

From: [NSW Government](#)
To: [Flood Inquiry](#)
Subject: Floods Inquiry
Date: Monday, 2 May 2022 4:54:06 AM
Attachments: [Australia and the Genocide Convention.pptx](#)
[Ten Stages of Genocide.jpg](#)

Your details

Title	Miss
First name	Deborah-May
Last name	Torrens
Email	
Postcode	2480

Submission details

I am making this submission as	A resident in a flood-affected area
Submission type	I am making a personal submission
Consent to make submission public	I give my consent for this submission to be made public

Share your experience or tell your story

Your story	Ngaya yaam Deborah-May Torrens aka Ginibi (Black Swan). Ngaaja Gumbaynggirr Wehlubal nyami/dubay. I ama Gumbaynggirr Wehlubal woman. I come to share my story on what happened and
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what I saw during the recent Lismore floods.

It was around 10:00 pm when we heard a loud knock on our cabin door. It was the Worker from the Lismore Lake Holiday Park, Kristy.

Kristy told us the Manager has given everyone until 9:00am in the morning to evacuate the Holiday Park.

My housemate was going to go back to sleep, until I said, "I am packing toiletries, clothing, your work radio, charger and snacks".

So, he rose from his bed and began helping me, as he gathered our vital documents.

It was now 11:00pm and I sounded the alert.

"It's time to go". "We will make our way up to the 'Lismore Evacuation Centre.'"

The Centre was closed, so we slept in the car that night. Then headed down the next morning to register and acquire essential support, supplies etc...

After a week sleeping outside the Hall, at the Southern Cross University, (because we did not want to further place ourselves in danger by being surrounded with four hundred bodies of vaccinated and unvaccinated individuals), the Manager, Terry (an unsung hero) from Lismore Lake Holiday Park came and tracked us down and gave us the information that he had secured a Hall in Clunes for one month.

It has been two months now and We are still seeking accommodation.

Disgust with local Aboriginal Organisations.

Todate, We have not seen any Aboriginal

workers from any local organisation either throughout or after the deluge offering housing, communication services support, safe refuge, short-term housing or any clothing or anything to the First Nations who lost everything to the deluge.

There were five (5) individuals First nations individuals affected who attended the Lismore Evacuation Centre at S.C.U.

Between the organisations and corporation bodies, Our community have the resources. It is time to pool resources to create pro+community programs and projects that cater to and support those of us who are of the community and not of the corporation.

The community is used on application forms for grants and government incentives, yet when we, the members of the community needed support, guidance, healing, an ear to hear us and shoulder, to cry on. Unfortunately, nobody was there for us.

Instead, families were constantly coming down to the Emergency Evacuation Centre to take from those who just lost everything.

I saw them come.

I saw them leave with numerous items from clothing, toiletries, food and more although their homes were nowhere near flood affected roads and highways like Elliots Rd and Bruxner Highway.

Sometimes they would come in singles. Other times they would come in pairs and other times they came in groups.

Them fullas was coming from the Hill!

They know who they all are too!

When I attended a Doctors appointment at

Lismore, I saw a sign that Koorimail was advertising financial support for local Indigenous families impacted by the flood. So, I took the time to apply for financial assistance to the mobile number provided on the advertisement. I provided Koorimail with images of my cabin destroyed and uninhabitable, I also provided them with two letters of support from my Manager Terry [redacted] from Lismore Lake Holiday Park.

Two weeks ago, I called Koorimail on the mobile number provided due to not being able to reach them on their landline and this is how the conversation went;

Deborah-May: "Good morning, My name is Deborah-May. I..."

Koorimail: "Yes, I know who you are."

Deborah-May: "No you don't, You have never sat with me and spoken with me".

Koorimail: "You have been spreading misinformation about us on social media".

Deborah-May: "Whatever I post on social media is due to My own personal observations and experiences, also, for the legal record, My personal opinions should not prevent, deter, hinder or exclude me from obtaining financial assistance that I am publicly entitled to".

Koorimail:)Silence)

Deborah-May: "So back to the reason why I called, I am following up on the process of my application for financial assistance as advertised by Koorimail".

