

**Warning: This article contains names of Indigenous Australians who have died**

## Theme: Truth-telling

### Yoorrook Justice Commission delivers historic report in Victoria

Victoria’s Aboriginal-led Yoorrook Justice Commission has delivered groundbreaking findings (a damning report on the systemic injustice against First Nations peoples since colonisation began in 1834), together with a clear set of 100 recommendations for redress and reform.

The Yoorrook Justice Commission's final interim report, Yoorrook for Transformation, and the final report, Yoorrook Truth be Told, were tabled in the Victorian Parliament on 1 July 2025. Yoorrook for Transformation consists of five volumes and a Summary Report that analyse the evidence presented to the Commission. Yoorrook Truth be Told is the Official Public Record, which is written in the First Peoples’ tradition of storytelling to provide a new perspective on historical and present injustices, as well as on Aboriginal resilience and resistance.

Focus areas for the Commission were key areas in which injustice impacts First Peoples today. These areas were: Access to records; child protection; criminal justice; economic prosperity; education; health; housing; land, sky and waters; political life; and redress.

The Commission is mostly being praised for having listened to thousands of First Peoples and Elders, children in care, parents, prisoners, experts and politicians over the past four years. 1,300 submissions were gathered; 10,000 documents reviewed; 400 community events attended; and 67 public hearing days devoted to truth telling. The Commission heard about the sanctioned brutality of land theft; massacres; child removals, absorption and assimilation; sexual violence; harsh mission stations; disease; environmental degradation; and outlawed languages and cultural/spiritual practices. The Commission found that “the decimation of the First Peoples population in Victoria ... was the result of ‘a coordinated plan of different actions aimed at the destruction of the essential foundations of the life of national groups’ ” — physically, mentally, culturally, spiritually and politically — concluding

that “This was genocide.” The Commission found continuing injustices against First Nations peoples, including neglect of their housing and health care, unabated overpolicing and embedded exclusion and inequity in the laws, institutions and systems.

The Victorian Government has so far welcomed the Commission’s report including the call for systemic change, although there has been little comment to date on the more challenging recommendations that promote redress. The Victorian Government response to the final report is expected by September 2026, although the Government provided an interim response to the Yoorrook for Justice report in April 2024. Aboriginal leaders, however, have welcomed the Commission’s 100 recommendations, which include calls for restitution through land return (including for families of Aboriginal soldiers who were denied land parcels after fighting in the two World Wars); financial compensation; treaties with interest (including possible tax relief); that the democratically elected First Peoples' Assembly (tasked since 2018 to negotiate a state-wide treaty) be made permanent and given decision-making powers; and a sovereign Aboriginal Self-Determination Fund with revenue from land, water and other natural resources redistributed to redress and repair the effects of harm to past generations and bring lasting structural transformation. It was noted that between 2010 and 2023, the state of Victoria earned \$83 billion in water-related revenue, \$1.89 billion from grazing and land licences, and \$1 billion from resource royalties, none of which was returned to Traditional Owners. Aboriginal organisations such as VACCHO and VALS have also applauded the Report and urged the Victorian Government to implement all 100 recommendations.

Of all Australian states and territories, Victoria has made the most progress in the treaty process and the Commission has represented the deepest and broadest truth-telling process to date. Nationally, there was truth-telling at the Royal Commission into Aboriginal Deaths in Custody (1987-1991); in the Bringing Them Home Report (1997); and in the Uluru Statement from the Heart (2017), but Yoorrook (meaning “truth” in the Wemba Wemba/Wamba Wamba language) was the first significant state-based truth-telling inquiry. Western Australia has had a smaller truth-telling initiative on [Wadjemup \(Rottnest Island\)](#), but planned truth-telling processes in the Northern Territory, Queensland and Tasmania were abandoned last year.

Last month, one of the five Yoorrook Commissioners, Kerrupmara Gunditjmara man Travis Lovett, arrived on the steps of state parliament with 5,000 other walkers after completing their 500-km 'Walk for Truth' that began in Portland, the home of colonisation in Victoria. Lovett addressed the crowd: "We began at the place where the first wounds were struck into the earth; where footsteps came ashore — not as visitors, but as claimants. Where the smoke of fires long burning was ignored, and where our presence was declared — absence.

