



**First Peoples'
Assembly of Victoria**
Annual Report to
Parliament 2020



First Peoples'
Assembly of
Victoria





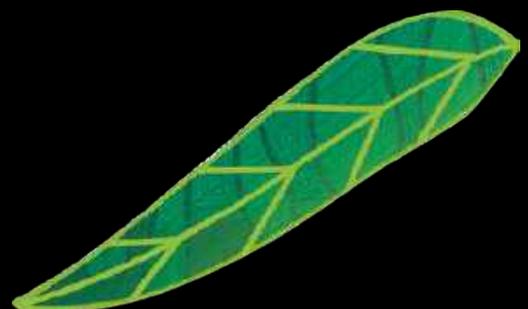
Acknowledgement

We would like to acknowledge the Traditional Owners of Country within Victoria. Land that has never been ceded. We also acknowledge all other First Nations people living in Victoria. We pay our respects to the Elders and ancestors who came before us; who have taught us culture, kinship, connection and Lore. We say thank you to the trailblazers, who have come before us and paved the path that we follow in solidarity today. From the coastal mob, to the river people, from the highland to the desert, the urban and all of the areas that the First Peoples' Assembly of Victoria represents, and whose spirit has touched this Treaties process. We admire your strength, courage, and fight, and thank you for continuing to walk along this journey with us.



“Our Elders fought for Treaty for years. Now we are Elders and we have the opportunity to help realise their dreams. As we move forward, we are truly standing on the shoulders of giants. We feel their support and we will not let them down. We must make this happen”

**VICTORIAN ELDER,
VTAC CONSULTATIONS, 2019**





Co-Chairs' Foreword

It is with pride that we present the first annual report of the First Peoples' Assembly of Victoria (the Assembly) to the Parliament of Victoria. This report speaks to the progress made towards Treaties since the establishment of the Assembly and its first meeting on 10 December 2019, as well as to the hard work undertaken by Assembly Members to bring us to this point.

The report signals more clearly than ever the new relationship between Aboriginal people and the Parliament of Victoria. Traditional Owners of Victoria have never before engaged with Parliament on equal terms. The Assembly is Parliament's sovereign equal, comprising democratically elected Members who have been honoured with the responsibility of representing and advocating for Traditional Owners, and the broader Victorian Aboriginal community.

To demonstrate our combined strength, and to help build connections between Parliament and our membership, the report profiles each Assembly Member. We invite Members of Parliament to connect with the Assembly Members within their electorate that are responsible for representing Traditional Owners and other Aboriginal Victorians throughout the Treaty process.

As outlined in this report, we are ready on our part to negotiate the elements which will underpin substantive Treaty negotiations. The election of the Assembly's membership marked a turning point in the Treaty process. Assembly advocacy has already begun to influence policy—at its inaugural meeting, the Assembly called for a Stolen Generations Redress Scheme, and at its June Chamber meeting we called for a Truth-telling process. The Government has committed to both.

This demonstrates the power of our collective voice in achieving change in areas where progress is long overdue.

As required by section 42 of the *Advancing the Treaty Process with Aboriginal Victorians Act 2018* (Vic), this report sets out the progress

the Assembly has made towards establishing, by agreement with the State, a Treaty Authority, a Treaty negotiation framework, and a self-determination fund. As outlined within, the voices of Traditional Owners, and other Aboriginal people, are at the heart of all Assembly policies and positions on Treaties.

We are optimistic about the progress towards Treaties, but we are clear eyed about the scale of the task before us. We are attempting something unprecedented in this country. Since December 2019, Assembly Members have worked hard to support their communities to lead the discussions that shape our agreement-making on the architecture for Treaties. What sustains us is a spirit of unity, born of mutual understanding and genuine reconciliation.

We extend our deepest thanks and gratitude to all Assembly Members, as well as to the first Treaty Advancement Commissioner, Jill Gallagher AO, and her staff. We also thank Eleanor Bourke, Vicki Clarke, and Dan Turnbull, the members of the first, interim, Board of the Assembly, and all members of the Aboriginal Treaty Working Group between 2016 and 2019.

Finally, we thank all Traditional Owners of Country in Victoria, and all members of Aboriginal communities in Victoria that have seized this opportunity. Aboriginal people have seized this opportunity to change the status quo for the sake of their children. Our ancestors fought before us for dignity and self-determination; for the sake of our own descendants, we must do the same.

We welcome all Parliamentarians and all Victorians on this path, walking with us.

About the First Peoples' Assembly of Victoria



The First Peoples' Assembly of Victoria is the first body of its kind in Australia.



Established in December 2019, the Assembly is made up of 32 members – all proud Traditional Owners of Country in Victoria.



