



IT'S TIME FOR TREATY

A GUIDE FOR LOCAL GOVERNMENT

ACKNOWLEDGEMENTS

Reconciliation Victoria acknowledges the Traditional Owners of Country throughout Victoria and recognises their continuing connection to lands, waters and community. We pay our respects to those communities and their cultures as well as Elders past, present and emerging.

We acknowledge the Kulin Nation as the Traditional Owners of the land on which our office sits. We acknowledge that First Peoples have called for Treaty for many years and hope that this aspiration is fulfilled and embraced by all Victorians.

“Reconciliation Victoria’s Treaty Toolkits are grounded in our core goals and our commitment to support truth telling, justice and self-determination for and with First Peoples. The resources and actions within will support individuals, organisations, and institutions to engage meaningfully with Treaty in their local communities.”

Shane Charles and Andrew Gunstone,
Co-Chairs of Reconciliation Victoria

“Treaty is for all Victorians and will allow us to come together, share and listen so we can build a deeper understanding and a foundation of mutual respect on the journey towards reconciliation.”

Diana David, CEO of Reconciliation Victoria

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Reconciliation Victoria would like to thank Bank Australia for their ongoing support.

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A note on language: Throughout this toolkit “First Peoples” is used to refer to both Aboriginal and Torres Strait Islander Peoples. The use of a capitalised “Treaty” refers to the many possible outcomes of current negotiations and may refer to multiple treaties.

ABOUT RECONCILIATION VICTORIA

Reconciliation Victoria is the statewide body for reconciliation, acting as a focal point for advancing a deeper understanding, respect, truth, and justice for and with First Peoples.

Reconciliation Victoria focuses efforts on local governments, community groups and the education sector as they provide opportunities to make significant and widespread progress in reconciliation.

Our vision is a Victorian identity that reflects our true history, and promotes and celebrates First Peoples' cultures, equity and self-determination.

Find out more about us at
www.reconciliationvic.org.au



FIRST PEOPLES AND VICTORIA

First Peoples have lived in Victoria for many tens of thousands of years, with evidence around Moyjil in Warrnambool showing probability that First Peoples have been here for at least 120 000 years.

There is much diversity among the First Peoples of Victoria. Different Traditional Owners have different creation stories, totems, art styles and cultures. There are upwards of 44 different Language Groups, and within certain groups there are also different clans.

There are currently 11 Registered Aboriginal Parties (RAPs) across Victoria. At this stage, not all Traditional Owners have RAP status, however one of the aims of Treaty is to achieve this formal recognition for all Traditional Owner groups across Victoria.

It is crucial that when working for and with First Peoples you recognise they are not a homogeneous group.

To learn more about the Country on which you live, work and learn on, visit the Maggolee website at www.maggolee.org.au

Knowing the Traditional Owners of the land you are on is an important aspect of cultural competency.

It is also important to acknowledge that, despite the severe impacts of colonisation on First Peoples in Victoria, links to Country have never been broken. Traditional cultural, spiritual and economic links to Country are enduring.

WHAT IS A TREATY?

First Peoples have long called for Treaty but for many in the wider community the idea of Treaty may still be a cause for confusion.

After the colonisation of Australia, a treaty between First Peoples and the colonisers was never signed. You may have heard of the invalid Batman “treaty” of 1835 which was an attempt to take advantage of the local Traditional Owners.

Treaties between First Peoples and colonisers have been signed in many different countries including New Zealand and Canada.

The Treaty process has never advanced as far as it has in Victoria. Treaty is something that will benefit everyone as it is an important step towards reconciliation.



Simply, a treaty
is an agreement
between parties.



THE STORY OF TREATY SO FAR

After a series of Self-determination Forums with Victorian Traditional Owners throughout 2016, the Victorian Government committed to exploring Treaty. An Aboriginal Treaty Working Group was established in 2016, and Aunty Jill Gallagher AO was appointed as the independent Victoria Treaty Advancement Commissioner in 2017.

The Victorian Parliament passed the *Advancing the Treaty Process with Aboriginal Victorians Act* in June 2018. This contained the legal power to establish an elected First Peoples representative body – The First Peoples' Assembly of Victoria. The current First Peoples' Assembly was elected September – October 2019.

It is important to note that the current Treaty process is not supported by all First Peoples in Victoria.

WHAT ARE THE BENEFITS OF TREATY?

