

First Peoples' Assembly of Victoria

OUR JOURNEY TO TREATY

REPORT ON
COMMUNITY
FEEDBACK



FIRST PEOPLES'
ASSEMBLY OF
VICTORIA





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ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Owners of Country throughout Victoria. Land that has never been ceded.

We also acknowledge all other First Peoples 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 made this journey possible and who we follow in solidarity today. From coastal mob, to river mob, from the highland to the desert, the cities and towns and all of the areas that the First Peoples' Assembly of Victoria represents, and whose spirit has touched this Treaty process. We admire your strength, courage, and fight.

The Assembly also offers its gratitude to the many people who have shared their thoughts, hopes and expectations and thanks them for taking the time to contribute to advancing Treaty for Victoria.

Thank you for continuing to walk along this journey with us.

ABOUT THIS DOCUMENT

Our report outlines the views and ideas the Assembly has heard from Community which have informed Assembly Members' decision-making and development of the Treaty Negotiation Framework, Treaty Authority and Self-Determination Fund.

The Assembly Members are the voice of the Aboriginal Victorian community in this stage of the Treaty process, tasked to reach agreement with the Victorian Government on the creation of a Treaty Negotiation Framework, Treaty Authority and Self-Determination Fund – to enable Treaty-making in Victoria.

Assembly Members are always yarning with Community to make sure they are representing Community views in the decisions they make.

The Assembly also holds yarning circles and other events open to all, and engagement sessions with those on our electoral roll, those of our mob in custody, Traditional Owners and First Peoples communities, organisations and individuals – ranging from our Elders to youth and everyone in between.

The Assembly has also heard from Community in response to our discussion papers, and in 2022, opened a Treaty Survey as an additional avenue to have a say on all things Treaty.

TERMINOLOGY

For the purpose of this report the following words are used as follows:

ASSEMBLY refers to the First Peoples' Assembly of Victoria.

COMMUNITY refers to Aboriginal and Torres Strait Islander people living in Victoria, in all their diversity.

STATE refers to the State Government of Victoria.

TREATIES refers to the proposed Statewide Treaty and local Traditional Owner Treaties to be negotiated following the establishment of the Treaty Negotiation Framework currently being developed by the Assembly and the State.

TREATY ACT refers to the Advancing the Treaty Process with Aboriginal Victorians Act 2018 (Vic).



INTRODUCTION

Hearing our Community's voices is at the heart of the Assembly's work to develop and reach agreement with the State on the foundations for Treaty-making in Victoria.

This report outlines what we have heard in our community engagement and consultations, and how this has informed the development of the Treaty Negotiation Framework, Treaty Authority and Self-Determination Fund.

With Community's ongoing input and guidance, we have worked to develop a Treaty Negotiation Framework, a Treaty Authority and a Self-Determination Fund that meet First Peoples' expectations to move beyond the confines of colonial systems, are grounded in First Peoples culture, lore and law, and are underpinned by self-determination.

- The Treaty Negotiation Framework will set ground rules for negotiating a Statewide Treaty and Traditional Owner Treaties, with the principles of self-determination and empowerment at its heart.
- The Treaty Authority will be the independent umpire in Treaty negotiations. It will be an independent, First Peoples led entity that will observe and respect Aboriginal lore, law and cultural authority in its role to facilitate and oversee Treaty negotiations.
- The Self-Determination Fund will be a First Peoples' controlled fund to empower First Peoples to be on equal footing with the State in Treaty negotiations, and to build capacity, wealth and prosperity for current and future generations.



1. OUR APPROACH

The Assembly's Members have been selected by their communities to represent them in this stage of the Treaty process.

Our democratically elected Members are tasked with ensuring that the views of their communities in the regions and Traditional Owner groups they represent are considered in the development of the Treaty Negotiation Framework, Treaty Authority and Self-Determination Fund.

In addition to Members' engagements, the Assembly has invited Community views at our yarning circles and other events, in response to our discussion papers on the Treaty Authority and Self-Determination Fund, and in response to our Treaty Survey.

To ensure opportunities for all First Peoples voices to be heard and inform our work, the Assembly's Co-Chairs, Members and staff engage widely with First Peoples communities, organisations, and individuals across Victoria.

The Assembly's Members consider all community views and feedback they receive, and make key decisions at Assembly Chamber meetings, including on the development of the Treaty Negotiation Framework, the Treaty Authority and the Self-Determination Fund.

From July 2021 to June 2022, we held over 360 engagement activities and yarned with over 23,000 people in person and online.

In June 2022, we also held our inaugural Koorreen Kameet Nganang: Treaty Youth Forum in Warrnambool, where around 40 young people came together to share their vision for Treaty. At the end of the forum, participants put forward the South West Youth Statement on Treaty, a copy of which is in our Annual Report 2022.

More details on our community engagement activities can be found in the Assembly's Annual Reports for 2020, 2021 and 2022, available at

firstpeoplesvic.org/category/reports-resources.



1.1 OUR DISCUSSION PAPERS

Our discussion papers were shared and promoted widely across many platforms including by email and social media.

Assembly Members and staff also sought feedback on the discussion papers in yarning circles and stakeholder engagement sessions.

A. Treaty Authority Discussion Paper

From 25 November 2021 to 14 April 2022, we invited feedback on our Treaty Authority discussion paper.

The discussion paper outlined our ideas for designing the Treaty Authority. The proposed Treaty Authority model outlined in the discussion paper – for a Treaty Authority that is fully independent from government, First-Peoples-led and culturally strong – reflected features that Assembly Members have heard are important to First Peoples in Victoria.

In the discussion paper, we asked questions about the proposed model, guiding principles for the Treaty Authority, and selection process for Treaty Authority members.

A copy of the Treaty Authority discussion paper is at Appendix A.

B. Self-Determination Fund Discussion Paper

From March to April 2022, we invited feedback on our Self-Determination Fund discussion paper.

The discussion paper outlined our ideas for designing the Self-Determination Fund.

In the discussion paper, we asked questions about the guiding principles for the Fund, and how the Fund should operate to achieve its two main purposes: (1) to create a level-playing field in Treaty negotiations and (2) to build capacity, wealth, and prosperity for First Peoples.

A copy of the Self-Determination Fund discussion paper is at Appendix B.





1.2 OUR TREATY SURVEY



‘We’ve heard from many corners of the community and now we’re opening this survey as an additional avenue. All mob, even those who are not enrolled with us, can and should have their say. Our community needs to drive the Treaty process.’

– Assembly Co-Chair and proud Nira illim bulluk man of the Taungurung nation, Marcus Stewart

‘Treaty is about handing back power to mob to make the decisions that affect our communities, culture and Country. Treaty for Victoria will be historic. We want every community member to tell us what they want out of Treaty and this survey is just another tool to help that happen. Some people like a yarn, others want a form and so that’s why we take many different approaches.’

– Assembly Co-Chair and Bangerang and Wiradjuri Elder, Aunty Geraldine Atkinson

In March 2022, the Assembly launched our Treaty Survey asking what Community wants in Treaties and the Treaty-making process.

How was the Treaty Survey developed?

The Assembly worked with an Aboriginal research team at the Australian National University (ANU) to design the survey in consultation with Community, through focus groups which informed the development of the survey questions.

From 6 to 10 December 2021, the ANU research team led six focus groups with Aboriginal participants who responded to a call out to participate from the Assembly’s engagement staff.

This included: (1) an Elders and Cultural Knowledge Holders focus group in Shepparton, (2) a regional focus group in Bendigo, (3) a metropolitan focus group in Melbourne, (4) a youth focus group in Melbourne, (5) a focus group with Assembly Members, and (6) a focus group with the Assembly’s Aboriginal staff.

Four key questions were discussed in the focus groups:

1. What does Treaty mean to you?
2. What do you want control over in Treaty?
3. What would a model of Treaty look like?
4. What things do you need money for in relation to Treaty?

The ANU research team gathered information from the first few focus groups and used emerging themes to design and develop questions for the Treaty Survey.

Community views and input received in the focus groups was considered by Assembly staff and reported to the Assembly’s along with feedback from other engagements, so as to inform the Assembly’s work and decision-making.

What did the Treaty Survey ask?

The survey asked questions about areas where Treaties can put control back into First Peoples' hands and the changes that are possible under a Statewide Treaty.

It also asked questions about the Treaty Authority and the Self-Determination Fund.

A copy of the Treaty Survey and the Treaty Survey Information Sheet is at Appendix C.

Who was the Treaty Survey open to?

The survey was open from 29 March to 1 May 2022.

It was open to all Victorian Traditional Owners and to all Aboriginal and Torres Strait Islander people living in Victoria, over the age of 16.

People could complete the survey online or on paper. We distributed and promoted the survey widely, including mailing hard copies to people on the Assembly's First Peoples' electoral roll, including to people in custodial settings who are enrolled with the Assembly.

Who completed the Treaty Survey?

602 people completed the survey.

Survey participants were aged between 16 and 87 years, across all areas of what is now known as Victoria.

In our survey participation, there was diverse representation across clans, nations and mobs.

What are the Treaty Survey results?

The ANU research team analysed the survey data and prepared a report of the results.

A copy of the Treaty Survey Report is at Appendix D.



2. COMMUNITY FEEDBACK INFORMING THE DEVELOPMENT OF THE TREATY NEGOTIATION FRAMEWORK

Informed by Community feedback, Assembly Members are developing a framework for Treaty negotiations that will enable First Peoples in Victoria to achieve their aspirations in Statewide Treaty and Traditional Owner Treaties.



2.1 WHAT IS THE TREATY NEGOTIATION FRAMEWORK?

The Treaty Negotiation Framework will set out the ground rules for future Treaty negotiations.

The Advancing the Treaty Process with Aboriginal Victorians Act 2018 (Vic) (Treaty Act) provides that the Treaty Negotiation Framework must support the negotiation of a Treaty or Treaties in Victoria that:

- Recognise historic wrongs
- Address ongoing injustices
- Help heal wounds of the past
- Support reconciliation
- Bring pride to Victorians
- Have positive impacts for Victoria
- Promote the fundamental human rights of Aboriginal peoples, including the right to self-determination
- Acknowledge the importance of culture
- Enhance the laws of Victoria.

The Treaty Act sets out certain things that the Treaty Negotiation Framework will include:

- The process for negotiating Treaties
- The process for formalising agreement to Treaties
- Minimum standards a party must comply with to enter Treaty negotiations
- A process for resolving disputes in Treaty negotiations
- Mechanisms for enforcing Treaties
- Reporting requirements in relation to Treaties

The Assembly explored options for Treaty models to decide on a model that would bring about the best benefits for First Peoples of Victoria.

In June 2020, Assembly Members agreed to push for a Treaty model that includes a Statewide Treaty and Traditional Owner Treaties.

A Statewide Treaty negotiated with a state-wide Aboriginal representative body can cover state-wide issues that affect First Peoples of Victoria as a collective. It may also include agreement on reforms to state-wide systems and structures to achieve self-determination.

Traditional Owner Treaties negotiated by individual Traditional Owner groups can cover issues relating to Traditional Owners' own Country and community.



2.2 ENGAGEMENT THEMES INFORMING THE TREATY NEGOTIATION FRAMEWORK

We have summarised common engagement themes raised at engagement events and in response to the Treaty Survey, which fall in the following broad areas:

- A. Important matters for Treaty
- B. Control back into First Peoples' hands
- C. Structural changes under Treaty
- D. The Treaty negotiation process.

A. Important matters for Treaty

Common themes we have heard relating to important subject matter areas for Treaty are:

- Self-determination.
- Recognition of past and ongoing impacts of colonisation, including accountability for injustices and funding for addressing ongoing impacts.
- Compensation and reparations.
- Connection to Country, including rights, respect for, protection of, use of and caring for Country.
- Economic independence, including ways to generate inter-generational wealth.
- Community healing and restoration through culture and cultural practices.
- Teaching culture and language in education, in particular to incorporate culture and cultural knowledge into the school curriculum and education system.
- Recognition and valuing Aboriginal culture and language.
- Health, including the importance of Aboriginal Community control and embedding cultural practices.
- Housing.
- Language revitalisation.
- Addressing racism and systemic racism, emphasising the wider community responsibility for tackling racism.

Below are direct quotes from written feedback and engagement events relating to these common themes.

Self-determination



'This is our Treaty. This is for us moving forward, for our children and our descendants.'

– Focus Group, December 2021

'We should be a part of decisions on everything that impacts us as a people.'

– Focus Group, December 2021

'Treaty is a vehicle, as the agreement to achieve self-determination, better outcomes, not completely to reverse dispossession and displacement but to very up-front challenge that.'

– Focus Group, December 2021

'Treaty is about Self-determination. Self-determination means to go for something and keep going. It means having the rights and freedom to do so.'

– South West Youth Statement on Treaty, June 2022

Recognition of past and ongoing impacts of colonisation, including accountability for injustices and funding for addressing ongoing impacts



'Legal system must be accountable for crimes against us mob over the past 230+ years & ongoing!'

– Treaty Survey, 2022

'More funding for spiritual and emotional wellbeing to support to cope with colonisation and cultural connection.'

– Treaty Survey, 2022



Connection to Country, including rights, respect for, protection of, use of and caring for Country



'Respect for Mobs and Country.'

- Treaty Survey, 2022

'Rights to decide for country.'

- Treaty Survey, 2022

'We need a way to adopt stolen generations and allow them the opportunity to care for country too like the Traditional Owners can.'

- Treaty Survey, 2022

'Connection and input on Country for all mob. Respect Traditional Owner rights but all mob not on Country need connection to maintaining healthy Country for their health and wellbeing too.'

- Treaty Survey 2022

'Connection to culture and Country for every mob...'

- Treaty Survey 2022

'Relationship with Country for those "off-Country".'

- Treaty Survey 2022

'Land ownership for traditional owners. Rights of traditional practices on Country and use of natural resources as the ancestors did.'

- Treaty Survey 2022

'Water rights, generating an income, establishing what is environmental water and what is Aboriginal water.'

- Focus Group, December 2021

Economic independence, including ways to generate inter-generational wealth



'Sovereign wealth funds.'

- Treaty Survey, 2022

'Initiation of scheme for Trusts for children.'

- Treaty Survey, 2022

'Prosperity Planning.'

- Treaty Survey, 2022

'Business development and community development.'

- Treaty Survey, 2022

Community healing and restoration through culture and cultural practices



‘We need to focus on our healing through our culture, cultural programs, schools, healing centres.’

– Treaty Survey, 2022

‘Therapies that will benefit mob, like group healings for all and wellness centres focused around what we need to heal.’

– Treaty Survey, 2022

‘I think with Treaty, it could give us a basis to start healing, working together, and stop the division.’

