

# LISTENING DEEPLY TO FIRST NATIONS PEOPLE

## SHARED KNOWING, BEING AND DOING

### INTRODUCTION

We recognise that the First Nations people of the ACT and surrounding regions were the first sovereign peoples of this place and that they lived on this land according to their own laws, customs and governance systems from time immemorial. They took care of their lands and their peoples and lived by their customary laws which were still in operation when their lands were colonised.

The Greens want First Nations people to flourish, to achieve the dreams and aspirations they have for their lives and for their children and grandchildren and to support them in all they need to live their lives in health, wellbeing and peace on their lands.

The Greens are committed to Truth, Treaty, Voice and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The Greens want to include the unique knowledge systems of First Nations people in all aspects of ACT policy. We want to understand and respond to the unique cultural, social, physical and spiritual relationship with the land, waters and ACT environment that First Nations people have, which everyone in the ACT can benefit from. We recognise that the inclusion of First Nations knowledge can transform our current ways of doing into shared collaborations that work. The Greens will work together with First Nations in shared healing of our history, our land, our ways of being and doing.

*Our vision is based on our discussions with First Nations peoples of this region and their stated responses.*

We recognise that the First Nations peoples here have been traumatised by the generational actions and policies of subsequent governments and peoples in denying them their rights and traditions to live peacefully according to their spiritual, cultural and sovereign legal rights under Australian Law.

The continued legacy of colonialism has not yet fully recognised the sovereignty of our First Nations people across the entire continent of Australia. This is a wrong that must be made right. Endemic racism and lack of knowledge, education, ignorance and misunderstanding has meant that First Nations people have been subject to policies and legislation that have impacted their lives. At present, many still live in poverty and disadvantage, without the same rights and services that other Australians enjoy. This must be changed so that future generations of First Nations children can dream of better things. It is time to recognise that First Nations people know how to achieve transformation in their own communities through a process of true self-determination, equity and rights that allow them to take charge of that change.

### **TRUTH, TREATY, VOICE**

We will sit with First Nations families, peoples, organisations and communities, recognising the diversity of histories, views and dreams. We will collaborate recognising that self-determination is the basis of all our work together. We respect the ways of knowing, being and doing of First Nations peoples and know they must be the foundation of this work together. We will utilise the knowledge of First Nations people widely in doing this, so that the policy of self-determination is embedded in our interactions with First Nations peoples.

## THE GREENS WILL WORK TOWARDS TRUTH, TREATY, VOICE AND IMPLEMENTATION OF THE UNDRIP BY:

1. Recognising **rights to Country, resources and knowledge**
  - a. Support **First Nations families with claims to connection to country in the ACT to submit native title claims**
  - b. **Repeal and replace the Namadgi Agreement** (including provisions requiring parties to withdraw native title claims)
  - c. **Employ an additional 10 First Nations Rangers** to manage land and environment resources with First Nations ways of knowing, being and doing
2. Recognising **language, cultural and spiritual identity**
  - a. Support the community to establish a **Ngunawal Language Centre** at the Yarramundi Cultural centre with dedicated full time staff to work to revive the Ngunawal language and develop a language program for the ACT primary school curriculum.
  - b. Fund and support **dedicated culture and languages programs in schools and after-school programs**, including on country learning
  - c. Ensure that a **proportion of all arts funding is reserved for the generation of First Nations arts and culture**
  - d. Establish a **dialogue between the ACT Government and traditional custodians on intangible heritage**
  - e. Amend the Heritage Act to require that the First Nations representative on the **Heritage Council is a member of a local ACT region First Nations community**
3. **Upholding foundation rights**
  - a. Establish an office of **First Nations Social Justice Commissioner within the Human Rights Commission**
  - b. Reduce the **incarceration of First Nations women and men to parity with the non-indigenous community by 2030**
  - c. **move the Office of Aboriginal and Torres Strait Islander Affairs into Chief Minister's Directorate** to better support whole of government coordination of First Nations policy and programs
  - d. Mandate that government directorates and community organisations working with First Nations peoples **use First Nations people to train all forward facing staff in cultural awareness, responsibility, safety and security**
  - e. Strengthen the **child protection system & family support** programs with more identified First Nations positions and full implementation of the recommendations of the **Our Booris Our Way Review**
  - f. Secure ongoing and increased funding for **family group conferencing**, led by First Nations community controlled organisations