Treaty will lead to significant benefits for all Victorians.

As the first state in Australia to reach this stage of the Treaty process, all Victorians can be proud of the effort to build a more just and fair society.

The efforts of Elders in fighting for Treaty for many years is something to be respected and celebrated.

A Treaty will likely result in improvements in cultural rights and recognition, health, education, economic development and employment outcomes, something that will strengthen the whole state of Victoria.

Importantly, a Treaty will lay solid foundations on which First Peoples and the wider community can build stronger relationships based on respect and a shared understanding of our history.

Treaty is for all Victorians and will allow us to come together, share and listen so we can build a deeper understanding and a foundation of mutual respect on the journey towards reconciliation.



RECONCILIATION VICTORIA'S VIEW ON TREATY

Reconciliation Victoria has long supported the aspirations of First Peoples in calling for self-determination.

We believe truth-telling is an essential part of the Treaty process and that it supports First Peoples to achieve self-determination.

We acknowledge that there is a diversity of views among Traditional Owners in Victoria about the effectiveness of the current Treaty process. We are pleased that the First Peoples' Assembly is investigating alternate pathways for membership so the voices of all Victorian Traditional Owners can be heard in this process.

We believe Treaty will be the most significant step towards self-determination ever taken in Victoria and that Treaty possibilities will strengthen reconciliation pathways and progress.

To ensure the benefits of Treaty are delivered, the voices of all Victorian Traditional Owners need to be heard and respected. This is an exciting time for all Victorians and the Treaty process is cause for great optimism.

FIRST PEOPLES' ASSEMBLY STRUCTURE

CO-CHAIRS

Marcus Stewart Taungurung Representative	Geraldine Atkinson North East Representative
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EXECUTIVE REPRESENTATIVES

Rueben Berg Metropolitan	Tracey Evans Metropolitan	Jamie Lowe Eastern Maar	Melissa Jones First People of the Millewa-Mallee	Troy McDonald Gunai Kurnai Land and Waters	Ngarra Murray Metropolitan	Trent Nelson Dja Dja Wurrung
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MEMBER REPRESENTATIVES

Jason Kelly North West	Sean Fagan Wadawurrung	Muriel Bamblett Metropolitan	Peter Hood South East	Jordan Edwards South West	Leanne Miller North East
Andrew Gardiner Wurundjeri Woi Wurrung	Carolyn Briggs AM Metropolitan	Dylan Clarke Barengi Gadjin Land Council	Raylene Harradine North West	Esmerelda Bamblett Metropolitan	Donna Wright Gunditj Mirring
Trevor Gallagher Metropolitan	Alice Pepper South East	Nartarsha Bamblett North East	Matthew Burns Metropolitan	Michael Bell South West	
	Robert Ogden Bunurong Land Council	Alister Thorpe Metropolitan	Charmaine Clarke South West	Jacinta Chaplin North West	Kaylene Williamson South East



For more information on The Assembly, visit www.firstpeoplesvic.org

THE FIRST PEOPLES' ASSEMBLY OF VICTORIA

The First Peoples' Assembly of Victoria (The Assembly) is an elected representative body for First Peoples in Victoria. As the graphic on the left shows, it is made up of elected members and reserved seat holders. Every member is a Victorian Traditional Owner.

It is important to note that The Assembly will not negotiate Treaty. Its main role is to establish:

THE TREATY AUTHORITY:

an independent umpire throughout the Treaty process.

THE TREATY NEGOTIATING FRAMEWORK:

which will set up how Treaties can be agreed to in Victoria.

A SELF-DETERMINATION FUND:

so First Peoples can be on a level playing field with government.

ELDERS' VOICE

The Assembly is establishing an Elders' Voice to ensure Elders are at the heart of a culturally strong Treaty process.

The Elders' Voice will provide Elders of Victoria with opportunities to exercise their cultural authority and experience to strengthen Victoria's progress towards Treaty by providing guidance, wisdom and cultural oversight to the work of the Assembly.

THE ROLE OF LOCAL GOVERNMENT

As the level of government closest to grassroots community, local government has an enormous role to play in improving the lives of First Peoples in Victoria.

Local government will also have a role to play in Treaty. It is important to note that we do not yet know what Treaty will look like. The development of a Treaty framework by the First Peoples' Assembly is bla(c)k business and local government does not have a role to play.

