so they can continue to provide services that are culturally safe and free of racism for their communities.


The transfer of service delivery from mainstream organisations to Aboriginal and Torres Strait Islander community controlled organisations (ACCOs) is also set out in Priority Reform 2. This represents an important and positive shift in ensuring best practise and culturally safe service delivery, that is free from racism, for Aboriginal and Torres Strait Islander peoples – thereby establishing strong foundations for improved health and wellbeing outcomes and progress against the socio-economic targets. It is important to note that ACCOs must be supported in this transition in order to be set up for success – including appropriate investment, time and capabilities to support a sustainable transition. As part of their longer-term planning for implementation of the National Agreement, governments should be engaging with both service-delivery ACCOs and sector-specific peak bodies in their jurisdictions to understand what supports ACCOs require to take on new programs, new services and/or expanded client bases in the future.

## **ABORIGINAL AND TORRES STRAIT ISLANDER LED RESEARCH**

Investing in Aboriginal and Torres Strait Islander-led research is essential to addressing the gaps and exclusion of Aboriginal and Torres Strait Islander knowledges and perspectives across research. One of the reasons for the continued gap in health outcomes is that Aboriginal and Torres Strait Islander health researchers have rarely been supported or funded to lead research projects – the lack of available funding, and bias in funding decision-making and grant allocations, is a major barrier to the production of a meaningful health research that supports and empowers Aboriginal and Torres Strait Islander communities, and reflects our priorities.

Despite this, there is a growing community of Aboriginal and Torres Strait Islander health researchers who have the ability to make a substantial and positive research impact. It is well known that Aboriginal and Torres Strait Islander-led research and solutions yield culturally safe and responsive outcomes that meet the needs of Aboriginal and Torres Strait Islander communities, and that Aboriginal and Torres Strait Islander community-controlled health organisations (ACCHOs) lead the way in delivering holistic primary healthcare that is inclusive of all aspects of health and wellbeing.

Aboriginal and Torres Strait Islander researchers and ACCOs must be funded to engage in and lead on research that relates to the health and wellbeing of our communities,



and to undo and mitigate the legacy of, and continued impacts of racism on in health and health research settings.

There has been progress over recent years to ensure that research conducted by universities and mainstream research institutes and organisations is led by Aboriginal and Torres Strait Islander researchers and/or Aboriginal and Torres Strait Islander 'Chief Investigators', and within dedicated units. However, there is further need for reform to support Aboriginal and Torres Strait Islander community controlled-led research – that is, research that is conducted primarily by Aboriginal and Torres Strait Islander people based on their own ways of knowing and doing, and within systems specifically for, and governed by, Aboriginal and Torres Strait Islander people.

Aboriginal community controlled organisations (ACCOs), however, continue to face multiple barriers to securing research funding, including:

- not meeting the eligibility requirements for grant funding administered by bodies such as NHMRC and MRFF
- not being set up to undertake research and would require board-approved changes to their constitutions to be able to meet NHMRC and MRFF eligibility requirements
- unlikely to have the research expertise, workforce, or economies of scale that universities and research institutes have which reduces significantly their ability to be competitive in grant rounds
- unlikely to have the necessary research infrastructure within their organisation, including capabilities to store and manage substantial amounts of data
- experiencing fatigue and feeling under-funded to perform all their critical functions and responsibilities.

The system that has been developed in Australia for research funding is inevitably much more responsive to universities and research institutes. It is not structured to be able to comprehend or respond to the need for Aboriginal and Torres Strait Islander community controlled research even if policies and guidelines have been updated to promote greater involvement of Aboriginal and Torres Strait Islander people in research.

## **CULTURAL SAFETY AND TRUTH-TELLING**

Cultural safety is fundamental to ensuring that Aboriginal and Torres Strait Islander peoples enter mainstream health systems when necessary, and that they experience quality, equitable and safe healthcare, where they feel respected and can trust the health professionals and staff involved.