We began where truths were buried and where they are now being unearthed through the stories and hard work of so many over such a long time."

"The silence ends here," he said. "The time of not knowing — of choosing not to know — is over."

[Antar \(05 December 2024\) Website: 'Truth-telling in the states and territories'](#)

[Daniel James \(05-11 July 2025\) \*The Saturday Paper\*](#)

[Dechlan Brennan \(02 July 2025\) \*National Indigenous Times\*](#)

[Haylena Krishnamoorthy & Deborah Groarke \(2 July 2025\) \*SBS News\*](#)

[Kate Ashton \(01 July 2025\) \*ABC News\*](#)

[Rex Widerstrom \(01 July 2025\) \*The Epoch Times\*](#)

[VACCHO \[Victorian Aboriginal Community Controlled Health Organisation\] \(02 July 2025\)](#)

[VALS \[Victorian Aboriginal Legal Service\] \(02 July 2025\)](#)

[Victorian Government \(April 2024\) \*\[Interim\] Response to the Yoorrook for Justice report\*](#)

[Yoorrook Justice Commission \(n.d.\) Website: 'Focus areas'](#)

[Yoorrook Justice Commission \(01 July 2025\) Website: Reports](#)

[Yoorrook Justice Commission \(01 July 2025\) Website: Recommendations](#)

## **Coroner reports**

### **WA coroner's early response in Cleveland Dodd's inquest**

WA Coroner Philip Urquhart released his early assessment of Indigenous teenager Cleveland Dodd's death in custody. Cleveland died in 2023 at the age of 16 after he self-harmed inside his cell. He was found unresponsive in his cell and died a week later in hospital. A lawyer for the family told the inquest that "Cleveland was subjected to institutional abuse, cruel and inhumane treatment." The teenager spent more than 22 hours a day in his cell for 74 of the 86 days he was detained in Unit 18 before he self-harmed. Over that 86-day period, Cleveland had four hours of recreation time, or an average of less than three minutes per day. His cell had no running water and in the hours before he was fatally injured he asked for water six times. Cleveland also threatened to self-harm eight times and requested medical attention. His actions were the conclusion of a series of events, including being denied bail, a failed attempt to call his mother on her birthday and severe, untreated dental

issues, the lawyer, Steven Penglis said. “Cleveland’s death was preventable and predictable.”

Cleveland was being held in Unit 18, a youth detention facility within the adult maximum-security Casuarina Prison in the Perth suburb of Casuarina. Unit 18 was hastily established to house WA’s most high-risk young offenders in the allocated period of just three weeks (rather than the six months that the person in charge of youth detention, Christine Ginbey, testified was needed). This cohort was assessed as not being able to be safely housed at Banksia Hill Detention Centre.

The Department of Justice had repeatedly argued that the inquest’s scope should be limited to Cleveland Dodd’s death and not examine the general operation of youth justice in WA until a later time. The Coroner, however, did not expect that the Department would properly investigate the system later because even now it was arguing that there was no reason to investigate. "The department does not consider there is any material to suggest there is any scope for an adverse comment to be made about itself or its employees on most, if not all, of those issues," he said. There was "untruthful or misleading messaging" about the facility and whether it had been opened "before it was safe to do so."

A safe and rehabilitative replacement for Unit 18 that is purpose-built for the needs of high-risk young people is yet to be constructed, so until that time the Department is likely to keep the more challenging youth in Unit 18 within the adult prison.

[Australian Associated Press \(30 June 2025\) \*The Guardian\*](#)

[Keane Bourke \(02 July 2025\) \*ABC News\*](#)

### **Coroner’s final report on Kumanjaji Walker’s death**

The long-awaited findings of Coroner Elisabeth Armitage in the inquest into 19-year-old Kumanjaji Walker’s death were handed down on Monday 7 July on Country in Yuendumu. He died on 9 November, 2019, after being shot three times at close range by former Northern Territory police officer Zachary Rolfe. Rolfe was charged with murder after the shooting but acquitted at trial. The family noted that another young Warlpiri man, Kumanjaji White, had died in police custody in Alice Springs in May this year (refer below).

