

Community Communique



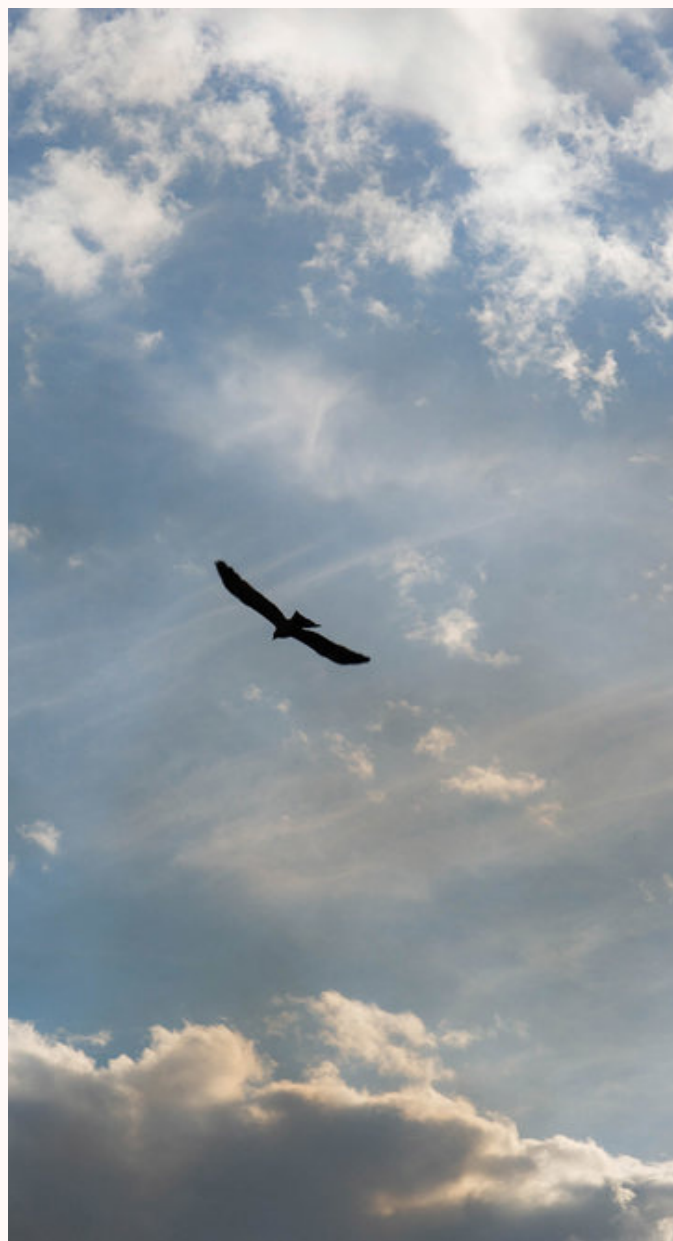
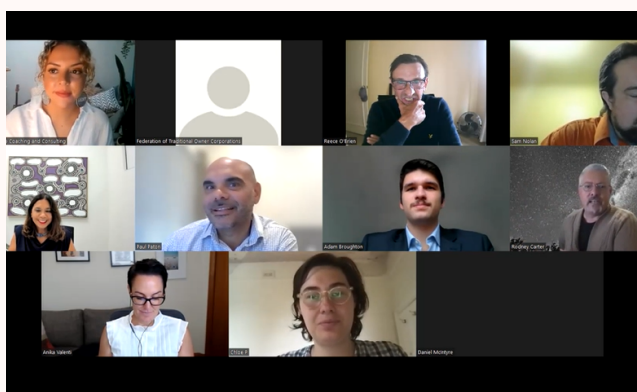
On Wednesday the 16 March, the Federation Victorian Traditional Owner of Victoria (FVTOC) hosted a four-hour online forum to socialise the Victorian Traditional Owner Native Food and Botanicals (TONFABS) Strategy. This brought together Victorian Traditional Owners, known as the Traditional Knowledge Group for the purposes of this project. The online gathering is the first of four workshops to occur in the coming months.



Background

Since 2019, the **FVTOC** and **Agriculture Victoria** have formed a partnership to safeguard Victorian Traditional Owners' interests in the native food and botanical industry.

Following 14 months of community consultation, the *Traditional Owners Native Food and Botanicals Strategy* (the Strategy) was launched in April 2021. It outlines a set of principles and strategic and policy priorities for the development of a Traditional Owner-led industry built on Aboriginal knowledge systems.



**NEXT MEETING WILL BE HELD
ONLINE 9AM - 1PM ON APRIL 27
2022**

“Our vision:

To establish an authentic, vibrant and growing industry that respects and recognises the inherent interests and rights of Traditional owners - and enables and strengthens the social, cultural and economic connections with the lands and resources”

- Traditional Owners Native Food and Botanicals Strategy, 2021 p. 7



The Australian native food and botanicals industry is a thriving and rapidly growing market, supplying a diverse range of bushfoods, therapeutic and cosmetic products worldwide.