Koorimail: (Hanged up the phone)

I called again due to hoping it was a technical difficulty, and they have not answered my calls todate.

Please call me on [redacted] to talk more on what happened and what did not happen.

Ber (Thank you)

Deborah-May aka Ginibi.
Majaaga (Messenger) and Janung (Guardian)

Terms of Reference (optional)

The Inquiry welcomes submissions that address the particular matters identified in its [Terms of Reference](#)

1.1 Causes and contributing factors

Cloud seeding technology

1.2 Preparation and planning

Months leading up to the floods, I produced templates for Indigenous communities to use to prepare themselves for if and when natural or man made disasters occur. These templates were ignored by the Aboriginal community. Only to find that one month later, the flood came.

What's that saying about leading a horse to the water...

1.3 Response to floods

Lack of preparation by a Council who knows that the residents are dwelling in a flood prone region.

Government never send support quick enough. Hence much of the work, rescues and donations to the people came from generous, warm hearted locals who dwell on high grounds also from neighbouring towns.

1.5 Recovery from floods

Lack of genuine support from Aboriginal Councils, Businesses, Entities, Corporations etc...

1.6 Any other matters

Health Workers shoving 400 bodies into one hall and not once was any of the people asked "Have you been infected with the Covid-19?"

Lismore police were caught standing around scouring the ground around individuals as they slept as they were searching for drugs or anything else that would incriminate the flood victims and survivors.

I know this, because I was one of the people

who they was standing over while I slept. It was a friend called, Adamah/Adam who told me and my Carer what the police were doing as soon as we woke the following morning.

Time for new police who have fresh eyes and ears.

Time for new police who have not had their hearts hardened.

Time for change is here!

Supporting documents or images

Attach files

- [Australia and the Genocide Convention.pptx](#)
 - [Ten Stages of Genocide.jpg](#)
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THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE (1948)

Status of the Convention as of January 2019

Australia and the Convention and Punishment of the Crime of Genocide, 1948.

- Parties to the Convention (150)
 - Signatories but not Parties to the Convention (1)
 - Neither signatories nor Parties to the Convention (43)
- Note:
The State of Palestine, non-member State of the United Nations, is a State party to the Convention

The Convention and its Optional Protocol have been ratified by all the States of the United Nations and by 150 other States.

Two States have signed the Convention but not the Optional Protocol: Cuba and the Republic of South Africa. Cuba has not yet been admitted to the parties.

The Republic of South Africa has signed the Convention but not the Optional Protocol.

The Republic of South Africa has signed the Convention but not the Optional Protocol.

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What is the Convention and Punishment of the Crime of Genocide, 1948?

- An international treaty that criminalizes genocide and obligates state parties to enforce its prohibition.
- It was the first legal instrument to codify genocide as a crime, and the first human rights treaty unanimously adopted by the United Nations General Assembly, on 9 December 1948.
- It contains nineteen articles
- The Convention entered into force on 12 January 1951 and has 152 state parties.
- On 9 December each year, the United Nations marks the adoption of the Genocide Convention, which is also the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime.



REMEMBER THE VICTIMS
PREVENT GENOCIDE

Background

- The Genocide Convention was ratified by Australia on 8 July 1949 two days after it was adopted by the United Nations General Assembly.
- This signalled to the world, that Australia was prepared to prevent and punish genocide under international law.
- The Convention was entered into in force, in Australia, on the twelfth day of the Month January, in the year nineteen-hundred and fifty-one, (1951).
- To date, there has been no creation for the trial and punishment of perpetrators of genocide in Australian courts, as required by Articles 5 and 6 of the 'Genocide convention'.