– Focus Group, December 2021

‘We need to have our spaces for our elders, and our youth. We also need to have a space for disability, for LGBTIQ+.’

– Focus Group, December 2021



Teaching culture and language in education, in particular to incorporate culture and cultural knowledge into the school curriculum and education system



‘Elders should be teaching kids cultural knowledge.’

– Individual, Metro engagement session, 2021

‘Education of our children and about our shared history should be negotiated by our Elders and educators.’

– Treaty Survey, 2022

‘I think there should be an overarching history of Aboriginal history and culture taught in schools.’

– Focus Group, December 2021

‘We need to teach each other lore and cultural knowledge.’

– Individual, Metro engagement session, 2021

‘More education in schools for all children that actually tells the truth!’

– Treaty Survey, 2022

‘Young mob should be encouraged to learn culture.’

– Treaty Survey, 2022

‘We need languages, traditional knowledge and proper history taught in schools. There could be Koorie Colleges — cultural schools, for mob only.’

– South West Youth Statement on Treaty, June 2022



Participants in our survey design focus groups also spoke about improving and funding the education system to teach all students about Aboriginal history, culture, and language



‘Wider Australia needs to be educated on Aboriginal culture — I’m tired of white fellas expecting me to educate them.’

– Focus Group, December 2021

‘Investment in education and cultural development.’

– Focus Group, December 2021

Recognition and valuing Aboriginal culture and language



‘More arts and culture for all schools.’

– Treaty Survey, 2022

‘More festivals.’

– Treaty Survey, 2022

‘Music and Theatre with culture similar to Bangarra.’

– Treaty Survey, 2022

‘Streets and suburbs should be renamed to get rid of all the English names.’

– Treaty Survey, 2022

‘Places should be given their proper names with signs in local language.’

– South West Youth Statement on Treaty, June 2022

Health, including the importance of Aboriginal Community control and embedding cultural practices



‘Mental health programs run our way.’

– Treaty Survey, 2022

‘Aboriginal community-controlled health services.’

– Treaty Survey, 2022

‘First Nations Hospital.’

– Treaty Survey, 2022

‘Access to healthcare is an issue.’

– Treaty Survey, 2022

‘Better health care and housing, and be better treated with true dignity, respect for the young, elders and teenagers especially in hospitals...’

– Treaty Survey, 2022

‘Establish a mental healthcare First Peoples’ Healing Hub: support for psychology, counselling, family mediation, psychologists, life balance, healing services, mental health awareness/ education program.’

– Treaty Survey, 2022

Housing



'We want accessible and affordable housing.'

– South West Youth Statement on Treaty, June 2022

'Aboriginal Housing and Land rights.'

– Treaty Survey, 2022

'Aboriginal only first home owner grants.'

– Treaty Survey, 2022

'Should own homes on tribes land.'

– Treaty Survey, 2022

'Given land always was and always will be Aboriginal land, I feel advocacy with home ownership is wonderful however believe advocacy in relation to payment of rates would be a true reflection of acknowledging land and ownership of land by Aboriginal people.'

– Treaty Survey, 2022

Language revitalisation



'Money towards people working to reclaim languages.'

– Focus Group, December, 2021

'Every First Nations to be resourced for language.'

– Treaty Survey, 2022

'Build language into everyday activities.'

– Treaty Survey, 2022

'Courses in a First Nations language through TAFE.'

– Treaty Survey, 2022

Addressing racism and systemic racism, emphasising the wider community responsibility for tackling racism



‘Tackling racism and prejudice should be the responsibility of White fellas. We didn’t create it, nor is it our responsibility to make them reflect on their own guilt and ignorance.’

– Treaty Survey, 2022

‘[Tackling racism and prejudice] with the understanding that it’s not mob’s sole responsibility. Ensuring education and understanding into the wider community.’

– Treaty Survey, 2022

‘I want settlers to do better and step up to be better allies so we don’t have to navigate tackling racism on our own.’

– Treaty Survey, 2022

‘We need an end of racism – we need equality.’

– South West Youth Statement on Treaty, June 2022



B. Putting control back into First Peoples' hands

Treaty — Statewide Treaty and Traditional Owner Treaties — can include areas for First Peoples to take back control and decision-making power from the State.

Our community engagement process informing the survey development identified areas that Community said are important to self-determination.

The survey listed the areas identified and asked, 'Should Treaties in Victoria support mob to take control of our own affairs in these areas?'

In their responses, participants clearly indicated that First Peoples should have control of First Peoples affairs across a range of areas.

The highest levels of support (above 90 per cent of participants) were in the following areas listed in the survey:

Money

- Stolen Generations reparation scheme
- Economic development/trade
- Ability to choose where government spends money
- Assistance with home ownership

Social Services

- Child protection
- Family and community safety
- Housing
- Evaluation of programs and services

Health

- Healthcare

Healing

- Truth-telling
- Reconnecting communities and connecting to culture
- Fostering young mob to know who they are
- Trauma recovery (e.g. Stolen Generations)
- Recognising cultural and spiritual healing practices

Country

- Traditional relationships with land and waters
- Buy-back scheme or land transfers
- Land and water management/Caring for Country
- Who are Traditional Owners of what Country

Law and Justice

- Aboriginal Lore and Law

Culture

- Cultural activities/expression (e.g. in education, arts)
- Cultural heritage
- Revitalising our cultural knowledge systems

Language

- Teaching language in schools
- Language revitalisation and resourcing
- Dual naming in language (e.g. places, government departments)
- School curriculum concerning First Peoples' history

Education

- Education campaign for all Victorians on truth-telling
- Cultural competency training

Other

- Community building
- Tackling racism and prejudice (there was consistent free text feedback that this is a wider community responsibility)
- Knowledge and data sovereignty

The highest levels of support for areas where Treaties should support First Peoples to take control of their own affairs (above 95 per cent of participants) were reported for truth-telling, traditional relationships with land and waters, and cultural heritage.

The analysis of responses to this question is in the Treaty Survey Report at Appendix D, page 8–9.

Under each topic area, survey participants could indicate other areas of control that were not listed.

The full analysis of free-text responses is in the Treaty Survey Report at Appendix D, page 16–26.



C. Structural changes under Treaty

Our Treaty Survey asked people to indicate their support for examples of possible reforms that could be negotiated in a Statewide Treaty, to put control and decision-making power back into First Peoples' hands through changes to systems and structures of government.

- 95 per cent of survey participants supported a **First Peoples' Parliament of Victoria, a Black Parliament**, elected by mob to make decisions and pass and administer laws on issues that affect mob.
- 95 per cent of survey participants supported having a **dedicated First Peoples' seat or seats in the Victorian Parliament**, as a way of improving First Peoples' representation, participation and influence in the Victorian Parliament.
- 97 per cent of survey participants supported a **First Peoples' Voice to Parliament**, which can give advice and input into the Victorian Parliament on any matters that affect mob.
- 95 per cent of survey participants supported **First Peoples representation on local council**.

The Treaty Survey Report observes the responses indicate a strong desire for structural reform that sees First Peoples in the driver's seat on decisions that affect First Peoples. See Treaty Survey Report at Appendix D, page 11.

We also heard views expressing support for these examples of structural reform in discussions at our engagement events, in particular for changes that enhance First Peoples' decision-making power which 'looks like the way we do things'.

Below are comments from engagement events relating to structural reform.



'I've always believed in a Black Parliament. It's part of our sovereignty.'

– Focus Group, December 2021

'I'd like to see somebody in there [Victorian Parliament], an Aboriginal person, ... and somebody that actually understands our culture, lives and breathes it.'

– Focus Group, December 2021

'I personally don't want anything that's like advisory because that just means you have zero power.'

– Focus Group, December 2021

'We are operating under a colonial structure. What we have now... is a white structure.'

– Engagement session, July 2021

'The dream is that we control our futures.'

– Youth engagement, November 2021

D. Aspirations for the Treaty negotiation process

We heard views from participants in our engagements on how the Treaty negotiation process can be fair and inclusive.

Views expressed by participants in our engagements have included that the Treaty negotiation process should:

- Ensure a diversity of ages of people involved in Treaty negotiations.
- Have a balance of voices that includes both Traditional Owners and non-Traditional Owners in Treaty negotiations.
- Allow for earlier Treaties to leverage off future Treaties when better outcomes are achieved.
- Allow for non-state entities to be at the discussion table where needed to achieve outcomes.
- Prioritise self-determination and sovereignty.

One participant commented there should be education programs for both government and Community, so that government know how to work with Community and Community understands what can be achieved by Treaty.





2.3 DEVELOPING THE TREATY NEGOTIATION FRAMEWORK

The Assembly is working towards reaching agreement on a Treaty Negotiation Framework with the Victorian Government that has self-determination and empowerment at its heart and will enable First Peoples to pursue the aspirations for Treaty we've heard about, as outlined above.

The Framework will enable:

- a First Peoples' Representative Body to negotiate the Statewide Treaty to give effect to self-determination and empowerment by reform to government that enables First Peoples to take control of their own affairs.
- Traditional Owner Groups to negotiate Traditional Owner Treaties to give effect to self-determination and empowerment by localised reform that enables Traditional Owners to do what Traditional Owners do.

The Framework will:

- set out the principles for Treaty negotiations, including the central principle of self-determination and empowerment.
- set out the minimum standards that all parties to a Treaty negotiation must meet in order to enter Treaty negotiations, and how negotiations are commenced once those standards are met.
- reflect the significance of Aboriginal lore, law and cultural authority for Treaty negotiations.
- set out the role of the Treaty Authority in negotiations (including facilitation, oversight, research and dispute resolution).
- address how Treaties will be formalised and enforced.

Informed by Community feedback, the Framework will identify key issues that may be discussed as part of Treaty negotiations. Importantly, this won't limit the range of subject matters that First Peoples can bring to the table to negotiate in a Treaty.

For the Statewide Treaty, key issues for discussion would include:

- whether there should be a First Peoples' representative decision-making body created that gives effect to self-determination by making decisions about First Peoples issues.
- whether there should be an authoritative First Peoples' Voice to Parliament created, or any other forms of institutional oversight by First Peoples for the benefit of First Peoples.

For Traditional Owner Treaties, key matters that may be discussed would include broad topics common to all Traditional Owners:

- traditional relationships with land and waters
- protecting Country and cultural heritage
- culture and language
- economic sustainability and empowerment.

The Framework will include a list of issues that may be discussed at Statewide and Traditional Owner Treaty negotiations. Reflecting Community feedback, these topics could include:

- civil law issues
- criminal justice system issues
- cultural heritage
- economic and community development
- education
- employment
- environmental management
- financial sustainability
- health and wellbeing
- housing
- Indigenous Data Sovereignty
- land and water justice
- language
- political participation
- truth-telling and healing
- welfare.

The Framework will also make it clear that issues to be negotiated in a Statewide Treaty and Traditional Owner Treaties will be informed by the findings and recommendations arising from the Yoorrook Justice Commission's truth-telling process into injustices experienced by First Peoples in Victoria from colonisation to the present.

Reflecting what we have heard from Community, the Assembly is driving the development of a framework for fair and inclusive negotiation processes that fits with First Peoples' aspirations and ways of doing business. It will be flexible so that mobs can make their own decisions about when and how they negotiate Treaty.

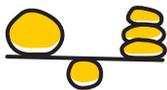
We are working towards a Framework that gives all inherent rights holders an opportunity to activate their rights so that no one is left behind.



2.4 WHAT'S NEXT?

We are working towards reaching agreement with the State on the Treaty Negotiation Framework in 2022.

3. COMMUNITY FEEDBACK INFORMING THE DEVELOPMENT OF THE TREATY AUTHORITY



3.1 WHAT IS THE TREATY AUTHORITY?

The Treaty Authority will be the independent umpire to oversee and facilitate Treaty negotiations.

Under the Treaty Act, the Treaty Authority must:

- Facilitate and oversee Treaty negotiations
- Administer the Treaty Negotiation Framework
- Provide for resolving any disputes arising in Treaty negotiations
- Carry out research to support Treaty negotiations and the administration of the Treaty Negotiation Framework.



3.2 ENGAGEMENT THEMES INFORMING THE TREATY AUTHORITY

We have summarised below common engagement themes raised at our events and in response to our Treaty Authority discussion paper and Treaty Survey, which fall in the following broad areas:

- A. The Treaty Authority's guiding principles and processes
- B. The Treaty Authority's composition and selection

A. The Treaty Authority's guiding principles and processes

Key themes we have heard relating to the Treaty Authority's guiding principles and processes are:

- It is important to embed Aboriginal ways of doing and Aboriginal Lore, Law and Cultural Authority into the design of the Treaty Authority and its procedures. The Treaty Authority's processes should uphold cultural knowledge and authority, and incorporate, respect, and listen to Elders.
- It is important for the Treaty Authority and its procedures to ensure fairness and equality, and transparency to Community in Treaty-making processes.
- It is important for the Treaty Authority to have secure and ongoing funding.
- It is important for the Treaty Authority to be independent, accountable to First Peoples, to perform its functions in a way that is fair and impartial.

Our Treaty Survey asked participants to indicate their support for whether the Treaty Authority should have the following features:

- Respect Aboriginal Lore, Law and Cultural Authority
- Be fully independent from government
- Have ongoing, secure funding
- Have all First Peoples members
- Be accountable to Community.

Overall, survey participants agreed that the Treaty Authority should have all of these features, with very few participants responding “not at all” to any of these characteristics.

The highest support was received for the statement that the Treaty Authority should respect Aboriginal Lore, Law and Cultural Authority (82 per cent of participants responded “a lot”) and that the Treaty Authority should be accountable to Community (83 per cent of participants responded “a lot”).

The analysis of responses to this question is in the Treaty Survey Report at Appendix D, page 14.

Comments on our Treaty Authority Discussion Paper relating to the Treaty Authority’s guiding principles and processes:



‘There should be a significant focus on Aboriginal ways of doing things, particularly the processes of communication, sharing knowledge and decision making.’

– Djirra

‘Communication of the work of the Treaty Authority as it happens will be important to the First Peoples Community.’

– Individual

‘If the Authority follows Lore then Elders will be the first in many ways, to be heard and engaged with.’

– Individual



B. The Treaty Authority's composition and selection

Key themes we have heard relating to the Treaty Authority's composition and selection are:

- Support for the Assembly's proposed model for a rigorous and transparent selection and appointment process for Treaty Authority Members that incorporates Elders' guidance and participation.
- Treaty Authority members should have cultural expertise, knowledge of First Peoples communities, connection to Community.
- There should be a mix of skills amongst Treaty Authority members including mediation, dispute resolution, deep listening and legal expertise.
- Treaty Authority members should work collaboratively and inclusively.
- Treaty Authority members should be committed to reconciliation.

