



## **Reconciliation Victoria's submission to the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples.**

### **- Ongoing Consideration: Meaningful Recognition and Agreement Making -**

Firstly we would like to thank the Joint Select Committee (JSC) for inviting us to present evidence about our engagement in and leadership of the Victorian campaign to recognise Aboriginal and Torres Strait Islander Peoples as the First Peoples of this country, as well as address racial discrimination within the Australian constitution. We also wish to acknowledge the ongoing & important work that the JSC has in the remaining public hearings across Australia and consolidating these learnings and formalising the final report to parliament in June 2014. Having read the HANSARD transcripts from Victoria we know that there was a great wealth of evidence presented which we hope informs the recommendations of the JSC.

#### **Protection against Racial Discrimination**

We write to again reiterate our contention that the inclusion of a protection against racial discrimination as put forward in the Expert Panel's recommendation 116A is integral to the credibility of the constitutional reform (CR) agenda. We have found from our consultation and community engagement over the last 18 months with Aboriginal and Torres Strait Islander peoples, interfaith, CALD communities and the broader population living in Victoria that without substantive constitutional reform, recognition will be seen as tokenistic, symbolism is not enough.

There have been significant concerns raised by politicians and media commentators that the protection against racial discrimination is akin to a bill of rights, we do not believe this to be true. Part of recognising Aboriginal and Torres Strait Islander Peoples as the First Peoples of this country requires a recognition of the detrimental impact of racially discriminatory policies and legislations on the First Peoples of this country, and moving to ensure that this cannot happen anymore. The Racial Discrimination Act (1975) does not prevent the Commonwealth Government from making racially discriminatory legislations; it is time that the founding legal document of this country reflects our legislative expectations on all other jurisdictions.

Of the options provided by the JSC within the Interim Report, we believe that the first two are closer to the intent of the Expert Panel's Recommendations. If s116A as proposed by the Expert Panel is determined unviable, then we would support a protection from adverse discrimination for Aboriginal and Torres Strait Islander Peoples, as proposed in the first two options of the interim report.

#### **Free, Prior and Informed Consent**

In our previous submission, "Considering the issue of 'positive purpose', 'advancement', beneficial policy", we put forward a proposal to include the principle of 'free prior and informed consent' as defined by the United Nations Declaration of the Rights of Indigenous Peoples (DRIP). To do this within the proposed constitutional reform model will help ensure the positive purpose of government policies and legislations. We believe that an advisory panel could review policies and legislations that directly affect Aboriginal and Torres Strait Islander peoples before being legislated. An advisory panel model has been put forward by Noel Pearson both in the Cape York Institute's submission to the Expert Panel<sup>1</sup> in 2011 and in the recently released Quarterly Essay, 'A Rightful Place: Race, Recognition and a more

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<sup>1</sup> Cape York Institute Constitutional Reform Proposal 2011: <http://cyi.org.au/wp-content/uploads/2012/03/Cape-York-Institute-Constitutional-Reform-Proposal-2011-LR.pdf>

complete Commonwealth'. "...the rulebook should be amended to make provision for indigenous people to be heard in indigenous affairs...Constitutional recognition could therefore include removal of the race clauses and the insertion of a replacement power to enable the Commonwealth parliament to pass necessary laws with respect to indigenous peoples, and incorporation of a requirement that indigenous peoples get a fair say in laws and policies made about us. A new body could be established to effect this purpose and to ensure that indigenous peoples have a voice in their own affairs."<sup>2</sup> What Pearson has put forward echoes what Aboriginal leaders have been advocating for, for decades - self-determination. It is fundamental moving forward that Aboriginal and Torres Strait Islander peoples are involved in the decision making process when it comes to Indigenous Affairs. If an appropriate model can be developed that recognises the need and right for Aboriginal and Torres Strait Islander voices in the decision making process, that is supported through legislation, then we would provide in principle support. We appreciate the complexities in pursuing this issue. We nevertheless think that a rigorous consideration of possible approaches will be highly desirable.

