

Advancing the Victorian Treaty Process

Annual Report 2019-20



VICTORIA
State
Government



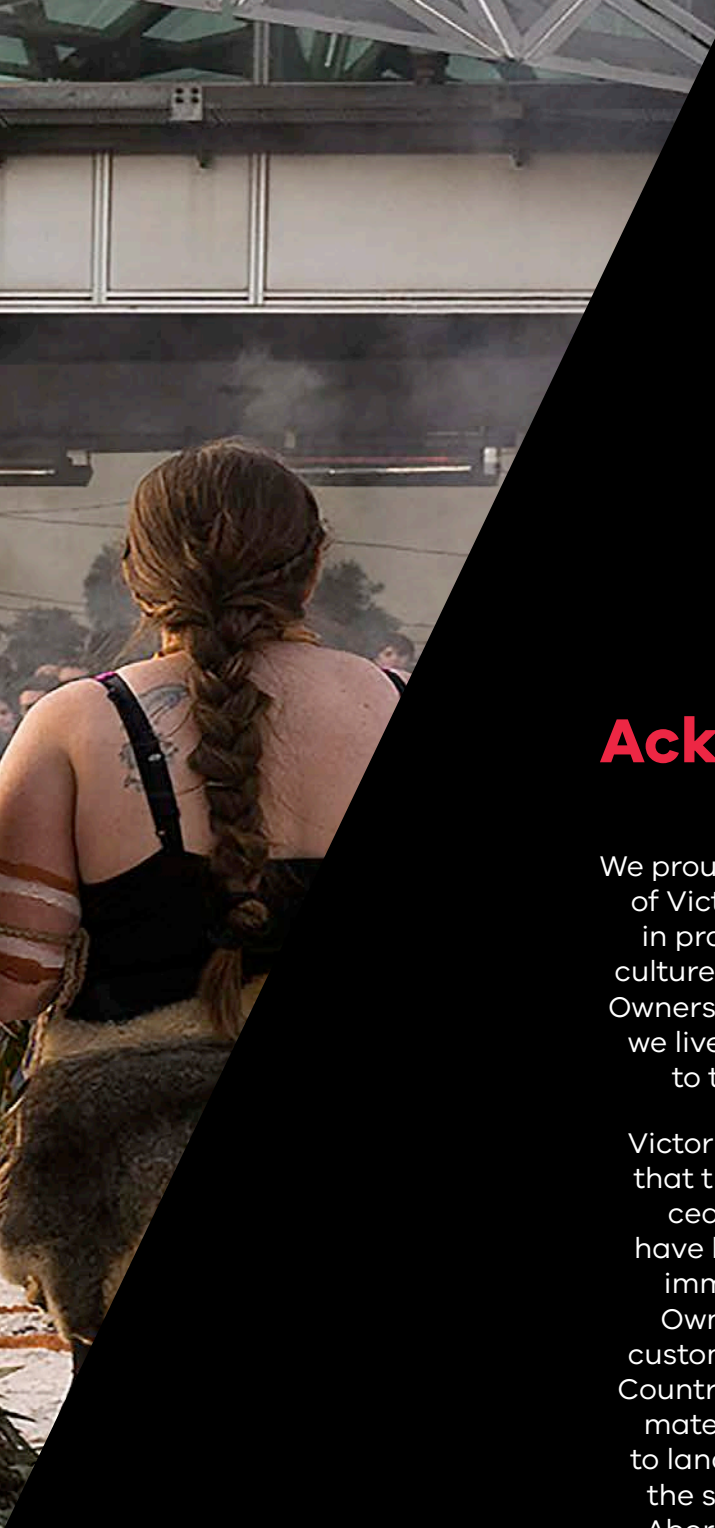
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Aboriginal readers are advised that this document may include photos, quotations and/or names of people who are deceased.





Acknowledgement

We proudly acknowledge the First Peoples of Victoria and their ongoing strength in practising the world's oldest living culture. We acknowledge the Traditional Owners of the lands and waters on which we live and work and pay our respects to their Elders past and present.

Victorian Traditional Owners maintain that their sovereignty has never been ceded, and Aboriginal Victorians have long called for treaty. From time immemorial Victorian Traditional Owners have practised their laws, customs and languages, and nurtured Country through their spiritual, cultural, material and economic connections to land, water and resources. Through the strength, resilience and pride of Aboriginal Victorians, their cultures, communities and economies endure and continue to grow and thrive today.

The State acknowledges the diversity of Aboriginal Victorians, their communities and cultures, and the intrinsic connection of Traditional Owners to Country.

Statutory context and reporting requirements

In August 2018, the *Advancing the Treaty Process with Aboriginal Victorians Act 2018* (Treaty Act) became law, having passed through both houses of the Victorian Parliament in June 2018.

Under the Treaty Act, the Minister for Aboriginal Affairs is required to prepare an annual report on the work of the State in advancing the treaty process. The reporting requirements are set out in Part 8 of the Treaty Act.

This document constitutes the Minister's annual report for the 2019-20 financial year.

On 9 December 2019, the First Peoples' Assembly of Victoria (Assembly) was declared to be the Aboriginal Representative Body in accordance with section 11 of the Treaty Act. Part 8 of the Treaty Act also requires the Assembly to report annually on its work in advancing the treaty process.

The Assembly's annual report will be a separate document.

These reporting requirements ensure that the Assembly and the State are transparent in their work to advance treaty in Victoria.





Message from the Minister



I am honoured to be the Minister for Aboriginal Affairs in Victoria – a state that is leading the nation in treaty. This is something all Victorians can be proud of, but there is a lot of work to do.