Responses to the Treaty Survey were supportive of the following characteristics for Treaty Authority Members:

- fairness and impartiality
- commitment to self-determination and empowerment
- good character, courage and integrity
- having cultural knowledge
- having technical competence and experience.

The analysis of responses to the question on Treaty Authority characteristics is in the Treaty Survey Report at Appendix D, page 15.



Comments on our Treaty Authority Discussion Paper relating to the Treaty Authority's characteristics:



'The Treaty Authority must have gender balance. Aboriginal women have experienced significant historical exclusion from public engagement since invasion and colonisation; ensuring a gender balance reflects Aboriginal culture and the strength of knowledge particular to Aboriginal women.'

- Djirra

'Honesty, integrity, equitable, competent, skilful and professional at the highest level.'

- Victorian Traditional Owners Land Justice Group

'Cultural expertise is a must and connection to Victorian Aboriginal community.'

- Individual

'...understanding of custom, an understanding of language and lore.'

- Individual

'Understands our history, impact and applies that into considerations.'

- Individual

'Elders should be closely involved and provide some insight and knowledge to the panel for the selection of individuals.'

- Individual

'Selection panel should include designated Elder.'

- Individual

'It is hoped that Elders who are members of the Assembly and/or are part of the Elders' Voice, would have significant opportunity to participate in and provide guidance to the selection process to not require an additional process.'

- Individual



3.3 DEVELOPING THE TREATY AUTHORITY

Assembly Members progressed the design and agreement of the Treaty Authority informed by all engagement feedback.

In June 2022, the Assembly reached an historic agreement with the State to establish a culturally strong Treaty Authority to oversee Treaty negotiations. The agreed Treaty Authority model meets Community aspirations to be independent from the State and the Assembly and grounded in First Peoples' culture.



'This is about stepping outside of the colonial system. We've said to government, if you're serious about Treaty, you'll do it our way, and to their credit, that's what they're doing. This is decolonisation in action.

The Government is relinquishing some of its control and power and together we are creating new institutions that will be guided by Aboriginal lore, law and cultural authority that has been practised on these lands for countless generations.'

– Assembly Co-Chair and proud Nira illim bulluk man of the Taungurung nation, Marcus Stewart

The Treaty Authority Agreement creates the Treaty Authority and sets out its membership, functions, powers, procedures and accountabilities.

Following agreement between the Assembly and the State on the Treaty Authority, legislation was introduced into Victorian Parliament to facilitate the Treaty Authority's establishment.

Reflecting Community feedback that the Treaty negotiation process needs to be grounded in Aboriginal lore, law and cultural authority, the Treaty Authority will be led by First Peoples and will respect First Peoples' culture, lore and law in its role to facilitate negotiations.

The Treaty Authority will perform its functions in a way that respects, observes and upholds Aboriginal lore, law and cultural authority, and be guided by principles of:

- Self-determination and empowerment
- Independence and impartiality
- Transparency and accountability
- Relationships and facilitating treaty-making
- Integrity of the Treaty process for all

We heard in Community feedback that it is essential for the Treaty Authority to be fully independent from the State and the Assembly and that is what Assembly Members have worked to create.

The Treaty Authority will be funded outside the usual political cycles. It will sit outside the usual government bureaucracy and appointed by an independent panel.

Reflecting community views and feedback, the Treaty Authority will be accountable to Community and appointed with strong selection criteria, which will include:

- Impartiality
- Commitment to self-determination and empowerment
- Good character, courage and integrity
- Cultural knowledge, wisdom and humility
- Relevant expertise and experience.



'The Treaty Authority was informed after years of yarning, consultations and engagement with our people. As you know, building consensus takes time. And we come here with an agreement that we are confident has the backing of our communities.

This model will ensure that Treaty negotiations are not restrained by colonial systems and government bureaucracy.

Instead, these negotiations will uphold our culture, our lore and law, which has been practised on these lands for countless generations.'

- From the speech to Parliament on the Treaty Authority of Assembly Co-Chair and proud Nira illim bulluk man of the Taungurung nation, Marcus Stewart, 22 June 2022



3.4 WHAT'S NEXT

It is anticipated that the selection process for Treaty Authority members will commence in 2022 so that the Treaty Authority can be up and running in 2023.



4. COMMUNITY FEEDBACK INFORMING THE DEVELOPMENT OF THE SELF-DETERMINATION FUND



4.1 WHAT IS THE SELF-DETERMINATION FUND?

The Assembly is working towards reaching agreement with the State on a First Peoples controlled and managed Self-Determination Fund.

The Self-Determination Fund will have two main purposes, set out in the Treaty Act:

- To fund the resources that First Peoples need to negotiate Treaties on a level playing field with the State, recognising the financial resources and power imbalance between First Peoples and the government.
- To fund First Peoples to drive our own priorities and aspirations, and freely determine how to build capacity, wealth and prosperity for current and future generations.

The Self-Determination Fund will support and build economic strength for Traditional Owners and First Peoples in Victoria, both through the Treaty process and into the future.





4.2 ENGAGEMENT THEMES INFORMING THE SELF-DETERMINATION FUND

We have summarised common themes in feedback received at engagement events and in response to our Self-Determination Fund Discussion Paper and Treaty Survey, which fall into the following areas:

- A. How can the Self-Determination Fund support equal footing in Treaty negotiations?
- B. How can the Self-Determination Fund be used to build capacity wealth and prosperity?
- C. How should the Self-Determination Fund be administered?

A. How can the Self-Determination Fund support equal footing in Treaty negotiations?

The Assembly received feedback that:

- The Self-Determination Fund should empower Traditional Owners to self-determine their future.
- The Self-Determination Fund should be distributed in a fair and transparent process.
- The Self-Determination Fund should support equity between Traditional Owner groups as well as between Traditional Owner groups and the government.

In response to our Treaty Survey question on what money is needed to support First Peoples to negotiate Treaties on a level playing field with the State:

- 97 per cent of survey participants said that money was needed for support during Treaty negotiations
- 95 per cent of survey participants said money was needed to develop and strengthen First Nations forms of governance
- 97 per cent of survey participants said money was needed to strengthen community and nation-building.

The analysis of responses to this question is in the Treaty Survey Report at Appendix D, page 12–13.

Below are comments from responses to our discussion paper, relating to how the Fund can support equal footing:



‘To be fair, a criteria needs to be developed to provide an open transparent process for agencies to apply for grants. ... This may include meaningful workshops and training for community to increase their professional development and understanding.’

– Individual

‘The Fund can be directed to empower local groups to make decisions about their future that is relevant to their local circumstances.’

– Rumbalara Football & Netball Club + Dungala Kaiela Foundation

‘[T]here is a need for two types of equality; firstly there must be some level of equity between Traditional Owner nations themselves, and secondly there must be equal standing between these nations and the government with whom Treaty is being negotiated.’

– Federation of Victorian Traditional Owner Corporations

B. How can the Self-Determination Fund be used to build capacity wealth and prosperity?

Below are comments from responses to our discussion paper, relating to how the Fund can be used to build capacity, wealth and prosperity:



‘To best ensure our capacity, wealth and prosperity is built and maintained we must invest in ourselves first and foremost and support each other to grow and build ourselves up.’

– Kinaway Chamber of Commerce

‘It should be focused on health, education, employment, cultural affirmation, language revival.’

– Rumbalara Football Netball Club + Dungala Kaiela Foundation

‘Mob need to be in control of the money. If we have control, we can decide where to invest. We can invest in long term, proactive stuff that governments won’t fund.’

– Individual

‘Cannot create space to build and grow culture unless other needs are met. Fundamental needs to get out of poverty. Don’t get time for a cultural way of life. We don’t have intergenerational wealth. Need avenues to have our own private wealth and to create intergenerational wealth.’

– Individual

Feedback on whether there should be limits on what the Self-Determination Fund is used for, included that:

- The Fund should not be used as an alternative or adjunct to any compensation payable to Traditional Owners through Traditional Owner Treaties.
- The Fund should not be used for delivery of projects that government has already committed to funding.
- Investment, self-determination and business modelling should be aligned with our environment and social wellbeing of our future generations.



C. How should the Self-Determination Fund be administered?

The feedback we received on what are important features for how the Self-Determination Fund is managed were supportive of the Self-Determination Fund:

- having strong cultural governance
- being fully independent from government
- being accountable to Community
- having mechanisms to support good governance.

There were high levels of support in responses to the Treaty Survey for the presence of all these features in the administration of the Self-Determination Fund.

The analysis of responses to this question is in the Treaty Survey Report at Appendix D, page 13.

Written submissions also highlighted the importance of transparency and effective participation of Victoria's First Peoples in relation to the distribution of funds.

The feedback we received in response to the discussion paper was consistent with the Assembly's proposal that the management of the Fund will be guided by the following key ideas:

Self-determination and empowerment. The Fund will give effect to self-determination and empowerment because First Peoples are making decisions about how the Fund is managed.

Responsive. The Fund will be flexible and adaptive. It will be a resource that First Peoples can access in line with their priorities and aspirations.

Innovative. The Fund will build on and improve existing financial frameworks and arrangements, including by supporting innovative processes and programs.

Respectful. The Fund will reflect First Peoples values and ways of doing business. It will reflect and support Indigenous governance structures.



4.3 DEVELOPING THE SELF-DETERMINATION FUND

We have heard that Community wants a Self-Determination Fund where First Peoples have control over how the Fund is managed and allocated. The Fund should be managed in a way that has strong cultural governance, meets high standards of good governance, is independent from government, and accountable to Community.

The Assembly is driving the development of a model for the Self-Determination Fund that meets these aspirations and expectations.

It will be a First Peoples controlled and managed resource, that is entirely independent from the State.

We are working towards a model that would see the Self-Determination Fund established as a public charitable trust to be administered by the Assembly.

Consistent with the feedback we received, this will enable First Peoples to be making decisions about First Peoples' resources and how they are invested and distributed to achieve the purposes of the Self-Determination Fund.

The model we are working towards will accommodate a flexible approach to resourcing Traditional Owners and First Peoples to achieve equal footing in Treaty negotiations in a way that supports them to achieve their priorities and aspirations.

It will also be capable of changing over time so it can remain responsive to Community's priorities as they change over time.

At the time of writing this report, the Assembly is continuing work on designing a form and structure for the Self-Determination Fund that will meet Community's expectations and requirements for what the Fund must achieve.



WHAT'S NEXT

We are working towards reaching agreement with the State to establish the Self-Determination Fund in 2022.

5. APPENDICES

A. Treaty Authority discussion paper

B. Self-Determination Fund discussion paper

C. Treaty Survey

D. Treaty Survey Report, prepared by the Australian National University



Image credit: Wayne Quilliam

APPENDIX A:
TREATY AUTHORITY
DISCUSSION PAPER



Treaty Authority

DISCUSSION PAPER

NOVEMBER 2021 (UPDATED FEBRUARY 2022)



First Peoples'
Assembly of
Victoria

The Assembly is seeking feedback on its groundbreaking model for the Treaty Authority – the body that will oversee future Treaty negotiations between First Peoples and the Victorian Government.

We welcome all feedback by 14 April 2022.

Your input will build on community feedback that the Assembly has considered so far in shaping this model for the Treaty Authority.

For further opportunities to share your views with the Assembly and to stay up to date on our activities and the shared journey to Treaty, join our email list here: <https://www.firstpeoplesvic.org/#Team-Treaty>.

About this Discussion Paper

The First Peoples' Assembly is the voice representing Traditional Owners and Aboriginal and Torres Strait Islander peoples in Victoria to advance the Treaty process in Victoria.

We are pushing for both a state-wide Treaty that will cover state-wide matters, and also empowering Traditional Owners to negotiate local Treaties that reflect their needs and priorities.

We are working to reach agreement with the Victorian Government about the foundations to enable the future negotiation of Treaties:

- A Treaty Authority – will act as the independent umpire in Treaty negotiations
- A Treaty Negotiation Framework – will set the ground rules for Treaty negotiations
- A Self-Determination Fund – will be a financial resource to empower First Peoples to negotiate Treaties on a level playing field with the Victorian Government, and empower First Peoples to build capacity, wealth and prosperity for current and future generations

This Discussion Paper outlines the ideas we are taking into our discussions with the Victorian Government to reach agreement on a model for the Treaty Authority.

Our ideas on what the Treaty Authority should look like have been shaped by what we have heard from First Peoples on our journey so far and informed by best-practice examples of independent bodies overseas and in Australia.

We want your views to keep shaping the Treaty Authority's design as we take steps to reach agreement on the details over the coming months.

We look forward to hearing the feedback you have on the questions in this paper, as Traditional Owners and/or Aboriginal and Torres Strait Islander peoples in Victoria.

What is the Treaty Authority

The Treaty Authority will have the important role to:

- facilitate and oversee treaty negotiations
- help resolve disputes that arise between parties in treaty negotiations
- carry out research to support treaty negotiations
- administer the Treaty Negotiation Framework
- ensure treaty negotiations are consistent with the Treaty Negotiation Framework.

These functions for the Treaty Authority are set out in Part 4 of the *Advancing the Treaty Process with Aboriginal Victorians Act 2018*.

The Assembly has been exploring how the Treaty Authority can be set up to achieve our goal for it to be fully independent from Government and the Assembly, and grounded in Aboriginal culture, lore and law.

To ensure the Treaty Authority is completely independent from Government, we are proposing a very different approach for its establishment and how it runs.

Although it would be created by agreement between the Government and the Assembly, this model for the Treaty Authority would be entirely separate and independent from the Victorian Government and not subject to Ministerial direction or control

This model for the Treaty Authority is consistent with the right to self-determination recognised in the [United Nations Declaration on the Rights of Indigenous Peoples](#) (UNDRIP), as First Peoples will have ownership over its structure and process, it will be made up of First Peoples and operate according to Aboriginal lore, law and cultural authority.

What are the Treaty Authority's Guiding Principles

We are proposing that the Treaty Authority will exercise its role guided by the following principles:

- **Self-determination and empowerment**
The Treaty Authority operates according to Aboriginal lore, law and cultural authority and can decide how to perform its functions and duties.
- **Independence and Impartiality**
The Treaty Authority is fully independent, impartial and free from interference from the Victorian Government, the Assembly, negotiating parties, Traditional Owners and First Peoples, and meets certain standards to ensure its decisions are fair and culturally sound.
- **Accountability**
The Treaty Authority is accountable to First Peoples living in Victoria and the broader community.

Who is on the Treaty Authority

We are proposing that the Treaty Authority will be made up of appointed members who enable the Treaty Authority to be impartial and objective in carrying out its role.

The Assembly Chamber has previously recommended that there should be five Treaty Authority members.

We are proposing that all Treaty Authority members will be First Peoples, from Victoria or elsewhere in Australia, who are selected through a rigorous and transparent process after meeting public selection criteria.