These Aboriginal leaders were chosen by their communities to represent community views.



Twenty-one representatives were determined by a statewide Aboriginal community vote held between September and October 2019, and 10 representatives were appointed to reserved seats by formally recognised Traditional Owner groups. Yorta Yorta Nation Aboriginal Corporation have not appointed a representative to date.



The Assembly is the voice for Traditional Owners of Country in Victoria and other Aboriginal and Torres Strait Islander peoples living in Victoria in the Treaty process with the State.

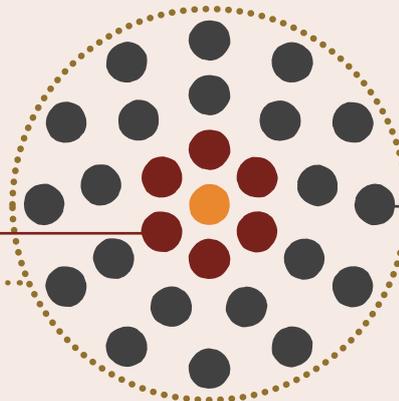
How is the Assembly structured?

Executive

- Nine directors elected by the Assembly members
- Led by Co-Chairs elected by all representatives
- Implements decisions of the Assembly and leads the agenda

Elders' Voice

- Form is to be determined
- Provides cultural strength and advice to the Assembly



Assembly Chamber (32 members)

- Meets quarterly to make all key Assembly decisions on the Treaty process.
- Members responsible for regularly engaging with their communities before each meeting.

General seats (21 seats)

Elected by statewide vote in 2019. All Aboriginal Victorians living in Victoria have the opportunity to vote every three years.

Reserved seats (currently up to 11 seats)

One representative appointed by each formally recognised Traditional Owner group.



The 2019 Assembly election

In November 2019, the results of the first election for the First Peoples' Assembly of Victoria were announced.

More than 70 Traditional Owners across Victoria had put their hands up to stand as candidates.

The Assembly election was a historic event, with parallels to the elections to the former Aboriginal and Torres Strait Islander Commission (ATSIC). The Assembly election was independent of state and federal elections, featured a stand-alone electoral roll, voting by people aged 16 years and over, a gender quota, online enrolment and voting, and the capacity for same-time enrolment and voting.

The election was held over five weeks, with dedicated polling booths at large centres and 25 mobile polling locations across Victoria, including in prisons. Combined with the option to cast an online or postal ballot, this meant that all Aboriginal people could participate.