In 2018, Victoria passed the first piece of treaty-related legislation in Australia's history. Since then, there have been significant steps to advance the treaty process, including the establishment of the Assembly and the announcement of a formal truth and justice process to recognise historic wrongs and ongoing injustices against Aboriginal Victorians.

A treaty is the first step in common understanding and walking forward together. Our path to treaty is about realising our collective ambitions for a shared future to which all can aspire.

I want to acknowledge the work of the Assembly, the first democratically elected body of Aboriginal Victorians in the state's history, which is working in partnership with the Victorian Government to establish the elements required to support future treaty negotiations.

I would like to thank the former Minister for Aboriginal Affairs, Gavin Jennings, for his unwavering dedication to providing better outcomes for the Aboriginal community and progressing treaty in Victoria. His commitment to working towards a future where Aboriginal people are healthy, safe and thriving is inspirational. I would also like to thank the former Minister for Aboriginal Affairs and former Parliamentary Secretary for Treaty, the Hon. Natalie Hutchins, whose support and commitment to delivering treaty has been exceptional.

As Minister for Aboriginal Affairs, I am committed to acknowledging the past wrongs committed against Aboriginal communities and how they have shaped Victoria. At a time when the world is calling for change, we need to recognise that racism and injustice has no place here.

In July 2020, the Assembly and the Victorian Government announced a truth and justice process to formally recognise historic wrongs, and past and ongoing injustices, against Aboriginal Victorians. This process will be the first of its kind anywhere in Australia and represents a significant step forward on Victoria's path towards treaty.

Reckoning with past injustices is unlikely to be easy, but it has the potential to be a healing and unifying process for Aboriginal Victorians and to reset the story and foundations of our state. Victoria is now the first and only jurisdiction to have actioned the 'treaty' and 'truth' elements of the Uluru Statement from the Heart. Our commitment to formal truth-telling builds both on our state's nation-leading work on treaty and on Victoria's redress scheme for Stolen Generations members, which was announced in March 2020.

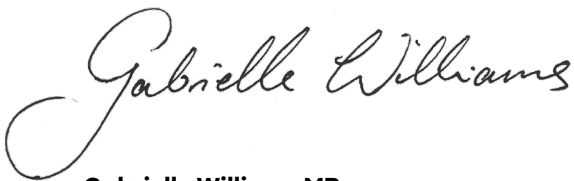
We as a government have a vital role to play in building and sustaining new relationships. An effective treaty process requires a fundamental reshaping of the relationship between the State and Aboriginal Victorians, to which we are wholly committed. In partnering with the Assembly in the next phase of the treaty process, we must respect the Assembly's voice as the representative of Aboriginal Victorians and operate in good faith to build and sustain momentum towards treaty.

The dispossession of Aboriginal Victorians as a result of colonisation has had lasting, intergenerational impacts which continue to be felt today. Against this history, building and strengthening the Aboriginal community's trust in government is paramount. We as a government are determined to do our part to right these wrongs, as shown through our genuine commitment to self-determination and being a fair and model treaty partner.

Negotiating treaty or treaties will take time, but as a government we have a responsibility and we are determined and committed to achieving this. It is vital that we develop a stronger understanding of the issues facing Aboriginal Victorians.

I'm looking forward to continuing on this journey with all Victorians to deliver the nation's first treaty.

As Victorians we all have a part to play in reconciliation and we understand that treaty is a historic step forward in the right direction. Our progress towards treaty is unprecedented in Australia and is an outstanding achievement – one that we should all be proud of. Through this process, we must keep listening to, and being led by, Aboriginal people and communities. This is the time for all Victorians to come together to ensure a more equitable and just future for generations to come.



Gabrielle Williams MP

Minister for Aboriginal Affairs

Minister for Prevention of Family Violence

Minister for Women

Annual Report





The Victorian treaty process – three phases overview

In response to ongoing calls from Aboriginal Victorians, the Victorian Government committed to pursuing treaty in 2016. Since that time, Victoria has been leading the nation to progress treaty and advance Aboriginal self-determination in partnership with Aboriginal Victorians. Victoria is currently in Phase 2 of a three-phase process towards treaty.

Phase 1 – Establishing an Aboriginal Representative Body

Phase 1 began with the Victorian Government's commitment to treaty. Since then, we have seen:

- extensive community consultation
- appointment of a dedicated Victorian Treaty Advancement Commissioner
- launch of Deadly Questions, an award-winning campaign to build public awareness and support for treaty
- passage of the Treaty Act, Australia's first treaty legislation
- establishment of the Assembly, the first statewide, democratically elected representative body for Aboriginal Victorians in the state's history.

On 9 December 2019, on the recommendation of the Victorian Treaty Advancement Commissioner, the former Minister for Aboriginal Affairs, Gavin Jennings declared the Assembly to be the Aboriginal Representative Body. This declaration, via a notice in the Victorian Government Gazette, satisfied the Minister's obligations under the Treaty Act to recognise the Assembly as the State's partner in the next phase of treaty. This signified the completion of Phase 1 of the treaty process.

The Advancing the Treaty Process Annual Report and Plan 2018-19 describes the work undertaken in Phase 1 in further detail.

WE ARE HERE

Phase 2 – Developing a treaty framework

Phase 2 commenced in December 2019, following the Assembly's declaration as the Aboriginal Representative Body. As the Aboriginal Representative Body under the Treaty Act, the Assembly is the sole representative of Aboriginal Victorians responsible for working with the State to establish elements necessary to support future treaty negotiations.