#### **4. Promoting self-governance**

- a. Give First Nations community control over Boomanulla Oval, the Yarramundi Cultural Centre and the Ngunnawal Bush Healing Farm
  - b. Support First Nations controlled community organisations to deliver services to First Nations community
5. Promoting Life and Security
- a. Fund a dedicated community controlled medical withdrawal and rehabilitation service for First Nations people in the Canberra region
  - b. Fund a \$2 million First Nations Mental Health, Suicide Prevention and Postvention Program
6. Promoting participation, development and economic and social rights
- a. Recognition and promotion of the Canberra Indigenous Business Network
  - b. Explore the need for an Indigenous Business Chamber
  - c. Review of the Indigenous Procurement Policy and its application across Government agencies
  - d. Better accountability and transparency in First Nations funding outcomes
  - e. Continue working with Gugan Gulwan Youth Corporation to design, develop and complete their new accommodation

## **1. RECOGNISING RIGHTS TO COUNTRY, RESOURCES AND KNOWLEDGE**

### **A. SUPPORT FIRST NATIONS FAMILIES WITH CLAIMS TO CONNECTION TO COUNTRY IN THE ACT TO SUBMIT NATIVE TITLE CLAIMS**

The Greens recognise that the legacy of colonisation, disrupted customs and connection to land and waters, and policy decisions made without proper consultation with relevant First Nations custodians of the ACT region have created disputes in the community.

These disputes are causing lateral violence between families and need resolution. The Greens, through consultation with local First Nations elders, believe that the best course of action is for the claiming groups to submit native title claims for determination under the Federal Native Title system.

The Greens want the ACT Government to support First Nations families with claims to make those claims through NTSCORP Limited which is the Native Title Service Provider for Aboriginal Traditional Owners in New South Wales and the Australian Capital Territory.

## **B. REPEAL AND REPLACE THE NAMADGI AGREEMENT (INCLUDING PROVISIONS REQUIRING PARTIES TO WITHDRAW NATIVE TITLE CLAIMS)**

The Namadgi Agreement between the ACT Government and local First Nations families intended to establish a regime for the joint management of Namadgi National Park. This Agreement was entered into on the basis that the families would withdraw their lodged native title claims and not lodge any in the future. The Joint Management Committee was only operational for a few years before it broke down and the Agreement has not been operational for over a decade. The Greens will repeal the Namadgi Agreement so as to enable parties and other First Nations families claiming connection to Country in the ACT to submit native title claims.

Once native title has been determined under national processes, the Greens would push for a new agreement for the joint management of Namadgi and any other crown land with the relevant First Nations groups.

## **C. EMPLOY AN ADDITIONAL 10 FIRST NATIONS RANGERS TO MANAGE LAND AND ENVIRONMENT RESOURCES WITH FIRST NATIONS WAYS OF KNOWING, BEING AND DOING**

The Greens will provide an additional 10 local full-time and ongoing First Nations Rangers working in Namadgi and Canberra Nature Park to improve cultural practices in environmental management and restoration. Under the guidance of Traditional Custodians, the Greens will develop and implement a First Nations Rangers program, employing Ngunnawal, and other local first nations rangers that covers off- and on-reserve activities (including Namadgi and Canberra Nature Park) to better engage the community on traditional cultural practices and cultural water and fire management. This involves supporting Rangers to work with key community groups under direction of the Dhawura Ngunnawal Committee.

## 2. RECOGNISING LANGUAGE, CULTURAL AND SPIRITUAL IDENTITY

### **A. SUPPORT THE COMMUNITY TO ESTABLISH A NGUNAWAL LANGUAGE CENTRE AT THE YARRAMUNDI CULTURAL CENTRE WITH DEDICATED FULL TIME STAFF TO WORK TO REVIVE THE NGUNAWAL LANGUAGE AND DEVELOP A LANGUAGE PROGRAM FOR THE ACT PRIMARY SCHOOL SYSTEM**

The [Ngaiyurijja Ngunawal Language Group](#), is a partnership between a number of Ngunawal family groups and the Australian Institute of Aboriginal and Torres Strait Islander Studies to develop a Ngunawal language program for primary school children. The Group's aim is to provide a fully functional language that could also be part of the ACT school curriculum. The Greens will back this work supporting the community to establish a Ngunawal Language Centre at the Yarramundi Cultural Centre to act as a hub for this language revival work.

