

WORKING WITH TRADITIONAL CUSTODIANS AND FIRST NATIONS PEOPLE FOR TRUTH, TREATY AND JUSTICE

ACT Greens Response to ANTAR request for information August 2024

The ACT Greens acknowledge that First Nations' sovereignty has never been ceded. We recognise the Ngunnawal Traditional Custodians of this country and their unique cultural and spiritual relationship with land, water and sky. We also recognise and respect any other groups with a connection to these lands and the many other First Nations people that reside in the ACT region.

We want First Nations cultures to be celebrated and valued, and for First Nations perspectives to be recognised and invited into decision making. We will work to ensure First Nations peoples are supported in their self-determined aspirations and have the opportunity for meaningful participation in government decision-making processes.

To work with Ngunnawal Traditional Custodians and First Nations people for Truth, Treaty and Justice, the ACT Greens will:

- Increase community control of organisations including Boomanulla Oval and Ngunnawal Bush Healing Farm.
- Work towards Truth, Treaty and Voice.
- Work to reduce incarceration and improve justice outcomes.
- Implement the recommendations of the Our Booris, Our Way report.
- Establish an Aboriginal-controlled housing organisation to improve culturally appropriate housing options.
- Work with Traditional owners to explore ways in which decision making regarding caring for country (including joint management) and cultural heritage can be transferred
- Double the number of First Nations Rangers.
- Establish a First Nations-led cultural burning unit.
- Support First Nations-led businesses to share traditional knowledge.
- Create two new dedicated First Nations positions in the Office of Water.
- Support the development of an Aboriginal and Torres Strait Islander mental health service, designed and led by an Aboriginal Community Controlled Health Organisation.

- Establish and Aboriginal and Torres Strait Islander youth mental health and trauma service, co-designed with Aboriginal and Torres Strait Islander people with lived experience.
- Expand the Justice Housing Program.

COMMUNITY CONTROL

Community-controlled organisations are critical for enabling self-determination and delivery of First Nations-led programs and services that are culturally appropriate and empowering. We want to see growth in the number and strength of Aboriginal Community Controlled Organisations (ACCO's) in the ACT, and we are excited to see the emergence of a number of ACCOs who have registered as community housing organisations. We will work with the First Nations community to build capacity of these organisations, support them as they participate in commissioning processes and ensure that they are set up for success. This will include advice on how to ensure ACCO's are successful in seeking Government funding.

Specifically we recognise the importance in the community of seeing both Boomanulla Oval and the Ngunnawal Bush Healing Farm under community control. We are disappointed this has not already happened, but renew our commitment to collaborate with the community to identify viable models to ensure this transfer occurs in 2025.

ULURU STATEMENT FROM THE HEART

The ACT Greens are committed to Truth, Treaty and Voice as called for in the Uluru Statement from the Heart. We share the sense of grief that comes from the referendum result.

We will work with the Aboriginal and Torres Strait Islander Elected Body to raise its profile and improve its impact. We will work to strengthen its connection to Government Ministers and the Assembly, and to consider how we increase the voter participation in future elections to strengthen the Elected Body in the eyes of the community.

We will also explore opportunities for truth telling in the work of government and will continue work to support Traditional Custodians in their pursuit of native title and to work towards a Treaty process.

JUSTICE & INCARCERATION

Our detailed Community Safety policy will be released soon, and available in full on our website. In the interim, we make the following points:

The ACT Greens consider the rate of incarceration and overrepresentation of Aboriginal and Torres Strait Islander people in the justice system to be unacceptable.

We successfully advocated for the ACT to adopt a target more ambitious than the Closing the Gap Target – that by 2031, the rate of Aboriginal and Torres Strait Islander adults held in incarceration should not just reduce by 15%, but should in fact achieve parity with the non-Indigenous incarceration rate. While this is ambitious, this should be the goal we are striving for.

The Greens Attorney General instigated the *Independent Review into the Overrepresentation of First Nations People in the ACT Criminal Justice System*, which is currently being undertaken by the Jumbunna Institute. The ACT Greens are committed to using the recommendations of this report to drive down the rate of incarceration.

We have raised the age of criminal responsibility, which will keep young Aboriginal and Torres Strait Islander children out of the justice system and provide them with alternative pathways and support mechanisms. The age has been raised to 12 and will rise again to 14 on 1 July 2025.

We are heavily committed to principles of Justice Reinvestment, and its practical application in the ACT. We propose to continue and boost a range of programs that reflect this approach, including:

- Yarrabi Bamirr
- Expanded Justice Housing Program
- Functional Family Therapy – Youth Justice
- Programs to support people on bail including the Ngurrambai Bail Support Program
- Drug and Alcohol Court

In the 2024-25, the Greens Attorney General funded community engagement and co-design of a Justice Futures Fund, which aims to deliver community-led support programs and services to address gaps in the justice system and improve criminal justice outcomes. The ACT Greens are committed to putting money into this Fund to implement the ideas delivered.

We commit to maintaining the Galambany and Warrumbul Circle Sentencing courts.