1. Convention on the Prevention and Punishment of the Crime of Genocide		
Paris, 9 December 1948 ¹		
Entry into force	: 12 January 1951, in accordance with article XIII.	
Registration	: 12 January 1951, No. 1021	
Status	: Signatories : 41. Parties : 152	
Text	: Certified true copy United Nations, <i>Treaty Series</i> , vol. 78, p. 277.	
Participant ²	Signature	Accession(a), Succession(d), Ratification
Afghanistan		22 Mar 1956 a
Albania		12 May 1955 a
Algeria		31 Oct 1963 a
Andorra		22 Sep 2006 a
Antigua and Barbuda		25 Oct 1988 d
Argentina ³		5 Jun 1956 a
Armenia		23 Jun 1993 a
Australia	11 Dec 1948	8 Jul 1949
Austria		19 Mar 1958 a
Azerbaijan		16 Aug 1996 a
Bahamas		5 Aug 1975 d

What are Australia's Obligations under the Genocide Convention?

- Obligation not to commit genocide (Article I, as interpreted by the International Criminal Court of Justice, (The Hague). Obligation to prevent genocide (Article I) that in accordance with the I.C.J., has an extraterritorial scope;
- Obligation to punish genocide (Article I);
- Obligation to enact the necessary legislation to give effect to the provisions of the Convention (Article V);
- Obligation to ensure that effective penalties are provided for persons found guilty of criminal conduct according to the Convention (Article V);
- Obligation to try persons charged with genocide in a competent tribunal of the State in the territory of which the act was committed, or by an international penal tribunal with accepted jurisdiction (Article VI);
- Obligation to grant extradition when genocide charges are involved, in accordance with laws and treaties in force (Article VII), particularly related to protection granted by international human rights law prohibiting refoulment where there is a real risk of flagrant human rights violations in the receiving State.