The Assembly and the State are working in partnership in Phase 2 to establish by agreement a Treaty Authority, treaty negotiation framework and self-determination fund. The Assembly and the State must also agree to a dispute resolution process to apply to disputes arising in Phase 2. Together, these four elements are referred to throughout this document as the treaty elements.

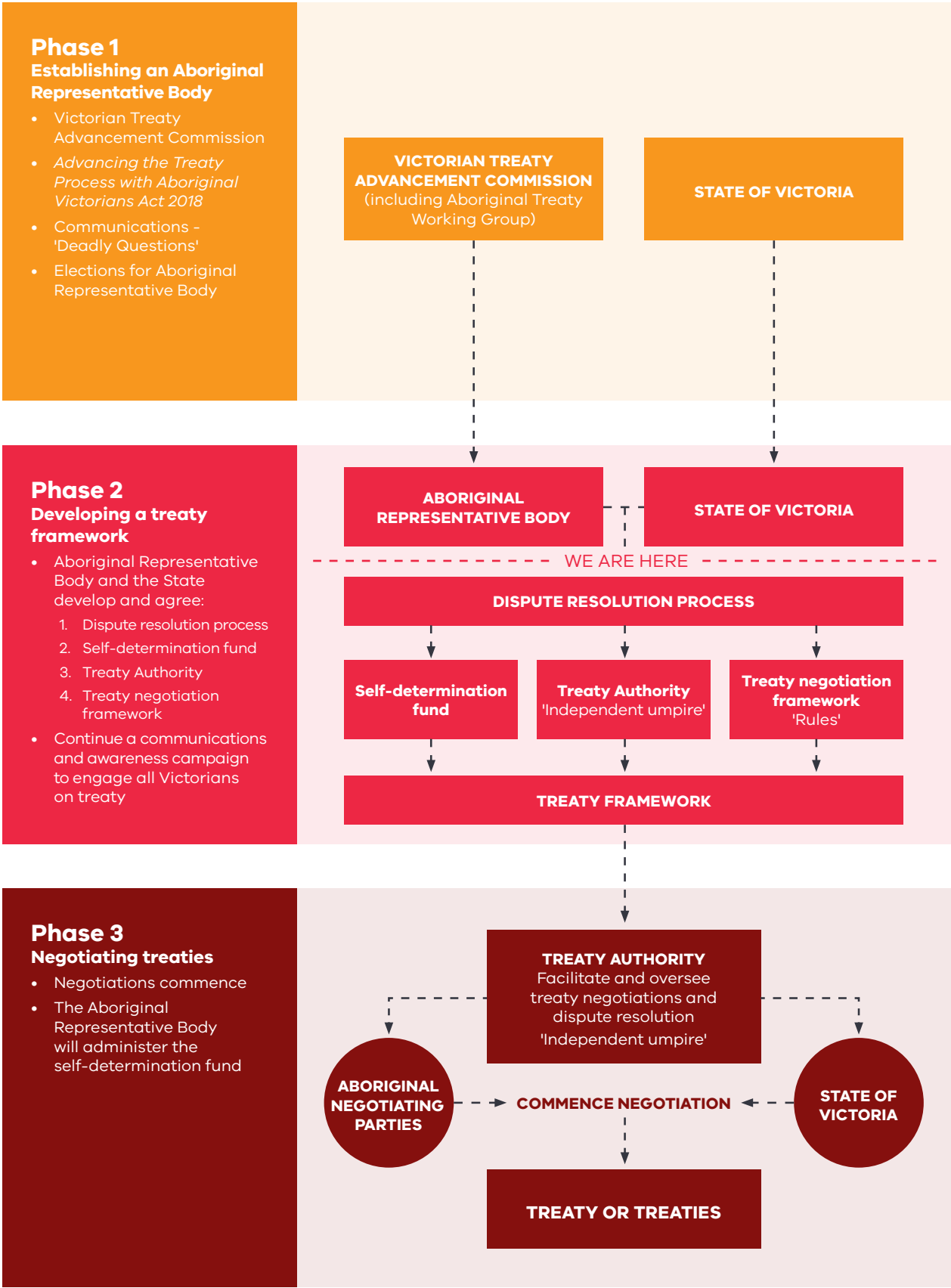
Phase 2 will not involve the negotiation of a treaty or treaties, as this is not the function of the Aboriginal Representative Body. Instead, through the treaty negotiation framework, the Assembly and the State will likely determine the Aboriginal parties that will have standing to negotiate a treaty or treaties with the State in Phase 3.

Phase 3 – Negotiating treaties

Phase 3 will commence once the State and the Assembly have established the treaty elements by agreement. Phase 3 will comprise of treaty negotiations with Aboriginal negotiating parties, to be determined through the treaty negotiation framework.

As set out in the Treaty Act, the treaty negotiation framework must provide for the negotiation of a treaty or treaties that recognise historic wrongs, support reconciliation and have positive impacts for Victoria, among other matters. What this might look like, and any other content of a future treaty or treaties, will be subject to negotiation between the parties to any treaty or treaties.

During Phase 3, the self-determination fund will play a critical role in supporting Aboriginal negotiating parties to have an equal standing with the State in treaty negotiations.



Note: there may be many different Aboriginal negotiating parties which work within the rules of the treaty negotiating framework, representing entities such as clans or nations.