### **B. FUND AND SUPPORT DEDICATED CULTURE AND LANGUAGES PROGRAMS IN SCHOOLS AND AFTER-SCHOOL PROGRAMS, INCLUDING ON COUNTRY LEARNING**

The Greens will strengthen education about First Nations cultural heritage with the engagement of local cultural teachers, rangers and cultural knowledge holders employed by ACT Education to deliver dedicated culture and languages programs in school and on Country.

### **C. ENSURE THAT A PROPORTION OF ALL ARTS FUNDING IS RESERVED FOR THE GENERATION OF FIRST NATIONS ARTS AND CULTURE**

The Greens will set clear targets for a proportion of the overall allocation of government grants to be reserved for First Nations art and culture. The proportion should be developed in partnership with First Nations groups such as the Aboriginal and Torres Strait Islander Elected Body, the Yuarana Centre and other First Nations cultural arts groups.

#### **D. ESTABLISH A DIALOGUE BETWEEN THE ACT GOVERNMENT AND TRADITIONAL CUSTODIANS ON INTANGIBLE HERITAGE**

The ACT's heritage system includes a system for protection of the heritage of Canberra's traditional custodians. However, it has focused on physical heritage such as stone tools, scarred trees and quarry sites. This leaves out important intangible heritage such as places where spiritual practices are carried out. The Greens want to establish a dialogue between the ACT Government and traditional custodians on which intangible heritage should be covered by legal protection, the best method of implementing this protection and how existing legislation should be changed. The dialogue may also cover enforcement or restoration remedies if tangible heritage has been harmed.

#### **E. AMEND THE HERITAGE ACT TO REQUIRE THAT THE FIRST NATIONS REPRESENTATIVE ON THE HERITAGE COUNCIL IS A MEMBER OF A LOCAL ACT REGION FIRST NATIONS COMMUNITY**

The Heritage Act provides that there must be at least one member of the Aboriginal community who is appointed to the Heritage Council. The Greens believe that this representative should be of a local, ACT-region First Nations community, so that a local perspective on First Nations culture and heritage in the ACT is available for decisions made about ACT matters. This should not preclude additional First Nations representatives being appointed to the Council.

### **3. UPHOLDING FOUNDATION RIGHTS**

#### **A. ESTABLISH AN OFFICE OF FIRST NATIONS SOCIAL JUSTICE COMMISSIONER WITHIN THE HUMAN RIGHTS COMMISSION**

The Greens will establish an office of First Nations Social Justice Commissioner (an identified position) within the Human Rights Commission with powers of oversight to work for the wellbeing of First Nations peoples in the ACT. The Commissioner would be an identified position, and a designated champion and advocate for First Nations social justice. This position would drive holistic and systemic reform across Government to improve outcomes for First Nations peoples in close consultation with the Elected Body and First Nations community controlled organisations.

## **B. REDUCE THE INCARCERATION OF FIRST NATIONS WOMEN AND MEN TO PARITY WITH THE NON-INDIGENOUS COMMUNITY BY 2030**

With a Greens Minister for Justice and Corrections, we successfully drove the 'Building Communities, Not Prisons' agenda in government, which included developing a strategy to Reduce Recidivism by 25% by 2025, enhancing our rehabilitation framework at the Alexander Maconochie Centre and providing more supported housing options for people on bail and exiting detention - a major factor in reoffending - for better justice outcomes. The Greens believe that with concerted effort that centres on community responses to justice, we can reduce the proportion of First Nations men and women in prison.

The Greens will push to reduce the proportion of indigenous people incarcerated to parity with the proportion non-indigenous population incarcerated by 2030.

## **C. MOVE THE OFFICE OF ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS (OATSIA) INTO CMTEDD TO BETTER SUPPORT WHOLE OF GOVERNMENT COORDINATION OF INDIGENOUS POLICY AND PROGRAMS**

The Greens believe that moving OATSIA into the Chief Minister's Directorate better aligns with their cross government coordination functions. For example the Elected Body Secretariat within OATSIA routinely consults across government in preparation for the Elected Body meetings and annual hearings. This administrative change could assist with greater visibility of OATSIA functions and give a stronger remit for implementation of their work.