### **Treaties and Agreement Making Processes**

Reconciliation Victoria sees that recognising Aboriginal and Torres Strait Islander peoples in the Constitution is part of the unfinished business of the recommendations made by the Council for Aboriginal Reconciliation in 2000. Along with recommending constitutional recognition, the Council also stated that "Each government and parliament recognise that this land and its waters were settled as colonies without treaty or consent and that to advance reconciliation it would be most desirable if there were agreements or treaties; and negotiate a process through which this might be achieved that protects the political, legal, cultural and economic position of Aboriginal and Torres Strait Islander peoples."<sup>3</sup> We see Constitutional Recognition as a positive step forward, but not an end to the reconciliation journey: it alone is not sufficient to achieve outcomes required of a fully reconciled and fair Australia.

We understand the focus of the JSC is primarily on the detail of CR. However, our experience in consultations with the Aboriginal community, that has also been reflected in the many submissions to the JSC, have made clear the broad concerns that exist for consideration of matters of sovereignty, treaties and agreement making processes and that the CR process not simply negate but enhance such prospects.

The Expert Panel acknowledged these concerns and gave them significant consideration<sup>4</sup>, but ultimately set them aside on the basis they were not appropriate to include in the constitutional reform process and, while recognising the need for further consideration, made no recommendations.

In order to ensure support for the CR process, it is highly desirable for the JSC to show that these concerns are understood and to:

- Strongly encourage their consideration in parallel with the CR process, and in the future
- Ascertain as far as possible that the proposed constitutional change will support, or at least not impede, these prospects

The full consideration of the Sovereignty issue rightly sits outside the process of constitutional reform. Nevertheless, its consideration can be recommended along with the related issues of treaties and agreement making processes.

There are clearly difficulties in terms of the various possible interpretations of the term "treaty", we submit that the model outlined in the [UNSW TREATY](#) publication<sup>5</sup> – a national treaty framework

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<sup>2</sup> Pearson, Noel, "A Rightful Place: Race, Recognition and a more complete Commonwealth", Quarterly Essay 55, 2014. Pp 66-67

<sup>3</sup>Final Report for the Council for Reconciliation, 2000.  
<http://www.austlii.edu.au/au/orgs/car/finalreport/text10.htm>

<sup>4</sup> See chapters 8&9 of the Expert Panel's Report.

<sup>5</sup> Sean Brennan, Larissa Behrendt, Lisa Strelein, George Williams, *TREATY*, Federation Press, 2005

empowering local or regional agreements – is a good and valid starting point. There have been many statements over the years from members of Aboriginal and Torres Strait Islander communities about the need for local and regional bases to treaty, rather than seeking a unified approach at the national level. Two examples are:

- “...any future treaty is likely to set a framework and general principles – whilst the agreements of substance are negotiated and settled at the regional level. The concept of regional agreements – which has disappeared from discussion in this country in recent years – are probably going to be the only way treaties can be implemented in practice.”  
*Richard Ah Mat, Executive Director, Cape York Land Council, 2002 “The Cape York View”<sup>6</sup>*
- In my opinion a single national treaty is impossible to achieve in Australia mainly because I believe Indigenous Australians would not agree to this. My preferred approach is for a national treaty framework model, which allows for treaty making on a national, state-wide regional or local basis. *Mick Dodson*<sup>7</sup>

Over the last few years a working group of Reconciliation Victoria and ANTaR Victoria has sought to make this model more concrete, particularly through consideration of the role of local government. We found the model valuable, resulting in the attached paper developed for a conference in 2010, which notes:

- Local government is likely to be a primary interface in local and regional agreements, although any agreements are likely to embrace multiple levels of government for the range of issues and services involved
- Such agreements would have characteristics of:
  - an agreement between parties
  - a binding long-term commitment
  - a status outside the control of particular governments, supported by law
  - being properly resourced and monitored
  - having a capacity for review and extension through agreed processes

We are aware that it is likely agreements of this nature would go beyond the existing powers of local government. We are also aware of interest from Local Government across Victoria to engage in discussions with Traditional Owner groups, and some have already begun this process.