The coroner condemned the “grotesque examples of racism” that were “normalised” by the Northern Territory police force. She found former constable Zachary Rolfe "was racist" and had the tendency to use unnecessary force, and that she could not rule out racism as a factor in Kumanjaji Walker’s “avoidable” death. It was, she said, a death that should never have happened. “Kumanjaji was a loving and much-loved young man, who was failed by our justice system even before the night of his death. His history of trauma and intellectual

disability were not adequately addressed during his time in detention.” As the coroner found, his wellbeing was not prioritised by the officer who killed him.

The NT Police Force says it will "carefully consider" Judge Armitage's 33 recommendations and more than 600 pages of findings.

Aboriginal and Torres Strait Islander Social Justice Commissioner, Katie Kiss, strongly reinforced the coroner's findings. “Racism is running rife in our institutions, and it lies at the heart of these shocking injustices. But today marks a powerful moment. These findings, delivered on the lands of Yuendumu People - Kumanjaji Walker's People – not only outline who, and what, is to blame, but offer a clear pathway for reform.”

“Today's findings must be the final alarm. This must end.”

[Rudi Maxwell \(04 July 2025\) NITV](#)

[Coronial inquest findings, transcripts, videos, etc \(07 July 2025\)](#)

[Response of Kumanjaji Walker's family \(07 July 2025\) SBS News](#)

[Katie Kiss \(07 July 2025\) Australian Human Rights Commission](#)

[Northern Territory Police response to the findings \(07 July 2025\)](#)

[Melissa Mackay and Jason Walls \(07 July 2025\) ABC News](#)

[Melissa Mackay - Response of Zachary Rolfe \(10 July 2025\) ABC News](#)

[Rudi Maxwell and Emma Kellaway \(07 July 2025\) SBS News/NITV](#)

[Nino Bucci \(08 July 2025\) The Guardian](#)

### **Death of Kumanjaji White**

Kumanjaji White, a Warlpiri man with disabilities, stopped breathing after being restrained by NT police in the lolly section of a Coles supermarket in Alice Springs. The security guard would normally remove stolen confectionary from Kumanjaji and explain that it had to be paid for, but on this occasion, the police became involved and the young man became (like David Dungay Jr and others before him) another restrained man who stopped breathing. He died in hospital an hour later.

[Lorena Allam \(04 June 2025\) The Guardian](#)

[Sarah Collard \(23 June 2025\) The Guardian](#)

[Carly Williams \(07 June 2025\) ABC News](#)

## Dan Duggan now wrongfully imprisoned for 1000 days



Dan Duggan has now been wrongfully imprisoned, with no Australian charges, for 1000 days. Dan, a former US Marine Corps pilot and instructor with the rank of major, became an Australian citizen in 2012. He is married to Saffrine Duggan who is based in Australia, where she is bringing up their six children. From 2005 to 2014, Dan operated Top Gun Tasmania, offering joy flights on military jet trainers. From 2014, Dan worked in Beijing for a South African flight school called the Test Flying Academy of South Africa (TFASA). He shared an address in Beijing with Chinese businessman Su Bin who also worked for TFASA. In 2016, Bin was jailed in the US for his role in a hacking case that involved the theft of US military aircraft designs. That year, Dan renounced his US citizenship, backdated to 2012. From 2017 to 2020, Dan worked as the general manager of AVIBIZ Limited, a consultancy company with a focus on the Chinese aviation industry. Dan was arrested in Australia in 2022 pursuant to an American warrant based on a 2017 indictment alleging four charges conspiracy to defraud the United States by conspiring to unlawfully export defence services to China, conspiracy to launder money, and two counts of violating the *Arms Export Control Act* and international traffic in arms regulations. The indictment also alleged that Duggan worked with unnamed co-conspirators, including a British executive of "a test flying academy based in South Africa with a presence in the PRC", and a Chinese national who acquired military information for the Chinese military. TFASA denied the accusations, saying that all of Duggan's instructions were legal and followed international norms, adding that it followed a "code of conduct" to make sure that no material would be classified or considered sensitive from a legal or operational standpoint. Dan also denied the accusations, saying he took the word of TFASA and had trained only civilians – student test pilots - and never military pilots. Dan is still being held in maximum security in Australia while the courts consider his extradition to the US, where he risks up to 65 years in prison on the charges. He believes that his prosecution was political and due to rising tensions between the US and China. "It's solely because this is a political thing — anything to do with China is considered bad now," he said. Dan's legal team is arguing that he is unlikely to receive a fair trial in the US; that the likely "cruelly long sentence" would represent "gross injustice"; and that ASIO

unlawfully lured Dan to Australia by offering clearance for an Australian aviation security identification card. When Dan returned to Australia, he was arrested and the ASIO clearance revoked. The use of such a lure is illegal under Australian law. They also argue that Dan was indicted in the US under the first Trump administration, "before Australia had comparable laws to the United States" regarding training foreign militaries. It therefore did not become explicitly illegal for Australians to train foreign militaries until 2018.

