

# Looking ahead

## Doing business the Aboriginal way

**This is an historic journey, and all Victorians are walking it together.**

The Assembly, comprising Traditional Owners elected from every part of this state, recognised by law as equal to government, is ready for negotiations to establish a system for Treaties.

Through the process of negotiation we will assert our sovereignty and our inherent rights, including our right to self-determination.

This will be an Aboriginal-led process, however Treaties will not be a success without the commitment of both the Government and the Parliament of Victoria. Treaty is a bold concept, but bold concepts are necessary to undo centuries of entrenched disadvantage.



## Next steps to establish the architecture for Treaties

**The Assembly's aim is to have all elements of the architecture for Treaties in place by 2022.**

Over the next 12 months, our focus is on reaching an agreement with the State for an interim dispute resolution process, the form, function and powers of the Treaty Authority, and initial elements of the Treaty negotiation framework. Work on the self-determination fund is ongoing, but will expand once these other elements have been agreed.

As we do this work, we are mindful of the expectations of our communities that this work is done in a way that is respectful of and adapted to Aboriginal ways of working. The Treaties system will demonstrate new, powerful ways of doing business that reflect our culture and values as the First Nations within Victoria.

Discussions with our communities about the Treaty Authority and the framework are continuing, with dedicated conversations with Victorian Traditional Owners to make sure that their aspirations for the Treaty negotiation framework are at the centre of this work.





## Next steps in the Elders' Voice

**Elders are the cultural authorities in Aboriginal communities. We look to our Elders to provide wisdom and guidance to communities and to the Assembly as we navigate the path to Treaties.**

In 2019, the Victorian Treaty Advancement Commission consulted with Elders across the State about the role they wanted to play in Treaty. Over 200 Elders in Victoria were engaged, making these amongst the most comprehensive discussions with our Aboriginal Elders in Victoria's recent history. Elders called for a focus on empowerment, inclusion, and supporting respectful interactions, grounded in Aboriginal ways of doing Business. Time and time again Elders said their role should be to oversee the work of the Assembly, providing insight, wisdom, and knowledge to the Assembly Members as they make decisions about negotiations toward Treaty.

## Next steps in Truth-telling

**At its August meeting, the Assembly agreed to expedite work to develop a terms of reference with the State that address the scope of the Truth-telling process, preferred mechanisms for conducting it, and the best way to integrate Truth-telling into the broader Treaties development program. The Assembly looks forward to continuing to strengthen its relationship with the Government as we work together to develop a terms of reference for a Truth-telling process over the coming months.**

A Truth-telling process will at times be painful but is necessary for healing. What must be kept in mind is that Truth-telling is not about attributing blame to individuals or groups. Rather, Truth-telling should be looked on as the first step in the creation of a new relationship of honesty and mutual respect.

As the elected representatives of the Victorian people, Parliamentarians will have a vital role in helping to guide their communities through Truth-telling.

The Assembly Elders' Voice committee has worked to transform the aspirations of Elders into a model for an Elders' Voice. In August, the Assembly agreed to commence intensive engagement with our Elders across the State. Based on their feedback, the Assembly will finalise a model for the Elders' Voice so that it may be established as soon as possible.





## Next steps in strength and inclusion

**The Assembly is reviewing its model of membership to make sure that we are as strong and inclusive as possible. Our current membership model builds on existing forms of self-determination in the Traditional Owner community in Victoria by combining Members elected from regions with reserved seats for Traditional Owner groups that are self-determined and recognised under State or Commonwealth legislation.**

The Assembly is exploring additional pathways for Traditional Owner groups to be eligible for a reserved seat on the Assembly. The Member-led resolution passed at the June Assembly Chamber meeting demonstrates the community interest and support for progressing this work. Our approach will continue to strengthen Aboriginal

cultural ways of recognition, will be centred on Aboriginal self-determination and will embody the values of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

An additional pathway for eligibility for a reserved seat will not replace the existing systems, but instead seek to empower Traditional Owner groups who do not currently hold formal recognition under legislation. Our aim is to strengthen Traditional Owner representation in the Assembly, and diversify community engagement with the Treaty process. As article 33(2) of the UNDRIP states, Indigenous peoples around the world have the right to determine the structures and to select the membership of our institutions in accordance with our own procedures.