A salient consideration for the JSC, and more broadly, is whether the constitutional changes proposed will support:

- Commonwealth government involvement in such multi-level local and regional agreements?
- The development of a national treaty framework with sufficient strength to shape local and regional agreements?

We therefore submit that the JSC should overtly test its proposed changes against this national treaty framework – local/regional agreements model. Further, we submit that the JSC should include in its recommendations the initiation of a serious consideration of the Sovereignty/Treaty/Agreements issues in parallel with, and continuing beyond, the CR process. We believe that such action would assist in reducing the opposition to the CR process from those who consider it does not adequately take account of these issues.

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<sup>6</sup> Richard Ah Mat, ‘The Cape York View’, paper presented at the Treaty Conference, Murdoch University, Perth, 27 June 2002: <[www.treaty.murdoch.edu.au/Conference%20Papers/ah%20mat%20speech.htm](http://www.treaty.murdoch.edu.au/Conference%20Papers/ah%20mat%20speech.htm)> (23 December 2003).

<sup>7</sup> *Treaty: let’s get it right!*, ATSIC Treaty Think Tank, Aboriginal Studies Press, 2003, p32

The Constitutional Reform agenda has provided the political platform to discuss how meaningful reform requires Aboriginal and Torres Strait Islander peoples to be part of the decision making process.

We look forward to reading your final report in the first half of next year. The next six months will see the draft wording released as well as a better understanding of when a referendum may be called; we support and acknowledge the JSC's critical role in shaping this.

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## **Pathways to Treaty: Restoring the Reconciliation Roadmaps Ten Years on from CAR**

A discussion paper by John Burke, Keith Gove & Peter Lewis, on behalf of the ANTaR Victoria / Reconciliation Victoria Treaty Working Group<sup>1</sup>

### **1. Introduction**

Since early 2009 Reconciliation Victoria and ANTaR Victoria have maintained a combined working group on the issues of treaty between Aboriginal and non-Aboriginal Australians.<sup>2</sup> The working group is seeking to support an informed conversation about the concept of treaty and to extend the understanding of practical approaches through consideration of the possible model of a national treaty framework and local and regional agreements. This model is being examined with particular reference to its potential operation in the Victorian context and particularly in association with the role of local government authorities in the formation of local agreements.

The working group recognises a long-standing debate and investigation of treaty and that there are critiques of the idea.<sup>3</sup> Without addressing this debate here, the working group starts from the position that a just base and identity for the Australian nation require the full-hearted examination of the prospect of treaty.

We utilise the work of the University of NSW Treaty Project in the book *TREATY*<sup>4</sup> as a starting point for considering a model of a national treaty framework and local or regional agreements. We see this model as an alternative to a single national or two-nation approach, having merit in:

- defusing the intensity of the idea of a major national agreement, though the framework would necessitate important agreement at that level with necessary supporting elements;
- having a grounded and practical dynamic through the local focus; and
- enabling examination in the Victorian context where we are practically engaged, as being quite different from say NT, without claiming generalisability (although we hope to assist in developing general forms).

We follow the Treaty Project in utilising the term “treaty....to mean political agreements involving Indigenous peoples and governments that have a binding legal effect”, while recognising other terms might be used. In practice we focus extensively on agreement and agreement-making at the local level, where the core characteristics of treaty are reflected. These characteristics are seen to include:

- an agreement between parties
- a binding long-term commitment

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<sup>1</sup> This paper is based on a panel presentation to the National Indigenous Policy and Dialogue Conference in Sydney in November 2010

<sup>2</sup> The term “Aboriginal” is used throughout to refer to Aboriginal people and Torres Strait Islander people

<sup>3</sup> A recent critique being contained in Ch 8 *On Feeling Reconciled* of Peter Sutton, *The Politics of Suffering*, Melbourne University Press, 2009

<sup>4</sup> Sean Brennan, Larissa Behrendt, Lisa Strelein, George Williams, *TREATY*, Federation Press, 2005

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- a status outside the control of particular governments, supported by law
- being properly resourced and monitored
- having a capacity for review and extension through agreed processes

In this paper, we:

- examine the context for supporting consideration of treaty at this time, with particular reference to the recommendations of the Council for Aboriginal Reconciliation
- consider the status of the underlying principle of self-determination
- outline the possible components of a national treaty framework – local/regional agreements model
- examine more closely how planning and agreement-making at the local government level might be oriented towards this model
- identify possible ways in which the consideration of treaty, and this model in particular, might be encouraged.