As individuals, Treaty Authority members will demonstrate:

- impartiality
- commitment to self-determination and empowerment
- good character, courage and integrity
- cultural knowledge, wisdom and humility
- relevant technical competence and experience.

Regarding cultural knowledge, each Treaty Authority member will be able to identify, understand and respect Aboriginal lore, law and cultural authority for different First Peoples in Victoria.

They will have the ability to identify and understand ways of doing business of different communities and the connections of different groups.

Collectively as a group, the Treaty Authority members will have experience in facilitating negotiations and dispute resolution.

They will also have expertise in cultural safety and healing for First Peoples, culturally respectful leadership and collaboration, and the use of culture to empower First Peoples in pursuit of self-determination.

How is the Treaty Authority selected

The selection process could maximise transparency and community participation by including:

- an open public call for nominations and an independent selection panel who would review applications, interview candidates, and shortlist and select Treaty Authority members with reference to publicly available selection criteria.
- publication of shortlisted candidates' statements and an opportunity for confidential public comment on candidates' ability to meet key selection criteria.

The independent selection panel would be made up of around five First Peoples: one appointed by the Assembly, one appointed by the Victorian Government, and three or more appointed by agreement between the Assembly and the Government.

This option for a selection process builds on the selection process model for Commissioners to the Yoo-rook Justice Commission, which the Assembly designed in agreement with the Victorian Government.

It builds on best practice in Australia and overseas to incorporate cultural strength, transparency, and community participation into the selection process.

What's next

The Assembly is inviting community feedback on the Treaty Authority model as we advance discussions with the Victorian Government towards reaching a final agreement to create the Treaty Authority.

The Assembly is aiming to consider endorsing a final agreement of the Treaty Authority Agreement at the Assembly's Chamber Meeting on 9-10 June 2022.

Once the Assembly and the State reach agreement on the model, work can begin to establish the Treaty Authority.

We welcome your feedback on our questions below, or any other feedback you would like to provide, by 14 April 2022.

Feedback can be provided in any form. Your feedback can be in writing, an audio recording or a video recording.

Feedback on this Discussion Paper can be provided by:

- Completing the form on our website:
<https://www.firstpeoplesvic.org/committees/treaty-authority/treaty-authority-online-form/>
- Email to engagement@firstpeoplesvic.org
- Letter to First Peoples' Assembly of Victoria,
48 Cambridge St, Collingwood VIC 3066
- Phone on **1800 873 289** (between 9:00am to 5:00pm AEDT Monday to Friday).
We can make a time with you to take your response over the phone.

Please contact us if you would like us to arrange for a presentation or a meeting on this Discussion Paper.

Our questions:

What does the Assembly need feedback on

The Treaty Authority must be grounded in First Peoples' culture and have the trust and confidence of all parties to a Treaty negotiation.

Treaty Authority members

Think about who you would have trust and confidence in to facilitate and oversee Treaty negotiations.

1. What are important skills and attributes for the Treaty Authority members?
2. Should there be a role for Elders to provide guidance on who should be appointed as Treaty Authority members?

How best can the Treaty Authority uphold the Guiding Principles

Self-determination and empowerment

3. How can Aboriginal lore, law and cultural authority be embedded into the Treaty Authority?

Independence and impartiality

4. What standards should apply to the Treaty Authority to ensure it performs its role in a fair and culturally sound way?

Accountability

The Treaty Authority must perform its functions with integrity, free from external influence and be accountable to Community.

5. How can the Treaty Authority ensure it is accountable to First Peoples in Victoria and the broader community?
6. How can the Treaty Authority incorporate, respect, and listen to Elders in performing its functions?

Treaty Authority

7. Does the name 'Treaty Authority' reflect the role it will play? If not, what language would you like to see used?

APPENDIX B:
SELF-DETERMINATION
FUND DISCUSSION PAPER



Self-Determination Fund

DISCUSSION PAPER

MARCH 2022



First Peoples'
Assembly of
Victoria

The Assembly is seeking feedback on the Self-Determination Fund – a Fund to benefit all First Peoples in Victoria in the Treaty negotiation process and beyond.

We welcome all feedback by 29 April 2022.

Your input will inform the Assembly's work to establish the Self-Determination Fund.

There will be further opportunities to share your views with the Assembly. To stay up to date on the shared journey to Treaty, join our email list here: <https://www.firstpeoplesvic.org/#Team-Treaty>.

About this Discussion Paper

The First Peoples' Assembly is the voice representing Traditional Owners and Aboriginal and Torres Strait Islander peoples in Victoria to advance the Treaty process in Victoria.

We are pushing for both a Statewide Treaty that will cover statewide matters, and also empowering Traditional Owners to negotiate local Treaties that reflect their needs and priorities.

We are working to reach agreement with the Victorian Government about the foundations to enable the future negotiation of Treaties:

- A Treaty Authority – will act as the independent umpire in Treaty negotiations
- A Treaty Negotiation Framework – will set the ground rules for Treaty negotiations
- A Self-Determination Fund – will be a financial resource to empower First Peoples in Victoria to negotiate Treaties on a level playing field with the Victorian Government, and empower First Peoples in Victoria to build capacity, wealth, and prosperity for current and future generations

This Discussion Paper outlines the ideas we are taking into our discussions with the Victorian Government to reach agreement on a model for the Self-Determination Fund.

The Self-Determination Fund has been shaped by what we have heard from First Peoples in Victoria on our journey so far and informed by best-practice examples.

We want your views to keep shaping the Self-Determination Fund's design as we take steps to reach agreement on the details over the coming months.

We look forward to hearing the feedback you have on the questions in this paper, as Traditional Owners and/or Aboriginal and Torres Strait Islander peoples in Victoria.

What is the Self-Determination Fund?

The Assembly is negotiating the establishment of the Self-Determination Fund.

The Self-Determination Fund is a financial resource to be controlled and managed by the Assembly as the Aboriginal Representative Body under the *Advancing the Treaty Process with Aboriginal Victorians Act 2018* (Treaty Act).

The purposes of the Self-Determination Fund are set out in Part 6 of the Treaty Act:

1. Funding to support equal footing in Treaty negotiations

This will fund Traditional Owners and First Peoples in Victoria to prepare for and engage in Treaty negotiations on equal footing with the State Government for both:

- **Traditional Owner Treaties** between Traditional Owner groups and the State Government, on matters relating to Traditional Owners' Country and community; and
- **Statewide Treaty** between First Peoples in Victoria and the State Government on matters relating to Statewide issues.

The approach to how First Peoples in Victoria and Traditional Owners are resourced to achieve equal footing will be broad, flexible and informed by First Peoples' priorities and aspirations as they relate to the Treaty negotiations.

The Fund will support Traditional Owner groups entering Traditional Owner Treaty negotiations, no matter what stage they are at in their Treaty journey.

2. Funding to support First Peoples in Victoria to build capacity, wealth, and prosperity

This will help ensure that First Peoples in Victoria have resources to build their economic self-determination and other forms of non-economic prosperity now and for future generations.

In addition to these purposes:

In setting up the Self-Determination Fund, the Assembly and the State may include other purposes by agreement.

Funding of the Self-Determination Fund will not include:

- Compensation or reparations for past wrongs
- Funding diverted from other areas of Aboriginal expenditure, such as service delivery
- Funding of any outcomes that may be reached as part of Statewide Treaty or local Traditional Owner Treaty negotiations.

What are the Self-Determination Fund's Guiding Principles?

The Self-Determination Fund will support First Peoples in Victoria to achieve self-determination, and in particular economic self-determination, consistent with the [United Nations Declaration on the Rights of Indigenous Peoples](#) (UNDRIP).

The Self-Determination Fund must be set up to be consistent with the Guiding Principles under the Treaty Act, which include:

- Self-determination and empowerment
- Fairness and equality
- Partnership and good faith
- Mutual benefit and sustainability.

The Assembly is proposing that the management of the Self-Determination Fund will also be guided by the following key ideas:

- **Self-determination and empowerment**
The Self-Determination Fund will give effect to self-determination and empowerment because First Peoples in Victoria are making decisions about how to support First Peoples' build capacity, wealth and prosperity for generations to come.
- **Responsive**
The Self-Determination Fund will be flexible and adaptive. The Self-Determination Fund will be a resource that First Peoples in Victoria can access in line with their priorities and aspirations.
- **Innovative**
The Self-Determination Fund will build on and improve existing financial frameworks and arrangements, including by supporting innovative processes and programs so that First Peoples in Victoria to prosper in the modern economy in innovative, culturally strong ways.
- **Respectful**
The Self-Determination Fund will reflect First Peoples in Victoria values and ways of doing business. The Self-Determination Fund will reflect and support Indigenous governance structures, including measures related to seeking free, prior, and informed consent of First Peoples in Victoria on their collective financial affairs.

Who will manage the Self-Determination Fund?

The Self-Determination Fund must be administered by the Assembly consistent with the purposes in the Treaty Act.

In managing the Self-Determination Fund, the Assembly will:

- embed cultural governance into its processes
- meet high standards of good governance and financial responsibility, including independence, transparency, and accountability
- Keep the Self-Determination Fund strictly separate from any other money and property of the Assembly
- Use funds only for the purposes under the legislation
- Be open to receiving funding from non-State sources
- Take into account the priorities and aspirations of First Peoples in Victoria.

What's next

The Assembly is aiming to reach final agreement with the Victorian Government on the Self-Determination Fund model by June 2022.

The Assembly is inviting community feedback on the Self-Determination Fund as we advance towards reaching a final agreement.

We welcome your feedback on our questions below, or any other feedback you would like to provide, by 5pm 29 April 2022.

Feedback can be provided in any form. Your feedback can be in writing, an audio recording, or a video recording.

Feedback on this Discussion Paper can be provided by:

- Completing the form on our website: www.firstpeoplesvic.org/SDFdiscussion
- Email to engagement@firstpeoplesvic.org
- Letter to First Peoples' Assembly of Victoria,
48 Cambridge St, Collingwood VIC 3066
- Phone on **1800 873 289** (between 9:00am to 5:00pm AEDT Monday to Friday).
We can make a time with you to take your response over the phone.

Please contact us if you would like us to arrange for a presentation or a meeting on the Self-Determination Fund.

Our questions:

What does the Assembly need feedback on

1. How can the Self-Determination Fund be used to support equal standing in Treaty negotiations?

For example, by:

- Funding and programs for community strengthening and nation-building before entering Treaty negotiations.
- Supports during Treaty negotiations
- Supporting Indigenous forms of governance, and / or to build relationships between groups.

2. How can the Self-Determination Fund be used to build capacity, wealth, and prosperity?

For example, by:

- Supporting sustainable wealth generation for future generations.
- Developing First Peoples economies, such as linking in with global Indigenous economies.

3. Should there be limits on what the Self-Determination Fund is used for?

For example,

- Funds must be used to benefit community and Country
- Funds must not be used for individual wealth, where there are no flow on benefits for others.

4. What are important features for how the Self-Determination Fund is managed?

For example, that the Fund is administered in a way that:

- Reflects cultural governance processes
- Is fully independent from government
- Is consistent with high standards of good governance
- Is accountable to First Peoples in Victoria.

APPENDIX C: **TREATY SURVEY**





FIRST PEOPLES'
ASSEMBLY OF
VICTORIA



Treaty Survey Information Sheet

Who runs the survey?

The survey is run by the First Peoples' Assembly of Victoria (Assembly).

The Assembly is the independent and democratically elected body representing Traditional Owners and Aboriginal and Torres Strait Islander peoples in Victoria in developing the foundations for future Treaty negotiations with the Victorian Government.

Treaties can change our relationship with government to give us greater control to determine our own affairs.

What is this survey about?

This is one of two surveys the Assembly will be conducting over the coming months.

It is one of many ways that the Assembly is hearing from community, so our work is guided by community voices every step of the way.

The surveys will help the Assembly to set up the foundations for Statewide Treaty and Traditional Owner Treaties in Victoria.

The two surveys will ask you about what you want Treaties to achieve and the foundations for the Treaty-making process that the Assembly has been elected to set up:

1 Treaty Negotiation Framework

2 Treaty Authority

3 Self-Determination Fund

1 Treaty Negotiation Framework

The Treaty Negotiation Framework will set out the ground rules for how Statewide Treaty and Traditional Owner Treaties will be negotiated, who can negotiate Treaties, and will set the agenda for negotiations.

The survey will ask you about areas where Treaties can put control back into First Peoples' hands.

2 Treaty Authority

The Treaty Authority will facilitate and oversee Treaty negotiations, help to resolve any disputes, carry out research and make sure the negotiations are consistent with the Treaty Negotiation Framework. The Treaty Authority will be separate and independent from the Assembly and government.

The survey will ask you what the Treaty Authority structure should look like, and what qualities the people on the Treaty Authority should have.

3 Self-Determination Fund

The Self-Determination Fund will be a First Peoples controlled and managed financial resource that will support and build economic strength for First Peoples, both through the Treaty process and in the future.

The survey will ask you about what resources are needed for First Peoples to be on equal footing with government in Treaty negotiations and how the Self-Determination Fund is managed.

Who can participate?

Any Aboriginal and/or Torres Strait Islander person 16 years or older who lives in Victoria can complete the survey. Any Victorian Traditional Owner 16 years or older who lives outside of Victoria can also complete the survey. You do not have to participate. It is your choice to take part.



How will this survey help me and my community?

By sharing your opinions on Treaty, you can help the Assembly better understand what First Peoples want to happen throughout the Treaty process. This will help the Assembly to advance the Treaty process in Victoria as the voice of First Peoples.

What do I need to do?

Complete this survey on paper or online at <https://is.gd/treatysurvey> by 1 May 2022. Please make sure to provide your name and contact details so a follow up survey can be sent to you.

What are the potential risks?

Some questions in the survey may make you feel uncomfortable or upset. You can contact Yarning SafeNStrong on 1800 959 563, Lifeline on 13 11 14 or visit lifeline.org.au and visit <http://sewbmh.org.au/location/list> for a list of services in your local community.

Any questions, comments, or concerns?

If you have any questions or know someone else who would like to do the survey, call us on 1800 TREATY (87 32 89), email us at engagement@firstpeoplesvic.org, or visit firstpeoplesvic.org.

Privacy

How we handle your information

The Assembly and its agents will collect, use, store and disclose your personal information provided in this survey for the purpose of advancing the Treaty process in Victoria.

We will handle your information in accordance with our Privacy Policy found at firstpeoplesvic.org/privacy-statement.

Your ongoing access to your information

You may request access to any personal information that we have collected about you, including correction of your personal information if you can establish that it is not accurate, complete or up to date, using the contact details in our Privacy Policy.

