

*Victorian Traditional Owner
Land Justice Group*

The Victorian Traditional Owner Land Justice Group (LJG) is an unincorporated body which provides a voice for traditional owner groups in Victoria. It lobbies governments for improvements to policy, legislation and in how government goes about its business, to achieve greater land justice for all of the traditional owners of Victoria.

12 March 2009

*Update to Traditional owners on the Development of a
Victorian Native Title Settlement Framework*

Since our last newsletter in December 2008 the Steering Committee has delivered its report to Government and to the Land Justice Group. The Framework recommended in the report brings together new policy approaches for Victoria, developed after looking nationally and internationally at models of 'best practice' in Indigenous land matters. No traditional owner group will be obliged to use the Framework unless they chose to do so. If they do, the Framework will allow new benefits to be included in a group's negotiation and settlement, with the State Government, of its native title and land justice aspirations.

This confidential Steering Committee report was discussed at a LJG meeting on 18 December and further considered at a LJG meeting on 7 February this year. The LJG members are aware of some of the concerns being expressed by traditional owners about the confidentiality of the report, and they well understand those concerns. The State Government established the terms of reference for the Steering Committee and the State's view is that the deliberations and report should remain confidential at this stage for a range of reasons, in order to allow Government to deal internally with the implications of the report. The LJG, while not entirely convinced of the need for confidentiality, endorsed the terms of reference for the Steering Committee to enable the LJG to participate in this unique process. The LJG remains committed to working with the Victorian Government to try to secure better land justice outcomes for traditional owners.

At the meeting of the LJG on 7 February 2009 it resolved to endorse the Steering Committee report. This was a consensus decision, having no objecting members. The following messages were developed by the LJG members and given to the State Government when advising of the LJG's decision to endorse the report:

- LJG notes that the package of Steering Committee recommendations represents compromise on both sides
- LJG stresses the importance of consultation with Traditional Owners and the need for them to occur as soon as possible
- LJG stresses the urgent need for a new approach and the potential of the Framework to provide real land justice opportunities
- LJG seeks government's adoption of the whole report and establishment of the Framework ASAP – too many elders have passed away without seeing native title resolved and some form of land justice delivered
- LJG confirms its willingness to work with government on the detail and implementation of the Framework

The LJG now awaits the decision of the State Cabinet. We've been advised that the Government's response to the recent bushfires has taken priority over the past few weeks and has delayed a decision on the Framework. We hope that Cabinet will be meeting to consider the report in early April. If the State Cabinet accepts the Report's recommendations then the next steps will include detailed consultation with traditional owners and further work to develop the policy, including legislation. Consultation with other stakeholders will also be necessary. LJG would be seeking full implementation of the Framework by the end of 2009 so that groups can start to access it in 2010 if they wish.

For further information contact Jane Holden through Native Title Services Victoria on 03 9321 5300 or on 0409 349 114.