We conclude that there is a need to promote a strong discourse about a model of this nature, and that in the Victorian context the reconciliation movement should develop its skills and focus on agreement-making particularly at the local and regional levels.

## 2. Context

### 2000 – 2010 – 2020?

The idea of treaty has been sustained over many decades through the persistent calls of members of the Aboriginal community, the consideration of the Makarrata concept through the National Aboriginal Conference and the work of the Australian Treaty Committee and the Senate Committee in the 1980s<sup>5</sup>, to more recent activities of the Black GST around the 2006 Commonwealth Games and the 2020 Summit.

We emphasise the last decade and the next as being critical for the reconciliation movement.

2010 was the tenth anniversary of

- Corroboree 2000 (May 27)
- Sydney Bridge Walk (May 28)
- Cathy Freeman Gold (Sept 25)
- Yothu Yindi sings Treaty (Oct 1)
- Melbourne Reconciliation Walk (Dec 3)
- Council for Aboriginal Reconciliation Final Report (Dec 7)

The work of the Council for Aboriginal Reconciliation<sup>6</sup> needs to be returned to and recognised, including particularly *The Declaration Towards Reconciliation*, & *The Roadmap Towards Reconciliation*, which included national strategies for:

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<sup>5</sup> See the AIATSIS collection at <http://www1.aiatsis.gov.au/exhibitions/treaty/contents.htm> for documents from the 1980s and earlier

<sup>6</sup> See <http://www.austlii.edu.au/au/other/IndigLRes/car/pubs.html#resource>

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- sustaining the reconciliation process
- promoting recognition of Aboriginal and Torres Strait Islander rights
- overcoming disadvantage
- economic independence

and its final report, *Reconciliation: Australia's Challenge*, with its six recommendations (highlighting added):

1. COAG to implement & monitor national framework to overcome disadvantage
2. Support/strategies for *The Declaration Towards Reconciliation and The Roadmap Towards Reconciliation* by all governments
3. change the Constitution to recognise the First Peoples in a new preamble, remove the 'race powers' (Section 25) and introduce constitutional protections against racial discrimination
4. commitments from all sectors of society to affirm the declaration, action the roadmap, provide resources for reconciliation,
5. each government and parliament to **recognize that its land and waters were settled without treaty and negotiate a process to achieve these agreements/treaties** in order to protect Aboriginal and Torres Strait Islander peoples political, legal, cultural and economic position in society and
6. enact legislation for a process towards **agreement/ treaty** to resolve unfinished business of reconciliation

Significant steps have been taken on these recommendations with the initiation of the Close the Gap campaign and the current constitution review.<sup>7</sup> However Recommendations 5 and 6 remain without significant attention.

In the present, there are identifiable opportunities for consideration of these issues through the National Congress of Australia's First Peoples and the review of the constitution, and related developments such as the Traditional Owner Settlement Bill (Victoria) and the *Agreements, Treaties & Negotiated Settlements* project at the University of Melbourne.

Can we form a new vision for this decade – a pathway to treaty, or at least to its strong underpinning, by 2020? We think so.

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<sup>7</sup> See ANTaR publication *Are we there yet? Ten years from the Decade of Reconciliation: A Reconciliation Progress Report* (November 2010) [http://www.antar.org.au/are\\_we\\_there\\_yet](http://www.antar.org.au/are_we_there_yet)

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### 3. Self-determination

We acknowledge the principle of self-determination for Aboriginal people as a cornerstone of treaty development. It is a principle whose status has suffered through the critique of its attempted implementation by delegating the management of communities in the context and forms of non-Aboriginal society without the necessary resources. We consider that a renewed concept of "practical self-determination" is underpinned by:

- recognition of sovereignty, acknowledging that traditional owners and custodians of the land and waters have never ceded their sovereign rights
- recognition that Aboriginal peoples have been forcibly removed from their traditional lands but are still 'peoples', as defined by international human rights conventions
- the development of community controlled organisations and agencies; and
- ensuring that communities and community controlled organisations are resourced and allowed to act as equal partners

The recent consultation conducted by the Victorian Equal Opportunity and Human Rights Commission with Victoria's Aboriginal community about the right to self-determination, with a view to possible inclusion in the Charter of Human Rights and Responsibilities, provides much texture for this concept within a broad agreement that self-determination referred to 'the ability to have control over one's destiny'.<sup>8</sup>

### 4. National treaty framework – local/regional agreement model

In the past decade an approach to treaty based on local and regional agreements in a national treaty framework has been more formally proposed, rather than a focus on a single top-level national treaty.

Views of a "national treaty framework – local/regional agreements" model can be found in the publication from the ATSIC Treaty Think Thank, *Treaty: Let's get it right!* (in particular the contribution *Unfinished Business: A Shadow Across Our Relationships* by Mick Dodson)<sup>9</sup>.

They are further developed in the UNSW Treaty Project publication *TREATY* (pp 132-134) which summarises a possible approach as:

One option would be to work towards a single national treaty for Australia. However, even when expressed as a national issue, calls for a treaty generally also include a commitment to regional and local decision-making. The desire for a national treaty as well as for community-based decision-making might be met by establishing a national framework treaty that facilitates further agreement-making.

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[http://www.humanrightscommission.vic.gov.au/index.php?option=com\\_k2&view=item&id=1347:talking-rights-consulting-with-victorias-indigenous-community-about-self-determination-and-the-charter-mar-2011&Itemid=690](http://www.humanrightscommission.vic.gov.au/index.php?option=com_k2&view=item&id=1347:talking-rights-consulting-with-victorias-indigenous-community-about-self-determination-and-the-charter-mar-2011&Itemid=690)

<sup>9</sup> *Treaty: let's get it right!*, ATSIC/AIATSIS, 2003

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Patrick Dodson made an important contribution to this idea in his 1999 Vincent Lingiari lecture<sup>10</sup>. Under this approach, a national treaty could establish the framework within which treaties at the local or regional level could be negotiated.

The Treaty Project sees the components of a national treaty framework possibly including:

- Statement of recognition & acknowledgment
- Supporting framework for negotiation
- Implementation framework
- Legal protection

with further detail of these components extending to:

#### Supporting framework for negotiation

- policies & structures for more specific treaty-making
- content
- standards and benchmarks for recognition
- rights of indigenous people underpinning process
- supporting funding mechanisms
- responsibility for oversight of negotiations
- settlement of disputes
- role, if any, of courts

#### Implementation framework

- Structures to support and secure implementation of agreements
- Standards for treatment of negotiated treaty rights in relation to further actions of government

#### Legal Protection for other treaties and agreements reached in accordance with this

- Must have “hallmarks of a treaty”
- Developed and determined jointly by the state and by Indigenous peoples
- Contain substantive provisions beyond mere platitudes
- Be binding on governments and other persons

The possible components of local or regional agreements may include:

- Setting: Recognition and acknowledgement; Principles and purpose
- Governance: Jurisdiction & authority; Indigenous governance
- Content: Land and economic settlements; Policy and program design (land and resource management, health, protection of cultural heritage, employment, education); Program and service delivery
- Other Agreements: including cessation of claims
- Implementation: including monitoring

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<sup>10</sup> <http://www.austlii.edu.au/au/other/IndigLRes/car/1999/2708.html>

## 6. Possible phases in Victorian Local Government Authorities

Increasing attention is being given in Victoria to the role of Local Government Authorities (LGAs) in establishing plans and agreement in association with Aboriginal communities; Reconciliation Victoria currently has a government-funded project on local government and reconciliation. It is pertinent to consider how this activity might be placed in a context of local and regional agreements within a possible national treaty framework, recognising that LGAs may be the primary interface for many agreements – singly or in regional groups - although not having all the necessary powers of service provision and commitment.