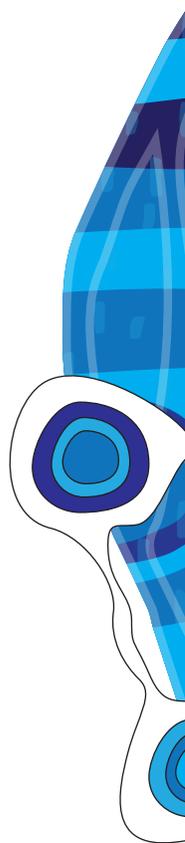
Local governments can stay up to date on the progress of Treaty by connecting with the First Peoples' Assembly of Victoria, local Traditional Owners and Reconciliation Victoria.

The best way for your local government to contribute to the process is making sure that you are prepared and ready for whatever the next stages of Treaty look like.

Reconciliation Victoria has developed a set of resources, each aimed at supporting a different audience to engage with Treaty; educators and educational institutions, community organisations and local government.

These resources are grounded in Reconciliation Victoria's core goals: to support cultural safety, equitable outcomes, a new statewide identity, and to ensure accountability, and address historical injustice.

Each of the following sections contain actions your local government can implement to create a strong foundation on which to build relationships with Treaty.





STRENGTHEN YOUR
RELATIONSHIPS WITH
TREATY THROUGH:

CULTURAL SAFETY

EQUITABLE OUTCOMES

A NEW STATEWIDE IDENTITY

ENSURING ACCOUNTABILITY

ADDRESSING HISTORICAL
INJUSTICE

CULTURAL SAFETY

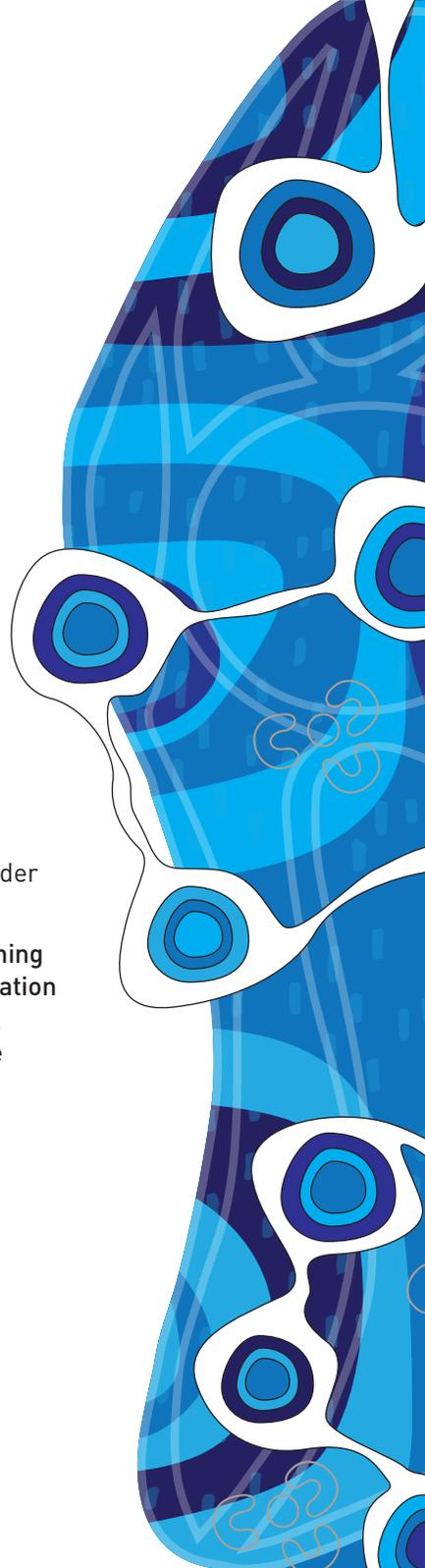
Making sure your local government is culturally safe is an essential part of any community engagement and will be particularly important when it is time to talk Treaty.

Local government also has a role to play in building cultural competency and zero tolerance for racism. This is complex work and it can be confronting for many to think about white privilege and power relations.

Simply put, however, Treaty must be supported by the 97% of Victorians who are not First Peoples.

Understanding the contexts, cultures and histories of First Peoples is important for the wider community to understand and support Treaty.

There is nothing to fear from Treaty and everything to be gained. Treaty will provide a crucial foundation of truth-telling, justice, and self-determination, ensuring respectful relationships remain at the heart of the reconciliation journey.