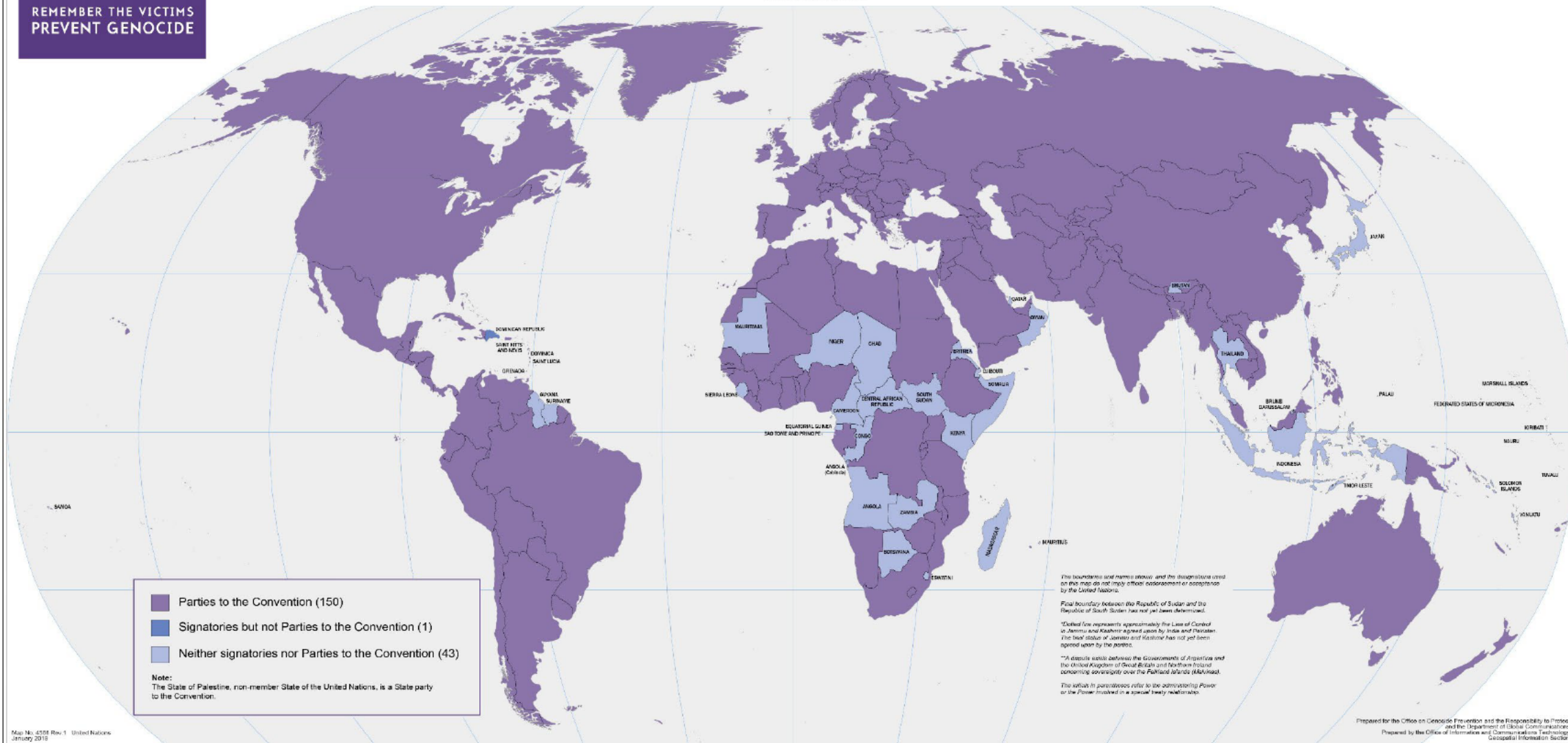


REMEMBER THE VICTIMS
PREVENT GENOCIDE

THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE (1948)

Status of Ratification

As of January 2019



What is the Criminal Code Act 1995 (CTH)

Division 268 of the Criminal Code Act 1995 contains various war crimes offences that apply in non-international armed conflict.

Sections 268.70, 268.71 and 268.72 are applicable where the perpetrator causes the death of, seriously endangers the health of, or inflicts severe pain or suffering upon one or more persons not taking an active part in hostilities.

Part 1 of the Criminal Code Amendment (War Crimes) Act 2016, clarifies that these offences will not be engaged where the person or persons affected are members of an organised armed group. The Act also establishes where they cause the death of one or more persons who are neither taking an active part in hostilities nor are members of an organised armed group who is hors de combat (out of action, due to injury or damage).

Some examples are:

1. Wounded and Sick
2. Prisoners of War
3. Non-combatants and
4. Civilians.

Law of War

- Military Law
- Hague Convention
- Geneva Convention
- Rules of Engagement
 - Prisoners of War
 - Non-Combatants
 - Violations

Sovereignty no longer exclusively protects States from foreign interference.

- It is a charge of responsibility where States are accountable for the welfare of their people. This principle is enshrined in article 1 of the Genocide Convention and embodied in the principle of 'sovereignty as responsibility' and in the emergent concept of the responsibility to protect.
- The three pillars of the responsibility to protect, as stipulated in the Outcome Document of the 2005 United Nations World Summit, are:
 - (1) The State carries the primary responsibility for protecting populations from genocide, war crimes, crimes against humanity and ethnic cleansing, and their incitement;
 - (2) The international community has a responsibility to encourage and assist States in fulfilling this responsibility;
 - (3) The international community has a responsibility to use appropriate diplomatic, humanitarian and other means to protect populations from these crimes. If a State is manifestly failing to protect its populations, the international community must be prepared to take collective action to protect populations, in accordance with the Charter of the United Nations



Statistical Information

- First bullet point here
- Second bullet point here
- Third bullet point here

	Australia	New Zealand	Canada	America
Indigenous Deaths in Custody		82	95	
Children in out-of-home care		76	88	
Imprisonment rates		84	90	

TEN STAGES OF GENOCIDE

- 1 Classification:** People are divided into *"us and them."*
- 2 Symbolization:** People are **forced** to identify themselves.
- 3 Discrimination:** People begin to face systematic discrimination.
- 4 Dehumanization:** People equated with animals, vermin, or diseases.
- 5 Organization:** The government creates specific groups (police/military) to enforce the policies.
- 6 Polarization:** The government broadcasts propaganda to turn the populace against the group.
- 7 Preparation:** Official action to remove/relocate people.
- 8 Persecution:** Beginning of murders, theft of property, trial massacres.
- 9 Extermination:** Wholesale **elimination** of the group. It is *"extermination"* and not murder because the people are **not** considered human.
- 10 Denial:** The government **denies** that it has committed any crime.