Establishing a representative body for Aboriginal Victorians

Consulting with community to establish an Aboriginal Representative Body

The office of the Victorian Treaty Advancement Commissioner was established in December 2017. Ms Jill Gallagher AO commenced as Commissioner in January 2018 and served as Commissioner until January 2020, after the Assembly was declared to be the Aboriginal Representative Body under the Treaty Act. The Victorian Treaty Advancement Commission supported the Commissioner, whose role was to:

- establish the Aboriginal Representative Body, based on recommendations from the Aboriginal Treaty Working Group and the Community Assembly
- undertake consultations with Aboriginal communities and organisations across Victoria on the treaty process and the establishment of the Aboriginal Representative Body
- maintain momentum of the treaty process
- provide advice and research to government and Aboriginal communities on the treaty process
- keep the public updated on the Commission's work.

The Commissioner led extensive engagement with Aboriginal communities across Victoria, as detailed in the Advancing the Treaty Process Annual Report and Plan 2018-19. In February 2019, the Commissioner announced the final design of the Aboriginal Representative Body, along with the body's name – the First Peoples' Assembly of Victoria.

Holding the election for the Assembly

Throughout 2019, the Commission prepared and oversaw a statewide election process for the Assembly's 21 general seats. The election process officially commenced in May 2019 and was finalised with the announcement of the results in November 2019.

Enrolments to the Aboriginal Electoral Roll for the Assembly election opened on 10 May 2019. Eligibility was open to Aboriginal and Torres Strait Islander people aged 16 and over, who were either Traditional Owners of country in Victoria or had lived in Victoria for at least three of the past five years. Candidate nominations for those seeking to be elected as representatives opened on 27 May 2019. Only Victorian Traditional Owners were eligible to nominate as candidates.

The election took place between 16 September and 20 October 2019, with voting available online, by post and in person at designated electoral booths.

In parallel to the Assembly election process, Victoria's formally recognised Traditional Owner groups undertook their own internal processes to select a representative for their reserved seats on the Assembly. The Victorian Government offered funding to support these processes, to ensure formally recognised Traditional Owner groups were able to hold robust and inclusive selection processes.

Confirming Victorian Traditional Owners elected to the Assembly

On 4 November 2019, in a historic moment for Victoria, the Commissioner announced the 21 inaugural elected members of the Assembly. On 15 November 2020, the Commissioner also announced 10 reserved seat members appointed by formally recognised Traditional Owner groups. One formally recognised Traditional Owner group decided not to nominate a member for its reserved seat.

The Assembly is comprised of 31 members to reflect the diversity of Aboriginal Victorians, with 21 members elected by Aboriginal Victorians across five voting regions and 10 members appointed by formally recognised Traditional Owner groups. Details of all Assembly members are available on the Assembly's website.

Each Assembly member is responsible for ensuring the views of Aboriginal Victorians continue to inform the treaty process. Elected members represent Aboriginal Victorians within their respective regions, while reserved seat members represent members of their Traditional Owner groups.

Supporting the Assembly through its transitional phase

After the completion of the Assembly election, the Assembly quickly got to work, supported by the Commission. The Assembly was declared to be the Aboriginal Representative Body on 9 December 2019. On 10-11 December 2019, the Assembly held its first meeting.

The Assembly's first meeting was held in the Victorian Parliament's Legislative Council, which had been modified to reflect the cultural business taking place there. The meeting was live-streamed to ensure Aboriginal Victorians – and all Victorians – had the opportunity to witness and share in this historic moment. At the meeting, the Commissioner provided an overview of the Assembly's role and invited Assembly members to provide introductory statements. Assembly members spoke proudly of what it means to them to be elected to represent their families and communities, their respective journeys to that point and their future aspirations for the treaty process. The Assembly's first meeting was also an opportunity for members to elect the Assembly executive and co-chairs.

After the Assembly's establishment, the Commission began winding down, while supporting the Assembly to transition into its full operations. The Commissioner officially completed her duties on 10 January 2020, after her tireless work resulted in the successful establishment of the Assembly.

Preparing the Victorian Government to be a model treaty partner

Victoria is proudly leading the nation with its commitment to treaty and advancing Aboriginal self-determination. This commitment requires an agile and innovative public service, across all levels, to lead challenging conversations and drive new ways of thinking and operating.

Reforming government to support self-determination

The Victorian Government committed to treaty as necessary for supporting self-determination in Victoria. Future treaties could provide a mechanism through which the State can transfer decision-making power and resources to Aboriginal communities. However, separate to the treaty process, the government has begun comprehensive reform to implement its broader commitment to self-determination to ensure it can effectively respond to the aspirations of Aboriginal Victorians.

The State's approach to whole of government self-determination reform is set out in the Victorian Government's Self-Determination Reform Framework. The framework guides the Victorian Public Service (VPS) to undertake systemic and structural transformation to enable self-determination, as committed to in the Victorian Aboriginal Affairs Framework 2018-2023. The Self-Determination Reform Framework requires all departments to undertake actions across the domains of people, systems, outcomes and accountability in order to progress the Victorian Aboriginal Affairs Framework's self-determination enablers, which are:

- prioritise culture
- address trauma and support healing
- address racism and promote cultural safety
- transfer power and resources to communities.

The Self-Determination Reform Framework provides the architecture for whole of government transformation and for this way of thinking to become part of operations. Departments report annually on their work and consider opportunities to progress along a continuum towards self-determination. The whole of government Self-Determination Reform Framework Report will be included as a standalone section of the Victorian Government Aboriginal Affairs Report, tabled in Parliament annually. The Victorian Government will need to continue to transform in this way as it prepares to respond to treaty.

Building government's capacity to conduct itself as a model treaty partner

Treaty presumes a particular kind of relationship; one of political equals coming together to formalise relationships and commit themselves to shared rights and obligations. The Treaty Act envisions a 'renewed and matured relationship' which is 'one of equal partnership, founded on mutual respect'.