Our Privacy Policy explains how we collect, use, store and disclose your personal information and how you can access and seek correction of it or make a complaint.

You can withdraw your survey data at any time by calling us on 1800 TREATY (87 32 89) or emailing engagement@firstpeoplesvic.org, and we will securely destroy your data.

Indigenous Data Sovereignty

Our Indigenous Data Sovereignty statement found at firstpeoplesvic.org/TreatySurvey explains how we will handle data from the survey.

How will the results be reported?

We will report back to Community on the survey results and what matters to you.

TREATY SURVEY



FIRST PEOPLES'
ASSEMBLY OF
VICTORIA



This Survey will take up to 20 minutes to complete.

This is one of two surveys the Assembly is conducting over the coming months. Your responses will be used by the Assembly in its work setting up the foundations for Statewide Treaty and Traditional Owner Treaties in Victoria.

We will report back to Community on the survey results and what matters to you.

For more information see the **Treaty Survey Information Sheet**.

Filling in the survey:

Circles mean pick only **one** response

Boxes mean pick all answers that apply

By completing this Survey you can go in the running to win one of ten \$200 Clothing the Gaps vouchers!

Would you like to go in the draw?

Yes

No

By selecting 'Yes', you are accepting the conditions of entry outlined on the last page.

ABOUT YOU

1. I agree to complete the survey.

Yes

No

2. I am aged 16 years or older:

Yes

No

If you are less than 16 years, do not do this survey

3. Your name:

First name:

Middle name:

Last name:

4. Your details:

Unit/flat/apartment number:

Street number:

Street name:

Suburb or town:

State or territory:

Postcode:

Phone:

Email:

5. I am...

If you are not Aboriginal/Torres Strait Islander, do not continue.

Aboriginal

Torres Strait Islander

Both Aboriginal and Torres Strait Islander

Neither Aboriginal nor Torres Strait Islander

In this survey, the term 'First Peoples' refers to all Aboriginal and Torres Strait Islander peoples.



TREATY SURVEY



FIRST PEOPLES' ASSEMBLY OF VICTORIA



6. I am...

Select all that apply.

- A man
 A woman
 Transgender
 Non binary
 I identify another way as...
 Prefer not to say

7. Date of birth (Day/Month/Year) / /

8. Are you on The First Peoples' Assembly of Victoria Electoral Roll? Yes No
- Yes No
 No, but I would like to enrol No, but I am watching and might enrol in the future

9. I am...

- A Victorian Traditional Owner and I live in Victoria
 A Victorian Traditional Owner and I live outside of Victoria
 None of these

10. Name of clan / nation / mob:

11. Has your family been affected by Stolen Generations?

- Yes
 No
 Don't know
 Prefer not to say

12. <u>Where I live now</u> , in the Aboriginal/Torres Strait Islander community...	Not at all	A little bit	A fair bit	A lot
there are people with cultural knowledge (cultural bosses or Elders) I can go to or yarn with	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
there are places for us to come together as community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
there are leaders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
we deal with problems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
we work together	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
local Aboriginal/Torres Strait Islander people make community decisions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
we respect the decisions made by our leaders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
the decisions we make are respected by government	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
government have the final say in decisions about the community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I can get involved in community discussions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I trust the leaders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel listened to	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel respected	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am seen as a leader	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel like I belong	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



CONTROL

Treaties in Victoria can include areas for mob to take back control and decision-making power from the Victorian Government.

13. These are some of the areas that Community have said are important for self-determination. Should Treaties in Victoria support mob to take control of our own affairs in these areas?

	Yes	No
MONEY		
• Stolen Generations reparation scheme	<input type="radio"/>	<input type="radio"/>
• Economic development/trade	<input type="radio"/>	<input type="radio"/>
• Ability to choose where government spends money	<input type="radio"/>	<input type="radio"/>
• Assistance with home ownership	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>
SOCIAL SERVICES		
• Child protection	<input type="radio"/>	<input type="radio"/>
• Family and community safety	<input type="radio"/>	<input type="radio"/>
• Housing	<input type="radio"/>	<input type="radio"/>
• Evaluation of programs and services	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>
HEALTH		
• Healthcare	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>
HEALING		
• Truth-telling	<input type="radio"/>	<input type="radio"/>
• Reconnecting communities and connecting to culture	<input type="radio"/>	<input type="radio"/>
• Fostering young mob to know who they are	<input type="radio"/>	<input type="radio"/>
• Trauma recovery (e.g. Stolen Generations)	<input type="radio"/>	<input type="radio"/>
• Recognising cultural and spiritual healing practices	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>
LAW AND JUSTICE		
• Criminal law	<input type="radio"/>	<input type="radio"/>
• Police	<input type="radio"/>	<input type="radio"/>
• Courts	<input type="radio"/>	<input type="radio"/>
• Aboriginal Law and Lore	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>



	Yes	No
COUNTRY		
• Traditional relationships with land and waters	<input type="radio"/>	<input type="radio"/>
• Buy-back scheme or land transfers	<input type="radio"/>	<input type="radio"/>
• Planning and development approvals	<input type="radio"/>	<input type="radio"/>
• Land and water management/Caring for Country	<input type="radio"/>	<input type="radio"/>
• Who are Traditional Owners of what Country	<input type="radio"/>	<input type="radio"/>
• Aboriginal land and water tax	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>
CULTURE		
• Cultural activities/expression (e.g. in education, arts)	<input type="radio"/>	<input type="radio"/>
• Cultural heritage	<input type="radio"/>	<input type="radio"/>
• Revitalising our cultural knowledge systems	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>
LANGUAGE		
• Teaching language in schools	<input type="radio"/>	<input type="radio"/>
• Language revitalisation and resourcing	<input type="radio"/>	<input type="radio"/>
• Dual naming in language (e.g. places, Government departments)	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>
EDUCATION		
• School curriculum concerning First Peoples' history	<input type="radio"/>	<input type="radio"/>
• Education campaign for all Victorians on truth-telling	<input type="radio"/>	<input type="radio"/>
• Cultural competency training for Victorian public service, teachers and educators	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>
OTHER		
• Confirmation of Aboriginality	<input type="radio"/>	<input type="radio"/>
• Community building	<input type="radio"/>	<input type="radio"/>
• Tackling racism and prejudice	<input type="radio"/>	<input type="radio"/>
• Knowledge and data sovereignty	<input type="radio"/>	<input type="radio"/>
• Other: _____	<input type="radio"/>	<input type="radio"/>



UNDERSTANDING OF TREATY AND GOVERNANCE PARTICIPATION

	Not at all	A little bit	A fair bit	A lot
14. I support mob having control over our own lives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15. I understand what Treaty means	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
16. My family understands what Treaty means	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
17. My community understands what Treaty means	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

18. Did you vote in the last elections held for...?	Yes	No	Not enrolled		
The First Peoples' Assembly of Victoria (this is separate from Government voting)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
Federal Parliament	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
State Parliament	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
Local Council	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
	Not at all	A little bit	A fair bit	A lot	N/A
19. When I vote in the First Peoples' Assembly of Victoria elections, I feel like my vote counts	<input type="radio"/>				
20. When I vote in government elections, I feel like my vote counts	<input type="radio"/>				

STATEWIDE TREATY

A Statewide Treaty in Victoria can include changes to current systems and structures of government in Victoria that puts control back into First Peoples' hands.

21. Indicate your level of support for these examples of changes that can be included in a Statewide Treaty.

- First Peoples' Parliament of Victoria**

A First Peoples' Parliament, a Black Parliament, elected by mob to make decisions and pass and administer laws on issues that affect mob.

I support this model...

Not at all A little bit A fair bit A lot

- Dedicated First Peoples' seat/s in the Victorian Parliament**

Dedicated seat/s for First Peoples in the Victorian Parliament can improve First Peoples' representation, participation and influence in the Victorian Parliament.

I support this model...

Not at all A little bit A fair bit A lot



- **First Peoples' Voice to Parliament**

A First Peoples' voice to the Victorian Parliament, which can give advice and input to the Victorian Parliament on any matters that affect mob.

I support this model...

- Not at all
 A little bit
 A fair bit
 A lot

- **Local Council Representation**

Dedicated seat/s for nation/tribal/clan/Traditional Owner representatives on local council (local government).

I support this model...

- Not at all
 A little bit
 A fair bit
 A lot

TREATY AUTHORITY

The Treaty Authority will comprise of 5-7 First Peoples members who will facilitate and oversee Treaty negotiations. It will be separate to, and independent from, the Assembly and the Victorian Government. The Treaty Authority will:

- help guide Treaty negotiations
- help resolve disputes in Treaty negotiations
- carry out research to support Treaty negotiations, and
- ensure Treaty negotiations are consistent with the Treaty Negotiation Framework.

22. The Treaty Authority should...	Not at all	A little bit	A fair bit	A lot
Respect Aboriginal Lore, Law and cultural authority	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Be fully independent from Government	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have ongoing, secure funding	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have all First Peoples members	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Be accountable to Community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
23. The people who are members of the Treaty Authority should...	Not at all	A little bit	A fair bit	A lot
Be fair and impartial	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Be committed to self-determination and empowerment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have good character	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have courage and integrity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have cultural knowledge	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have relevant technical competence and experience	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



SELF-DETERMINATION FUND

The Assembly is establishing a Self-Determination Fund.

The Self-Determination Fund will be a financial resource for First Peoples. It will:

- fund the resources that First Peoples need to negotiate Treaties on a level playing field with the Victorian Government, recognising the Government's financial resources and the power imbalance between First Peoples and the Government.
- help build capacity, wealth and prosperity for current and future generations.

The Fund will be managed by the Assembly.

24. To support First Peoples to negotiate Treaties on a level playing field with the Victorian Government, money is needed...	Not at all	A little bit	A fair bit	A lot
for supports during Treaty negotiations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
to develop and strengthen our forms of governance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
to strengthen community and nation-building	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

25. The Assembly's management of the Fund should...	Not at all	A little bit	A fair bit	A lot
have strong cultural governance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
be independent from government	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
be accountable to Community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
have mechanisms to prevent misuse and fraud	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

PRIVACY CONSENT STATEMENT

Please tick this box to provide your consent to us handling your information.

- I agree that the Assembly and its agents can collect, use, store and disclose my personal and sensitive information, as set out in this document and the Assembly's Privacy Policy found at firstpeoplesvic.org/privacy-statement, both of which I have read and understood.

How we handle your information: The First Peoples' Assembly of Victoria (Assembly, we, us or our) and its agents will collect, use, store and disclose your personal information (including your sensitive information) provided in this survey for the purpose of advancing the Treaty process in Victoria. Your information will be handled in accordance with our Privacy Policy found at firstpeoplesvic.org/privacy-statement or as required by law.

Your ongoing access to your information: You may request access to any personal information that we have collected about you, including correction of your personal information if you can establish that it is not accurate, complete or up to date, using the contact details in our Privacy Policy. Our Privacy Policy explains how we collect, use, store and disclose your personal information and how you can access and seek correction of it or make a complaint.

WIN ONE OF TEN \$200 CLOTHING THE GAPS VOUCHERS: CONDITIONS OF ENTRY

I accept the terms and conditions and consent to the collection, use, storage and disclosure of my personal information as specified in the terms and conditions.

This lottery is run by the First Peoples' Assembly of Victoria Ltd (ABN 51 636 189 412) (Assembly, we, us or our) of 48 Cambridge Street, Collingwood, Victoria 3066.

1. General conditions

- 1.1. Entry is free and open to all Aboriginal and Torres Strait Islander persons.
- 1.2. Entry into this lottery is deemed acceptance of conditions of entry.
- 1.3. One entry is permitted per person.
- 1.4. Employees of the Assembly are ineligible to participate.
- 1.5. Entry to the lottery will open from Monday, 28 March at 9:00 am AEDT and will close on 1 May 2022 at 11:59 pm.

2. Lottery draw

- 2.1. The draw for the winners will take place on 10 May 2022 between 9:00 am to 5:00 pm. Entrants need not be present to win.
- 2.2. All prizes are for a \$200 dollar Clothing the Gaps Voucher and are of equal value. Prizes will not be drawn in any particular order.
- 2.3. Each entrant will be assigned a number, which will be drawn at random through government certified electronic draw system www.randomdraws.com.au provided by the business Trade Promotion and Lotteries Pty Ltd (ACN 601 297 330) (TPAL Electronic Draw System).

3. Winning entry

- 3.1. The winners will need to show proof of identification before the prize is released.
- 3.2. The winners will be notified by phone and email by 17 May 2022 and each of the winner's name will be published on the Assembly's website on 18 May 2022.
- 3.3. The prize cannot be transferred or redeemed for cash unless deemed faulty.

4. Collection of prize

- 4.1. The prize will be delivered to the winners within 28 days after the winners are declared. The Assembly will make all reasonable efforts to locate the winners and deliver the prize.
- 4.2. If the Assembly is unable to locate a winner and deliver the prize after reasonable efforts have been made to identify the winner, the winner may be substituted via a second draw.

5. Privacy consent statement

- 5.1. We will collect, use, store and disclose your personal information provided to us in your survey for the purpose of conducting this lottery (including entering your name into the TPAL Electronic Draw System).
- 5.2. You may request access to any personal information that we have collected about you, including correction of your personal information if you can establish that it is not accurate, complete or up to date, using the contact details in our Privacy Policy found at www.firstpeoplesvic.org/privacystatement or as required by law. Our Privacy Policy explains how we collect, use, store and disclose your personal information and how you can access and seek correction of it or make a complaint.
- 5.3. Your personal information used in connection with the TPAL Electronic Draw System may also be held and used by business Trade Promotion and Lotteries Pty Ltd (ACN 601 297 330) in accordance with their privacy policy.

6. Contact

- 6.1. Contact the Assembly for any queries or concerns regarding this lottery.
- 6.2. Email: enquiries@firstpeoplesvic.org
- 6.3. Telephone: 1800 Treaty (1800 87 32 89) between 9am – 5pm Monday – Friday.
- 6.4. Address: PO Box 4218, Fitzroy, Victoria 3065.

**APPENDIX D:
TREATY SURVEY
REPORT, PREPARED
BY THE AUSTRALIAN
NATIONAL UNIVERSITY**



First Peoples' Assembly of Victoria Treaty Survey – Final Report

This report on the First Peoples' Assembly of Victoria Treaty Survey was prepared by the Australian National University.

People could respond to the Treaty Survey if they are an Aboriginal and/or Torres Strait Islander person who lives in Victoria, or if they are a Victorian Traditional Owner regardless of where they live.

Over 600 Aboriginal and/or Torres Strait Islander peoples with valid responses to the online and mail-out Treaty Survey are included in this report. We suppress cells with ≤ 5 participants to protect confidentiality.