The Australian Health Practitioner Regulation Agency's (Ahpra) *Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020–2025* defined cultural safety as:

“Cultural safety is determined by Aboriginal and Torres Strait Islander individuals, families and communities. Culturally safe practise is the ongoing critical reflection of health practitioner knowledge, skills, attitudes, practising behaviours and power differentials in delivering safe, accessible and responsive healthcare free of racism”<sup>61</sup>

Cultural safety is a complex practise that includes skills such as critical self-reflection, an understanding of the historical and contemporary construction of power, and the nature and impacts of different forms racism that operate at individual, societal and institutional levels so they are not replicated in the health system. Cultural safety is the responsibility of a health practitioner but judged by the patient;<sup>62</sup> and it is integral to ensuring and improving Aboriginal and Torres Strait Islander social, emotional and physical safety, and of health and social and emotional wellbeing. Its application in individual healthcare interactions, and the design and operations of programs and systems in health and other sectors is vital for achieving equitable health outcomes for Aboriginal and Torres Strait Islander peoples, and in eliminating racism from systems and services.<sup>63</sup>

Priority Reform 3 of the *National Agreement on Closing the Gap* commits Governments, their organisations and their institutions to transforming the way they work with Aboriginal and Torres Strait Islander peoples through identifying and eliminating racism and embedding meaningful cultural safety within systems.<sup>64</sup> The Productivity Commission, in its 2024 *Review of the National Agreement on Closing the Gap*, found that governments are not adequately delivering on their commitments. The Commission's overarching finding was one of insufficient progress, and that there has been no systematic approach to determining what strategies need to be implemented to disrupt the business-as-usual approach of governments, noting that the transformation of government organisations, as stipulated under Priority Reform 3, barely begun, and that accountability for delivering on the commitments in the *National Agreement* is lacking.<sup>65</sup>

Alongside cultural safety, there must also be a commitment to truth-telling. Truth-telling is the process of openly sharing historical truths after periods of conflict, to allow societies to move forward in an inclusive way, based on justice and human rights. Truth-telling is important for recognising injustices that have taken place, and the ways that they have

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<sup>61</sup> AHPRA, *The National Scheme's Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020-2025*, AHPRA, Melbourne, 2020, p. 9

<sup>62</sup> Watego, C; Singh, D; Macoun, A; 2021, *Partnership for Justice in Health: Scoping Paper on Race, Racism and the Australian Health System*, Lowitja Institute, Melbourne

<sup>63</sup> Mohamed, J; Stacey, K; Chamberlain, C; Priest, N; 2024, *Cultural Safety in Australia: Discussion Paper*, Lowitja Institute, Melbourne, p.9

<sup>64</sup> Australian Government, 2020, *National Agreement on Closing the Gap – Priority Reform*, <https://www.closingthegap.gov.au/national-agreement/priority-reforms>

<sup>65</sup> Productivity Commission 2024, *Review of the National Agreement on Closing the Gap*, Study report, volume 1, Canberra



been ignored or hidden from the Australian consciousness and histories; to empower individuals to openly share their stories and have their truth acknowledged; and to expose what has happened as a result of colonisation – who is responsible, the harms that were caused, and how these structures continue to impact Aboriginal and Torres Strait Islander peoples.<sup>66</sup> Truth-telling offers a way forward for this country, and an opportunity for reconciliation between Aboriginal and Torres Strait Islander peoples and non-Indigenous peoples in Australia. Prime Minister Kevin Rudd's National Apology to the Stolen Generations in 2008 was an act of truth-telling. The National Apology acknowledged the deep pain, suffering and injustice caused by decades of discrimination<sup>67</sup> and the wrongs that governments had inflicted on Aboriginal and Torres Strait Islander peoples across Australia. It catalysed and directly underpinned significant policy changes, including driving the creation of the initial Closing the Gap Framework in 2008. The Yoorrook Justice Commission in Victoria is another strong example of truth-telling. The Yoorrook Justice Commission is Australia's first formal truth-telling inquiry into historic and ongoing systemic injustices perpetrated against Aboriginal and Torres Strait Islander peoples through colonisation.<sup>68</sup> Established in May 2021, Yoorrook's inquiries covered a number of focus areas, including child protection, criminal justice, economic prosperity, education, health, housing, and land sky and waters, to investigate how colonisation and systemic injustice has shaped Aboriginal and Torres Strait Islander peoples experiences across these areas. Truth-telling at a structural level through processes like the Yoorrook Justice Commission is critical to correcting the public record and driving long-term change. However, change only happens if we act on what we have learned.<sup>69</sup> The Yoorrook reports set out clear recommendations that Governments must take action on to see a better future for the next generation.

Truth-telling is essential in bringing to light historical traumas and identifying the ways that they continue to manifest in contemporary policies, systems and institutions. It is strongly linked to the approach outlined under Priority Reform 3 of the *National Agreement*, because eliminating racism and embedding meaningful cultural safety require government agencies to analyse and reflect on the ways in which their existing power structures and dominant Western cultures create disempowering and unsafe environments for Aboriginal and Torres Strait Islander staff and service users. While this process is often uncomfortable, government agencies cannot address racism or culturally unsafe practises if they do not first admit that they exist.