The State has committed itself, through the Treaty Act, to a pathway towards treaty and a standard of conduct. The Treaty Act sets out guiding principles which will apply to all parties in the treaty process, including government. The principles are:

- self-determination and empowerment
- fairness and equality
- partnership and good faith
- mutual benefit and sustainability
- transparency and accountability.

Phase 2 of the treaty process, and the establishment of the Assembly – as an independent representative body for Aboriginal Victorians – requires the Victorian Government to demonstrate this commitment through its relationship with the Assembly. Working effectively in partnership with the Assembly requires systemic change, both within government and between government and Aboriginal communities.

Appointing a coordinating minister for treaty

To lead this change, the Minister for Aboriginal Affairs has taken on the role of coordinating minister for treaty. In this role, the Minister leads engagement with the Assembly on behalf of the State, oversees discussions on the treaty elements and ensures the State conducts itself as a good treaty partner in its dealings with the Assembly.

As coordinating minister for treaty, the Minister also oversees whole of government participation in Phase 2 treaty discussions. A collaborative, whole of government approach is required to adequately deliver the State's aspirations for treaty, identify the State's diverse interests and respond to the aspirations of Aboriginal Victorians, as represented through the Assembly.

Creating interdepartmental treaty networks

A Treaty Interdepartmental Committee, comprised of a senior representative from each Victorian Government department, operates to share information amongst departments and provide advice on procedural and substantive issues relevant to the treaty process.

Interdepartmental treaty networks have also been established across communications and policy areas. These networks consider treaty policy and communications initiatives, deliver departmental-specific treaty work and ensure that there is engagement across departments. The networks set the foundation for strong whole of government coordination. Collaboration training has also been delivered to departmental representatives. Ongoing collaboration will ensure the public service can deliver effective whole of government work on treaty.

Engaging the VPS on the path to treaty

Since 2019, a series of strategic events and targeted communications have been delivered to educate and engage VPS employees during Phase 2 of the treaty process.

In November 2019, the Secretaries Leadership Group on Aboriginal Affairs endorsed treaty content to be displayed in a permanent location on each department's intranet site. This has been used as a tool to update staff and ensure there is continued awareness and support for treaty as it progresses. In addition, departmental Secretaries have regularly updated VPS staff on treaty milestones.

Interdepartmental events have also been held to provide a deeper understanding of the issues facing Aboriginal communities and to further

educate VPS staff on the importance of being on the path to treaty alongside Aboriginal Victorians.

The Deadly Event series commenced on 9 August 2019 on the International Day of the World's Indigenous Peoples. The series began with screenings of *The Australian Dream*, a powerful documentary written by Stan Grant about race, identity and belonging told through the prism of Adam Goodes and his final years in the AFL. A Deadly Questions panel followed each screening, with Aboriginal VPS staff leading the conversation around how the VPS can work towards treaty.

In addition to the event series a range of treaty presentations have been delivered to VPS employees. These presentations have included:

- the keynote address at Department of Premier and Cabinet (DPC) all staff mid-year forum, provided by former Commissioner Jill Gallagher AO
- presentation at the Department of Education and Training all staff forum
- presentations for the Department of Health and Human Services all staff forum and Aboriginal staff network
- presentations for departmental Boards of Management
- participation in the VPS human rights week panel discussion
- a presentation to the Department of Environment, Land, Water and Planning during NAIDOC week
- a presentation to board members of water corporations.

DPC will continue to run events to engage and educate the VPS on treaty matters.

Deadly Questions, a public facing communications campaign was launched by the Victorian Government in 2018. Deadly Questions provides an opportunity for non-Aboriginal Victorians to acquire deeper knowledge of Aboriginal cultures, histories and issues through the voices of Aboriginal Victorians. Deadly Questions is being used as an educational tool in collaboration with the People and Culture teams across government to enhance existing cultural awareness training by including treaty content and introducing Deadly Questions as a platform for further learning.

Working in partnership with the Assembly to advance the treaty process

Demonstrating a commitment to a new treaty partnership

In line with the State-Assembly partnership in Phase 2 of treaty, the Assembly invited senior State representatives to address inaugural members at its first meeting in the Victorian Parliament. The Premier the Hon. Daniel Andrews MP, the former Minister for Aboriginal Affairs, Gavin Jennings and the former Parliamentary Secretary for Treaty the Hon. Natalie Hutchins MP attended on the State's behalf, demonstrating the government's serious commitment to forging a strong treaty partnership with the Assembly.

At the meeting, the Premier addressed Assembly members, confirming the government's commitment to a genuine treaty partnership with the Assembly and a reset of the relationship with Aboriginal Victorians as necessary for a more honest, just, inclusive and respectful future together. He further outlined his vision for treaty:

"We have to, together, do everything we can to heal the wounds of the past, and we have to build a shared, common future—one that is hopeful, one that is realistic at the same time but one that is truly about self-determination."

He finished by thanking Assembly members for their leadership, not only on behalf of their communities but on behalf of all Victorians for the benefits that treaty will bring to the state:

"This work is being led by Aboriginal people, but the beneficiaries are a much broader group. They are in fact every single Victorian, and for that I am proud and very grateful to you."

Former Minister for Aboriginal Affairs, Gavin Jennings, also spoke, reflecting on the incredible durability of Aboriginal cultures and their remarkable histories in what is now Victoria, while recognising the terrible acts

perpetrated against Aboriginal Victorians in the Victorian Parliament – where the meeting was held – throughout Victoria's history. He spoke of the strength, pride and resilience of Aboriginal Victorians in the face of these historical atrocities which has led us to this point in the treaty process. He concluded by identifying that treaty represented unfinished business for the State and noted his pride in being part of the shared journey to realise the aspirations of Aboriginal Victorians.