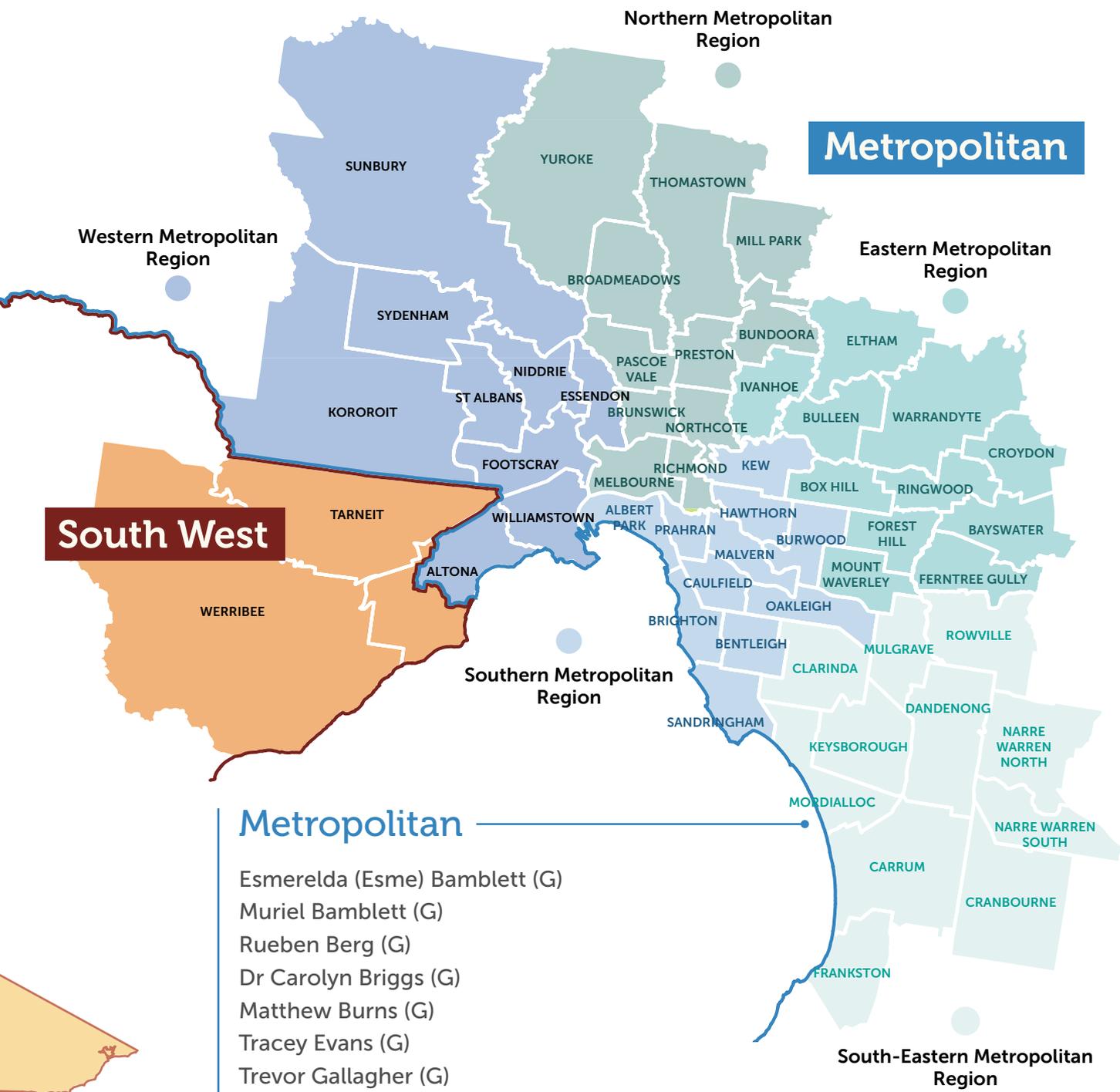


First Peoples' Assembly of Victoria

Regional Members

The following pages provide a short introduction to Assembly Members, with extracts from Members' inaugural addresses. Full profiles of each Member are available on the Assembly webpage at: firstpeoplesvic.org/about/the-assembly/





Metropolitan

- Esmerelda (Esme) Bamblett (G)
- Muriel Bamblett (G)
- Rueben Berg (G)
- Dr Carolyn Briggs (G)
- Matthew Burns (G)
- Tracey Evans (G)
- Trevor Gallagher (G)
- Andrew Gardiner (R)
- Ngarra Murray (G)
- Robert Ogden (R)
- Alister Thorpe (G)

Key

- (G) General seat holders elected during the general election.
- (R) Reserved seat holders, selected by their Traditional Owner group. The list of Traditional Owner groups that are represented on the Assembly is at Appendix A.

Meet the Assembly Metropolitan



Esmerelda (Esme) Bamblett (G)

Bangerang, Wiradjuri, and Taungurung

I carry within me the image of my grandparents and am reminded of the struggles they overcame to survive in a land where they were dispossessed of Country, language and a culture that was thousands of years old. But I also think about the legacy they passed on—strength, resilience, purpose and a passionate desire to fight for our rights no matter what adversity we may face.



Muriel Bamblett (G)

Yorta Yorta, Dja Dja Wurrung, Taungurung and Boon Wurrung

This Treaty will give Victoria the opportunity to turn the page of history towards a future where we are included in the affairs of our land on our Country within the polity of Victoria, something we have never had. All Victorians will share in the richness of a strong Aboriginal footprint, with a shared commitment to righting the wrongs of the past. I look forward to working towards a brighter future for our communities and our peoples.



Rueben Berg (G)

Gunditjmara

My family give me strength and wisdom from the past and hope for the future. I am hopeful this process will bring communities together, that it will bring our Aboriginal community closer together, that it will bring our community closer with all Victorians, that this will empower our people now and in the future to give us control of our lives, communities, lands and waters. But I do not expect this to be easy.



Dr Carolyn Briggs (G)

Boon Wurrung

We must reclaim [our] voice and use it to continue to protect our heritage. We need to ensure that it is our voice that is heard; it is not just the voices of governments and bureaucrats. But we want to fight for a genuine Treaty, and that will only ever be achieved when our voice is heard and respected.



Matthew Burns (G)

Taungurung

I wish to see sovereignty enshrined in all levels of law within the State of Victoria. Specifically the state has responsibility over law and order, schools, hospitals and health care, water, transport, agriculture, forests and local government, and I can see so many things within all those areas that require change to enable each traditional owner group, clan or mob to assert their sovereign rights on Country.



Tracey Evans (G)

Gunditjmara

Here at the table we have members of our community who have been involved in our political, economic and social struggles for as many years if not more than me. There are new leaders here, including me, who will continue to carry the firestick of hope into the future for our Elders, youth and children. We need to be stronger together to give voice to our people.