WHAT CAN YOU DO?

ADOPT strategies that promote cultural diversity and harmony within your municipality.

PROMOTE positive images and messages about First Peoples, their achievements, aspirations, histories, and valuable contributions to the social fabric of your community.

READ the cultural security report *From Symbols to Systems* written by Inner North West Primary Care Partnership.

DEVELOP engagement policies and protocols in partnership with First Peoples' community organisations represented in the municipality.

CONSIDER compulsory cultural safety training from a First Peoples' organisation for all of your staff.

EMPLOY First Peoples.

ACKNOWLEDGE significant dates such as National Reconciliation Week, NAIDOC Week and Sorry Day.

RECOGNISE Traditional Owners by developing protocols for Acknowledgements of Country and Welcomes to Country see *New Statewide Identity* for more).

PROMOTE respect and recognition of Traditional Owners through acknowledgement on municipal signs and on or in council buildings.

INVITE Traditional Owners to attend official functions and participate in council activities and events.

ESTABLISH a working relationship with your local Registered Aboriginal Party (if possible) about the management and protection of First Peoples' cultural heritage.

FORMALISE council's relationship with Traditional Owners through an agreement, Memorandum of Understanding, protocol or similar.

COUNCIL leadership should attend First Peoples' community meetings and functions when invited.

SUPPORT First Peoples community access to council facilities and programs.

EQUITABLE OUTCOMES

When it comes to Treaty, equitable outcomes are important for two reasons. Firstly, colonisation has led to disastrous outcomes for Victorian First Peoples in justice, health, education and employment. Treaty will go a long way toward reaching equity with the wider community.

Secondly, it is crucial that there is a balance of power when negotiations are taking place. It is important that this is a focus if more equitable outcomes are to be achieved both during and after Treaty negotiations.

As the level of government that delivers services closest to the community, it is important that local government begins to act now to ensure that all services and programs are culturally safe and accessible.

Prioritising more equitable outcomes now will strengthen the Treaty process and lead to better outcomes for all in the future.





WHAT CAN YOU DO?

WORK with your local First Peoples' community to identify actions for inclusion in Municipal Health and Wellbeing Plans.

DEVELOP partnerships with local Aboriginal Community Controlled Health Organisations.

UNDERTAKE audits of your services to identify whether there are barriers for First Peoples using these and take steps to make services more inclusive.

PROMOTE engagement in early education and learning through partnerships with local First Peoples' organisations.

CARE for Elders by ensuring Aged Care services are delivered in a culturally appropriate way.

ENGAGE with the local First Peoples' community to build, plan, develop and implement aged and disability services.

HIRE a First Peoples Liaison Officer to strengthen and support your First Peoples community engagement and servicing commitments.

INTRODUCE identified roles in your organisation structure and create position descriptions in consultation with First Peoples' community organisations.

ENCOURAGE First Peoples leadership by circulating information about upcoming council elections to local First Peoples' organisations.

HOLD information sessions about elections with local First Peoples' organisations.

DEVELOP a First Peoples Procurement Strategy to assist First Peoples-owned businesses to supply their services to council.

WORK with First Peoples' communities and businesses to identify cultural tourism opportunities when developing local tourism.

ACTIVELY involve First Peoples and businesses in the development of local or regional economic strategies.

SUPPORT the incubation of establishing First Peoples-owned businesses.

EXTEND support to First Peoples-owned businesses and organisations seeking to attract funding to grow their business.

A NEW STATEWIDE IDENTITY

Treaty will recognise the sovereignty of Traditional Owners in Victoria and will value the significance of self-determination. Treaty, alongside the Yoo-rrook Justice Commission, will tell the true history of the colonisation of Victoria.

Understanding our history is essential if we want to understand our future. Treaty is a way for First Peoples and the broader community to acknowledge the past while also creating a new and shared statewide identity.

Local government has a role to play because identity is so closely tied to place. Your municipality must showcase the deep and rich First Peoples histories and cultures that shape and contribute to each community.

Taking steps towards building an inclusive identity that celebrates First Peoples will strengthen your local government area.





WHAT CAN YOU DO?

FLYING the Aboriginal and Torres Strait Islander flags at all council buildings is one of the most widespread and fundamental ways councils can recognise and respect First Peoples.