## **D. MANDATE THAT GOVERNMENT DIRECTORATES AND COMMUNITY ORGANISATIONS WORKING WITH FIRST NATIONS PEOPLES USE FIRST NATIONS PEOPLE TO TRAIN ALL FORWARD FACING STAFF IN CULTURAL RESPONSIBILITY, SAFETY AND SECURITY**

The Greens want an ACTPS where all staff, including Senior and Executive staff are trained and educated by local First Nations people in culturally intelligent and culturally responsible ways of how to deliver those services. This should be an ongoing process of learning and dialogue, not just a one time introduction course as part of induction.

The ACT Greens believe that cultural safety begins with First Nations people. The Greens will require all cultural awareness, safety and responsibility training for government directorates and public funded community organisations to be delivered by local First Nations people with fair payment provided for that teaching.



The Greens believe that the responsibility for Government agencies and staff to deliver culturally intelligent and responsible services to First Nations people should also extend to community service providers who are funded by the ACT Government to perform functions of a public nature (normally provided by the government). This means that those contracted service providers should also use local First Nations people to train their staff in culturally safe and responsible service provision. These obligations should be included in any funding agreement, contract, deed or grant with service providers performing functions of a public nature for First Nations peoples.

### **E. STRENGTHEN THE CHILD PROTECTION SYSTEM & FAMILY SUPPORT PROGRAMS, INCLUDING BUT NOT LIMITED TO IMPLEMENTATION OF THE RECOMMENDATIONS OF THE OUR BOORIS OUR WAY REVIEW**

The Our Booris Our Way review has outlined a path for the reform of the way our child protection system responds to the unique needs of First Nations families. While progress has been made since the review commenced, the Government response to some recommendations is still under consideration. The new government must continue work to implement all recommendations of the Our Booris Our Way review and provide regular progress reports on that progress. The Greens are committed to sustained efforts to ensure that we can achieve the holistic systems change required.

### **F. ONGOING AND INCREASED FUNDING FOR FAMILY GROUP CONFERENCEING**

The ACT Greens know that programs that support First Nations people must be culturally grounded and take a holistic approach. They must move beyond individualised approaches, and recognise the intergenerational impacts of trauma. As part of its approach to supporting community controlled services, the ACT Greens will continue funding, at an increased level, the family group conferencing program for families in the care and protection system.

## 4. PROMOTING SELF-GOVERNANCE

### A. GIVE FIRST NATIONS COMMUNITY CONTROL OVER BOOMANULLA OVAL, THE YARRAMUNDI CULTURAL CENTRE AND THE NGUNNAWAL BUSH HEALING FARM

The Greens want First Nations communities to manage Boomanulla Oval, Yarramundi Reach and the Ngunnawal Bush Healing Farm. We want these places to reach their full potential and meet their original intents. We believe that ensuring First Nations people's input into the purposes, management and design of programs and facilities of these centres is a true reflection of self-determination.

It is important that local First Nations people have their own places to come together, heal and build community. What we have heard from Ngunnawal elders is that the best way to heal the community is to start by healing the youth, and these sites will better enable this.

### B. SUPPORT FIRST NATIONS CONTROLLED COMMUNITY ORGANISATIONS TO DELIVER SERVICES TO FIRST NATIONS COMMUNITY

The Greens are committed to embedding self-determination in the delivery of services to First Nations people. A key way that the Government can improve the lives of First Nations communities is by supporting First Nations community controlled services in the ACT. These organisations have the connections to community and the lived experience to know what solutions work on the ground and how to deliver them on the ground in culturally relevant, safe and connected ways. Community controlled organisations also provide employment pathways for First Nations peoples, empowering the community to respond to its own needs.

There are successful community controlled services doing great work in the ACT, and more are needed. The Greens will continue to support the aspirations of community controlled services operating in the ACT through policy, programs, governance training, funding and research.