Meet the Assembly Metropolitan



Trevor Gallagher (G)
Gunditjmara

So, this is what the Assembly looks like. This is what the team at the commission have been working on over the last few years. I might ask myself: why am I here? Well, to be perfectly honest, I am not sure, but what I do know is that I am here to improve the lives of my Aboriginal brothers and sisters. That is the only thing on my agenda. What form or shape that takes remains with my community.



Ngarra Murray (G)
Wamba Wamba, Yorta
Yorta, Dja Dja Wurrung,
Dhudhuroa and Wiradjuri

I stand here today as a representative of the Metropolitan Region, and I take this on with full responsibility for carrying my people's voices, initiating action and power from the ground up and being accountable and legitimate to those I represent. I want to ensure that the Treaty process upholds our rights and values and respects our kinship structures in our nations and clans.



Alister Thorpe (G)
Gunai, Yorta Yorta
and Gunditjmara

The impact of colonisation and discriminatory government policies is still felt. Our people were displaced, stolen and removed from their Country. We can only move forward together as a nation if we address the past. It is a true test of a nation's character. In this moment we have an opportunity to determine our own future, and our law must underpin everything we do.



Andrew Gardiner (R)
Wurundjeri
Woi Wurrung

We call on the State to continue to be courageous, generous, and to resource our communities according to their needs, so that we can make truly informed decisions and restorative changes. We must prove a system that works for us to progress to a better, transformative future. This opportunity is what we make it, and as the clock is ticking. I say humbly that I am pleased and honoured to walk with you on this journey.



Robert Ogden (R)
Bunurong

I hope through this process we can honour our ancestors and pave the way for a future and make sure that the atrocities of the past never happen again. I hope we can listen to the aspirations of Victoria's First Peoples and find solutions to issues that have plagued us, plagued our people, since colonisation.

Meet the Assembly

South East



Peter Hood (G)

Kurnai connections to Yorta Yorta, Bangerang, Taungurung and Wurundjeri

I am here to work towards better health, education, housing and justice outcomes for Aboriginal people. It has been a long time coming in this country, let alone this state. I want to see us all work together to find the common theme on what our Treaties look like for our communities and be the trailblazer for other States to look to on how we worked together to get this process done.



Troy McDonald (R)

Gunai Kurnai

I am immensely proud to be nominated by my Traditional Owner group to be a part of this first Assembly. This for me is about our waterways, it is about our air, it is about our stuff in the ground, it is about our trees, our animals and our families. I commit that I will serve our people with integrity, honesty and fairness on all levels.



Alice Pepper (G)

Yorta Yorta, Mutti Mutti, Arernte, Gunnai, Gunditmara and Djab Wurrung

I want to advocate for my people, to magnify their voices so it is heard at the state level, to change a system that does not work for us because we have not been at the heart of the decision-making self-determining our future around everything from land, water, justice, health, wellbeing, education, economic development, healing, keeping our families together and safe, and restoring our cultural governance structures as sovereign peoples.



Kaylene Williamson (G)

Gunai Kurnai

I have been blessed to have received a good education and gained skills in understanding policies, procedures and legislation. Now it's time for me to use this for my people. I joined the Assembly to give back something to my community, to translate all the 'jargon' back to my community and help them understand it and help to put their words into fancy government language. I am honoured to represent the South East Victoria Region and the Gunai Kurnai.

Meet the Assembly

South West



Sissy Austin (G)

Gunditjmara,
Keerray Woorroong
and Djap Wurrung

I stand here today in the position of representing the South West Region. This role is not about me as an individual; it is about being a listener, a learner and a voice. I commit to being an honest voice for community, Country and everything else in between that shapes us, heals us and grows us.



Michael Bell (G)

Gunditjmara

I have worked across the region for over three decades, working on frameworks that have empowered our people in having a voice in community life. Through this Assembly I will continue the work of my Elders, who have ensured our way of life, and are present. I believe the Assembly will create a culturally appropriate framework to negotiate a Treaty for Victoria.



Jordan Edwards (G)

Gunditjmara, Arrernte
and Waddawurrung

All my people since colonisation have screamed for Treaty, and now the chance is finally here. My aspirations for Treaty are for our people and culture to be uplifted and embedded in all aspects of society. There are many things I want to achieve; the main thing is to make sure that this process will be the most culturally appropriate and best way forward for our people.



Sean Fagan (R)

Wadawurrung

I am grateful to be elected by Wadawurrung Traditional Owners, particularly my Elders. It is an honour to represent their interests, especially our children, with the hope that they may prosper in the future without having to live with struggle, poverty, trauma, dispossession and the many more disadvantages we have faced since colonisation and continue to face with the current structures.