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1. TREATY SURVEY PARTICIPATION

There were **602 Aboriginal and Torres Strait Islander peoples** who completed the online or postal Treaty Survey. Over half of all participants identified as Victorian Traditional Owners who live in Victoria (**53%**). There was a small number of participants who identified as Victorian Traditional Owners who do not live in Victoria (**3%**), while **42%** of participants did not identify as Victorian Traditional Owners.

The majority of participants (**71%**) indicated they are enrolled to vote on the First Peoples' Assembly electoral roll. The majority of participants lived in Metropolitan (**39%**) and North East (**18%**) Assembly regions, with the lowest participation rates in the South East (**8%**) and North West (**10%**) (Table 1).

Table 1. Treaty Survey participation by demographic information

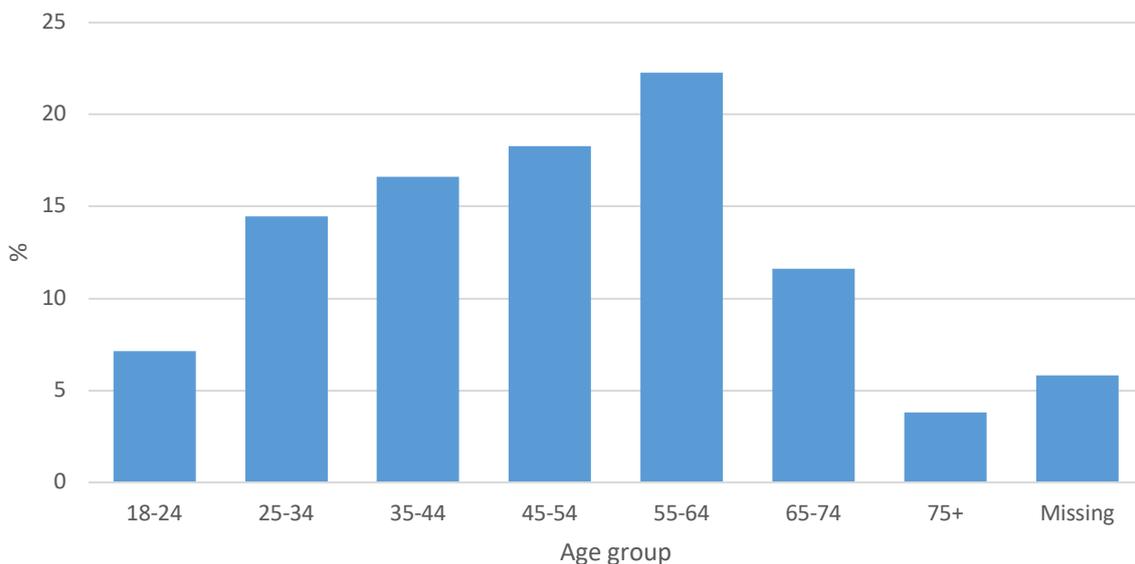
	% (n)
Age categories	
18-24	7.1 (43)
25-34	14.5 (87)
35-44	16.6 (100)
45-54	18.3 (110)
55-64	22.3 (134)
65-74	11.6 (70)
75+	3.8 (23)
Missing	5.8 (35)
Gender*	
Men	40.9 (246)
Women	56.3 (339)
Transgender	--
Non-binary	1.3 (8)
Missing	--
Traditional Owner	
Victorian Traditional Owner in Victoria	53.3 (321)
Victorian Traditional Owner outside Victoria	3.0 (18)
Not a Victorian Traditional Owner	41.5 (250)
Missing	2.2 (13)
First peoples' Assembly electoral roll	
Enrolled	71.1 (428)
Not enrolled	8.6 (52)
Not enrolled but wants to	12.0 (72)
Not enrolled but watching	6.8 (41)
Missing	1.5 (9)
First Peoples' Assembly electoral region	
Metropolitan	38.5 (232)
South West	15.3 (92)
North West	10.0 (60)
North East	17.8 (107)
South East	8.0 (48)
Missing	10.5 (63)

*participants could select multiple responses

-- represents suppressed cells at ≤5 participants

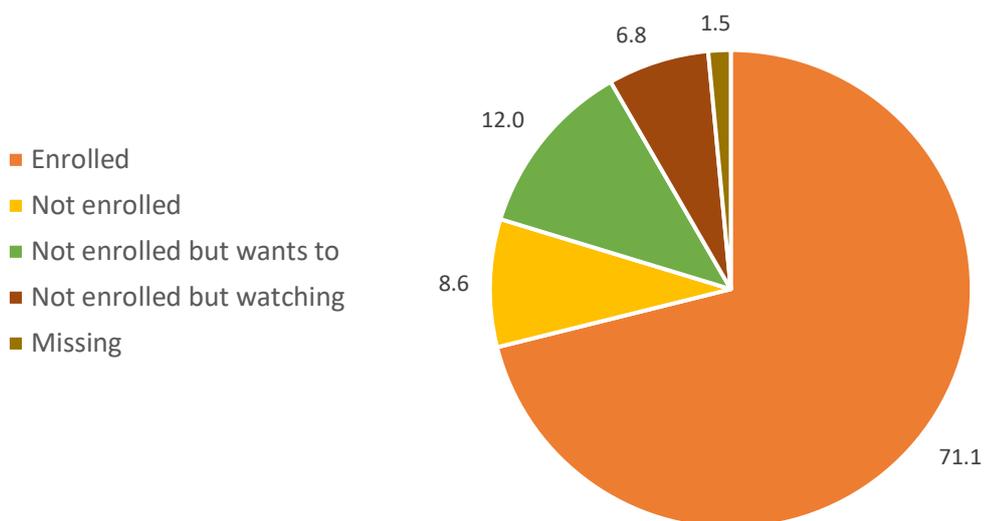
There were more women (56%) than men (41%) who responded to the survey. There were small numbers of transgender people and non-binary people who participated in the survey, so we do not present their data throughout to protect their confidentiality. Survey participants were aged between 18 and 87 years. The average age of participants was 49 years (Figure 1).

Figure 1: Participation in the Treaty Survey by age group.



The overwhelming majority of Treaty Survey participants indicated they were enrolled on the Assembly’s electoral roll (71%; Figure 2).

Figure 2: Participation in the Treaty Survey by Assembly electoral roll.

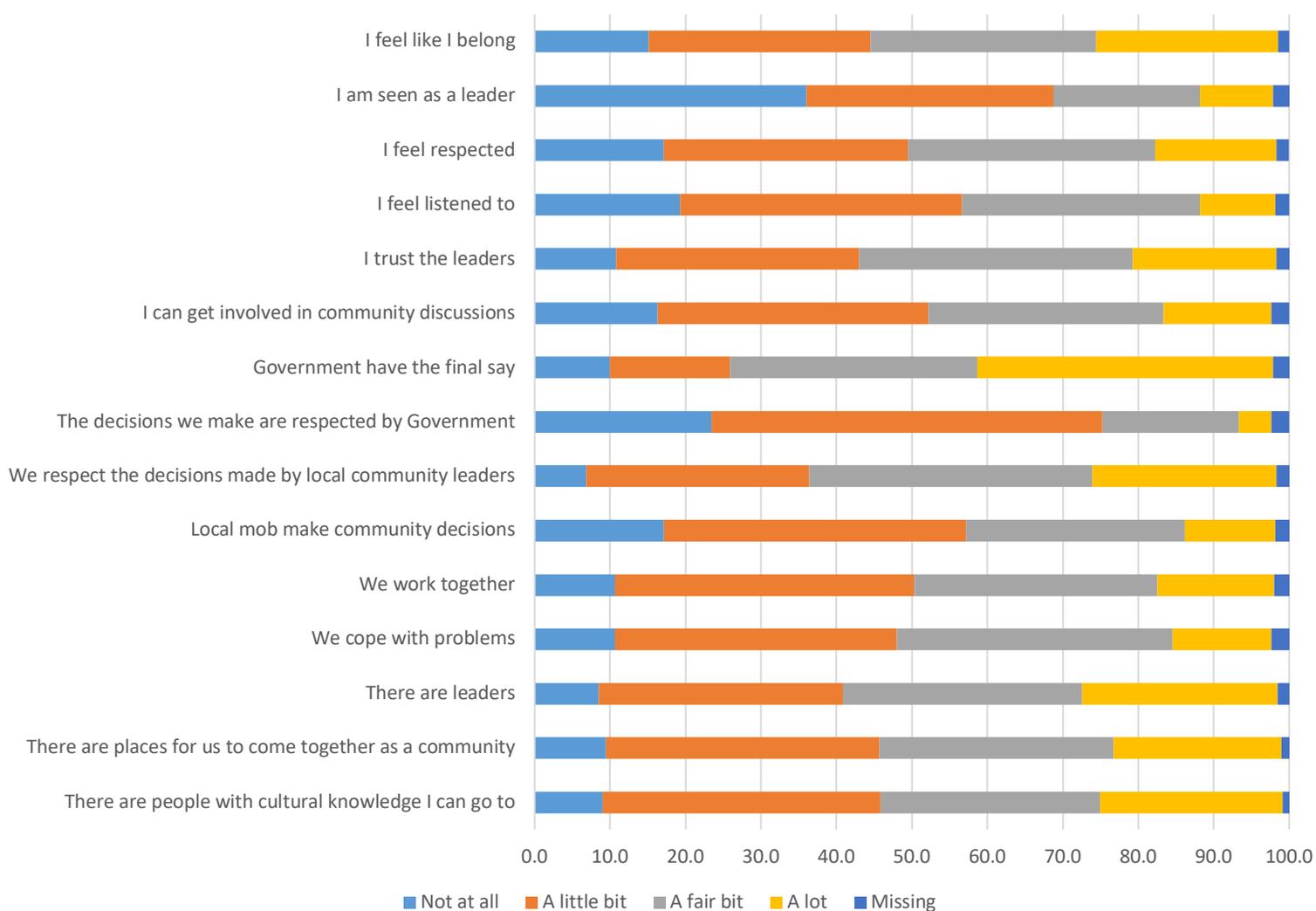


There is a high level of reporting of belonging (**85% a little-a lot**). A similar percentage of people reported feeling respected, listened to, an ability to get involved in community discussions, making local decisions and working together.

The only area with **fewer than 80%** of people providing some level of agreement was that decisions made by community were respected by government (Figure 5).

Figure 5: Treaty Survey participant report of community belonging, participation, trust and decision making.

In the Aboriginal community where I live now...



2. ENGAGEMENT IN VOTING

Of eligible Treaty Survey participants, almost three quarters (74%) voted in the First Peoples' Assembly election, and the majority of people said they feel like their vote counts when they voted in the Assembly election (71% reporting a little bit – a lot). Three quarters of survey participants (74%) indicated they voted in the last elections for Federal and State Parliament, with a similar percentage of people feeling like their vote counts in government elections (65% reporting a little bit – a lot).

Participants feeling like their vote counts differs between voting in Assembly elections and voting in government elections. The proportion of participants reporting their vote counted 'a lot' in the Assembly election (30%) was double that of participants who reported their vote counted 'a lot' in government elections (14%). The reporting of feeling like a participant's vote did not count at all in Assembly (6%) compared to government elections (26%) was almost 5 times less for the Assembly election.

Table 2. Experiences of voting in elections (N=602)

	% (n)
Eligible to vote in First Peoples' Assembly election	
Yes	74.3 (349)
No	25.7 (121)
Total	100.0 (470)
Not enrolled (Not eligible to vote)	19.9 (120)
Missing	2.0 (12)
Feels like vote counts for Assembly elections	
Not at all	5.6 (34)
A little bit	17.3 (104)
A fair bit	23.4 (141)
A lot	30.1 (181)
N/A or Missing	23.6 (142)
Voted in last elections for Federal Parliament	
Yes	74.1 (446)
No	13.8 (83)
Not enrolled	7.3 (44)
Missing	4.8 (29)
Voted in last elections for State Parliament	
Yes	73.8 (444)
No	13.8 (83)
Not enrolled	7.1 (43)
Missing	5.3 (32)
Voted in last elections for Local Council	
Yes	66.3 (399)
No	20.6 (124)
Not enrolled	7.5 (45)
Missing	5.6 (34)
Feels like vote counts for government elections	
Not at all	26.4 (159)
A little bit	35.4 (213)
A fair bit	14.1 (85)
A lot	14.3 (86)
N/A or Missing	9.8 (59)

3. AREAS INDICATED FOR CONTROL UNDER TREATIES

Treaties in Victoria can include areas for Aboriginal and Torres Strait Islander peoples to take back control and decision-making power from the Victorian Government. A community engagement process, informing the survey development, identified areas that Community said are important to self-determination. These areas were included in the survey as options to Question 13, where participants were asked “Should Treaties in Victoria support mob to take control of our own affairs in these areas”.

Table 3 presents the proportion of respondents who support Aboriginal and Torres Strait Islander people having control over different aspects of their lives under Treaties. Support levels between **90% to <95%** are green, and support levels of **≥95%** are yellow.

Participants clearly indicated that Aboriginal and Torres Strait Islander peoples should have control over all aspects of their lives, with support for control ranging between **81%-97%** across all items. The highest levels of support are for Aboriginal and Torres Strait Islander people to have control over truth-telling (**97%**), cultural heritage (**95%**), and traditional relationships with land and waters (**95%**).

In addition, under each topic area, participants could indicate other areas of control under Treaty that are not listed in Table 3. Full free-text analysis is available in **Supplementary File 1**.

Table 3. Level of support for Aboriginal and Torres Strait Islander control

Areas for control under Treaty	% (n)
<u>Money</u>	
Stolen Generations reparation scheme	91.0 (548)
Economic development/trade	90.0 (542)
Ability to choose where government spends money	91.7 (552)
Assistance with home ownership	91.4 (550)
<u>Social Services</u>	
Child protection	90.4 (544)
Family and community safety	94.2 (567)
Housing	92.0 (554)
Evaluation of programs and services	90.9 (547)
<u>Health</u>	
Healthcare	92.0 (554)
<u>Healing</u>	
Truth-telling	96.8 (583)
Reconnecting communities and connecting to culture	94.7 (570)
Fostering young mob to know who they are	94.0 (566)
Trauma recovery (e.g. Stolen Generations)	92.7 (558)
Recognising cultural and spiritual healing practices	94.0 (566)
<u>Law and Justice</u>	
Criminal law	81.2 (489)
Police	81.1 (488)
Courts	82.6 (497)
Aboriginal Law and Lore	92.2 (555)
<u>Country</u>	
Traditional relationships with land and waters	95.2 (573)
Buy-back scheme or land transfers	90.0 (542)
Planning and development approvals	88.2 (531)
Land and water management/Caring for Country	92.5 (557)
Who are Traditional Owners of what Country	90.4 (544)
Aboriginal land and water tax	85.4 (514)
<u>Culture</u>	
Cultural activities/expression (e.g. in education, arts)	94.5 (569)
Cultural heritage	95.3 (574)
Revitalising our cultural knowledge systems	94.5 (569)
<u>Language</u>	
Teaching language in schools	91.7 (552)
Language revitalisation and resourcing	93.5 (563)
Dual naming in language (e.g. places, government departments)	91.2 (549)
School curriculum concerning First Peoples' history	94.7 (570)
<u>Education</u>	
Education campaign for all Victorians on truth-telling	94.9 (571)
Cultural competency training	93.4 (562)
<u>Other</u>	
Confirmation of Aboriginality	89.5 (539)
Community building	93.2 (561)
Tackling racism and prejudice	90.9 (547)
Knowledge and data sovereignty	92.7 (558)

4. UNDERSTANDING OF TREATY

The vast majority of people (**95%**) said that they supported mob having control over their own lives (reporting a little bit – a lot). Also, the vast majority of survey participants (**96%**) reported that they understand what Treaty means (a little bit – a lot). Very few people reported they did not understand what Treaty means (less than **3%**).