Forging a new relationship with the Assembly

To establish a positive working relationship with the Assembly, the Minister for Aboriginal Affairs has been meeting regularly with Assembly representatives. As senior representatives of the State and Assembly respectively, the Minister and the Assembly's co-chairs have been meeting monthly to advance treaty discussions. At the Assembly's invitation, the Minister has attended Assembly Board and Chamber meetings.

These meetings have been valuable opportunities to establish a strong treaty partnership, hear about the Assembly's work to date and discuss current issues and next steps in the treaty process. While this work has been complicated by the coronavirus (COVID-19) pandemic, both government and the Assembly have remained committed to maintaining the momentum of the treaty process.

To date, discussions between government and the Assembly have primarily focused on operational and procedural matters. This has enabled the parties to establish how they can best work together to progress treaty and has also provided time for each party to begin to identify interests in relation to the treaty elements, which must be established by agreement. Substantive discussions on the treaty elements commenced on 3 August 2020.



Supporting the Assembly to fulfil its functions

The Victorian Budget 2019/20 provided \$11.046 million for the Assembly's operations over two years. DPC, on behalf of the Victorian Government, has entered into an agreement with the Assembly to provide this funding.

The coronavirus (COVID-19) pandemic has presented some unforeseen challenges for the Assembly, most notably by preventing direct community engagement with Aboriginal Victorians. The Victorian Government has provided additional IT and connectivity support for Assembly members to support them to continue their work throughout the pandemic and is actively working to ensure that adequate resources are available to the Assembly to undertake broad and inclusive engagement with Aboriginal Victorians. The Assembly has continued to engage with the Aboriginal community digitally throughout the coronavirus (COVID-19) restrictions, including by publishing resources, podcasts and videos on its website and hosting online community discussions live-streamed on its Facebook page.

Supporting a truth and justice process

In pursuing treaty, the government is committed to acknowledging the truth of Victoria's history and laying the foundations for new, positive relationships between the State, Aboriginal Victorians and non-Aboriginal Victorians.

Aboriginal Victorians have been clear and consistent in their call for truth-telling as an essential part of the treaty process. In particular, the Assembly formally called for a truth and justice process through a resolution of its Chamber in June 2020.

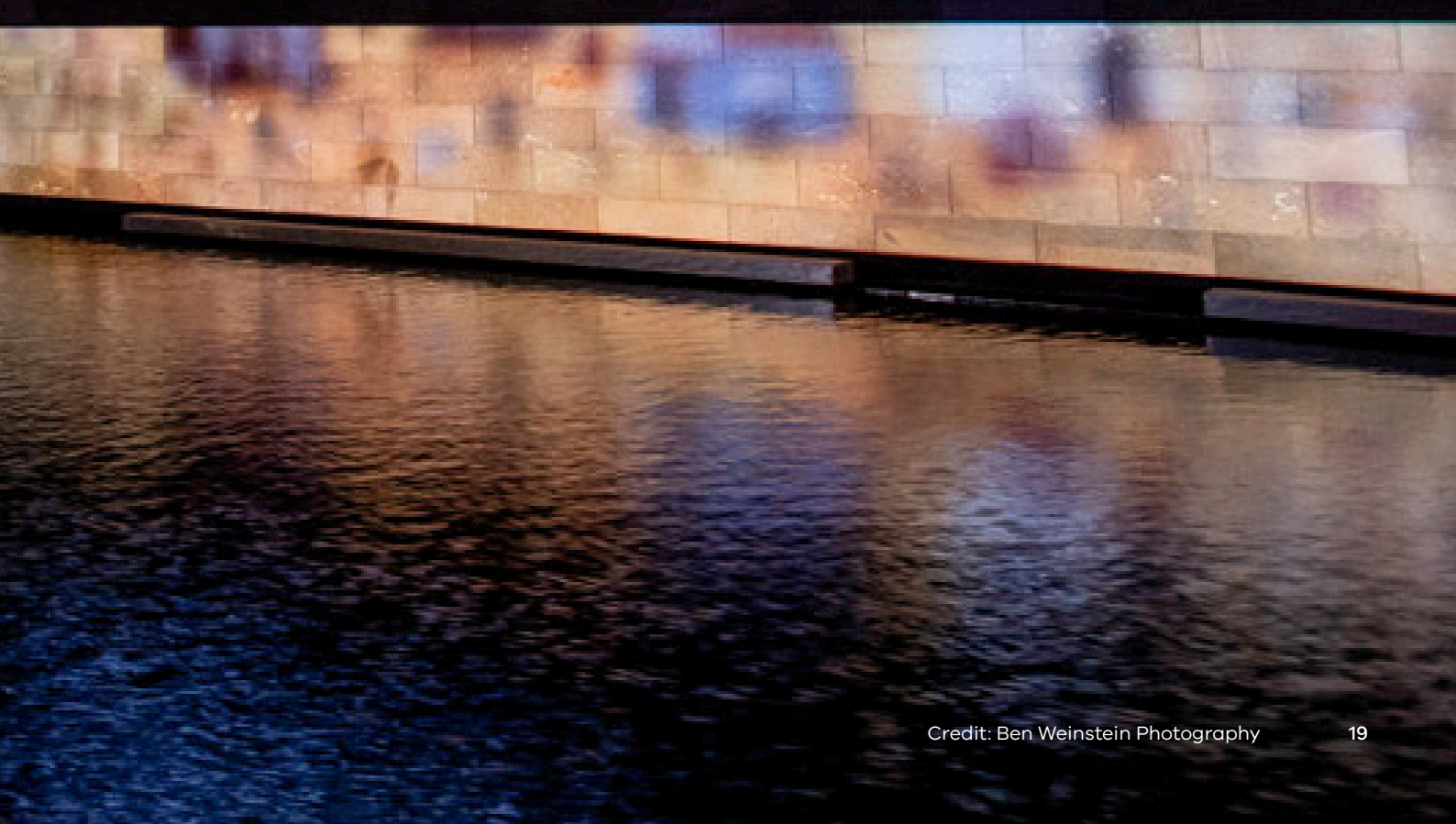
In response to this call, the government committed to working in partnership with the Assembly to establish a formal truth and justice process to reckon with injustices perpetrated against Aboriginal Victorians. This commitment reaffirms Victoria's leadership in Aboriginal affairs, making Victoria the first and only Australian jurisdiction to action the 'treaty' and 'truth' elements of the Uluru Statement from the Heart.