A 2019/2020 market study conducted by the University of Sydney for Australian Native Foods and Botanicals (ANFAB) found that the industry is forecast to double in size by 2025 to a total retail value of approximately \$160 million (Laurie 2020).

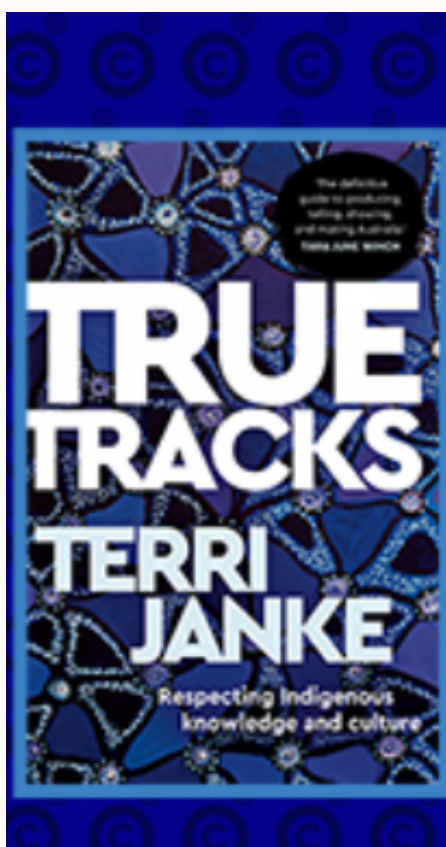
The Strategy identifies legislative reform, regulation, policy phasing, investment, and co-capacity building in partnership with Traditional Owners as critical to achieving this. A key tenant to the Strategy and focus of the online forums is the development of Indigenous Intellectual and Cultural Property (ICIP) to be developed by this, Traditional Knowledge Group.

Attendees

The FVTOC invited Victorian Traditional Owners to participate in the creation of a Traditional Knowledge Group (TKG) through attendance of the first of four workshops on implementation of the Strategy. The forum was facilitated by Mbarbrum women and Founder of Blak Wattle Coaching and Consulting, Caroline Kell.

Several Victorian Traditional Owners from various Nations and Clans across the state brought their cultural and commercial expertise to the subject matter. Members of the TONFABS Project Control Committee (PCC) provided contextual information on the rationale and development of the Strategy.

Also in attendance were representatives from Indigenous commercial law firm, Terri Janke and Company who have been commissioned to implement the initial stages of the Strategy. Terri Janke and Company has been advising on matters related to Indigenous business, intellectual property, and protection of Indigenous knowledges for almost 22 years.



Purpose

The TKG workshops provide an opportunity for community collaboration on the implementation of the Strategy. This includes identifying Victorian Traditional Owners' visions for the native food and botanicals industry, necessary cultural protocols, and potential barriers to participation.

These discussions are shaped around the implementation plan developed by the PCC, which seek to enshrine self-determination and protect Indigenous Cultural and Intellectual property. A scoping paper (Attachment B) which outlines these tranches of work in more detail, was provided to all attendees and will underpin discussions at future forums. This implementation is made up of four distinct pieces of work.

1. Best Practice Cultural Protocol.

The Cultural Protocol is an essential step in positioning Victorian Traditional Owners with the requisite self-determination and leadership to protect their Indigenous cultural and intellectual property (ICIP) rights. It seeks to ensure that the broader Victorian native food and botanicals industry respects the cultural protocols of each Aboriginal Corporation with whom, or upon which lands, it conducts its business. The Cultural Protocol can be adapted to meet the specific needs of Nations and be incorporated into contracts and agreements with parties within or external to the industry to ensure their enforceability.

2. Access & Benefit Sharing (ABS) Agreement template.

The ABS Agreement aims to ensure free, prior and informed consent for Victorian Traditional Owners when engaging with third parties seeking to utilise their biological resources and related knowledges. A template will be developed that can be adapted by each specific Aboriginal Corporation to be used with researchers, partners, and collaborators in the sector.

3. Labelling Accreditation System

The proposed Labelling Accreditation System acknowledges consumer's growing interest in ethical business practices to recognise authenticity and cultural heritage of Victoria's native food and botanical products. The system will also extend to ensure that suppliers of these products comply with the Cultural Protocols. The Accreditation System will take the form of a certification trademark/s owned and administered by a peak Indigenous body established by the Strategy.

4. Business Modelling Options (BMO) Paper.

The BMO paper explores various options for the establishment of a governance structure within the industry to best protect the interests of Victorian Traditional Owners within the native food and botanicals industry in Victoria. Responsibilities would include the regulation of the Labelling Accreditation system and ABS whilst ensuring sustainability of the industry.

Proceedings

The first meeting was an information sharing forum designed to provide the background context for the work ahead. It commenced with an Acknowledgement of Country and culturally informed introductions facilitated by Gunditjmara man and Senior Project Officer at Agriculture Victoria, Sam Nolan.