The Greens will provide funding first to First Nations controlled community organisations to deliver services to First Nations community, **including**:

- **seed funding for the [Yerrabi Yurwang child and family service](#)**, and
- funding the establishment of a First Nations controlled Indigenous community housing organisation. The initial phase of this work will be, in consultation with the Elected Body, to commission work to determine the housing needs of Indigenous Canberrans and establish a model for a new Aboriginal controlled housing organisation.

## 5. PROMOTING LIFE AND SECURITY

### **A. FUND A DEDICATED COMMUNITY CONTROLLED MEDICAL WITHDRAWAL AND REHABILITATION SERVICE FOR FIRST NATIONS PEOPLE IN THE CANBERRA REGION**

The ACT Greens support the aims of the Ngunnawal Bush Healing Farm (NBHF), which is operated and administered by Canberra Health Services within the ACT Government Health Directorate. However, we know that the NBHF is not a drug and alcohol service, despite its original intention to be so, and never will be. The ACT desperately needs its own dedicated community controlled medical withdrawal and rehabilitation service for First Nations people in Canberra, and we are committed to working with local services to understand the needs, scope and resourcing required to make it happen.

### **B. FUND A \$2 MILLION FIRST NATIONS MENTAL HEALTH, SUICIDE PREVENTION AND POSTVENTION PROGRAM**

The ACT lacks culturally appropriate mental health programs for First Nations people and this commitment will provide \$2 million over four years for a community-based mental health and suicide prevention program.

Improving access to culturally appropriate healing support and social connection services to significantly reduce the rate of suicides in our community are key wellbeing indicators for the ACT Government.

Suicide continues to disproportionately impact First Nations at higher rates than non-First Nations people. As part of the LifeSpan Integrated Suicide Prevention Framework the Office for Mental Health and Wellbeing has consulted with Canberra's First Nations community, the Elected Body, Winnunga Nimmityjah, and Gugan Gulwan to produce a needs analysis for this program.

## 6. PROMOTING PARTICIPATION, DEVELOPMENT AND ECONOMIC AND SOCIAL RIGHTS

### A. RECOGNITION AND PROMOTION OF THE CANBERRA INDIGENOUS BUSINESS NETWORK

The Canberra Indigenous Business Network represents over 30 ACT indigenous businesses. Its self funded efforts to support culturally safe networking and training should be supported and it should be **recognised as a certifying body under the Indigenous Procurement Policy**.

### B. EXPLORE THE NEED FOR AN INDIGENOUS BUSINESS CHAMBER

The Greens support exploring the need for a designated Indigenous Business Chamber to champion local First Nations businesses. There are a number of groups doing great work to support First Nations business, but the Greens believe a designated body will raise the profile of First Nations enterprise and act as a peak body for engaging with the government and private sectors.

### C. REVIEW OF THE INDIGENOUS PROCUREMENT POLICY AND ITS APPLICATION ACROSS GOVERNMENT AGENCIES

Local First Nations businesses have told us that the Indigenous Procurement Policy (IPP) needs review and there needs to be education across government about its operation and application. Too often local First Nations businesses are not prioritised, with bigger interstate companies winning tenders and contracts, even where there are qualified and competitive businesses operating locally. There have also been reports of non-indigenous businesses engaging First Nations people on a token basis for the purpose of accessing dedicated First Nations funding and contracts. There needs to be a review of the IPP, its interaction with the Secure Local Jobs code and education for Directorates about how to apply it fairly and in good faith.

### D. BETTER ACCOUNTABILITY AND TRANSPARENCY IN FIRST NATIONS FUNDING OUTCOMES

The Greens believe that ACT Government funding for First Nations services and programs should be audited to determine whether they are delivering the promised outcomes for First Nations communities. Accountability mechanisms for achieving these outcomes should be applied, including consequences for breaching obligations such as loss of eligibility for future government contracts or tenders.

**E. CONTINUE WORKING WITH GUGAN GULWAN YOUTH CORPORATION TO DESIGN, DEVELOP AND COMPLETE THEIR NEW ACCOMMODATION**

The Greens will continue to support and fund Gugan Gulwan in the development of their new accommodation. Gugan Gulwan delivers important services for First Nations young people and should be given confidence that they will have the space and facilities to deliver engaging and relevant programs to a growing cohort of young people.