## Advancing together

**We will work with the State each step of the way on the design and resourcing of the fundamental elements of Treaties. In the interests of our communities, we ask for continuing good-faith commitments from the State. This will show all Australians that Victoria is serious about Treaty.**

The time to make real progress is now – we have momentum and can build on it. We are already many years overdue. Our aim is to have a Treaty negotiation framework agreed to by 2022 and we are confident Government is ready to work with us to achieve that. The supporting elements of the Treaty system – the Treaty Authority and self-determination fund – will need to be established and ready to play their part. The Assembly looks forward to working with the Government to develop any required legislation to enshrine architecture of Treaties in law.

Treaties are about establishing an equal partnership between Aboriginal Victorians and the State. We look forward to working with all Members of Parliament to make sure this partnership goes beyond any particular government.

Self-determination means insisting on Aboriginal leadership at each step of the Treaties process. Our community is diverse and opinions will differ on what Treaties should include and how

they should be negotiated. This diversity is a strength that we bring to the table. We will work with our communities to explore these diverse opinions and reach genuine compromise that benefits all Traditional Owners and other Aboriginal people in Victoria. We will continue to reach out into all corners of the community, to hear from those we have not heard from yet. And we will continue to centre the voices of our Elders and youth, relying on their wisdom and energy to guide this process.

The Truth-telling process will show in embryo what can be achieved when Aboriginal people are given the space to lead community engagement with government. At the heart of self-determination is the simple idea that ultimately the Aboriginal community is best able to identify its own needs, priorities, and models of service delivery. As Assembly Members, we will be led by our communities and continue to advocate on their behalf to Parliament and the government.

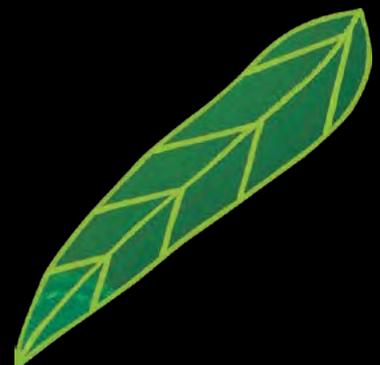
Through it all, we should always remember we are engaged in a movement of truly historic significance. Every step taken by our communities, the Assembly, the Government and the Parliament leads to a better world for our children and grandchildren. We should all be proud of what we have already accomplished, and look forward with excitement.





**“This is more important than us.  
This is our chance to create a better  
future for our children’s children”**

**VICTORIAN ELDER,  
VTAC CONSULTATIONS, 2019**



## APPENDIX A

### First Peoples' Assembly of Victoria Members representing Reserved Seats

MEMBER	REPRESENTING
Dylan Clarke	Barengi Gadjin Aboriginal Corporation
Sean Fagan	Wadawurrung Aboriginal Corporation
Andrew Gardiner	Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation
Melissa Jones	First People of the Millewa-Mallee Aboriginal Corporation
Jamie Lowe	Eastern Maar Aboriginal Corporation
Troy McDonald	Gunaikurnai Land and Waters Aboriginal Corporation
Trent Nelson	Dja Dja Wurrung Clans Aboriginal Corporation
Robert Ogden	Bunurong Land Council Aboriginal Corporation
Marcus Stewart	Taungurung Land & Waters Council
Donna Wright	Gunditj Mirring Traditional Owners Aboriginal Corporations
<i>To be appointed</i>	Yorta Yorta Nation Aboriginal Corporation

## APPENDIX B

### Aboriginal Treaty Working Group

The First Peoples' Assembly of Victoria acknowledges and thanks all people who served on the Aboriginal Treaty Working Group between 2016 and 2019.

- Eleanor Bourke  
(Co-Chair, 2019)
- Dan Turnbull  
(Co-Chair, 2019)
- Mick Harding  
(Chair, 2016-18)
- Vicki Clark  
(Deputy Chair)
- Jill Gallagher
- Geraldine Atkinson
- Indi Clark
- Jamie Lowe
- Janine Coombs
- Jordan Edwards
- Aunty Joy  
Murphy-Wandin
- Ken Stewart
- Marcus Stewart
- Muriel Bamblett
- Paul Briggs
- Rodney Carter
- Jeremy Clark
- Lidia Thorpe
- Gary Murray
- Aunty Di Kerr
- Wayne Muir
- Nikayla Bamblett
- Tarneen Onus-Williams
- Laurence Moser

## APPENDIX C

# First Peoples' Assembly of Victoria Chamber meetings and resolutions

The First Peoples' Assembly of Victoria full Chamber has met four times between 10 December 2019 and 31 August 2020.