Additionally, some survey participants had a view that there were people that they felt did not understand what Treaty means, including:

- **7%** of participants felt that their family does not understand what Treaty means
- **8%** of people felt that their community does not understand what Treaty means

Table 4. Understanding of Treaty (N=602)

	% (n)
I support mob having control over our own lives	
Not at all	3.7 (22)
A little bit	8.6 (52)
A fair bit	19.3 (116)
A lot	67.4 (406)
Missing	1.0 (6)
I understand what Treaty means	
Not at all	3.2 (19)
A little bit	22.8 (137)
A fair bit	40.9 (246)
A lot	32.1 (193)
Missing	1.2 (7)
My family understands what Treaty means	
Not at all	7.1 (43)
A little bit	37.0 (223)
A fair bit	31.2 (188)
A lot	22.6 (136)
Missing	2.0 (12)
My community understands what Treaty means	
Not at all	8.1 (49)
A little bit	40.0 (241)
A fair bit	31.1 (187)
A lot	17.4 (105)
Missing	3.3 (20)

5. STATEWIDE TREATY

Survey participants were asked about their level of support for examples of changes that can be included in a Statewide Treaty (Figure 6). There were four different examples provided in the survey:

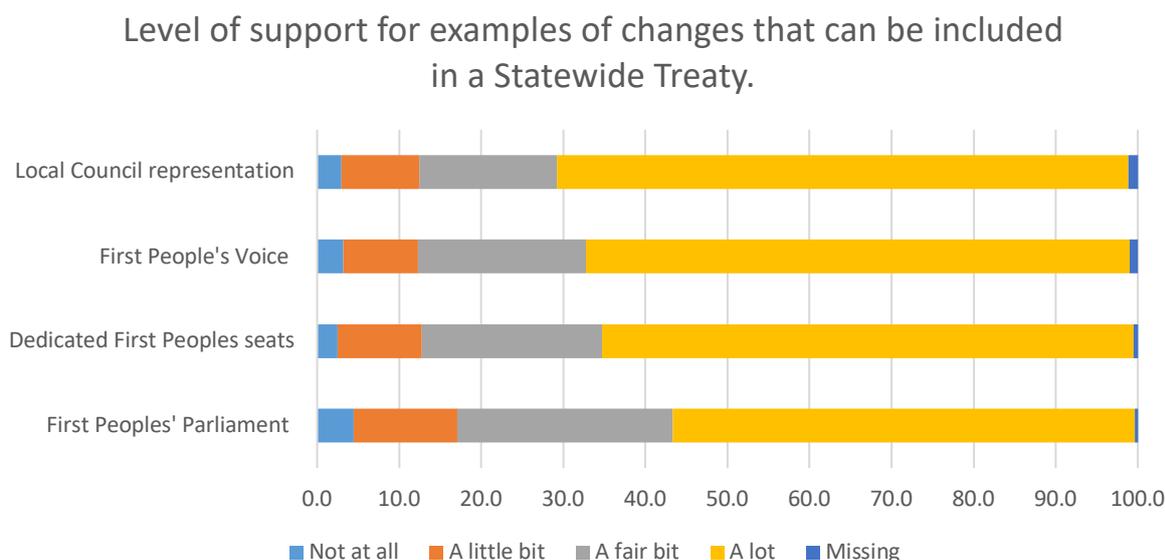
- **Example 1. First Peoples' Parliament of Victoria:** A First Peoples' Parliament, a Black Parliament, elected by mob to make decisions and pass and administer laws on issues that affect mob;
- **Example 2. Dedicated First Peoples' seat/s in the Victorian Parliament:** Dedicated seat/s for First Peoples in the Victorian Parliament can improve First Peoples' representation, participation and influence in the Victorian Parliament;
- **Example 3. First Peoples' Voice to Parliament:** A First Peoples' voice to the Victorian Parliament, which can give advice and input to the Victorian Parliament on any matters that affect mob; and
- **Example 4. Local Council Representation:** Dedicated seat/s for nation/tribal/ clan/Traditional Owner representatives on local council (local government).

There was overwhelming support for all options:

- Overall, **96%** supported local Council representation
- Overall, **95%** supported a First Peoples' Voice to Parliament
- Overall, **97%** supported dedicated First Peoples' seats in the Victorian Parliament
- Overall, **95%** supported a First Peoples' Parliament (Black Parliament)

The key message from this is that there is a strong desire for a structure that returns control to First Peoples in Victoria.

Figure 6: Participant support for examples of changes that can be included in a Statewide Treaty.



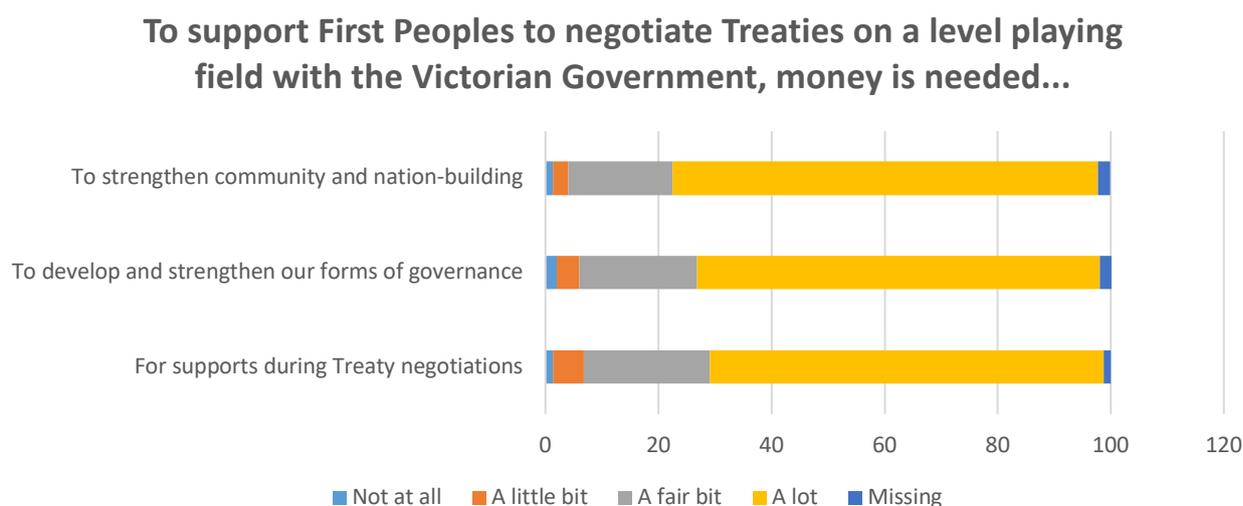
6. SELF-DETERMINATION FUND

When people were asked what money was needed to support First Peoples to negotiate Treaties on a level playing field with the Victorian Government, **97%** said that money was needed for support during Treaty negotiations, **96%** said money was need to develop and strengthen First Nations forms of governance, and **96%** said money was needed to strengthen community and nation-building. There were very low rates of reporting that money was “not at all” needed across these areas (**2% or less**).

Table 5. Self-determination fund (N=602)

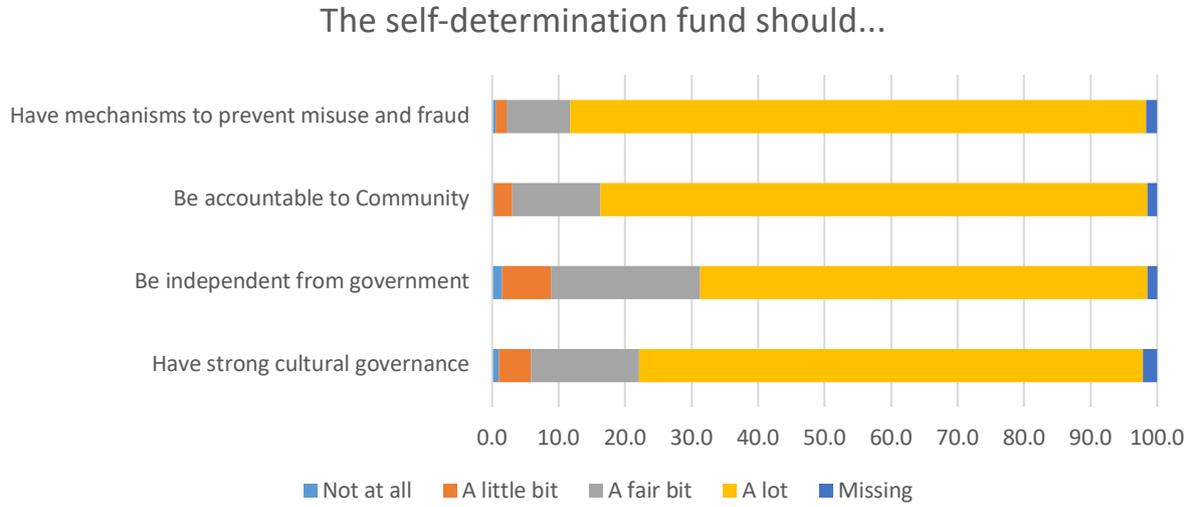
To support First Peoples to negotiate Treaties on a level playing field with the Victorian Government, money is needed...	% (n)
For supports during Treaty negotiations	
Not at all	1.3 (8)
A little bit	5.5 (33)
A fair bit	22.3 (134)
A lot	69.6 (419)
Missing	1.3 (8)
To develop and strengthen our forms of governance	
Not at all	2.0 (12)
A little bit	4.0 (24)
A fair bit	20.8 (125)
A lot	71.3 (429)
Missing	2.0 (12)
To strengthen community and nation-building	
Not at all	1.3 (8)
A little bit	2.8 (17)
A fair bit	18.4 (111)
A lot	75.2 (453)
Missing	2.2 (13)

Figure 7: Levels of support for areas where money is needed to negotiate Treaties.



Participants were also asked about support for how the fund would be managed. There were very high levels of support for all self-determination fund management elements (a little – a lot) of **over 95%** (Figure 8).

Figure 8: Levels of support for self-determination fund management elements.



7. TREATY AUTHORITY

Participants were asked a range of questions about the Treaty Authority’s characteristics (Table 6).

Overall, people agreed that the Treaty Authority should respect Aboriginal Lore, Law and cultural authority, be independent, have secure and ongoing funding, have all First Peoples members, and be accountable to Community. Very few people reported “not at all” to any of the suggested characteristics of the Treaty Authority (<2%).

The highest reported characteristics of the Treaty Authority was that it should respect Aboriginal Lore, Law and cultural authority (82% reporting “a lot”), and that it should be accountable to Community (83% reporting “a lot”).

Table 6. Characteristics of the Treaty Authority (N=602)

<i>The Treaty Authority should...</i>	<i>%(n)</i>
Respect Aboriginal Lore, Law and cultural authority	
Not at all	--
A little bit – a fair bit	15.9 (96)
A lot	82.4 (496)
Missing	--
Be fully independent from Government	
Not at all	1.7 (10)
A little bit – a fair bit	34.2 (206)
A lot	62.8 (378)
Missing	1.3 (8)
Have ongoing, secure funding	
Not at all	1.3 (8)
A little bit – a fair bit	20.1 (121)
A lot	76.9 (463)
Missing	1.7 (10)
Have all First Peoples members	
Not at all	2.0 (12)
A little bit – a fair bit	26.7 (161)
A lot	69.4 (418)
Missing	1.8 (11)
Be accountable to Community	
Not at all	--
A little bit – a fair bit	14.8 (89)
A lot	82.9 (499)
Missing	--

-- represents suppressed cells at ≤5 participants

Participants were also asked a set of questions about the characteristics of Treaty Authority members (Table 7).

People agreed that the members of the Treaty Authority should be fair and impartial, committed to self-determination and empowerment, have good character, courage and integrity, have cultural knowledge, and have technical competence and experience. No more than **five people** reported “not at all” to any of the individual member characteristics.

The highest rated characteristic for Treaty Authority members were that they should be fair and impartial (**86%** reporting “a lot”) and that they should have courage and integrity (**86%** reporting “a lot”).

Table 7. Characteristics of Treaty Authority members

<i>The people who are members of the Treaty Authority should...</i>	<i>% (n)</i>
Be fair and impartial	
Not at all	--
A little bit – a fair bit	12.0 (72)
A lot	85.7 (516)
Missing	--
Be committed to self-determination and empowerment	
Not at all	--
A little bit – a fair bit	12.3 (74)
A lot	85.2 (513)
Missing	--
Have a good character	
Not at all	--
A little bit – a fair bit	14.3 (86)
A lot	83.4 (502)
Missing	--
Have courage and integrity	
Not at all	--
A little bit – a fair bit	11.5 (69)
A lot	86.2 (519)
Missing	--
Have cultural knowledge	
Not at all	--
A little bit – a fair bit	20.8 (125)
A lot	76.9 (463)
Missing	--
Have relevant technical competence and experience	
Not at all	--
A little bit – a fair bit	33.1 (199)
A lot	64.0 (385)
Missing	--

-- represents suppressed cells at ≤5 participants

SUPPLEMENTARY INFORMATION

SUPPLEMENTARY FILE 1 Free-text analysis

An analysis of “other” free-text responses for Question 13 “These are some of the areas that Community have said are important for self-determination. Should Treaties in Victoria support mob to take control of our own affairs in these areas” is below.

