

Ending the Great Silence

Remarks of Dr James Cockayne, NSW Anti-slavery Commissioner

**Prepared for delivery on 19 October 2024 at the 100th
Commemoration of the Kinchela Boys Home on Dunghutti Country.**

As prepared

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1. Good morning. Thank you to the Kinchela Boys Home Aboriginal Corporation for inviting me to this Commemoration, it's an honour to be here and have the opportunity to say a few words, especially so early in the proceedings. I am truly humbled.
 2. As the NSW Anti-slavery Commissioner, I am independent. I don't speak for the NSW Government. But I do have a voice to speak to NSW Parliament.
 3. I'm privileged to live up on Bundjalung Country in the Northern Rivers. My people came out here 150 years ago, to Jagerra and Turrbul country, and later on to Wadawurrung country. These days, I have family who live on Yuin, Ngunnawal, Cameraygal and Larrikia country.
 4. I'm honoured today to be with you on Dunghutti Country and I'd like to pay my respect to elders past and present. This is Aboriginal land. It always was, and always will be.
 5. In this place, and on country all around this state, Aboriginal people were subjected to practices that today we would call 'modern slavery'. Many First Nations peoples in Australia, and their communities, are survivors of practices like forced labour, domestic servitude and sexual servitude.
 6. These practices happened under colour of law. But they may have been illegal even at the time under international law. One of the urgent questions that the survivors of modern slavery that occurred in this place need addressed, is whether that was the case, and if so, what government will do to provide effective remedy, as they would be entitled to under human rights law.
 7. It is humbling to be here. These men, your communities, know more about resisting slavery-like practices than I will ever know.
 8. My first visit here was 18 months ago, not too long after the Crown gave me this role of Commissioner. I sat with Uncle Widdy, Uncle Richard, and Uncle Roger, over there in the mobile education centre. There were other of my team, with me, including Sarah, a survivor of attempted forced marriage, of sexual servitude, and of human trafficking.

9. I can't begin to tell you how much I learned from the Uncles that day, and how I and my staff have learned from them and from survivors of Kinchela, Cootamundra Girls Home, and Bomaderry Childrens Home, in the year and a half since.
10. We've learned about what survival of slavery looks like. We've learned how important relationships are to long term healing. And we've learned about the importance of community.
11. But don't take that from me. Take it from another survivor. Sarah, who was very sorry not to be able to join the commemoration today, as she is overseas at a conference on related issues. Sarah asked me to share a few words with you and all the Uncles today on her behalf. She writes:

"I will never forget sitting in the bus hearing the powerful stories shared by the Uncles. I remember hearing how healing had started with telling the truth about what happened in this place. Since meeting on that day, I continue to learn so much from the Uncles and other First Nations survivors. I honour the strength and wisdom of the Uncles and all First Nations people today. May we continue to tell the truth about what happened here and so many other places in this country. I am so grateful for all you teach me about healing, and the way we can do that intergenerationally and in community. I wish I was there with you all."
12. There is a Great Silence in NSW and Australia about the fact that First Nations people have survived modern slavery in NSW and in Australia. The settler state has been in denial about the role of the State and the Crown in adopting the policies, providing the funding and staffing places like this. In denial about the history of treating First Nations people as if they were owned – which is the essence of slavery.
13. What more shocking idea could there be – for peoples who belong to Country – than the idea that a foreign King's representative could arrive one day and immediately own not only their Country, but the people themselves? That the Crown can exercise the powers of ownership over them – direct them where to live, who they can and cannot marry. Can tell them what race they are and are not. Can force them and their children into apprenticeships, into work, into non-consensual sexual relationships. Can take them from Country. Can take their language. Can take their children and their family life. Can subject them to forced labour, domestic servitude, sexual servitude and even forced marriage.
14. There is a terrible silence about the role that slavery-like practices inflicted on First Nations peoples played in building modern Australia – from pastoral labour to domestic servitude. The resulting wealth still sits, in some companies on the Australian Stock Exchange, and in the endowments of our leading cultural institutions and so-called 'places of learning'. This is hardly the 'Wealth for Toil' we sing of in the national anthem.
15. In fact, we are not just silent about the role that unfree labour played in building this country. We actively celebrate people who engaged in slavery, like Ben Boyd, or Robert Towns, for who Townsville is named, whose innovations led to the kidnapping and trafficking of 62,000 Pasifika people to kick-start Australia's sugar industry.

16. And there's a silence about the way in which intergenerational trauma from these slavery-like practices shapes First Nations lives and outcomes today. Overseas research shows that forced labour leads to five generations of trauma effects, which have significant impact on both physical and mental health, on life expectancy and income.
17. Where is the acknowledgment of this in today's debates about youth incarceration and on lowering the age of criminal responsibility? Where is the recognition of the state's contribution to the intergenerational trauma that makes today's First Nations children vulnerable, in the policies and debates on child protection and removal? Where is the recognition of the echoes between those policies and what happened here, in this place, at Kinchela?
18. I was privileged to live overseas for a long time before I returned to Australia a few years ago. And I learned, there, that people who experience the trauma of slavery typically need four things:
19. **Survival:** This is the heart of the struggle. I want to bear witness to the Uncles, and Aunties from Coota and survivors of Bomaderry - and to all of your family and descendants and mob. You continue to survive, despite it all. Despite everything thrown at you. And not just survive, not just live, but love. Today, with the hundreds of descendants and supporters of you, the surviving Uncles, here to commemorate what happened - this is a testament to your courage, your resilience, your ability to continue to show love, despite it all.
20. **Truth-telling:** Second, survivors need the truth to be told. And that is a key reason why I am here today: to bear witness. But now is the time to act, to tell these truths in ways that cut through, and endure. We are at a tipping point. This lived experience will not be with us forever. Let me be clear: these are your stories to tell. But this is also about public accountability. The state itself should be helping you to tell this story, the story of what happened here - and supporting your efforts to create a national truth-telling centre that ensures this story is not forgotten and overlooked in years to come.
21. **Justice:** Truth-telling is key, but it is also a foundation for justice. And here there is a silence, too. We have not seen justice for the crimes and human rights abuses that were wrought here. The state has offered \$75,000 by way of redress to survivors of the Stolen Generations. But what about compensation for the unpaid wages of the domestic servants and farmhands that were churned out by Coota and Bomaderry and Kinchela? What about victims' compensation for the forced labour and domestic servitude and sexual servitude suffered by the little boys and girls while they were in those places? Australia is very quick to lecture other countries about how good we are at tackling modern slavery. But we have an open wound in addressing the slavery of the past, and rendering the justice to which living survivors of modern slavery are entitled.
22. **Healing and recovery:** Finally, there is the need for longer-term healing. What today shows us so clearly is that healing is relational, it happens in community. I'm wearing a waratah pin - and I'm proud to say, so is Uncle Widdy. This pin is a symbol, not of the NSW Government waratah, but a symbol of survival and of recovery. As you know

well, the waratah is one of our incredible native flora that regenerates after fire. *Warada* is a Dharug word. We've adopted this symbol of the flaming waratah as a symbol of our anti-slavery efforts here in the state. It's a privilege to see Uncle Widdy wearing his waratah today, because it's a sign that we are all in this together – we are a community of purpose, all looking to learn and heal from the past, to move forward together. The Healing Centre that the Uncles propose for this site would be a powerful way to ensure that Healing occurs in their lifetime, and endures in the generations beyond. I hope the government, and all of you out there, will heed their call for support and move urgently to see this vision realised.

23. Thank you again for inviting me to be part of these Commemorations and for always generously sharing your wisdom and truth with us.