DATE	LOCATION	CRITICAL DECISIONS
10-11 December 2019	The inaugural Chamber meeting was held in the Legislative Council Chamber of Parliament House	<p>Each Assembly Member provided an historic inaugural speech.</p> <p>The Chamber elected the Assembly Board and Co-Chairs.</p>
27-28 February 2020	The second Assembly Chamber meeting was held at the Aboriginal Advancement League, Thornbury	The first day was a workshop. On day two, the Chamber formed five key committees to progress specific areas within the Treaty process.
18-19 June 2020	The third meeting of the Assembly Chamber was held via videoconference because of restrictions in place related to the COVID-19 pandemic	<p>The Chamber voted in favour of a resolution to promptly develop additional criteria to enable more Traditional Owner groups to appoint Reserved Members to the Assembly.</p> <p>The Chamber voted in favour of a resolution to write to the Minister for Aboriginal Affairs seeking resources for an independent Truth-telling process to formally recognise past and ongoing injustices.</p> <p>The Chamber agreed resolutions related to:</p> <ul style="list-style-type: none"> <li>the principles to guide negotiations of the Treaty Authority</li> <li>the interim dispute resolution process</li> <li>whether to pursue local Treaties, a statewide Treaty, or both.</li> </ul> <p>The Chamber voted in favour of a mandate to negotiate both a statewide Treaty and Treaties negotiated by individual groups, once a Treaty negotiation framework has been agreed under section 30 of the <i>Advancing the Treaty Process with Aboriginal Victorians Act 2018</i> (Vic).</p>
27-28 August 2020	The fourth meeting of the Assembly Chamber was held via videoconference because of restrictions in place related to the COVID-19 pandemic	<p>The Chamber agreed to develop a terms of reference for a Truth-telling process to be negotiated with the State that addresses: the scope of Truth-telling, preferred Truth-telling mechanisms, and the sequencing within the broader Treaty process.</p> <p>The Chamber authorised the Assembly's negotiators to finalise an interim dispute resolution process with the State under section 38 of the <i>Advancing the Treaty Process with Aboriginal Victorians Act 2018</i> (Vic) provided stated conditions were met.</p> <p>The Chamber agreed to targeted and broad community consultations on the design of the Elders' Voice, reserved seats, and the Treaty negotiation framework.</p>

## APPENDIX C

### First Peoples' Assembly of Victoria Chamber events and public engagements

First Peoples' Assembly of Victoria events and activities to advance the Treaty process between 10 December 2019 and 31 August 2020. This includes events that the Assembly were invited to participate in.

#### Assembly-led events and public engagements

DATE	EVENT	DETAIL
10 December 2019	Inaugural First Peoples' Assembly of Victoria Chamber meeting – Day 1	Livestreaming of select sessions of the First Peoples' Assembly of Victoria Chamber meeting to community.
11 December 2019	Inaugural First Peoples' Assembly of Victoria Chamber meeting – Day 2	Livestreaming of select sessions of the First Peoples' Assembly of Victoria Chamber meeting to community.
12 February 2020	North East Community Meeting	Consultation with community by the Members representing the North East region, and Members representing Traditional Owner organisations located within the North East region.
17 February 2020	North West Community Meeting	Consultation with community by the Members representing the North West region, and Members representing Traditional Owner organisations located within the North West region.
18 February 2020	Metropolitan Community Meeting	Consultation with community by the Members representing the Metropolitan region, and Members representing Traditional Owner organisations located within the Metropolitan region.
19 February 2020	South East Community Meeting	Consultation with community by the Members representing the South East region, and Members representing Traditional Owner organisations located within the South East region.
20 February 2020	South West Community Meeting	Consultation with community by the Members representing the South West region, and Members representing Traditional Owner organisations located within the South West region.
27 February 2020	Livestream – First Peoples' Assembly of Victoria Chamber workshop	Livestreaming of select sessions of the First Peoples' Assembly of Victoria Chamber workshop to community.
28 February 2020	Livestream – First Peoples' Assembly of Victoria Chamber meeting	Livestreaming of select sessions of the First Peoples' Assembly of Victoria Chamber meeting to community.
14 May 2020	Facebook Live – Treaty, Treaties or both?	Interactive engagement with community about the advantages and disadvantages of different approaches to agreement making - 110+ peak live viewers, 237 comments & questions.
June 2020	Member engagement with community	Various Members' events to consult with community prior to the June Assembly Chamber meeting.