We call on governments to legislate a permanent, independent, nationally coordinated body to lead truth-telling; co-designed with Aboriginal and Torres Strait Islander


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<sup>66</sup> First Peoples' Assembly of Victoria, 2021, 'Truth-telling', FAQ, <https://www.firstpeoplesvic.org/wp-content/uploads/2021/03/tt-faqs.pdf>

<sup>67</sup> The Lancet, 2017, 'Australia's Stolen Generations: sorry is not enough', *Lancet Public Health*, vol.3, Issue 9, E407

<sup>68</sup> Yoorrook Justice Commission, accessed 28 April 2026, <https://www.yoorrook.org.au/>

<sup>69</sup> Reconciliation Australia, 2025, 'Truth-telling: Yoorrook Justice Commission Reports', *Media Release*, <https://www.reconciliation.org.au/truth-telling-yoorrook-justice-commission-reports/>



communities, and mandated to document histories, investigate systemic injustices, and support healing. In addition, we call on the development of Commonwealth guidelines and standards for cultural safety to ensure that the Australian healthcare system is responsive to the needs of Aboriginal and Torres Strait Islander peoples; where institutional racism is acknowledged, measured and addressing, and cultural safety training is undertaken regularly.<sup>70</sup> These actions are critical to address racism within our society and our systems.

### **TREATY AND FORMAL-AGREEMENT MAKING**

The Uluru Statement from the Heart, and its principles of Voice, Treaty and Truth, represent a framework designed to combat systemic racism in Australia by addressing structural power imbalances, recognising sovereignty and confronting historical injustices. Truth-telling, as outlined above, is a critical to addressing deep-seated racism and prejudice, and dispelling ignorance, fear and misinformation around Voice and Treaty processes. Developing an official record and shared understanding across the Aboriginal and Torres Strait Islander and non-Indigenous community of our history means that it cannot be denied, minimised or dismissed. It is a vehicle that will empower our communities to seek justice and establish formal mechanisms to drive better outcomes for our people.<sup>71</sup> Treaty is one such mechanism.

Treaties represent a new approach to setting the relationship between Aboriginal and Torres Strait Islander people and the State. They are rooted in Community and Culture, and recognise the need for self-determination, to enable Aboriginal and Torres Strait Islander peoples to shape their own futures and build lasting prosperity.<sup>72</sup> The Statewide Treaty in Victoria is Australia's first ever formal agreement between a state government and First Peoples. Victoria has been on the path to Treaty for close to a decade, with the Victorian Government committing to discuss Treaties with First Peoples in early 2016, and it officially passed into law on 13 November 2025. Treaty is built on a simple principle: First Peoples decide First Peoples' issues.<sup>73</sup> Treaties represent a form of meaningful structural reform that would allow Aboriginal and Torres Strait Islander people to secure better representation and political power, and to make decisions about our communities, culture and Country.<sup>74</sup> They bring a new kind of engagement among settler states and

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<sup>70</sup> The Close the Gap Alliance Group for Indigenous Equity, 2025, *Close the Gap: Agency, Leadership, Reform: Ensuring the Survival, Dignity and Wellbeing of First Nations Peoples*, Close the Gap Alliance Group

<sup>71</sup> First Peoples' Assembly of Victoria, 2021, 'Truth-telling', FAQ, <https://www.firstpeoplesvic.org/wp-content/uploads/2021/03/tt-faqs.pdf>

<sup>72</sup> First Peoples' Assembly of Victoria LTD and The State of Victoria, 2025, *Statewide Treaty*, <https://firstpeoplesvic.org/wp-content/uploads/2025/09/fpav0473-Statewide-Treaty-Document-FASIGNED.pdf>

<sup>73</sup> Ibid.

<sup>74</sup> Close the Gap Campaign Alliance Group for Indigenous Health Equity, 2024, *Close the Gap Campaign Report 2024: Voyage to Voice, Treaty, truth and Beyond*, Close the Gap Alliance Group

offer opportunities for Aboriginal and Torres Strait Islander nations to assert their power and political will through transformed relations with settler-colonial governments.<sup>75</sup>

Lowitja Institute calls on the Australian Government to establish a national framework to deliver Voice, Treaty and Truth, including the establishment of a national, independent Truth-telling and Healing Commission. We also call on state and territory governments to demonstrate their genuine commitment to addressing racism, hate and violence against Aboriginal and Torres Strait Islander peoples by advancing Voice, Treaty and Truth mechanisms in their jurisdictions.

