

Victorian Traditional Owner Land Justice Group

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Native Title Settlement Framework will address unfinished business for Victoria’s traditional owner groups

The Victorian Traditional Owner Land Justice Group (VTOLJG) welcomes the State Government's decision to adopt the Framework put forward by the Steering Committee for the Development of a Victorian Native Title Settlement Framework, as the preferred method for negotiating native title in Victoria.

Chairperson of Native Title Services Victoria and Land Justice Group Co-Chair, Graham Atkinson, says the Framework is the result of a collaborative undertaking between the State Government and the Land Justice Group to find an alternative way to resolve native title claims in Victoria.

“For the past four years, the Land Justice Group has been working to find a way for native title agreements to better meet the real aspirations of traditional owners. We are pleased the State Government has accepted the package of recommendations made by the Steering Committee because they offer the potential to provide real land justice to Traditional Owner groups,” Mr Atkinson says.

“Native title resolution in Victoria is not working. It is too cumbersome, complex, costly and uncertain and has delivered only ad hoc and limited outcomes.

“This is a negotiated package that deals with unfinished business and will go some way to redressing past injustice. It will provide a streamlined approach to native title resolution which is agreement driven and invests in outcomes, not processes. It is an honourable compromise in the interests of all traditional land owner groups in Victoria,” Mr Atkinson says.

Under the Framework, individual agreements are negotiated between the State Government and traditional owners around issues of recognition, access to land, access to natural resources, strengthening culture and improved native title claims resolution.

Traditional owner groups may elect to negotiate with the State Government and will need to satisfy the Government that they are the right people for country. This will be achieved through a more collaborative, less adversarial process.

“The Framework promotes a fair go for all traditional owners in Victoria and will save significant amounts of time and money for traditional owners, and for the Government,” Mr Atkinson says.

“The Framework has come about because of the commitment by both parties to work together, to achieve greater understanding of each other’s positions, and make considerable compromises to reach agreement about how the Framework will operate.”

The Land Justice Group will continue to work with the Government on its implementation and will consult with traditional owners around the state on implementation matters.

Mr Atkinson also says the adoption of the new State policy Framework and the resulting agreements made under it, will bring economic, environmental and cultural benefits, including

employment opportunities for traditional owners, improved environmental and land management practices in Victoria's national parks and state forests and education for all Victorians about Indigenous cultural heritage.

"The problem solving approach which underpins the Framework is less combative and will enhance reconciliation by providing real land justice for Aboriginal Victorians and resolution of native title claims for Government."

"Under the Framework, all existing rights of the public will be protected, and no private land will be affected." Mr Atkinson says.

Land Justice Group Negotiator, Sandra Onus says the Framework sets up a process of reaching negotiated outcomes between the Victorian public and traditional owners which recognise and respect traditional owners' rights and acknowledge first nations' connections to the area.

"In practical terms, it will facilitate improvements for land management and the environment in Victoria through joint management arrangements. It will also help educate the wider Victorian public about Indigenous cultural heritage."

"There will also be an economic development benefit to Indigenous communities which will flow through to regional communities, with the development of jobs and business opportunities," Ms Onus says.

The Land Justice Group believes the Framework will result in wider choice for traditional owners in Victoria and has the capacity to resolve all Victorian native title claims without unnecessary delay and for less cost.

Mr Atkinson says it's a ground-breaking reform and is leading the way for alternative native title resolution in Australia.

"In the collaborative spirit of the negotiating process which led to this alternative resolution model, the Framework sets up a fairer process which recognises the connection of traditional owners in Victoria to land today, and does not view traditional owners as museum pieces frozen in time," Mr Atkinson says.

For more information or to arrange an interview with Chairperson of Native Title Services Victoria and Land Justice Group Co-Chair, Graham Atkinson or Land Justice Group Negotiator, Sandra Onus, please contact Lucy Kent from Public Relations Exchange on 03 9607 4500 or 0423 857 942.

About Native Title Services Victoria (NTSV):

Native Title Services Victoria (NTSV) exists to deliver sustainable Native Title outcomes to Aboriginal people in Victoria that will respect, protect and transmit Aboriginal culture and identity for present and future generations. NTSV's primary purpose is to represent Native Title claimants in Victoria and ensure that Native Title rights and interests are recognised and protected.

NTSV is a service delivery body which performs some of the functions of a Native Title Representative Body (NTRB) for Victoria. NTSV achieves this by providing a professional service centre for traditional owner groups of Victoria, supporting and respecting the autonomy of native title claim groups, using negotiation and mediation as key dispute resolution tools, helping Aboriginal Victorians to exercise their cultural responsibilities to care for land, helping native title claim groups to identify and achieve their own distinct aspirations under the Native Title Act.

NTSV receives funding from the Commonwealth under s203FE of the *Native Title Act 1993* (Cth).

NTSV supported the establishment of the Victorian Traditional Owner Land Justice Group (LJG) in 2005 to find a better way of doing business and achieving workable native title and land management outcomes in Victoria. NTSV provides policy and strategic advice to the Victorian Traditional Owner Land Justice Group.

For more information, visit www.ntsv.com.au

About the Victorian Traditional Owner Land Justice Group:

The Land Justice Group is continuing a long history of traditional owner activism and working together for land justice in Victoria. Victorian Traditional owners hold many aspirations in common such as recognition of traditional owners and their boundaries and rights to speak for their country, access to land for traditional owner groups, ranging from management of national parks as well as having land for economic development or cultural purposes; access to natural resources including customary use of resources such as animals, plants and fisheries, strengthening culture, and improved native title claims resolution including sustainable governance.

In November 2006, it was decided that the primary purpose of the LJG was to negotiate a new policy framework with the State Government, so that native title agreements can better meet the real aspirations of traditional owners for community and economic development. After two years of lobbying, the State Government announced the formation of a Steering Committee, to be chaired by Mick Dodson, whose role was to recommend a new policy framework for native title and land justice.

This framework aims to provide a more streamlined approach to settling native title claims by setting out what could be included in a settlement package, how negotiations could be conducted and what conditions the State would require to be met by groups to enter into negotiations about a package.

This new framework will also provide an alternative way to resolve native title claims in Victoria that will deliver better outcomes in relation to traditional owner use, management and ownership of State land in Victoria.

Graham Atkinson is a founding co-chair of the Land Justice Group and Chairperson of Native Title Services Victoria. Graham has been involved in government negotiations and native title for many years. Graham is a Dja Dja Wurrung and Yorta Yorta man. Amongst other things he was involved in the Yorta Yorta High Court case and now championing land justice through the State's Framework negotiations. He holds a Master of Business Administration a Bachelor of Arts and Social Work and is Director of consultancy firm, Atkinson Kerr Associates.

Sandra Onus is a member of the Victorian Traditional Owner Land Justice Group and a member of the Steering Committee for the development of a Victorian Framework. Sandra is a Gunditjmara elder and is the chairperson of the Dhaurtwurrung Community Cooperative and Health Service, which is located in Portland on her traditional country. Sandra was one of the primary applicants in the case *Onus & Ors v Alcoa of Australia Ltd* in the 1980's where traditional owners fought and won in the Federal Court protection of sacred sites, and also resulted in the Victorian Government agreeing to hand back a portion of Lake Condah. Sandra has been an activist all her life, committed to improving the lives of Aboriginal people and achieving land justice.

For more information, visit www.landjustice.com.au

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