We observe that there may be identifiable phases of development toward a treaty environment, as the table below suggests:

PHASE	1. Engagement in reconciliation activities but no firm commitments	2. Plan of activities developed within responsibilities of Council staff	3. Plan of activities developed as part of general Council planning process	4. Council Plan recognises a binding agreement to a range of actions	5. Form of local treaty structure or agreement in a national treaty framework
<b>Nature of Agreement</b>	None	Identified document drawn on by Council	Acknowledged as relevant document and actions imbedded in Council Plan	Recognised as a parallel document to the Council Plan with detailed responsibilities drawn into the Plan; maybe MoU	Agreement has separate legal status, to which Council is a party. May be based on Aboriginal traditional land boundaries, include other Councils, levels of government.
<b>Nature of ongoing Steering/Monitoring structure</b>	Probably none	Essentially a reference group for Council staff member/s	Advisory Committee to Council or possibly a Standing Committee	Strong Advisory Committee to Council, Standing Committee, or other	A body outside Council structures, including Aboriginal community representatives, probably other levels of government
<b>Characteristic</b>	Piecemeal reconciliation activities identified by Council staff or non-Aboriginal community	Activities within the position descriptions of Council staff, limited community engagement	Council commitment, based on consultation with Aboriginal community	Negotiated agreement with joint commitments of Aboriginal and non-Aboriginal community	Long-term negotiated agreements

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These phases might each take a reasonable period to establish and implement, possibly fitting to a review process in a Council cycle, with an associated Council Plan, of four years or longer. Moving from Phases 1 or 2 to 4, to a position to consider a more formal agreement structure, might therefore be an eight-year process.

From examination of websites in 2009, we could plot the status of Victorian LGAs against these phases. Of the 79 LGAs

- about half appeared to be at most at Phase 1, with many having no overt reconciliation activities;
- about a quarter were in stages of developing plans which might be considered Phase 2;
- most of the remaining quarter may be considered to be at least in Phase 3, having well-established approaches to reconciliation action plans or similar, some having these in place for over a decade with several reviews, or being engaged in regional bodies such as the Inter Council Aboriginal Consultative Committee.<sup>11</sup>

A body of experience exists to be drawn on to support LGAs in the earlier stages of engagement in these phases. However, from the point of view of agreement-making in a treaty framework, the key phases are 4 and 5 where there appear to be significant issues in moving into these phases and limited, although pertinent, experience.<sup>12</sup>

Phase 4 suggests a step of establishing an agreement with a status not solely contingent on the Council Plan, though the content is acknowledged within the Plan. It is a substantial agreement, with content covering areas of LGA service and including advocacy to other levels, but it is still clearly within the powers and control of Council.

Phase 5, entering into a long-term binding agreement, appears to require a different format to agreements within the cycle and control of a Council Plan. Entering into longer-term agreements may be beyond the powers of LGAs. If the agreement is based on traditional boundaries it will very likely include multiple LGAs, and its content (e.g., education, housing) require the engagement of other levels of government, though the LGAs may be the primary on-the-ground interface.

Consideration of parties to such an agreement will therefore raise questions such as:

- Just a single local government authority?, other regional councils in the local Aboriginal country?, other levels of government?
- Who and how in the Aboriginal community? Would this differ for different components of agreements (e.g., traditional owners for land and cultural heritage issues, other community organisations for service-related issues?)