Saffrine has been raising their six children as a single parent while battling with the US to get her house back which was confiscated and has now been broken into multiple times and defaced. She has also been running legal proceedings and public campaigns to release her husband. On top of all that, she is now finding it difficult to gain access to visit Dan on Sundays. Such visits are essential for all family members, particularly since Dan's physical and mental health is declining. The family has clearly suffered enough and it is time to free Dan and bring him home to his wonderful family.



[Free Dan Duggan Campaign](#)

[Saffrine Duggan \(11 July 2025\) Change.org](#)

[Joanna Woodburn and Maddison Connaughton \(14 January 2025\) ABC News](#)

## **NAIDOC award winner, Michael Long**

05 July 2025: Essendon AFL legend, activist and reformer, Michael Long, has won the 2025 Lifetime Achievement Award at the NAIDOC Award Ceremony. A proud Anmatjere and Marranunggu man, and a descendant of Stolen Generation parents, he maintains deep ties to the land, waters and culture of the Tiwi Islands. Long was a very successful footy player with 190 games, 143 goals and two premierships (for one of which he received the Norm Smith Medal). Long stood up against racial vilification during his career and saw significant changes take place, including in those that previously uttered racist slurs. His stand against racism in a clash with Collingwood led to the AFL's racial vilification policy being introduced in the same year. In 2004, Long walked 650 km from Melbourne to Canberra's Parliament House to discuss Aboriginal and Torres Strait Islander issues with then-PM John Howard. The Long Walk continues as a major reconciliation event each year, with about 14,000 people taking part. In 2015, the Michael Long Learning and Leadership Centre (MLLLC) was named in his honour. It provides young indigenous people with the same opportunities as

all Australians. He was the 2018 Northern Territorian of the Year and continues to be a highly influential reformer.

[Dana Morse \(05 July 2025\) ABC News](#)

[Marque Lawyers \(02 February 2021\) Lexology](#)

[Michael Long Foundation](#)

[National NAIDOC Committee \(n.d.\) Website: '2025 National NAIDOC Award Finalists'](#)

## Mandela Day and Australian prisons

18 July 2025: Today is Nelson Mandela International Day, celebrated under the theme: "It's still in our hands to combat poverty and inequity." The Mandela Day Campaign message encourages people to use 67 minutes of their time to support a chosen charity or serve in their local community. The 67 minutes symbolically represent the number of years the former President of South Africa fought for human rights and the abolition of apartheid. As a human rights lawyer, anti-apartheid activist and member (later president) of the African National Congress party, he was imprisoned for a total of 27 years. This news article is dedicated to the theme of truth-telling, so it is appropriate to remember one of the greatest acts of truth-telling and restorative justice ever achieved – the work of South Africa's Truth and Reconciliation Commission (TRC) that was established by Mandela after apartheid was ended in 1994 and he became the first democratically elected president. The TRC, with Archbishop Desmond Tutu as chair, investigated crimes committed under apartheid by both the government and the ANC. To prevent the creation of martyrs, the TRC granted individual amnesties in exchange for testimony of crimes committed during the apartheid era. From February 1996, the TRC heard details of rapes, torture, bombings and assassinations before issuing its final report in October 1998. Mandela praised the TRC's work, stating that it "had helped us move away from the past to concentrate on the present and the future."



Throughout his life, Mandela campaigned on behalf of "the poor, vulnerable and marginalised," establishing the Nelson Mandela Foundation with a particular focus on improving the conditions and opportunities of children. Australian prisons and youth detention centres, disproportionately filled as they are with "the poor, vulnerable and marginalised," are in desperate need of not just prison reform, but wider social and political reform. The ending of apartheid in South Africa also has relevance to the overrepresentation of Indigenous people in prison and efforts to close the gap between Indigenous and non-Indigenous people in this and other ways. The Australian Law Reform Commission produced a detailed report in 2017 finding that this overrepresentation of

Indigenous people in prisons was the culmination of overrepresentation at every stage of the criminal justice system (being arrested, charged, prosecuted and sentenced – and being more likely than non-Indigenous people to receive a custodial sentence rather than a community-based sentence).