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DATE	EVENT	DETAIL
3-4 June 2020	Blak Lives Matter and Treaties public discussion	Opinion piece: Blak Lives Matter - Which is why we need Treaty - NITV, 4 June 2020.
4 June 2020	Facebook Live – Getting to know the Treaty Authority	Introduction to key questions related to the establishment of the Treaty Authority as an independent umpire in the Treaty process. 120+ views, 194 comments & questions.
13 June 2020	Truth-telling and Treaties	After a thunderous fortnight, First Peoples' Assembly to advance state Treaty - The Age, 13 June 2020.  <b>Media interviews</b> 3KND - June 15; ABC Drive - June 15.
18 June 2020	Livestream – First Peoples' Assembly of Victoria Chamber meeting – Day 1	Livestreaming of select sessions of the First Peoples' Assembly of Victoria Chamber meeting to community.
18 June 2020	Truth-telling and justice	Victorian First Peoples' Assembly calls for truth commission on path to Treaties with Aboriginal nations - ABC News, 18 June 2020.  <b>Media interviews</b> 3KND - June 15; ABC Drive - June 15; ABC Radio: The Conversation Hour - June 30; NITV - June 18.
19 June 2020	Livestream – First Peoples' Assembly of Victoria Chamber meeting – Day 2	Livestreaming of select sessions of the First Peoples' Assembly of Victoria Chamber meeting to community.
21 July 2020	Facebook Live – What should be in a Treaty negotiation framework?	Initial interactive discussion with community about what should be in the Treaty negotiation framework. 90 peak live viewers and 126 comments and questions.
11 August 2020	Facebook Live – What is the Elders' Voice?	Initial interactive discussion, led by members of the Assembly's Elders' Voice Committee, about the purpose of the Elders' Voice and how it will strengthen the Assembly. 140+ peak live viewers and 256 comments and questions.
27 August 2020	Livestream – First Peoples' Assembly of Victoria Chamber meeting – Day 1	Livestreaming of select sessions of the First Peoples' Assembly of Victoria Chamber meeting to community.



## Photo credits, 2020 Annual Report to Parliament

### Acknowledgement

'It's Time' is the registered trade mark of the Whitlam Institute and was used with permission by the Victorian Treaty Advancement Commission under a licenced agreement.

PAGE #	ACKNOWLEDGEMENT	TITLE	DATE
Throughout	Thomas Day	Details extracted from Thomas Day's artwork, Teen Ngeeye Mirring – Here is our Country. This work forms part of the First Peoples' Assembly of Victoria logo.	August 2019
Inside covers	Ubahn - photograph; Gina Bundle - artist	Detail of the Treaty Advancement Possum Skin Cloak.	October 2019
2	Wayne Quilliam	Co-Chairs of the Assembly.	10 December 2019
5	VTAC	Madison Connors votes.	2 October 2019
5	ABC Library Sales	True Country dance troupe perform at the Shepparton Family Fun Day voting event.	19 October 2019
5	ABC Library Sales	The commission has run voting events across the state in an effort to boost the number of people casting a vote.	19 October 2019
5	Porter Novelli	Treaty It's Time stage.	19 October 2019
5	Porter Novelli	Future Dreaming Festival polling station - voters.	19 October 2019
5	Porter Novelli	Future Dreaming Festival dancers.	19 October 2019
5	Richmond Football Club	Launch of the VTAC partnership with Richmond FC and the Korin Gamadji Institute.	11 April 2019
8-13	Wayne Quilliam, VTAC and other photos supplied by Members	Profile shots.	Various dates
15	James Henry	The Djirri Djirri dancers perform at the VTAC statewide Treaty forum.	25 September 2019
16	Victorian Parliament	Introduction of the Act in Parliament 2018.	June 2018
18	Nico Photography	Inaugural meeting of the Assembly.	11 December 2019
20	ABC Library Sales	Ulupna clansman, of the Yorta Yorta, Graham Briggs, said he believed a Treaty could deliver for the state and communities.	19 October 2019
21	Porter Novelli	Community members at the Future Dreaming Festival.	19 October 2019
23	Department of Premier and Cabinet	Yappera children dancing at the launch of VTAC in 2018.	January 2018
23	Wayne Quilliam - photography; Gina Bundle - artist	Close up of possum skin.	10 December 2019
24	Porter Novelli	Child paints at the Future Dreaming Festival.	19 October 2019
24	Assembly	North West community consultation forum.	17 February 2020
25	Wayne Quilliam	The Will Shake Spear Dance group perform at the inaugural meeting of the Assembly. <i>This photo is used with the gracious permission of the family of Aunty Eunice Wright.</i>	10 December 2019
26	Wayne Quilliam	First elected Assembly board.	10 December 2019
32	Wayne Quilliam	Community Assembly message stick, inaugural Assembly meeting.	10 December 2019



**First Peoples'  
Assembly of  
Victoria**