The government and the Assembly will work in partnership to develop terms of reference for a truth and justice process. The terms of reference will set out the form, purpose, scope and operations of the process, which will reflect Victoria's unique history, institutions and cultures. Partnering with the Assembly will ensure that the voices of Aboriginal Victorians drive its development.

The development of a truth and justice process will occur in parallel to Victoria's treaty process, ensuring the momentum of the treaty process is maintained and is underpinned by a commitment to truth and justice. A treaty or treaties in Victoria can help heal the wounds of the past, provide recognition for historic wrongs, address ongoing injustices, support reconciliation and promote the fundamental human rights of Aboriginal peoples. A truth and justice process can support the treaty process to deliver these aspirations.

A truth and justice process will also be an opportunity for Aboriginal and non-Aboriginal Victorians to acknowledge our shared history and lay the foundations for new relationships. By acknowledging the truth of our shared history, we can develop a shared commitment to our future as Victorians. In this way, a truth and justice process can support the treaty process to deliver our collective ambitions for the benefit of all Victorians.

What can we do to
bridge the gap
between our two
cultures?



Supporting all Aboriginal Victorians to engage in treaty

Prior to the Assembly's establishment, the Victorian Government was responsible for supporting Aboriginal Victorians to participate in the treaty process. This included funding Aboriginal organisations to engage with their communities and begin preparing for future treaty negotiations. Now that the Assembly is established, it is the sole representative for Aboriginal Victorians in this phase of the treaty process and will lead community engagement to advance treaty. The Victorian Government will continue to provide funding to support Traditional Owners to pursue their nation-building priorities.

Supporting Aboriginal Victorians to engage in treaty

Between 2018 and 2020, DPC oversaw the Treaty Community Engagement (Program). The Program supported Traditional Owners and other Aboriginal Victorians to engage with Aboriginal and non-Aboriginal communities on the treaty process.

The Program awarded \$2 million in grants, across a total of 36 funding agreements with 33 Aboriginal organisations (Traditional Owner groups and other Aboriginal organisations and businesses). This included:

- twenty-four Treaty Engagement Grants, of up to \$100,000 each, supporting in-depth, extended consultation and strategic planning and research on self-determination and treaty
- twelve Treaty Circle Grants of up to \$10,000 each, supporting smaller consultations on key matters relating to treaty.

An independent evaluation of the Program was undertaken in mid-2020 to assess its outcomes. Findings from the evaluation will be

provided to the Assembly to support its work on treaty, including community engagement. Aboriginal Victoria will retain only those findings related to the Program operation and outcomes, and the Assembly will exclusively retain findings on the views on self-determination and treaty raised by participants in projects funded under the Program.

Further information on the Program can be found at: www.aboriginalvictoria.vic.gov.au/treaty-community-engagement-program-2018-2020.

Supporting Traditional Owners to pursue their nation-building priorities

In August 2019, the former Minister for Aboriginal Affairs, Gavin Jennings, announced the Traditional Owner Nation-building Support Package (Nation-building Package). The Nation-building Package invests \$13.6 million over two years to resource Traditional Owners across Victoria to pursue their nation-building priorities.

The Nation-building Package will enable a wide range of nation-building activities and expand important services and supports for Traditional Owner groups. This includes support for Traditional Owner groups to seek formal recognition, currently a requirement to gain a reserved seat on the Assembly.

The Nation-building Package will be delivered and overseen by the Nation-building Support Services Partnership comprising the Federation of Victorian Traditional Owner Corporations, First Nations Legal and Research Services, and Aboriginal Victoria. The Partnership will ensure that the Nation-building Package:

- is flexible and responsive to the goals and objectives of Traditional Owner groups
- can accommodate a broad range of priorities and recognises the holistic nature of Traditional Owner business
- is coordinated to avoid unnecessary duplication and to maximise resources across the state.

The Nation-building Package comprises four key components: Traditional Owner mapping, Traditional Owner Engagement Officers, Nation-building support services and a Nation-building Resource Pool.

Traditional Owner mapping

First Nations Legal and Research Services has been resourced to carry out additional research and mapping for Traditional Owner groups currently without formal recognition. This research will be undertaken independent of government.

Research and mapping support commenced in July 2020 and is funded over two years.

Traditional Owner Engagement Officers

Engagement Officers will support Traditional Owner groups' access to the Nation-building Package.

All formally recognised Traditional Owner groups have been offered funds through the Nation-building Package to employ an Engagement Officer full time for two years.

Engagement Officers for areas without a formally recognised Traditional Owner group (Mid North West, Central North, North East and Far East Gippsland) will be employed by Aboriginal Victoria.

