

Victorian Labor Government ANTAR Survey Response

Treaty and Truth Telling

The Andrews Labor Government has long been guided by the principle of self-determination in its work with First Peoples.

We know that long term, sustainable change is only possible when First Peoples are in the driver's seat, making decisions about the matters that impact their lives.

That is why Victoria was the first and only jurisdiction to action both the 'treaty' and 'truth' elements of the Uluru Statement of the Heart.

Treaty is the all-important mechanism through which we will transfer decision-making power and resources to Victoria's First Peoples. The Labor Government will continue the treaty process with Victoria's First Peoples, with substantive treaty negotiations expected to commence early next year.

Not just words – but action – delivered by a Labor Government in partnership with Victoria's Aboriginal Community.

Alongside treaty, the Andrews Government established the Yoorrook Justice Commission as the nation's first truth-telling process into systemic injustices experienced by Aboriginal people since colonisation.

The Commission is investigating both historical and ongoing injustices committed against Aboriginal Victorians since colonisation by the State and non-State entities, across all areas of social, political and economic life. We look forward to receiving the Commission's reports and recommendations for reform.

Every Victorian should be proud of the progress we've made towards treaty, truth, justice and self-determination for Aboriginal Victorians.

The State has worked in partnership with the First Peoples' Assembly of Victoria – Victoria's democratically elected body for Traditional Owners and First Peoples – to establish the elements required to support future Treaty negotiations with Victorian First Peoples. Formal negotiations are likely to commence in late 2023, and our government has been clear that no issue is off the table. For information about treaty, visit www.firstpeoplesvic.org. The Andrews Labor Government will continue to deliver treaty, truth and justice for First Peoples.

Closing the Gap

We know that it is only through embracing self-determination that we will ultimately ‘close the gap’ and achieve better outcomes. The Victorian Aboriginal Affairs Framework 2018-2023 (VAAF), ensures self-determination is embedded across government policies, programs and services by prioritising culture, supporting healing, addressing racism, promoting cultural safety, and transferring power and resources to communities. Victoria’s progress in improving outcomes alongside Aboriginal Victorians is reported on annually in the Victorian Government Aboriginal Affairs Report (Report) – Victoria’s mechanism for reporting on progress made under the VAAF and the National Agreement on Closing the Gap.

The latest report is available at

<https://www.firstpeoplesrelations.vic.gov.au/aboriginal-affairs-report>.

First Nations justice issues

The Andrews Labor Government is strongly committed to working with Aboriginal communities to reduce rates of incarceration and improve outcomes for Aboriginal youth, including through our Aboriginal Justice Agreement and upcoming Aboriginal Youth Justice Strategy.

Currently, we are engaged in the national conversation about whether the age of criminal responsibility should be changed.

This was a key topic of discussion at the August 2022 Meeting of Attorneys-General (MAG), which brings together the Commonwealth and State and Territory Attorney-Generals. It was agreed at MAG that the Age of Criminal Responsibility Working Group would continue its work in developing a proposal for States and Territories to increase the minimum age of criminal responsibility, with a particular focus on addressing the over-representation of Aboriginal children in the criminal justice system.

The Victorian Government is continuing to work with our community partners to divert as many children as possible, particularly those aged 10-13 years old, from our criminal justice system.

Furthermore, we are working on a range of programs to help reduce preventable deaths in custody by keeping Aboriginal people out of the justice system.

The Government believes that partnering with Aboriginal people gives us the best chance of progress to reduce overrepresentation. They know what is best for their community. Our commitment to the Aboriginal Justice Agreement reflects that view.

Under Phase 4 of the Agreement, Burra Lotjpa Dungaludja, we have invested \$40 million in community-based, intensive diversion programs, culturally appropriate restorative justice models and programs to keep the Aboriginal young people connected to their family and culture.

Cultural Heritage

Victoria has the strongest system of protections for Aboriginal Cultural Heritage in Australia. Traditional Owners have statutory decision-making rights, replacing government and providing Traditional Owners with self-determination over cultural heritage.

Victoria is the only state which prevents final development approval from being granted until a cultural heritage management plan has been approved, which means Traditional Owners are able to negotiate on a more level playing field with developers, knowing they have the power to prevent harm from occurring.

The Labor Government recently invested \$35.7 million into our cultural heritage system to ensure that it can continue to provide Australia's most robust system for heritage protection. This includes funding to support a pro-active mapping process, assisting Traditional Owners to map Country and identify cultural heritage in advance of major projects.