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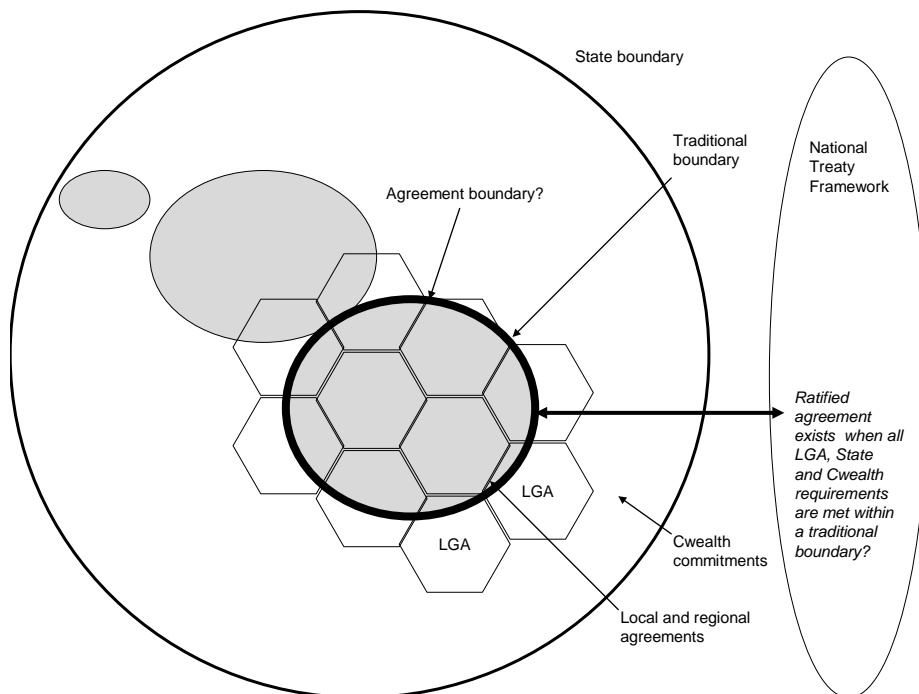
<sup>11</sup> Some examples are:

<sup>12</sup> We note that the recent development of trademarked Reconciliation Action Plans by Reconciliation Australia, with its organisation-centric approach, might take an LGA into Phase 2 or 3, but is unlikely to provide the orientation to agreement-making processes required in Phases 4 and 5.

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There may be a need for facilitators of this process beyond the staff of LGAs. This facilitation and the necessary format could be supported through a national treaty framework, or a state-level implementation approach.

The following schematic is a representation of the national treaty framework – local/regional agreements model interpreted with LGAs as core components:



We are not aware of any examples of this level of agreement-making in the Victorian or broader Australian context. There are, however, examples of components in Victoria such as:

- the Inter Council Aboriginal Consultative Committee, in which eight LGAs in southern Melbourne have formed a partnership with the Aboriginal community<sup>13</sup>
- the Shepparton COAG trial, based on a Compact between the three levels of government and Aboriginal community representatives<sup>14</sup>
- the Memorandum of Understanding approach initiated by the Shire of Glenelg in 2003 which has evolved to a recent Aboriginal Partnership Agreement<sup>15</sup>

<sup>13</sup> <http://www.icacc.org.au/>

<sup>14</sup> See an evaluation of the trial at [http://www.fahcsia.gov.au/sa/indigenous/pubs/evaluation/coag\\_trial\\_site\\_reports/vic\\_coag\\_trial/Pages/default.aspx](http://www.fahcsia.gov.au/sa/indigenous/pubs/evaluation/coag_trial_site_reports/vic_coag_trial/Pages/default.aspx)

<sup>15</sup> [http://www.glenelg.vic.gov.au/Page/page.asp?Page\\_Id=2760&h=1](http://www.glenelg.vic.gov.au/Page/page.asp?Page_Id=2760&h=1)

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- the formal structure of the Darebin Aboriginal and Torres Strait Islander Community Council

These initiatives have, however, had mixed success; their experience needs better understanding.

## **7. Continuing the journey ...**

Proceeding down a pathway to a strong base for treaty by 2020 requires a range of actions including:

- A new federal dialogue or project, which might be encouraged by national ANTaR and Reconciliation Australia
  - How to progress a national/state/local agreement/treaty framework?
  - What kind of national leadership, state representation, local engagement?
- Within Victoria, a focus on agreement-making at the local and regional levels which might be encouraged by Reconciliation Victoria and ANTaR Victoria through local groups, links to local government, and engagement with state government
- Engagement with the opportunities arising from the establishment of the National Congress of Australia's First Peoples and the constitution review
- Perhaps an annual conference or thread within a conference to maintain this dialogue