Jamie Lowe (R)

Gunditjmara

I come here today with a message from my people, a message stick of unity, strength and reconciliation. I see Treaty making as being an incredible instrument to change the course of the lives of our First Nations people across the country, and I think that all eyes are on us down here, not only across the nation but also internationally as well.



Donna Wright (R)

Gunditjmara

I am proud to be elected the Gunditjmirring representative. At the December Chamber meeting I was in awe and inspired by the words of the young people who had spoken before me— it was very moving and powerful. I am honoured to be on the Assembly. I will act with honesty, truth and in the best interests of my Elders and community and all First Nations people.

Meet the Assembly North East



Geraldine Atkinson (G)
Bangerang and Wiradjuri

Treaties will provide Aboriginal people of Victoria with legitimate recognition as First Nations people to negotiate sustainable funding agreements, protections of heritage and cultural rights which ensures that our future generations will not have to be beggars within their own Sovereign lands. It is important that the Assembly brings our communities with us.



Nartarsha Bamblett (G)
Yorta Yorta, Gunai Kurnai,
Warlpiri and Wiradjeri

The power of who we are is inside of us – our blood, our soul, our spirits – it is in our DNA, no matter what our face looks like. I want us to know and remember we come from the lines of Aboriginal people that were prepared, that stayed prepared. We stand here together and will continue to be prepared for the challenges that face you and I.



Leanne Miller (G)
Dhulanyagen Ulupna of
the Yorta Yorta people

I would like to say I am honoured to be chosen as a candidate in the North East region by the voting public – thank you. This designing of a framework process needs energy, innovation and a strong woman's voice. This opportunity will not occur again, for us, as a community. I am excited about reinvigorating community discussions on what contents is needed in shaping what a Treaty framework shall be.



Marcus Stewart (R)
Taungurung

I stand here with an enormous responsibility but also an amazing gift. That gift is being elected by the Taungurung people and the Taungurung Elders to represent their interests in this journey towards Treaty. With this gift is an amazing opportunity. And as I look around the Chamber at all 31 representatives, I see amazing talent, I see amazing integrity and I see a fierce leadership.

Meet the Assembly

North West



Jacinta Chaplin (G)
Wadi Wadi

I must acknowledge the strength of my Elders before me and my ancestors before them. When I hear the stories of our people it makes me proud. I also acknowledge our non-Indigenous people that have stood with our Elders in the past and that stand with us today. The tracks we are creating now are the pathways and possibilities for the generations to come.



Dylan Clarke (R)
Wotjobaluk

It is time for agencies to start implementing and being held accountable across multiple sectors like education, justice, health and others. We need agreements that prioritise the reparations for the Stolen Generations to acknowledge the continued identity and connection to families and Country.



Raylene Harradine (G)
Latje Latje and
Wotjabuluk

I will undertake this role to ensure that our future generations are recognised as First Peoples of this vast country and that our children and their children's children are not only surviving but thriving in this Country... I strongly believe that as a collective we can make a difference. I look forward to embarking on this journey with fellow members of the Assembly and our wider communities across Victoria.



Melissa Jones (R)
Latje Latje and
Wotjabuluk

I have been working on native title for many years, helping traditional owners to get recognition. I am passionate about getting our youth skilled up. I want to use this opportunity as an Assembly Member to work towards the best outcomes for our people through both a state-wide Treaty and local Treaties.



Jason Kelly (G)
Mutthi Mutthi and
Wamba Wamba

We haven't had reconciliation in Australia because we haven't had the truth telling and even what's been going on around the world lately just shows how critical it is. We know the history; we know the impacts, but a lot of other Australians don't know the true effects of colonisation and what they have had on us.



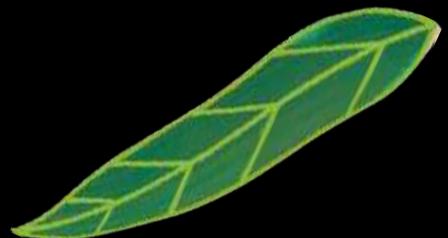
Trent Nelson (R)
Dja Dja Wurrung
and Yorta Yorta

My goal is to support conversations and actions from the voice of our Traditional owners and Dja Dja Wurrung Djandak community. I will fight for the rights of our people suffering from the legacy of colonisation with my brothers and sisters, aunts and uncles on the Assembly. It's time we stand together listen to our Elders, community and younger generation to create a better future for our people that hold our Martinga Kuli murrupi (ancestors' spirit).



“My hope is that a Treaty will benefit present and future generations of our people. Formalising a Treaty could mean having a platform to vocalise issues, opportunities to create change in our communities and the recognition of our history. It’s empowering to know that our people have successfully fought to be heard and included in these processes - especially those involving our mob. I’m hopeful that my children and grandchildren will benefit from this Treaty.”

