



Budget Submission 2022

The Federation of Victorian Traditional Owner Corporations (**Federation**) is the Victorian State-wide body that advocates for the rights of Traditional Owners to progress social, economic, environmental and cultural objectives. We continue to support the progress of Treaty, agreement-making, policy co-design and active participation in decision-making to enhance the activation of rights and exercise of authority through self-determination for Traditional Owners from a strengths-based perspective.

The Federation strongly supports the Victorian Government's commitment to Treaty in Victoria, recognising that it represents a significant opportunity to shift power and authority to the Victorian Aboriginal and Traditional Owner community to activate better health, education, employment and economic outcomes. Our support to the First Peoples' Assembly and Traditional Owners engaged in Treaty has yielded key insights and brought a strong focus on good process as the foundation for future cohesion and outcomes for all Victorians.

However, we are also mindful that self-determination and the activation of rights cannot simply be put on hold while waiting for Treaty. Traditional Owners are, rightly, seeking to progress and build on the priority areas outlined in this submission.

The Covid-19 pandemic has brought a range of challenges for communities and in particular has impacted on opportunities to continue to connect with Country. The priorities set out below each seek to bring holistic benefits and outcomes that will support communities to reengage and revitalise, and to invest in the businesses, jobs and sectors that have the potential to strengthen Traditional Owners to positively contribute and create regional growth and State-wide recognition. This will build not only on the growing asset base and businesses, but also on Indigenous knowledge and practices led through self-determination.

Time and time again, Traditional Owners have expressed the need for adequate resources to enable the exercise of core responsibilities and hard-won rights. The expectations of, and requirements on, Traditional Owner Corporations will continue to overwhelm the available capacity and undermine the significant progress already made, unless appropriate investment and funding is made available.

Traditional Owners are also increasingly voicing the need for true self-determination that brings authority over Country, cultural strengths, knowledge and other assets.

In this regard, our work to drive change and better outcomes for communities through and cultural fire, water management, renewable energy and bushfoods has provided much needed impetus with the aim of supporting capacity and translating policy into progress. Our ability to convene and harness the experience of Traditional Owners in the practicalities of complex and difficult agreement making is at the core of our role in supporting Traditional Owners.

The Federation also supports, advises and strengthens the capacity of departments to contribute to the building of the State's Aboriginal communities and recognition of Traditional Owners, including in relation to strengthening the capacity of groups through nation building, natural resource management, cultural heritage, Treaty, Settlement Act reform, local government and planning. As a Traditional Owner led organisation, we are self-determination in practice, and we are ready to progress with the Victorian Government the policy areas outlined here.

Key themes for Budget 22

Supporting Self-Determination

A self-determination lens needs to be brought sharply to focus on key elements that lay the foundations for Treaty, set the framework for the on-going relationship between Traditional Owners and the State and enable Traditional Owners to practice and build on knowledge and culture that bring holistic wellbeing back to communities and Country.

Self-determination is often reduced to convenient clichés and there is little understanding within government of the collective nature of the right as prescribed in the United Nations Declaration on the Rights of Indigenous Peoples. Self-determination is often referred to as an individual right - to a job, good health outcomes, etc. These are individual human rights that accrue to all people, rather than the collective nature of the right to self-determination.

Throughout the year we have sought feedback and input on the priorities and proposals for giving effect to self-determination. Traditional Owners have continued to voice the need for:

- Strong corporations that are well-resourced with capacity to engage and participate in local and place-based solutions as well as the broader strategic opportunities.
- Supporting groups in implementing new approaches to the knowledge base which informs and empowers decision making about Country, culture and community, building on collective identity, cultural knowledge and heritage
- Supporting and informing on embedding cultural values, voices, knowledge and rights into the critical work of local and state government, strengthening prioritisation and planning for the long term.

We have heard the need for self-determination and a strong collective voice to complement the individual groups self-determination, and while some of the following initiatives have been identified over several years, they have not yet been funded; others are emerging as new areas where Traditional Owners see a need to prioritise their efforts to and support for activating rights and interests.

11 priority initiative have been identified:

Healthy Country Healthy Community

1. Cultural landscapes
2. Reading Country and Country Planning
3. Biocultural Diversity
4. Cultural Fire Implementation

Economic independence

5. Sector and regional development facilitation
6. Procurement Policy

Building strong foundations

7. Sustainable organisations
8. Local Government Relationship building
9. Advice, Capacity and Traditional Owner Support

Cultural strengthening

10. Self-determination, data sovereignty and ICIP
11. Cultural Strengthening through language

Healthy Country Healthy Community

Healthy Country and Healthy Community are intrinsically linked. Traditional Owners continue to voice strongly the relationship through holistic perspectives on managing Country. Self-determination is critical in bringing cultural knowledge and holistic practices back into the landscape. Bridging deep knowledge with western science requires investment to map, plan and advise on the policies and priorities required to manage the landscape.