We want the new National Legal Assistance Partnership to be signed as soon as possible, to provide certainty and increased resourcing to key community legal centres, such as ALS and others that support Aboriginal and Torres Strait Islander people.

We are committed to culturally appropriate family support, including the Functional Family Therapy – Youth Justice program, and family support programs including playgroups within the Alexander Maconochie Centre for both men and women.

We are strongly opposed to the law and order agenda being propagated by some parts of our community, because we know this will have a disproportionate impact on Aboriginal and Torres Strait Islander people. We know there are smarter ways to make our community safer, and justice reinvestment lies at the heart of that smarter approach.

IMPLEMENT THE RECOMMENDATIONS OF THE OUR BOORIS, OUR WAY REPORT

We consider the real power of the Our Booris, Our Way report was that it was authored by members of the Aboriginal and Torres Strait Islander community, and as such represents a clear guide to Government and community agencies on the steps needed to make a real impact in supporting First Nations people and families. We affirm our commitment to the recommendations in the report.

We commit to appropriately resourcing the Community Services Directorate, ACCO's and other non-government organisations to enable them to implement the recommendations in full.

ABORIGINAL HOUSING

The ACT Greens believe that housing is a human right. We will continue current work led by the Community Services Directorate (CSD) to support Aboriginal Community Controlled Housing Organisations that have been recently established and have successfully registered as community housing organisations.

The Greens Minister for Homelessness, has secured funding for specialist homelessness services for the Aboriginal and Torres Strait Islander community. The commissioning for this service is currently underway, having been co-designed in consultation with the sector. The commissioning is currently being finalised, with the announcement of the successful provider expected shortly. Information on the delivery of commissioning for the homelessness sector can be found [here](#).

ENVIRONMENT, HERITAGE AND WATER

Invest in First Nations Leadership when caring for country

The ACT Greens recognise the profound wisdom of the traditional owners of our lands. First Nations people have been caring for Country for millennia. This deep knowledge and connection to Country must be respected, and the Greens believe programs empowering First Nations people to care for the land should be prioritised and well-funded.

The ACT Greens will invest in First Nations conservation management, employment career pathways and leadership to embed First Nations care for country into all environmental decision making.

The Greens will support First Nations conservation management with a goal of establishing joint management agreements for the ACT's iconic nature reserves and waterways. Supporting community led processes, we will work to embed traditional knowledge and practices into all conservation management.

We commit to reviewing the advisory mechanisms we have with traditional owners, with the intent to elevate their status and assist in the pathway to joint management of country. The

Greens recognise that this will take time and must occur in conjunction with community-led work around native title claims, and recognition of who speaks for country.

Double the number of First Nations Rangers

We will empower First Nations cultural leadership in conservation and environmental management by doubling the number of First Nations Rangers and establishing career pathways to support First Nations conservation leadership.

We will set First Nations Rangers hiring targets with the Environment, Planning and Sustainable Development Directorate (EPSDD) that includes the Parks and Conservation Service and support internal restructuring to increase career pathways for First Nations staff. We will provide supplementary resources as required to ensure they are met.

Establish a First Nations-led cultural burning unit

We will establish a new First Nations-led cultural burning unit in the ACT Parks and Conservation Service, which the ecological burning team will collaborate with and learn from.

Support First Nations-led businesses to share traditional knowledge

We will establish a pilot project to support First Nations-led businesses to share traditional knowledge, explore joint management opportunities and establish eco-tourism and cultural-environmental education opportunities.

Place Cultural Heritage Decision Making into the hands of Traditional Owners

The Greens recognise that ACT occupies unceded land that has had people living and passing through this place for millennia before European settlement. We acknowledge that much of this heritage is not yet adequately recognised, protected or celebrated. Traditional owners must have stewardship and decision-making power over their cultural heritage. Without adequate protections for Aboriginal cultural heritage, we risk the devastating destruction of sites and objects.

The ACT Greens will establish a legislated Cultural Heritage Body. This Body will return power to traditional custodians to determine their own cultural heritage. This Body will complement the work of the Elected Body, specifically recognising the role of traditional owners in caring for this country. Its structure and operational functions will be co-designed with local traditional owners, and will be an independent body with the authority to determine Aboriginal cultural heritage decisions and outcomes. The Body will also make recommendations to the Heritage Council and ACT Heritage on improving policies and

processes to remove barriers to the active participation of First Nations in heritage in the ACT.

As part of this work, we will resolve the role of Registered Aboriginal Organisations, and work towards a process that enables Traditional Owners and knowledge holders to be central to the identification, protection and management of First Nations heritage.

We recognise that this process needs to be led by community and may take time to realise, and the journey will be as important as the final outcome.

Create two new dedicated First Nations positions in the Office of Water

In 2021 we created a dedicated Ngunnawal Water Policy Officer position in recognition that traditional custodian knowledge is critical to our understanding of the natural environment and sustainable management of the land and water. Establishing this position, and working closely with traditional custodians within this region, has provided great depth to our work in, water management, catchment planning and policy development.

Building on this work, we will establish two more dedicated First Nations positions within the Office of Water to further embed First Nations knowledge and perspectives into water management in the ACT.