**VICTORIAN ABORIGINAL YOUNG PERSON,
ASSEMBLY CONSULTATION 2020**



We stand on the shoulders of giants

The word Treaty is commonly used to refer to an agreement which ends a conflict. It is important that this sense of the word is not lost as the Treaty process proceeds. There was great conflict in this State — conflict which led to mass death and the dispossession of peoples who had been sovereign for millennia. Our ancestors led resistance to these efforts and to other attempts to destroy our culture and our people. Through their great efforts over generations, we have survived and thrived, staying strong and resilient. One sign of this is the number of groups advocating for the rights of Traditional Owners in Victoria.

The Blak Lives Matter movement has sent a timely message about the ongoing injustices which Treaty seeks to address. The need for targets in the Closing the Gap Agreement and the Victorian Aboriginal Affairs Framework demonstrates the continuing structural inequity in Victoria. Treaties — even those hundreds of years too late — offer the possibility to strengthen our culture, return our land, and help us to re-build the wealth that was taken from us. Through Treaties, Victorians have the

opportunity to address the structural issues that impact Aboriginal people, and to achieve the tangible changes that are needed to finally close the gap in outcomes and move Aboriginal communities out of poverty and towards wealth.

We are confident that change is possible and it is coming. Leaning on the strength, courage and resilience of our ancestors, we are ready to start the next phase of a new relationship with the State of Victoria.





The Victorian Treaty Advancement Commission

Following extensive consultations in early 2016, the Aboriginal Victorian community voiced the need for Treaty to advance Aboriginal Victorians' self-determination. In July 2016, the Aboriginal Treaty Working Group (the Working Group) was established. The Working Group led 16 consultations across Victoria, including an Aboriginal Community Assembly in November 2017, to inform the design of what would become the First Peoples' Assembly of Victoria. (A full list of Working Group members is provided in Appendix B.)

In January 2018, the Victorian Treaty Advancement Commission (the Commission) was established, with Jill Gallagher AO appointed as Treaty Advancement Commissioner. The Commission's role, with the support of the Working Group, was to work with communities across Victoria to establish an Aboriginal Representative Body responsible for negotiating with government to lay the groundwork for substantive Treaty negotiations.

The enactment of the Advancing the Treaty Process with Aboriginal Victorians Act 2018 (Vic) enshrined the principles of the Treaty process and required the Assembly and the State to work together to advance Treaty.

Over the course of almost two years, the Commission undertook a diverse and inclusive consultation process, including Traditional Owners and other Aboriginal people throughout the community, through youth forums, Elder groups, community groups and discussions with community members currently imprisoned. The First Peoples' Assembly of Victoria is the outcome of the views of our communities, facilitated by the Commissioner.

From September to October 2019, an election was held to choose representatives of the Assembly. The results of the election were declared on 4 November 2019. The names of the Members selected by Traditional Owner groups to represent them in the Assembly's reserved seats were released on 15 November 2019.

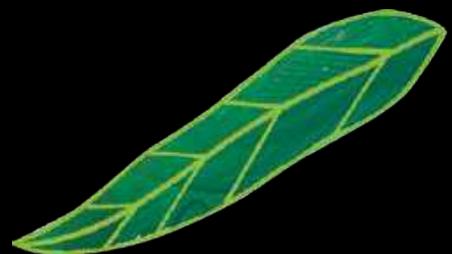
In December 2019, the Treaty Advancement Commissioner formally wrote to the Minister for Aboriginal Affairs, the Hon Gavin Jennings, recommending that the Minister declare the First Peoples' Assembly of Victoria to be the Aboriginal Representative Body under the Act. The Minister's declaration came into effect on 9 December 2019.

On 10-11 December 2019, the Assembly met for the first time at Parliament House.



'Make no mistake, the eyes of Aboriginal communities across Australia are on us here in Victoria as we design our representative structures to negotiate Treaty. We need to get it right, not just because it affects us and our families and our communities –but also because we are setting the standard that other States and Territories will follow.'

**VICTORIAN ELDER,
VTAC CONSULTATIONS, 2019**



First Peoples' Assembly of Victoria achievements

First agreements in the architecture for Treaties

Between 10 December 2019 and 31 August 2020, the Assembly has made significant progress towards the foundational architecture for Treaties, fulfilling its obligations under the Act.

As of August 2020, the Assembly and State are close to agreeing a first major Treaty milestone - an interim dispute resolution process. We have listened to our communities' initial thoughts on key issues including the preferred form of agreements to be pursued and the principles that should underpin the design of the Treaty Authority.