## **EMBEDDING NATIONAL AND INTERNATIONAL MECHANISMS AND COMMITMENTS**

The *National Anti-Racism Framework: A Roadmap for Eliminating Racism in Australia*<sup>76</sup> is a 10-year framework that provides 63 recommendations for a whole-of-society approach to eliminate racism, with a particular focus on Aboriginal and Torres Strait Islander people. It serves as a roadmap for governments, businesses and communities organisations to address all forms of racism in Australia. This framework recognises that a limited understanding in Australia of race and racism means systemic and structural racism continues to go unaddressed in most government-led anti-racism action. It also recognises that racism is leading to worse health outcomes, poorer educational outcomes, overrepresentation in the justice system, negative representation in the media, and consistent roadblocks in employment.<sup>77</sup> For Aboriginal and Torres Strait Islander peoples, racism is not only a matter of individual harm, but it is embedded in the structures, systems, policies and practises that shape access to healthcare, education, employment, justice and public life.<sup>78</sup> Implementing the Anti-Racism Framework across government would provide a clear foundation for structural reform, accountability and prevention. Lowitja Institute urges the Australian Government to adopt and implement the National Anti-Racism Framework in full across all areas of government.

The *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*<sup>79</sup> is a comprehensive international human rights instrument that outlines the individual and collective rights of Indigenous peoples across the world. UNDRIP affirms the collective

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<sup>75</sup> Rigney, D, Bignall, S, Vivian, A and Hemming, S 2022, *Indigenous Nation Building and the Political Determinants of Health and Wellbeing*, Discussion Paper, Lowitja Institute, Melbourne

<sup>76</sup> Australian Human Rights Commission, 2024, *The National Anti-Racism Framework: A roadmap to eliminating racism in Australia*

<sup>77</sup> Lowitja Institute, 2026, *Racism and the health and wellbeing of Aboriginal and Torres Strait Islander children: the need for targeted policy interventions to protect the health and wellbeing of our future generations*, Lowitja Institute, p.11

<sup>78</sup> Demant, D., Manton, D., Manton, J., Saliba, B. & Avery, S. 2024, *Health inequities in Australia: A scoping review on the impact of racism on Indigenous and other negatively racialised communities' health outcomes and healthcare access*, School of Public Health, Faculty of Health, University of Technology Sydney, commissioned by the Australian Human Rights Commission

<sup>79</sup> United Nations, 2007, *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*



and individual rights of Indigenous Peoples, including the fundamental right to self-determination, as well as respect for Indigenous knowledge, cultures and traditional practises as foundational principles for Indigenous health and equity. Australia is a signatory to all the major United Nations conventions on human rights, including UNDRIP. As such, all Australian governments are obliged to uphold the fundamental international principles and rights outlined in UNDRIP and incorporate them fully into domestic legislation and policy. UNDRIP clearly outlines the rights for Indigenous peoples to live free of any kind of discrimination, hate or violence, as outlined in Articles 2, 7, 8 and 9:

**Article 2:**

*Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free of any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.*

**Article 7:**

- 1. Indigenous individuals have the right to life, physical and mental integrity, liberty and security of person*
- 2. Indigenous individuals have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcible removing children of the group to another group*

**Article 8:**

- 2. States shall provide effective mechanisms for prevention of, and redress for:*
  - a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identifies*
  - e) any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them*

**Article 9:**


*Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.<sup>80</sup>*

Australia was one of four nations (Australia, Canada, New Zealand and the United States) that initially refused to endorse UNDRIP when it was adopted by the UN General Assembly in 2007, citing concerns over provisions relating to self-determination.<sup>81</sup> The

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<sup>80</sup> Ibid.