One final aspect of Nelson Mandela International Day that is relevant to Australian prison reform is the United Nations Nelson Mandela Rules. In 2015, the United Nations updated the “Standard Minimum Rules for the Treatment of Prisoners” (first adopted in 1955), naming them the “Nelson Mandela Rules” in his honour. The Mandela Rules are the universally acknowledged minimum standards for prison management and prisoner treatment. The Mandela Rules are not legally binding in Australia, but the Rules are used as a “framework” to be “considered” when developing the nation’s own guidelines and standards for correctional facilities, such as the [Guiding Principles for Corrections in Australia Revised 2018](#). Anita Mackay has written an article about the relevance of the Mandela Rules for Australian prisons. She identified five areas in which Australia was failing to comply with the Mandela Rules: (1) imprisoning people with cognitive disabilities who have not been convicted, (2) solitary confinement, (3) bodily searches, (4) use of restraints, and (5) provision of equivalent medical treatment (Mackay 2017:279-280). The Ombudsman in each of the Australian states and territories has often mentioned the failure to comply with the Mandela Rules (Mackay 2020:104-133). The WA OICS, for example, reported in 2013 that ‘only one third of prisoners can be held in conditions that comply with Australasian Standard Guidelines for Corrections for cell size ... the practice of routinely double bunking single cells is in breach of the “Mandela Rules.”’ It may be noted that Mackay discusses in her subsequent book (2020) additional significant areas of non-compliance with the Mandela Rules, including:

**Accommodation:** Rules 12-17 of the Mandela Rules provide the minimum standards of prison accommodation. Rule 12 states that where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself or herself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room. In Australia, however, overcrowding has led to bunk beds being commonly installed in cells, and even triple bunking and mattresses on floors, all contrary to the Mandela Rules. Mackay (2020:141-147) also discusses how the space per prisoner in Australian cells constitutes overcrowding and the negative impacts of this on mental and physical health and safety.

**Not reflecting Mandela Rules in domestic legislation:** Human rights compliance in Australian prisons requires that Australia establishes legislation that aligns with Australia’s international human rights law obligations, including the Nelson Mandela Rules, as well as the *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or*

*Degrading Treatment or Punishment* (OPCAT) and other treaties. Mackay demonstrates that no Australian jurisdiction has complied with this (2020:175-209).

**Not shifting the focus of imprisonment to the goals of rehabilitation and restoration:** Rule 12 of the Mandela Rules recommends that Member States support rehabilitation and social reintegration programmes, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).

**Relying on imprisonment:** Rule 12 of the Mandela Rules recommends that Member States ‘endeavour to reduce prison overcrowding and, where appropriate, resort to non-custodial measures as alternatives to pretrial detention, to promote increased access to justice and legal defence mechanisms, to reinforce alternatives to imprisonment and to support rehabilitation and social reintegration programmes, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).’ Mackay demonstrates that all Australian jurisdictions continue to rely upon incarceration and so have failed to comply with the Mandela Rules and other international obligations (2020:139-209).

As Nelson Mandela once said, ‘No one truly knows a nation until one has been inside its jails.’ Nelson Mandela International Day provides a timely reminder for Australia that far more needs to be done to avert the harm and trauma of incarceration.

[Australian Law Reform Commission, Pathways to Justice—An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples, Report No 133 \(2017\) 26.](#)

Mackay A (2017) ‘[The relevance of the United Nations Mandela Rules for Australian prisons](#)’, *Alternative Law Journal*, 42(4):279-285.

Mackay A (2020) *Towards human rights compliance in Australian prisons*, Australian National University Press, Canberra.

[Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment \(OPCAT\)](#)

[Guiding Principles for Corrections in Australia Revised 2018](#)

[South African Government, Nelson Mandela Month 2025](#)

[UN general information: Nelson Mandela Rules](#)

[UN Resolution: The Nelson Mandela Rules](#)

[UN, Nelson Mandela International Day](#)

[Nelson Mandela Foundation](#)