Money



The theme “self-determination and agency” includes responses of equal footing, Aboriginal people being involved in all matters concerning them, and exercising autonomy. The majority of text was coded under this theme, with examples of the 27 items including:

- *“Anything to further our equal footing in all matters”*
- *“Areas the concern us mob”*
- *“Complete self-determination”*

Land and country, education, wealth and culture included 11-17 items. Land and country text made reference to managing, planning and tax of land. Examples are:

- *“Land tax”*
- *“Managing country”*
- *“Statutory planning for land use”*

“Education” referred to investment in education, practical training, and truth telling, with examples including:

- *“Education and practical training, we have so many talented people who could help everyone in society as well as their own family by just be given the education to let them succeed”*
- *“Investment in education and cultural development”*
- *“More education in schools for all children that actually TELLS THE TRUTH!”*

The theme of “wealth” relates to the creation and planning of wealth, business development, and trust/wealth funds:

- *“Sovereign wealth funds”*
- *“Initiation of scheme for Trusts for children”*
- *“Prosperity Planning”*
- *“Business development and community development”*

“Culture” as a theme included responses that related to cultural activities and programs, investment in cultural development, and funding to support cultural connection:

- *“Investment in education and cultural development”*
- *“Cultural Activities + Tourism”*
- *“Cultural Programs”*
- *“More funding for spiritual and emotional wellbeing and support to cope with colonisation and cultural connection”*

Social services



The main themes for free-text responses under “Social services” were Children, Self-determination, Education, Services and Mental health (average of 6-5 items of text per theme). Most of the text related to children were discussing and identifying the need for education, Aboriginal shared history, and keeping children in community, including:

- *“Keeping children in home or community”*
- *“Education of our children and about our shared history should be negotiated by our Elders and educators”*
- *“Education and Early Years”*

“Self-determination” as a theme reflected control, having a say, and being proactive through consultation. Example responses include:

- *“Our voice lead all conversations”*
- *“Mob should always be in control”*
- *“Proactive Self-determination through Aboriginal community consultation”*
- *“We should have a say in conjunction with Government”*

“Mental health” included text that highlighted mental and family services and programs that embedded cultural practices and justice.

- *“Mental health and family violence programs and services”*
- *“Mental health programs run our way. Maybe even cultural punishment when required so real koori courts that work rehab and people and family building and support”*
- *“Justice with regard to mental health and section 32 mental health act”*

Finally, the theme of “services” relates to free-text responses that identified disability, homelessness and cultural safety of mainstream services.

Health



The majority of the Health free text were grouped under the themes Mental health, Holistic health and Aboriginal services and therapies (7-6 free text for themes).

Mental health was mentioned numerous times, along with mental health crisis, suicide crisis, social and emotional wellbeing and psychology. Other responses include:

- *“Mental Health Crisis/Suicide Crisis”*
- *“Mental health, drug abuse, Indigenous health care workers”*
- *“Social and emotional wellbeing”*

Holistic health text related to the holistic nature of health for Aboriginal people, not merely a disease focus. The text included spiritual health, wellbeing and Aboriginal people knowing the full picture of their health:

- *“Not just disease focussed”*
- *“Only Aboriginal / TSI fully know the probs”*
- *“There needs to be done to help us mob to heal not only our own trauma but generational trauma., on a physical, emotional and spiritual level & ongoing not just a one off or one term of finance”*
- *“Well-being/ Spirituality”*

Aboriginal services and therapies text related to services and therapies that were more appropriate to Aboriginal people and their context.

- *“Aboriginal community-controlled health services”*
- *“First Nations Hospital”*
- *“Indigenous therapeutics”*

Healing



The “Healing” free-text responses fell into the themes Holistic and inclusivity (9 free text), Connection to country (5 free text), Culture (5 free text), and Healing spaces and practitioners (5 free text).

“Holistic” responses related to holistic wellbeing approaches including both men and women in relationship breakdowns, understanding the connection between emotional and social wellbeing and recognition of Aboriginal history. “Inclusivity” responses related to reconnecting people, family and community groups, incarcerated people and children experiencing trauma, recognising that these elements are all related to healing. Examples include:

- *“Holistic wellbeing”*
- *“More involvement with reconnecting and acknowledgement”*
- *“Recognition of the true ABL history”*
- *“Support for incarcerated peoples”*
- *“This needs to be planned and implemented with each local family/community group”*
- *“Trauma recovery for children who have been removed especially grief and loss”*

“Connection to Country” responses related to rights, respect, use of, and caring for Country as healing for Stolen Generations. Examples of responses include:

- *“Respect for Mobs and Country”*
- *“Rights to decide for country”*
- *“We need a way to adopt stolen generations and allow them the opportunity to care for country too like the TOs can”*

The “culture” text related to the integration of culture into healing as a strategy, and to include young people, men’s and women’s business into the area of culture as healing.

- *“Cultural revival for healing. (Strategy)”*
- *“We need to focus on our healing through our culture. cultural programs, schools, healing centres”*
- *“Young mob should be encouraged to learn culture”*
- *“Men’s business and Women’s business”*

“Healing space and practitioners” responses focused on healing therapies and therapists, and creating spaces for the healing to occur.

- *“Need More Healing Places in vic”*
- *“Getting spirit healers into Victoria hospitals”*
- *“special places recognised as their own entity”*
- *“Therapies that will benefit mob, like group healings for all and wellness centers focused around what we need to heal”*

Law and justice



Responses for “Law and Justice” relate to Aboriginal legal and justice system (13 free text), Systems changes (12 free text) and Policy and programs (5 free text).

Examples include Aboriginal representation in the legal and justice system as the judicators and decision makers, protection and Aboriginal institutions:

- *“Aboriginal justice system / Youth detent options”*
- *“Aboriginal Ombudsman + Office”*
- *“Aboriginal Supreme Court”*
- *“Should be made by First People & government, have second say. Consulting with all our peoples”*
- *“Governance, independent accountability and review mechanisms”*
- *“Protection of our Aboriginal workers and government positions (workplace systemic bullying within the department of justice”*

There were mixed responses for First Nations-specific laws:

- *“Do not want separate Aboriginal laws but integration of laws that have a positive impact on all society”*
- *“Need for Indigenous Legal system solicitors & Barristers”*

People also identified issues with the current legal and justice systems:

- *“How can mob move forward with the treaty process when more of our mob are being put in the system and dying while in custody?”*
- *“Systems change related text looks at changes to the system that includes accountability, representation and governance mechanisms”*
- *“Legal System must be Accountable for Crimes against Us Mob over the past 230+ years & ongoing !”*

- *“Jail Systems over representation of our own mob”*
- *“Judicial System accountability”*

The Policy and program text was focused on government policy and best practice, international influence and the implementation of programs relevant to law and justice issues.

- *“Government policy and best practice”*
- *“International/ global issues and immigration”*
- *“Intervention Programs, education rehabilitation programs”*

Country



Survey participants responded with free text for the area of “Country” that related to the themes Caring for country (5 free text), Aboriginal decision making and management (4 free text) and Financial benefits (2 free text) predominantly.

Caring for country themed text related to land management and the relationship with country.

- *“Traditional owners working with non-indigenous farm and land owners, land regenerative practices, native plant and animal protection and regeneration”*
- *“Relationship with Country for those “off-Country””*
- *“Teaching people the value of our waterways”*
- *“Yes, we know land best”*

Aboriginal decision making and management theme links text that relates to management arrangement of parks and areas that require change.

- *“Support current and future TO's with co-management of parks with the state”*
- *“Should ban 100 year leases”*
- *“Shouldn't have to pay council rates”*

Text themed as Financial benefit related to transaction of money for Country related issues.

- *“Treaty = financial Compensation”*
- *“We need to be shown in a basic manner the value of money through elders educators”*

Culture



Free text for the area of Culture fell into the themes of Recognition and valuing culture (14 free text), Culture in education (7 free text), and Aboriginal arts (3 free text). The theme “Recognition and valuing culture” related to the wider Australian context, heritage and land protection, support for communities, and respecting Elders:

- *“Community integration with non-Aboriginal peoples, i.e. show how can create a culture that supports everyone no matter their background, many new Australians have escape bad places to seek a better place to live and raise family and we should help integrate them as well into our culture”*

Other free-text responses include:

- *“Wider Australia needs to be Educated on Aboriginal culture - I'm tired of white fellas expecting me to educate them”*
- *“Revitalise country & community connections”*
- *“Recording / Digitising - protecting cultural heritage artefacts (e.g. Rock art)”*
- *“directory for everything cultural”*
- *“These need to be by respected and recognised Elders not someone who says they are or the Government just hangs a title on”*
- *“Support our cultural events NAIDOC, local-regional & state cultural gathering, support our Elders over 70 with cultural engagement”*
- *“Knowledge all Clan groups and not what the Government has said”*

Text relating to “Culture and education” refers to how culture is integrated into the education system and how the broader population increases their knowledge and awareness of Aboriginal culture.

- *“Cultural learning in school for ALL”*
- *“Koori Education”*
- *“Teach all pre & Primary school children about First Nations/First Owners of Australia”*
- *“The re-writing of Dreaming stories told to non-Indigenous anthropologists etc. to be written up by our own and published as school kits with a manual for teachers to understand how they are metaphors or parables for life principles and values”*

Aboriginal arts free-text examples links to festivals and music as a vehicle to showcase culture in different settings:

- *“More arts and culture for all schools”*
- *“More festivals”*
- *“Music and Theatre with culture similar to Bangarra”*

Language

Teaching language Use of language

Accessibility to language

Free-text response to “Language” fell into three themes: Teaching language (14 free text), Use of language (12 free text) and Accessibility to language (6 free text).

Teaching language relates to platforms that language is taught, promoted and learning language is supported:

- *“Special schools set up”*
- *“Spaces for Aboriginal language >teaching Aboriginal family, adults”*
- *“Support local Koori Community with language”*
- *“Teaching Elders learn to speak so they can pass it on in traditional way”*
- *“Training more language experts”*
- *“Workforce planning for language teachers”*

Use of language related free text had a focus on current practices of using language in Victoria:

- *“Not always DUAL NAMING most should be just mob Language!”*
- *“Language needs to be done respectfully that in certain areas one word can mean many differing things”*
- *“Many shows on TV i.e. Landline and Gardening Australia acknowledge Country. It would be great if there was a verbal recognition with the correct pronunciation. Only a small step but I feel if wider Australia hears language and countries names it will help!”*
- *“Streets and suburbs should be renamed to get rid of all the English names”*

Lastly, accessibility of language was a broader theme around ways to access language and resources that would be useful to learn, speak and write language:

- *“Every First Nations to be resourced for language”*
- *“A central directory line for all contacts of language”*
- *“3D/4D Animation, Augmented Reality”*
- *“Build language into everyday activities”*
- *“Courses in a First Nations language through TAFE”*

Education



Free text for Education has text themed under Systems change (10 free text), Indigenise the curriculum (9 free text), Cultural safety (6 free text) and School models (6 free text).

Responses for “Systems change” related to certification and recognition of cultural educators and community advisors, and mandatory cultural competency training:

- *“Certification for Koories to teach First Nations History”*
- *“Community advisors walk beside the system of education”*
- *“Elevate the number of Aboriginal teachers/story tellers”*
- *“Formal cultural programs outside of the school system”*
- *“Mandatory cultural competency, legislative and policy understanding for all incoming and existing Ministers”*
- *“More Education and mentoring by Indigenous Elders for teachers etc.”*

Indigenising the curriculum referred to integrating culture and Aboriginal history into the curriculum. Free-text responses include:

- *“Better curriculum around first peoples in Victoria that Elder can engage with schools to tell those stories, not form non-Aboriginal teachers”*
- *“Curriculum must also include shared history. As well as public servants which must include police, medical and mental health professionals and members of the judiciary must also undertake cultural competency training”*
- *“Koorie Pedagogies”*
- *“Indigenous knowledge and knowing”*

The theme of Cultural safety related to text that drew on cultural competency and awareness training in the education context, including workplaces.

- *“Cultural competency training for all workplaces”*
- *“Not just tick-a-box for Cultural Competency - must understand it and be able to implement where needed. Must be tested and the skillset proven”*

School models as a theme included text that related to models of schooling that were more appropriate and relevant to Aboriginal people and their ways of learning:

- *“Development of Aboriginal Schools as alternate for mobs. State camps that connects young mobs, like old camp jungia”*
- *“Build our own cultural centres teaching Culture and heritage to our own people”*
- *“Bring back Koori Core Schooling it is wonderful for Autistic and separated children”*

Other



The Other area free text in the survey themed the majority of the text under Aboriginal identity (16 free text), Addressing racism (7 free text), Inclusivity (4 free text) and Support stolen generations (2 free text).

Aboriginal identity mainly drew on text that identified Confirmation of Aboriginality aspects such as process, considerations and impacts on access to services:

- *“Aboriginality no cards no bullshit stolen gens have enough problem's”*
- *“COA - Nations as well”*
- *“C.O.A must not become a prejudice locking non-Victorian mob out of services, funding, and programs”*
- *“Explaining that Aboriginal heritage means little without interaction with community”*
- *“I think we need to take control of who can De-identification people who are saying they are Aboriginal when they are not as DHHS are doing it for us”*
- *“Make it easier to get confirmation of Aboriginal Confirmation, this is not easy, I'm having trouble trying to get 2 Aboriginal people to sign my grandchildren's letters to apply as we don't have a group in our town”*

Text grouped under the theme Addressing racism was consistently saying just this, that systemic and structural racism needs to be addressed, and shouldn't fall onto Aboriginal peoples shoulders to do this work. Examples include:

- *“Tackling racism and prejudice with relevant assistance & resourcing”*
- *“Tackling racisms and prejudice should be the responsibility of White fellas. we didn't create it, nor is it our responsibility to make them reflect on their own guilt and ignorance”*
- *“I want settlers to do better and step up to be better allies so we don't have to navigate tackling racism on our own”*
- *“I don't think it should be up to us to tackle racism. The wider community need to come to terms with it by themselves. I believe They will embrace our culture once they are educated more which in turn will tackle racism”*

Inclusivity themed text related to the inclusion of all Aboriginal people, even with multi-cultural heritage.

- *“Inclusion of mob from other states”*
- *“Language Koorie / Vic: Should not belong to one Aboriginal private company VACL = Too much fighting Ownership belongs to each Clan / Mob and must be open not blocked by feuding Elders”*

- *“Need to also teach Aboriginal people how to integrate in multi-cultural society. My family is mixed heritage and were also victims of the times as well, being sent to this land for minor crimes, yet certain "protest" groups want to blame everyone who is not Aboriginal for the wrong doings. We should be above this blame game and show how Aboriginal culture has respect for everyone and setting the standards for our younger generations to follow”*

The theme Support for Stolen Generations grouped text that related to acknowledging that the topic of identity is a hard topic for people who are Stolen generations and a difficult journey:

- *“Within understanding this is an emotional & sometimes difficult journey for Stolen Gens”*
- *“unsure - many still lost”*



FIRST PEOPLES'
ASSEMBLY OF
VICTORIA



TREATY
FOR VICTORIA