DEVELOP local protocols around the flags with Traditional Owners, including lowering them to half-mast on the passing of an Elder and on Sorry Day.

WORK with local Traditional Owners to develop protocols for Acknowledgement of Country and Welcome to Country.

Support and **COMMISSION** artworks by First Peoples for public and council spaces or for the design of council publication. Commission performances from First Peoples in festivals and events such as music, dance, comedy and theatre.

CURATE exhibitions of First Peoples' art in local galleries and support local First Peoples artists through grants, sponsoring exhibitions or joint projects.

PASS motions at council meetings supporting the aspiration of Treaty.

CONSULT with local First Peoples about January 26th, consider council's position on the day and provide alternate, culturally safe events on January 26th for First Peoples to attend.

INCLUDE information about local Traditional Owner history and heritage in municipal libraries and host story-telling sessions from First Peoples in local libraries.

FACILITATE truth-telling by making council resources available for research and document First Peoples' histories.

IDENTIFY and protect areas of importance and significance to First Peoples today.

WORK with Traditional Owners to provide appropriate signage and interpretation for the general community to recognise the continuing connection of First Peoples to place.

PROVIDE the wider community with opportunities to connect with a shared sense of place.

ENSURING ACCOUNTABILITY

In preparing your local government for Treaty, the key element is that all work must be guided by First Peoples voices.

This is important in planning and delivery, but also crucially in accountability. Policy outcomes need to be transparent and local governments need to be accountable to First Peoples for the plans and commitments they make.

There are a number of ways that local government can ensure appropriate accountability frameworks are in place. These can be implemented depending on the resourcing of your local government and the needs of your local First Peoples' community.

An important part of this is first ensuring that your local government is a culturally safe organisation where local First Peoples feel comfortable sharing their truths.





WHAT CAN YOU DO?

CONSULTATION with local First Peoples consider developing a strategy such as a Reconciliation Action Plan (RAP).

DEVELOP strong and truthful relationships with other community organisations like Local Reconciliation Groups.

ESTABLISH a First Peoples Advisory Committee to provide a 'Voice' to council.

ENCOURAGE First Peoples to participate in other local committees including health, land management, youth, sport, transport, arts and culture.

PARTICIPATE in existing or create new regional networks focused on key areas of concern for First Peoples, such as the Local Government January 26th Network.

DEVELOP protocols that cover relationships with Traditional Owners and include creating space for truth-telling.

WORK with First Peoples-owned businesses to audit and evaluate your programs.

INCLUDE First Peoples' voices throughout your local government's strategic and divisional commitments, including Council Plans, Health and Wellbeing Plans and Land Management Protocols.

CONTACT your Local Aboriginal Network Broker for your area to find out more about how your LAN can support your First Peoples community engagement.

HIRE a First Peoples Liaison Officer to build relationships with community, who can become a friendly, familiar face for local First Peoples to talk to.

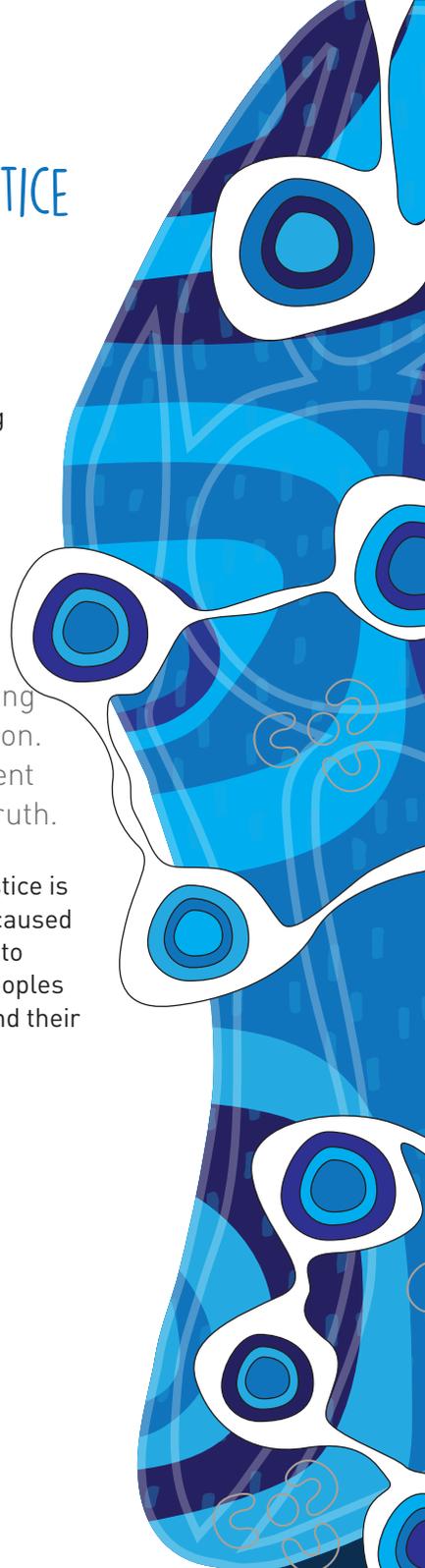
BECOME familiar with State Government Frameworks such as the Victorian Aboriginal Affairs Framework and the Victorian Aboriginal Local Government Action Plan.