Furthermore, the focus on bringing that knowledge and practice back on Country provides a positive environment to rebuild and reinvest in the wellbeing of communities and engage with people to support broader health, education and social outcomes, including reduced costs in terms of justice and corrections funding.

1. Cultural Landscapes Strategy

A Cultural Landscapes Strategy (CLS) has been developed in partnership between the State and Traditional Owners which relates to, or provides a basis for, implementation of several key policies for managing public lands, regional forestry agreements, conservation as well as major event review findings (in relation to bushfires).

This is a very significant shift in the recognition of Traditional Owner knowledge and its role in supporting better land management and outcomes. Early-stage implementation and the call for greater representation within the mechanisms of decision-making, regulatory requirements and implementation of specific initiatives will require increasing support and investment within the Traditional Owner communities, to build on jobs and capacity and to enable the technical and empirical data to be developed and used to support the operations of government.

The policy reforms identified as well as the capacity to participate in implementing arrangements is critical to meeting the stated requirements in Parks Victoria's and DELWPs mandates, strategies and expectations including the Land Management Strategy, Regional Forestry Agreements, Bushfires, cultural heritage and conservation outcomes. The Traditional Owner Game Management Strategy relatedly provides some key areas for testing and developing these new approaches to managing public land. However, to date there have been no mechanisms created to implement the planned activities.

A suite of measures is required to implement requirements under key regulatory regimes and policies that mandate Traditional Owner participation. It is therefore proposed that Traditional Owners are funded to work with government to support the implementation of a range of strategies that will strengthen the outcomes of the reforms undertaken, including bridging mechanisms that support sound institutional and co-governance arrangements.

Policy

- Provide support for Traditional Owner participation and leadership in the implementation of the regulatory frameworks and policy changes focusing on public lands and to ensure that appropriate co-governance institutions are in place and identifying the on-going resourcing requirements through pilot projects.
- \$16.5m over 4 years to establish, manage and support arrangements to guide the implementation of regulatory and policy, including through establishment of pilot projects.

2. Reading Country and Country Planning

Reading Country is a term employed by Traditional Owners to describe the practice of bio-cultural monitoring, as it was practiced in the past and more recently as a blend of Traditional Knowledge and Western Science. It is a holistic tool that will enable development, innovation, management and maintenance for Traditional Owner groups to plan collaboratively, adapt individually and govern the systems and tools collectively. It is a way to “collect once and use many times” to guide and inform decision-making across a wide range of policy and regulatory functions.

The recent changes to the Regional Forest Agreements incorporate the “Matters of Traditional Owner Significance” reflecting matters of high importance as identified through the development and operation of Traditional Owner knowledge and management systems. In order to give effect to this over the longer term, Reading Country and Country Planning processes will be critical.

Traditional Owner designed and led bio-cultural monitoring programs, when paired with technologies such as mobile apps and web-based systems can make collecting, storing, analysing, sharing and using bio-cultural information capable of being used and accessed for multiple purposes. This will strengthen Traditional Owners knowledge to inform policy and strategy for caring for Country.

Building on this data and systems development is the need for Country Planning. This is a holistic blend of community-led strategy development and practices for managing Country. Country Planning is the leading-practice methodology for planning among Victorian Traditional Owner groups at a whole of Country level and is driven by cultural and self-determination principles. It is a key mechanism to guide priorities and processes within policy and regulatory systems and contributes to Traditional Owner capacity, resilience and recognition.

A hub, or virtual centre of excellence approach would support the technical requirements and enable Country Plans to be considered alongside and align with the planning frameworks of, and support the on-going planning and management partnerships with, the wide range of departments, agencies, and authorities (eg Parks Victoria, DELWP, CMAs, VEWH, Local Government, EMV, EPA, DJPR (Mining and Resources), Bushfire Recovery) which draw on this information in their planning and decision-making.

Policy

- Commit to a policy and program support for Traditional Owners Reading Country (bio-cultural monitoring) to inform policy, planning and decision making related to the management of Country through Country Planning that has a consistent framework to fit with other regulatory frameworks, and in particular the requirements under the Regional Forest Agreements.
- \$17m over four years to resource the development of Reading Country bio-cultural monitoring systems and approaches at Traditional Owner group level and support a state-wide Centre of Excellence

3. Biocultural diversity

A significant gap in the policy and program architecture for Traditional Owners lies in the repatriation and adaptation of biocultural knowledge and practice for the healing and management of Country and the development of institutional arrangements to embed and enable Traditional Owners priorities and values in the partnership to manage Country with the State of Victoria. The Biocultural Diversity Strategic Reform project addresses that need.

The Biocultural Diversity Strategic Reform and program (**BDS**) will contribute to the development of institutional frameworks, operational and procedural pathways to enable Traditional Owners to undertake on Country management across all land tenures and according to their cultural obligations. This work will align well to outcomes being sought through Traditional Owner engagement in Biodiversity 2037 and DELWP’s self-determination strategy, Pupangarli Marnmarnepu.