<sup>81</sup> ABC, 2007, 'Australia opposes UN rights declaration', ABC, 14 September, accessed 16 April 2026, <https://www.abc.net.au/news/2007-09-14/australia-opposes-un-rights-declaration/669612>



Howard Government fought strongly against recognising the right of Indigenous peoples to self-determination and worked in secret with Canada to weaken the original Declaration and water down any language relating to self-determination.<sup>82</sup>

Australia finally endorsed UNDRIP in 2009, two years after its adoption by the United Nations, however Australia has never implemented or legislated it. Australia's initial rejection of UNDRIP and late endorsement to the Declaration has seemingly foreshadowed the Government's lack of action and commitment to fully implementing UNDRIP and begs the question on why the Government endorsed it in the first place? The parallels between Australia and Canada are clear – “[b]oth are settler-colonial nations built on the dispossession of First Nations people. Both have a history of genocide, child removals and policies of assimilation. Both still sustain deep inequities across health, education, justice and housing”.<sup>83</sup> Yet, despite the parallels and initial opposition to UNDRIP, the Canadian Parliament passed the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDRIP Act) in 2021, which requires federal laws to align with Indigenous rights through an action plan and regular reporting.<sup>84</sup> Meanwhile, Australia still remains without any national framework, legislation or commitment to fully embed and legislate UNDRIP. Without this national legal framework, there is no accountability for UNDRIP in Australia.

In November 2023, the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs published the final report of its Inquiry into the Application of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in Australia.<sup>85</sup> The Standing Committee report found that there is no centralised way in Australia to implement the UNDRIP and that implementation approaches have been ad hoc, and recommended that the Australian Government aligns all legislation and policy development with UNDRIP.<sup>86</sup>

Australia's poor track record and limited action in implementing UNDRIP has serious consequences for the health and wellbeing of our peoples; it compromises our joint efforts under the *National Agreement on Closing the Gap*; and, through inaction it perpetuates the ongoing legacy of colonisation. UNDRIP affirms that “justice, cultural,

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<sup>82</sup> Hurst, D; 2024, 'Howard government worked with Canada to oppose UN declaration on Indigenous Rights', *The Guardian*, 1 January, accessed 16 April 2026, <https://www.theguardian.com/australia-news/2024/jan/01/howard-government-canada-un-declaration-indigenous-rights>

<sup>83</sup> Gavin, E; Gunstone, A; 2025, 'What Australia can learn from Canada on Truth and Treaty', *NITV*, 17 October, accessed 20 April, <https://nit.com.au/17-10-2025/20794/what-australia-can-learn-from-canada-on-truth-and-treaty>

<sup>84</sup> Ibid.

<sup>85</sup> Commonwealth of Australia, Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs 2023, *Inquiry into the application of the United Nations Declaration on the Rights of Indigenous Peoples in Australia*, Parliament of Australia, Canberra

<sup>86</sup> Close the Gap Campaign Alliance Group for Indigenous Health Equity, 2024, *Close the Gap Campaign Report 2024: Voyage to Voice, Treaty, truth and Beyond*, Close the Gap Alliance Group



participation and freedom from discrimination are not optional aspirations, but inherent rights".<sup>87</sup> Australian governments must embed its human rights obligations into domestic law. Lowitja Institute calls on governments to fully implement, legislate and monitor the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) and calls on all levels of government to adopt in full and legislate the National Anti-Racism Framework, and invest in its implementation within each jurisdiction. These actions by governments are necessary to address the level of racism, hate and violence that is being allowed to exist and intensify in Australia. Governments have a responsibility, as outlined within national and international commitments, to take a stand against racism and discrimination.

## Calls to action

The examples outlined in this submission are a snapshot of evidence of the plague of racism that afflicts Australia and has done so since colonisation in 1788. Addressing it will require substantially more action and commitment from Governments, and while Governments delay, minimise or make excuses for racist behaviour, Aboriginal and Torres Strait Islander people continue to face injustices at the hands of racist people, systems and institutions.

There is an urgent need for targeted policy interventions that address racism, in all its forms. Policy responses that address racism present an opportunity to combat racism and its detrimental effects on Aboriginal and Torres Strait Islander peoples' health.<sup>88</sup> Lowitja Institute makes the following recommendations to address the racism, hate and violence directed at Aboriginal and Torres Strait Islander peoples.

## RECOMMENDATIONS

### Research into racism


1. All levels of government to invest in high-quality research on the experiences and impacts of racism on Aboriginal and Torres Strait Islander peoples, including children, ensuring that data collection methods are co-designed with and governed by Aboriginal and Torres Strait Islander peoples, and that Aboriginal and Torres Strait Islander communities have meaningful access to and control over the information.<sup>89</sup>

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<sup>87</sup> Ibid, p.2

<sup>88</sup> Lowitja Institute, 2026, *Racism and the health and wellbeing of Aboriginal and Torres Strait Islander children: the need for targeted policy interventions to protect the health and wellbeing of our future generations*, Lowitja Institute

<sup>89</sup> Ibid.