ADDRESSING HISTORICAL INJUSTICE

Local government plays an important role in promoting and celebrating local histories. First Peoples' histories add an important dimension to these activities and acknowledging this is an important step towards reconciliation. We cannot continue to ignore past and ongoing injustices to First Peoples. If we are to move forward we must actively address historical injustice.

Truth-telling is a central part of the Victorian Treaty process and the upcoming work of the Yoo-rrook Justice Commission. It is a core element of the Uluru Statement from the Heart's call for Voice, Treaty, Truth.

This is not to say that addressing historical injustice is solely about the tragedies that colonialism has caused for First Peoples in Victoria. It is also important to recognise the significant role that many First Peoples have played in the development of local areas and their contributions to the broader culture.





WHAT CAN YOU DO?

MAKE council records and resources available to research and document First Peoples' histories, and work with the local First Peoples' community to research, document and promote First Peoples' histories.

CONDUCT an audit of memorials, statues and features in your municipality. Rename features containing racist names with traditional language names.

IDENTIFY and protect areas of importance and significance to First Peoples today. Work with Traditional Owners and local First Peoples to identify opportunities in which First Peoples' language can be recognised locally.

ENSURE guidelines, including consultation with First Peoples, are followed for formally naming geographic features with traditional language names.

WORK with local Traditional Owners to build greater community awareness about First Peoples' cultural heritage. Work with local Traditional Owners and the Victorian Aboriginal Heritage Council to actively protect significant First Peoples' cultural heritage in the municipality.

SUPPORT local schools and early learning centres to develop plans with local First Peoples on the teaching of First Peoples' cultures and histories in the curriculum.

ACKNOWLEDGE and promote the work of local First Peoples who have contributed to your local community.

PASS council motions supporting the full implementation of the Royal Commission into Aboriginal Deaths in Custody (1991) and motions supporting the full implementation of the *Bringing Them Home Report* (1997) to address lack of justice for those affected by the Stolen Generations.

COMMISSION truthful community narratives of local history.

RESOURCES

Reconciliation Victoria
reconciliationvic.org.au

Maggolee
maggolee.org.au

First Peoples' Assembly of Victoria
firstpeoplesvic.org

Yoo-rrrook Justice Commission
yoorrook.com.au

Victorian Aboriginal Heritage Council
aboriginalheritagecouncil.vic.gov.au

Victorian Aboriginal Community Controlled Health Organisation
vaccho.org.au

Victorian Aboriginal Corporation for Languages
vacl.org.au

Victorian Aboriginal Education Association Inc.
vaeai.org.au

Victorian Aboriginal Legal Service
vals.org.au

Victorian Aboriginal Health Service
vahs.org.au

Victorian Aboriginal Community Services Association Ltd
vacsal.org.au

Victorian Aboriginal Child Care Agency
vacca.org

Melbourne Aboriginal Youth Sport and Recreation
whitelion.asn.au/maysar

Koorie Youth Council
korieyouthcouncil.org.au

Aboriginal Housing Victoria
ahvic.org.au

Aboriginal Community Elders Services Inc.
acesinc.org.au

Aborigines Advancement League
aal.org.au

Reconciliation Australia
reconciliation.org.au

Reconciliation Victoria works with an independent network of Local Reconciliation Groups, who promote cultural awareness, understanding and education in their local communities.

If you are interested in contacting or joining a Local Reconciliation Group visit: <http://www.reconciliationvic.org.au/act/local-reconciliation-groups>