Next, Paul Paton, Gunai and Monaro-Ngarigo man and FVTOC CEO and Rodney Carter, Chair of the PCC and CEO of Dja Dja Wurrung Clans Aboriginal Corporation spoke to the overall purpose of the Strategy. Reece O'Brien, Principal Advisor, Economic Development at the FVTOC detailed the governance structures overseeing the Strategy and its implementation.

In addition to the TKG, this includes a proposed 'nested' co-governance structure, composed of Victorian Traditional Owners, representatives from Victorian Government departments and the FVTOC, as well as experts by invitation. This group would co-design the implementation of the Strategy and respond to issues raised by the TKG.

Representatives from Terri and Janke and Company, Wuthathi/Meriam woman and Solicitor Director Dr Terri Janke, Senior Associate Anika Valenti and paralegal Adam Broughton presented on the development of the four components to the Strategy's implementation

Throughout the workshop, Caroline Kell facilitated discussions between panel presenters and Victorian Traditional Owners. A snapshot of their rich and reflective insight is presented below.

“It’s been great to be part of the discussion. I’m reflecting on how complex the road ahead is, but it’s not impossible” -

Traditional Knowledge Group Participant

Insights

The workshop heard the importance of centering the self-determination of Victorian Traditional Owners to protect ancestral knowledge and the cultural prosperity of future generations.

This was seen as particularly relevant in the context of the Victorian State Government's pursuing self-determination as its core policy platform for Aboriginal Affairs.



Six key insights were put forward and are included below

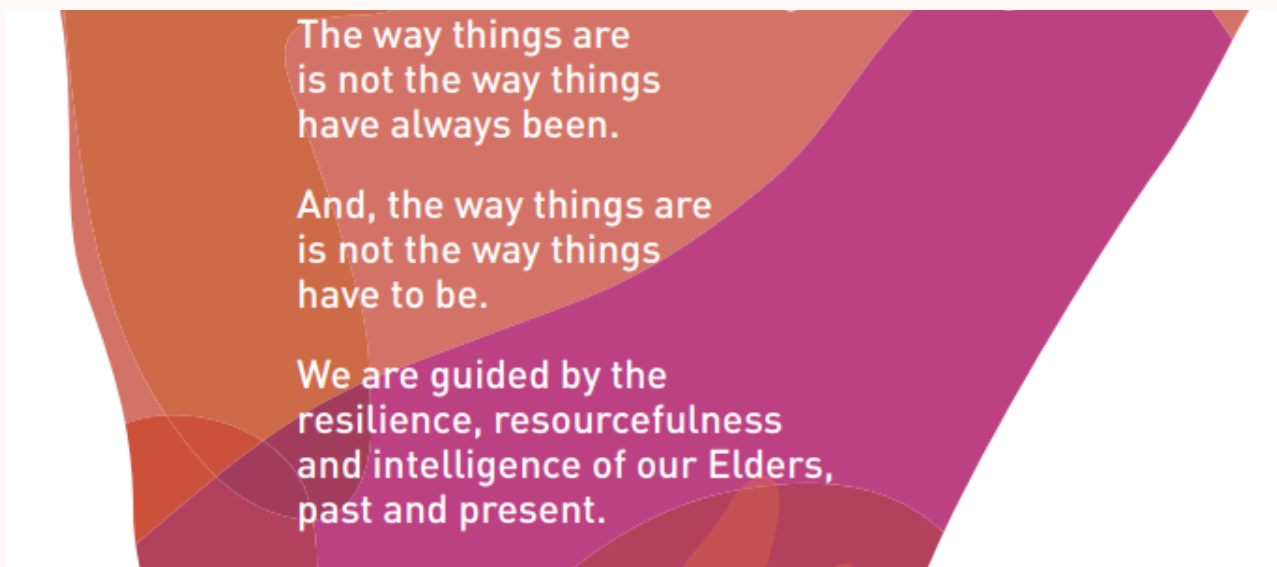
- The meaningful inclusion of Victorian Traditional Owners not affiliated with the 11 Registered Aboriginal Parties in the proposed co-governance group.
- Navigating the collective and individual nature of knowledge ownership, particularly for specialised knowledge holders such as medicine men.
- Balancing opportunities for economic empowerment with concerns over commercialising sacred knowledge.
- The creation of meaningful levers to ensure compliance and accountability to Cultural Protocols and ABS
- The need for Aboriginal Corporations to negotiate together on plants which span Nation boundaries.
- The role of existing Indigenous businesses operating in the sector.

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Traditional Knowledge Group Participant

Next Steps

The next workshop will be held on the 27 April and information can be accessed by emailing Reece O'Brien at reece.obrien@fvtoc.com.au Participants were encouraged to read the Scoping Paper (Attachment B), which provides more details about the proposed work to implement the Strategy. Victorian Traditional Owners are strongly encouraged to share this opportunity to participate in the TKG with their families and networks to ensure a diversity of voices are heard.



References

Laurie, S (2020). Australian native foods and botanicals – 2019/20 market study.



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