In addition, the Assembly called on the State to deliver two significant, immediate priorities – a Stolen Generations Redress Scheme and a Truth-telling process. The State listened to the voice of Traditional Owners and other Aboriginal Victorians, demonstrating the power of our collective voice. This is discussed further in the report.

Further information about the achievements of the Assembly is below and in Appendix C.

A moment in history: the inaugural Chamber meeting of the First Peoples' Assembly

The Assembly held its inaugural Chamber meeting on 10-11 December 2019, electing Members of the Board and the Co-Chairs. This meeting of the Assembly marked the official completion of the Victorian Treaty Advancement Commissioner's work. The meeting was held in the Legislative Council of Parliament House, making a powerful statement about our sovereignty and our position as the elected representatives of Traditional Owners and other Aboriginal people in Victoria. Members gave opening statements that acknowledged the courage and resilience of their ancestors and communities, and that demonstrated the ongoing strength of Aboriginal cultures and voices in the country now known as Victoria.



Laying the groundwork for Treaties: Second Chamber meeting of the First Peoples' Assembly

The second Assembly Chamber meeting was held on 28 February 2020 at the Aboriginal Advancement League in Thornbury. A workshop was held on 27 February that featured discussions with representatives of the British Columbia Treaty Commission on their experiences with modern Treaty making in Canada. In between Chamber meetings, Members undertook intensive work to map the Assembly's Treaties work, including the sequencing of decisions and the interdependencies for negotiations with the State to develop the architecture for Treaties.

Coming out of this work, the Assembly decided to focus first on dispute resolution, the Treaty Authority and the preferred form of Treaties. Other decisions relating to the Treaty negotiation framework and the design of the self-determination fund are scheduled to be considered later in 2020 and 2021.

During this period, Assembly Members held discussions across the state with Traditional Owners and other Aboriginal people living in Victoria on their aspirations for Treaties. These consultations informed the establishment of five committees, each responsible for specific areas within the Treaty process. The committees are made up only of Assembly Members and drive policy development with communities in these areas:

- The Treaty Authority
- The Treaty negotiation framework
- The self-determination fund
- The design of an Elders' Voice
- The review of the Cultural Governance of the Assembly.

In between meetings, our Members adapted to the challenges of the COVID-19 pandemic and the declaration of the State of Emergency in Victoria by making greater use of technology to continue to listen to communities, while making sure that we kept our Elders and communities safe. See Appendix D for details of the reach of the community consultations we have completed during the pandemic.

Ready for negotiations and a call for Truth-telling: Third Chamber meeting of the First Peoples' Assembly

The third Chamber meeting of the Assembly was held on 18-19 June 2020 via video conference, due to the impact of the COVID-19 pandemic. The Chamber considered Member-led business, as well as important resolutions progressed by the Assembly committees since the February Chamber.

The Chamber considered three important resolutions to the Assembly, addressing:

- the principles to guide negotiations of the Treaty Authority
- an interim dispute resolution process
- the issue of whether there should be local Treaties, a statewide Treaty, or both.

The Assembly's agreement to both an interim dispute resolution process and to principles to guide negotiations for the Treaty Authority supports the start of negotiations with the State on the design of the Treaty Authority.

Assembly Members voted in favour of a mandate to negotiate both local Treaties and a statewide Treaty, once a Treaty negotiation framework has been agreed enabling communities across Victoria to retain flexibility in the Treaty process and maximise the content that can form part of Treaty negotiations.

Authorising agreement: Fourth Chamber meeting of the First Peoples' Assembly

At the 27-28 August Chamber meeting, the Assembly considered the interim dispute resolution process and authorised the Assembly to agree to it, subject to threshold conditions being met. The Assembly continued to listen to communities about their aspirations for the Treaty negotiation framework.

As the above demonstrates, the Assembly has achieved significant progress towards establishing the architecture for Treaties within its short period of operation. This work positioned the Assembly to start formal negotiations with the State on 3 August 2020.



Building on a legacy of Aboriginal activism

The First Peoples' Assembly of Victoria is building on the proud legacy of strong Victorian Aboriginal leaders by advancing several major pieces of work alongside the Treaty process. These include successfully advocating for the establishment of a Stolen Generations Redress Scheme and a statewide Truth-telling process.

Members raised the need for a redress scheme for the Stolen Generations during the Assembly's inaugural meeting in December 2019, and we are heartened by the Government's agreement to implement such a scheme. The Assembly Members know all too well the immense damage inflicted upon the Stolen Generations and their families, cultures, languages and lore. We recognise our Stolen Generations and honour them for their strength, resilience and determination.