Nation-building support services

The Federation of Victorian Traditional Owner Corporations, First Nations Legal and Research Services and Aboriginal Victoria have all received funding to expand their delivery of services to Traditional Owners through the Nation-building Package.

Nation-building Resource Pool

A flexible pool of \$4.3 million will be available on an equitable basis to formally recognised Traditional Owner groups and those currently without formal recognition to support nation-building activities to meet the specific needs and priorities of Traditional Owners.

The Nation-building Resource Pool will be administered by the Federation of Victorian Traditional Owner Corporations, with decision-making about the allocation of funds to be a function of the Partnership.

Engaging all Victorians on treaty

Impact of the Deadly Questions campaign

In June 2018, the Victorian Government launched the award-winning Deadly Questions campaign to build understanding between Aboriginal and non-Aboriginal people and give Aboriginal Victorians a platform to tell their stories and amplify their voices.

The campaign provides an opportunity for non-Aboriginal Victorians to acquire deeper knowledge of Aboriginal cultures, history, and the issues facing Aboriginal communities. The Deadly Questions website (www.deadlyquestions.vic.gov.au) contains videos and written content from Aboriginal Victorians in response to a range of questions posed by the public. Deadly Questions plays a pivotal role in building support for treaty and ensuring all Victorians understand the progress and significance of the treaty process.

Since its launch, the Deadly Questions website has received more than 645,000 site visits and over 4000 questions have been asked. The campaign has had an earned media reach of over 9 million, with 410 earned media stories secured. Deadly Questions has reached many Victorians resulting in 48 million online impressions supported by advertising across digital platforms, billboards, radio, television and print media.

Deadly Questions exists to increase understanding of the treaty process in Victoria and the role the Victorian Government is playing in building a partnership with the Victorian Aboriginal community.

Understanding Deadly Questions research

Independent research highlighted the success of Deadly Questions and demonstrated the potential to shift attitudes towards Aboriginal communities, cultures and the treaty process.

Over the past 12 months, there has been a lift in positive sentiment among non-Aboriginal Victorians towards building better relationships with Aboriginal Victorians with a 7% increase in participants agreeing that this is necessary (compared to the benchmark percentage in June

2019) and a 9% increase when recognising the benefits of building these relationships. Support remained broadly consistent across age groups, gender and location (metro vs regional).

Those who had seen the campaign were significantly more likely to believe that treaty would be a positive step forward and understand the benefits of Aboriginal and non-Aboriginal people working together to build better relationships.

Activity through National Reconciliation Week and AFL Dreamtime round in 2019 were pivotal to the engagement and increased exposure of this phase with successful partnerships with the AFL and PedestrianTV contributing to awareness.

Deadly Questions and White Night partnership

DPC partnered with Visit Victoria's White Night event in 2019 to deliver a collaboration between the Deadly Questions campaign and award-winning artist Wathaurung (Wadawarrung) Elder Aunty Marlene Gilson in the form of art projections.

The voices and videos of six Aboriginal Victorians from the Deadly Questions campaign were integrated with the piece, 'Land Lost, Land Stolen, Treaty' by Aunty Marlene Gilson over a 10-minute video mapping sequence.

The video was projected onto the façade of the National Gallery of Victoria in Melbourne at the White Night event from 22 -24 August 2019 and the façade of the Bank of NSW Building in Ballarat at the White Night event on 21 September 2019.

Following the projections at White Night Melbourne, visits to the Deadly Questions website increased by over 30,000 visitors.

Why is it important to know your self-determining nation people?

Do you feel white people are better for you?



What are the best things about being a white man?

ADAM RIGGS
Yorta Yorta

Do you prefer 'Aboriginal' or 'Indigenous'?

BANK OF NEW SOUTH WALES

What's the best thing about being Aboriginal?

How do you feel about Aboriginal art pieces?

How can I check if I have Aboriginal ancestry?

How are Aboriginal people contributing to society?

Contributing to public conversations on treaty

Treaty has been a key talking point at many public events and forums over the past year. The Victorian Government has taken an active role participating in public conversations around treaty, in the interests of maintaining an open and transparent process. Over the past year, government ministers and representatives from DPC have delivered a series of educational and conversational presentations, including at the following events.

IPAA panel discussion 'How can the public sector support self-determination panel', August 2019

This panel discussion explored the Victorian Government's Aboriginal Affairs Framework initiative, which includes 11 self-determination principles and provides a better understanding as to the current status of the treaty process. It also explored the Deadly Questions campaign.

Public Relations Institute of Australia (PRIA) National Conference, November 2019

Deadly Questions was presented at the PRIA National conference. The presentation focused on the communications and public relations campaign and explained how to generate support from the public regarding readiness for treaty.

National Aboriginal Press Club event, December 2019

The National Aboriginal Press Club hosted an event in December where the former Minister for Aboriginal Affairs and former Commissioner Jill Gallagher AO delivered a speech on the treaty process.

Legalwise Native Title Intensive, March 2020

A Legalwise seminar examined emerging issues in relation to native title law in Australia, including the intersection between native title and Victoria's treaty process.

Treaties and Reconciliation University of Melbourne panel discussion, May 2020

During Reconciliation Week 2020, Melbourne Law School in partnership with ANTaR presented the "Treaties and Reconciliation" webinar. Panellists addressed the Uluru Statement from the Heart's call for truth-telling and a Makarrata commission, the prospects of Commonwealth involvement in treaty-making at the state and territory level, and what treaties could mean for Aboriginal sovereignty, prosperity and self-determination.







This document is available for downloading at www.aboriginalvictoria.vic.gov.au. Please contact statetreatybranch@dpc.vic.gov.au if you require other accessible formats.

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