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2. Commonwealth Government to provide dedicated and ongoing funding towards longitudinal research into the impacts of racism on Aboriginal and Torres Strait Islander people in response to particular events, such as the 2023 Referendum.
  3. All levels of government to invest in an Aboriginal and Torres Strait Islander-led research agenda for health and wellbeing, with a focus on the impacts of systemic racism in health, education, child protection, and criminal justice systems and juvenile justice systems on Aboriginal and Torres Strait Islander people. This should include a focus on how different systems relate and intersect, with the aim of identifying and addressing siloed approaches across different levels of government.<sup>90</sup>

#### **Whole of government**

4. All levels of government to adopt the National Anti-Racism Framework and invest in its full implementation within each jurisdiction. This should include implementing its recommendations in full to:
  - a. Implement the National Anti-Racism Framework and embed its principles across all government policy, programs and institutions.
  - b. Allocate appropriate levels of funding to the Australian Human Rights Commission to develop an implementation plan specific to Aboriginal and Torres Strait Islander peoples' experience of racism.
  - c. Implement a monitoring and evaluation framework which embeds appropriate accountability measures.
  - d. Establish a National Anti-Racism Taskforce.
5. All levels of government to work to improve the standards of care experienced by Aboriginal and Torres Strait Islander peoples and create culturally safe services in health, education, child protection, and justice systems.
6. Commonwealth Government to lead development of guidelines and standards for cultural safety to ensure the Australian healthcare system is responsive to the needs of Aboriginal and Torres Strait Islander people; where institutional racism is acknowledged, measured, and addressed, and where cultural safety training is undertaken regularly and is valued as an important step in closing the gap.

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<sup>90</sup> Lowitja Institute, 2026, *Racism and the health and wellbeing of Aboriginal and Torres Strait Islander children: the need for targeted policy interventions to protect the health and wellbeing of our future generations*, Lowitja Institute

## Partnering with community controlled organisations

7. All levels of government fully implement their commitments under the *National Agreement on Closing the Gap*, including:
  - a. To work in genuine partnership with, and adequately fund, Aboriginal and Torres Strait Islander peoples and organisations to participate in shared decision-making across government portfolios.
  - b. To build the Aboriginal and Torres Strait Islander community controlled sector by providing equitable, secure, long-term and flexible funding for the sector and organisations so they can continue to provide services that are culturally safe and free from racism for their communities.
8. Commonwealth Government to work with the National Indigenous Health Leadership Alliance and the National Aboriginal and Community Controlled Health Organisation (NACCHO) to develop indicators to inform local strategies to eliminate racism against Aboriginal and Torres Strait Islander people in the provision of health services and build the capacity of the Australian health workforce to provide culturally safe health services.

## Treaty and Truth

9. Commonwealth, state and territory governments to advance and establish Treaties with Aboriginal and Torres Strait Islander peoples within their jurisdictions and nationally, as an opportunity to establish formal partnerships and representative structures that can facilitate agreement making and embed accountability across government.
10. All governments to develop a National Strategy for Truth-Telling and Intergenerational Healing to address the impacts of intergenerational trauma and as part of truth-telling processes in all jurisdictions. This includes implementing and embedding all 19 recommendations for urgent action outlined in the '*Are you waiting for us to die?*' *The unfinished business of Bringing Them Home*<sup>91</sup> report.


## Implementing UNDRIP

11. All levels of government must fully embed human rights obligations into domestic law and policy through a national human rights legislative framework, including the UNDRIP, to ensure that Aboriginal and Torres Strait Islander people's rights are recognised, protected and enforceable.<sup>92</sup>

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<sup>91</sup> The Healing Foundation, 2025, '*Are you waiting for us to die?*': *The unfinished business of Bringing Them Home*

<sup>92</sup> Close the Gap Campaign Alliance Group for Indigenous Health Equity, 2026, *Close the Gap: Community Voices: Pathway to Justice, Equality and Healing*, Close the Gap Alliance Group

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- a. Implement the Australian Human Rights Commission's Free and Equal reform recommendations to enact a legislated national human-rights framework.
  - b. Adopt and fully implement the 2023 recommendations of the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs Inquiry into the Application of UNDRIP in Australia.
  - c. Incorporate UNDRIP principles into federal legislation to ensure they are binding and central to government–First Peoples relations.
  - d. Co-design a National Action Plan for UNDRIP Implementation with Aboriginal and Torres Strait Islander peoples, including timelines, clear accountability mechanisms, and measurable outcomes.