The Assembly overwhelmingly supported the Member-led resolution at the June Chamber that Truth-telling be prioritised as part of the Treaty process. Responding to the Assembly's leadership, the Government committed to working together to design a Truth-telling process. We welcomed the Government's commitment and emphasised that a shared understanding of Victoria's history and the truth of Aboriginal peoples' experiences is fundamental to all Victorians moving forward with the Treaty process.

Truth-telling and a Stolen Generations Redress Scheme are especially important because many of our Elders will not live to see the fruits of the Treaty process. We need to deliver on these priority issues now.

Leadership by the First Peoples' Assembly of Victoria

Aboriginal people guide the work of the Assembly through regular, direct engagement with their elected representatives. Assembly Members met with their communities in person during the first three months of 2020, with live-streaming of events wherever possible for those who wished to participate this way (see Appendix D).

The Assembly has pivoted to alternative methods of engagement in order to maintain community participation in the Treaty process throughout COVID-19 restrictions. The Assembly has mitigated the worst impacts by moving to alternative methods of engagement. The Assembly endorsed livestreaming of our meetings to maintain the involvement of Traditional Owners and the broader Aboriginal communities in the Assembly's work during the February, June and August Chamber meetings.

The Assembly has significantly expanded its use of online channels to engage with the community during this period that is challenging for all. This includes engaging through more social media platforms, hosting interactive Facebook Livestream events, and a podcast series.

Examples of our reach to our communities, and the wider Victorian community, include:

- An opinion piece about the Blak Lives Matter movement shared through the Assembly's Facebook, Twitter and website, the Premier of Victoria's Facebook, Twitter and Instagram, and NITV's Facebook, Twitter and website. Collectively it has been engaged with over 86,300 times.
- Interactive livestream Member-led discussions with community about the work of the Assembly has had an online reach of more than 43,000 people to date.
- Livestreamed parts of the Assembly Chamber meetings have reached more than 89,500 people.

We look forward to returning to face-to-face engagement with our communities as soon as it is possible and safe.





“For me, a Treaty would reassure me that the Victorian Government is passionate about moving forward on Indigenous issues.

I know that there are a lot of young Indigenous people who feel it is their responsibility to advocate or be upset over the treatment of Indigenous people, a Treaty could potentially allow non Indigenous people to support the ownership of this responsibility.”

YEMURRAKI EGAN, YOUNG PERSON



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.

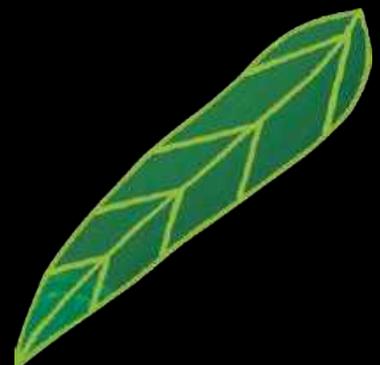
Through it all, we should always remember we are engaged in a movement of truly historic significance. Every step taken by our communities, the Assembly, the Government and the Parliament leads to a better world for our children and grandchildren. We should all be proud of what we have already accomplished, 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"> the principles to guide negotiations of the Treaty Authority the interim dispute resolution process whether to pursue local Treaties, a statewide Treaty, or both. <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.

APPENDIX C

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. Media interviews 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. Media interviews 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.

APPENDIX D

Other events and public engagements

The impact of the COVID-19 pandemic on opportunities to promote Treaty at public events in 2020 was profound, with the cancellation of NAIDOC, major national conferences, and sentinel annual lectures. External speaking engagements are expected to be a more significant feature of future work.

DATE	EVENT	DETAIL
21 February 2020	Melbourne Law School Legal Pluralism workshop	Event to promote understanding and awareness of Treaties and its contribution to Indigenous justice.
6 April 2020	Aboriginal Executive Council meeting	Discussion of Treaties, Victorian Aboriginal Affairs Framework and Closing the Gap.
27 May 2020	North Central Catchment Management Authority Reconciliation Week presentation	Event to promote understanding and awareness of the Assembly and Treaties.
28 May 2020	Melbourne Law School panel on Treaty	Event to promote understanding and awareness of the Assembly and Treaties.
4 June 2020	Indigenous Justice (second year Criminology and Indigenous Studies Unit)	Lecture to promote understanding and awareness of Treaties and its contribution to Indigenous justice.
6 August 2020	Under the Radar: Gender Equity Policy and Practice Forum	Aunty Geraldine on 'Under the Radar' panel discussing the unique pressures and challenges experienced by Victorian Aboriginal communities during the period of COVID-19.
10 August 2020	Victoria University Law School subject	Marcus Stewart presents on the Treaty process and work of the First Peoples' Assembly to law students.



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**