

DECEMBER 2020



**First Peoples'
Assembly of
Victoria**

Assembly Communique

The First Peoples' Assembly of Victoria Chamber met on December 7 and 8, 2020. The meeting was held virtually due to COVID-19 restrictions in Victoria.

Day one open with an Acknowledgement of Country by Gheran Yarraman Steel, a proud Boonwurrung Traditional Owner. Members then paid respect to community members who have passed through a minute's silence.

Day Two of the Chamber opened with an Acknowledgement to Country by North-West Member Jason Kelly.

Treaty Negotiation Framework Committee

Treaty Negotiation Framework Committee Chair, Jamie Lowe, noted the Assembly's decision to adopt a hybrid model for Treaties, that being a combination of statewide and local Treaties.

He said the question of what is up for discussion in those negotiations between Traditional Owners and the State should be as broad as possible.

The Assembly resolved that its position will be that any negotiation point within the power of the State will remain on the table, unless that impinges on gains already made by Traditional Owners.

Importantly, the decision aims to prevent there being any limits on people's aspirations.

Self-Determination Fund

Troy McDonald, Chair of the Committee advised the Chamber that the Committee had considered a range of options under which the Assembly will hold and administer the Fund.

The Committee recommended and the Assembly adopted that the Assembly holds the Self-Determination Fund and administers it through a trust and further that the Self-Determination Fund Committee be authorised to progress work on developing options for the design of a trust deed for consideration at the March 2021 Assembly Chamber.

Treaty Authority and Interim Dispute Resolution Committee

Interim Chair of the Committee Marcus Stewart reported that the Assembly and State are very close to finalising an agreement on an Interim Dispute Resolution Process, with the two parties in the final stages of agreeing a list of mediators.



When settled, it would become the first agreement to be made between the Assembly and the State under the Treaty Act. He also said the Committee will bring a resolution on agreed protocols between the Assembly and the State to the Chamber meeting in March.

Truth-Telling process

Melissa Jones and Troy McDonald, Co-Chairs of the Committee responsible for progressing a Truth-telling process, briefed the Chamber on the volume of work achieved by the Committee to date.

The Chamber noted the work to date of the Committee in progressing the development of a Truth-telling process; this included a joint protocol with the State, draft Terms of Reference and a proposed open and transparent process for nominating members to lead the future mechanism.

As the Committee needs more time to finalise the design with the State, it withdrew its request for a resolution at this time as no longer necessary.

Elders' Voice

Chair of the Elders' Voice Committee, Tracy Evans, updated the Chamber on the work of the Elders' Voice Committee and the need to extend consultations and the formation of the Elders' Voice into the new year. There had been challenges in meeting with Elders across the state due to the health restrictions.

Cultural Governance

Chair of the Cultural Governance Committee, Trent Nelson, updated the Chamber about the Committee's work and the need to extend consultations on additional recognition pathways for the purposes of Assembly membership.

Trent noted that there had been challenges in meeting with Community members across the state due to the health restrictions.

Presentation on the United Nations Declaration on the Rights of Indigenous Peoples

Professor Megan Davis, Pro Vice-Chancellor Indigenous UNSW and a Professor of Law, UNSW, spoke to the Assembly regarding how the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) could form a foundational element of the Treaty process.

Election of Director

Uncle Michael Mookeye Bell was elected and appointed a Director of the Assembly, filling the vacancy created by the resignation of Rueben Berg in May 2020. A ballot was held on 8 December and the appointment formalised at the close of the Assembly Chamber.

Co-Chairs Report

Co-Chair Aunty Geraldine Atkinson provided an update on the important milestones that have been met by the Assembly during 2020.

Among the key achievements were progress on the Interim Dispute Resolution Process to the point that once finalised, negotiations with the State can proceed on the Treaty Negotiation Framework and the Self-Determination Fund.

Aunty Geraldine also thanked Members for their vital work on the Assembly's committees, adding that improving support to Members is a priority.

Aunty Geraldine provided the Chamber with an update on the community roadshow the Co-Chairs embarked on as soon as COVID restrictions had eased, which was their first since community events in February and the commencement of restrictions in March.

Aunty Geraldine noted that herself and Co-Chair Marcus Stewart are really looking forward to meeting with Community members over the coming months, especially for conversations with Elders over the proposed model for the Elders' Voice.

Operational Report

Assembly CEO Andy Gargett acknowledged 2020 had been a hard year for Members, staff and the Community, noting that Members and staff had been working remotely since March due to the COVID restrictions.

Andy advised Members that the State Budget had allocated \$20m to support the Treaty process including operational funding for the Assembly until 2022-23, which will allow the Assembly to increase support to Members and further strengthen its regional footprint.

Head of Engagement Chris Johnson advised Members that despite the restrictions, there had been more than 240 interactions from the Engagement team with Assembly Members during November, these interactions were via technology.

He said topics had included the Elders' Voice, alternate forms of recognition for reserved seats and a Youth Yarning Treaty Facebook live event, the most successful online event so far.

The interim Chair of the Audit and Risk Committee, Troy McDonald and the Assembly auditor presented the financial reports to the Annual General Meeting of the Assembly Chamber. They reported that it was a successful audit which was a testament to the Board and administration, particularly for a company in its first year of operation.

January 26

The question of whether the Assembly should take a public position on January 26 was first raised by Metropolitan Member Rueben Berg at the August Chamber.

The Chamber agreed to adopt a public position on January 26 as being Invasion Day/Survival Day. Possible actions that were discussed included issuing a public statement, as well as embedding calls to change the date into the broader Treaty-making and Truth-Telling work of the Assembly. Further work to progress the Assembly's proposed actions will be undertaken in coming weeks.

The meeting closed. The Assembly's next Chamber is scheduled for 4 and 5 March 2021.