

[Redacted]

From: margaret barstow [Redacted]
Sent: Wednesday, 9 March 2022 11:39 AM
To: CHA_Review
Subject: Fwd: Kunggandji October 2021 [Redacted]

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Sent from my iPhone

Begin forwarded message:

[Redacted]
Date: 15 October 2021 at 7:48:27 pm AEST
To: margaret barstow [Redacted]
Subject: [Redacted]
Reply-To: [Redacted]

Authorities do not consult our people who travelled in Outrigger Canoes along the coast, living off the abundant food from the sea .Our oral evidence is dismissed or ignored.

On Fri, 15 Oct 2021 at 10:29, margaret barstow <[Redacted]> wrote:

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From: **margaret barstow** [Redacted]
Date: Tuesday, 5 October 2021
Subject: Kunggandji October 2021
To: margaret barstow [Redacted]
[Redacted]

1. This day , 5th October 2021 , we Elders from Kunggandji- Kimoi/ Gunggandji tribe humbly request the Federal Court respect our Sorry Business of the last 3 months and the last two weeks. Our Elder is being buried this Wednesday 6th October and our need for time for grieving and

conducting our traditional custom.

2. We, the Elders humbly request that our lack of education (many having only a few years in primary school) and lack of support from NQLC is understood and considered so we get justice and fair legal Representation to overcome the discrimination we have suffered .

3. The NQLC denial of funds for us over and over again to pursue our original claim Of over 20 years 1993-2013 Within the boundaries of the old mission ,and our extended claim over the last 8 years 20013-2021is now being investigated by NIA . Nearly 300 families that make up the coastal tribes Kunggandji / Gunggandji expect us to be treated equally with other applicants .We have too many times gone to Federal Court Without a lawyer in Court at Court or before court to help prepare us to present our evidence satisfactorily was

4, We allege we have much evidence to show that bias and judgement against us by the Cairns Council , Government Departments ,& Cairns Businessse has interfered in our being treated fairly It is well recorded that other applicants are considered the Traditional Owners of Cairns .We believe these Tableland tribes had tracks down the rivers to visit us through moiety relationship but are connected us as neighbouring tribes with their own tribal areas that was severely disrupted and changed after the extreme violence of the Colonisation period .

5. They came to our country for safety later. They cared for the back country and hunted on near rivers, in the Rainforrest or Dry Country not the coastal people's country .

6. It seems ridiculous that they claim the Coastal area they would come to for ceremony or oyster time us but they did not have sea worthy transport and could not hunt the abundance of sea food that we were able to obtain with our unique outrigger mullet shaped Canoes .

7, Authorities do not consult our people who travelled in Outrigger Canoes along the coast, living off the abundant food from the sea. Our oral evidence is dismissed or ignored. Evidence from the Australian Maritime Museum, British Museum, Swedish Museum as well as Diaries from HMS Endeavour, HMS Rattlesnake are ignored or dismissed. Even letters from Sub Inspector Douglas calculating 3,000 coastal people and abundant seafood and impenetrable scrub and marsh behind Coast is dismissed

8. There were no traditional tracks going along the coastal areas; there is a plethora of evidence of impenetrable country before the hill country that was changed after roads were built. To claim to have cared and hunted and travelled extensively within this impenetrable coastal scrub countryside (now we'll travelled Cook Highway) before colonisation would be impossible.

9. The sea was the gateway to the islands, & beaches. Our Canoes with six people could travel hundreds of kilometres to hunting spots along the coasts and Islands.

10. Our evidence has not been collated by Anthropologists, historians or lawyers in the manner the western Court expects for judgement because of funding difficulties, but our oral history and connection to the sea is strong.

11. Our oral history recorded by ex SBS filmmaker Kim Goodacre shows evidence our connection and like the YouTube video presented by the other applicants is evidence of our legacy handed down to us by our grandmother 1890s, great grandfather 1870s and great great grandfather 1840s.

12. We Elders believe that we still suffer inequality, coercion and discrimination. We believe vested interests still influence researchers from looking at all the evidence fairly. Expert witnesses giving testimony are expected to have specialised training and experience on which their opinion is based. We question the accuracy of research by other applicants, as the Anthropologists they used in Colonial times were inevitably compromised by needing permission and approval of the Government (that upheld racist legislation) to conduct the researchand often were "silent on matters" as a career choice.

13. Tindale 1938, although an recognised Authority stated we Gunggandji / Kunggandji came from Yarrabah where we had been pushed out of our coastal domain. That he was sponsored by the Sugar PIndustry to conduct research in Cairns is significant, especially when we were removed from Alligator Creek to make way for the Wharf for sugar after his research

14. Our Bungalow Reserve removal too was to make way for more housing, has been removed from the History of this area by the Cairns Council, Museum, Art Gallery, Cairns State High School and other organisations do media outlets. Please Google Bungalow Reserve and it does not appear -yet 31 families lived there before our removal and help from Communist party to get alternate housing. The Native Police quarters at Alluna are not the Reserve we lived on.

15. Our human rights have been denied and our heritage taken over by others. Our oral history has been denied, denigrated and we have been assaulted physically and mentally and traumatised by a legacy of racism and now our own people - historical people who outnumber us in Yarrabah, and resent our claims and have swayed influence on boards and questionable vested interests

16. This is why we finally used our Cairns Numbers to be voted on the Land Council
Yet still find other members resisting our claims.
(Our NT representative in Yarrabah stabbed 17 times but continued working without pay until 2013 Determination)

17. The Australian Human Rights Commission Native Title Report 2011- "Lateral violence occurs in native Title because the non indigenous process imposed by Government reinforces their position of power and reignites questions about their identity. "
We want our lack of proper representation to be investigated by the Australian Human Rights and have asked for this to happen.

18, Letters from the Qld Archives to the Colonial Secretary NSW 1848-1892 show the violence and disruption we suffered & drastic reduction in our population that casts a shadow on us today

19, Letters in 1878, 79 and 1884, before we were pushed into Missions for our survival and safety show how we were pushed off the Coast by the new settlers and then removed from the Rivers in fear of our lives. Our women being stolen and how we were maligned by the Colonising occupation of our lands and resources. The following letters are typical of communication to research.

a/ID 846998 78/460

Tinaroo to Cairns untravable. Native Police Camp Mitchel waterfalls - mile from the Upper Barron

b/ID 847002 79/858

O'Connor - massacre near Cooktown Cape Bedford ?

c/ID 847009 79/2469

Telegram James Pyne " Five settlers cleaned out by blacks yesterday near Cairns- need Protection

d/ ID 847124 84/4487

Petition from Cairns residents Trinity Inlet, Mulgrave River, Russel River and Barron River complaining " numerous depredations of the blacks roaming about the above named rivers " - want Native Police Camp established.

20. The legacy of the past still haunts us and the Cairns Council, Port Authority, Government Departments And Social Organisations are still against us and create barriers for us to be accepted as applicants or recognised or respectfully consulted as part of Cairns History.

21/ Our successful programs for community have been forgotten and other tribes claiming country do not show leadership in community and the Council listen to outsiders for problems we were formally strong advocates,

22/ We wish for fair and equal opportunity as Elders and would like the court to uphold any decision making in the courts until we are properly resourced with own anthropological, historical and legal findings and our human rights considered.

Yours sincerely

Kunggandji Gunggandji Elders