The program and strategic reform will specifically engage with Traditional Owners and Government Agency partners to identify the barriers, enablers and the gaps and overlap into other program areas to draw together a holistic approach to reform in this area.

This would inform the development of enabling frameworks and pathways to Traditional Owners recovering, adapting and applying biocultural knowledge and practice in healing and caring for Country. It is anticipated that Groups would be resourced to do this development work (through scenarios or long-term collaborative pilots in identified cultural landscapes) and, over a period of three years of implementation, this would collectively provide proof of concept.

Implementation of stage 1, would include:

- Engaging with Traditional Owners and Government Agency partners to identify and map the barriers, enablers and the gaps and overlap into other program areas
- Establishment of enduring institutional arrangements for managing biocultural knowledge and practice on-Country
- Establishing a process for knowledge recovery and adaptation.
- Establishing the scope and a process for the respectful integration of science and Indigenous Ecological Knowledge.
- A strategic and business case for development of a Biocultural Diversity Strategic reform approach and for piloting on Country by Traditional Owner groups

Policy

- Enable a strengths-based and self-determination approach to develop the pathways for a biocultural diversity strategy by developing and testing culturally appropriate governance, processes for knowledge recovery, and integration of traditional knowledge with western science
- \$4.6m over three years to support the repatriation and adaptation of biocultural knowledge and practice to underpin the development of a Bicultural diversity strategy

4. Cultural Fire Implementation

Following the release of the Cultural Fire Strategy in 2019, an Implementation plan has been completed. This includes a budget for each Traditional Owner Group's pathway to their Cultural Fire program was costed. The fully costed program over 4 years was \$130m. Traditional Owners have received \$20m over 4 years.

While acknowledging that there is significant concern that bushfire mitigation strategies and wildfire risk is becoming a permanent feature of the landscape, Cultural Fire is yet to be funded as a mechanism to manage Country for long term risk mitigation and rejuvenation of and 'healing Country', and a contribution that Traditional Owners consider an investment in cultural and social wellbeing.

The associated costed implementation plan are based on supporting each group at the stage it is ready for implementation. There are inefficiencies emerging from too little funding being spread evenly across all Traditional Owner groups that will impact negatively on capacity to undertake preventative works where it is most needed and, on the ability, to strengthen the integrated and systematic cultural management and emergency management processes.

The down-stream effects will continue to negatively impact on the social health and wellbeing of Traditional Owners and continue to undermine the recovery and strengthening of knowledge and practice in line with self-determination.

Policy

- Commit to implementation of the Cultural Fire strategy to support long term management of Country and contribute to cultural and social wellbeing. This includes on-going funding to support the on-going development of appropriate systems and oversight through the agreed process of Traditional Owners and DELWP under the 'co-governance' arrangements.
- \$110m over 4 years.

Economic independence

Self-determination is underpinned by economic independence. The priorities set out below focus on facilitating engagement and activities that lead to economic development, and that provide mechanisms for investment and the building of sustainable jobs, growth and regional development.

The Victorian Aboriginal Employment and Economic Strategy provides a framework for the work to be undertaken, but our research with Traditional Owners indicates that the building of assets cannot wait until Treaty.

The proposed measures include both policy and practical steps to build self-determination within an economic development context by facilitating services to bridge the investment gap, particularly through strengthening the relationships and information to invest with certainty and to build the scale through partnerships.

5. Sector and regional facilitation for economic development

The economic base of Traditional Owner corporations is growing. However, the economic disadvantage remains high, not only through the lack of resources and capacity, but because the investment in the processes, relationships and knowledge is often too little too late, as an afterthought. This has happened in tourism, water, renewable energy, aquaculture to name a few.

Technology and opportunities to develop and design regional and rural resilience to drought, climate change and the management of resources require a new approach. Linkages to local government, universities and business is vital for overcoming the hurdles to investment. Traditional Owner knowledge and insight can be developed and brought to bear on these significant areas leading to jobs and economic development as well as better recognition of Traditional Owner knowledge.

This initiative is intended to support Traditional Owners to plan, access and participate in key sectors where investment is emerging or increasing. The support is intended to consolidate the early-stage planning and strategies in government processes, embed opportunities and enable investment, giving focus to sectors that government prioritises. This will help to build the social and economic infrastructure in regions delivering jobs and greater integration into local communities. Reviewing and expanding the procurement opportunities will be a key component of this.

This support should include the facilitation, policy development and advocacy role of the Federation. This is fundamental to supporting an inclusive and State-wide approach, contributing to the development of the Victorian Aboriginal Employment and Economic Strategy and implementation. A key element of this is that there are few services that understand the roles and functions of Traditional Owner Corporations, and the potential presented. Over the past year there has been funding provided to corporations, but little has been provided in a sound economic growth framework. The Federation is well placed to provide a stronger emphasis on in-depth information and to facilitate scaled operations and partnerships.

Policy

- Support to engage in opportunities and the participation of Traditional Owners in developing the sectors and regional investment priorities, forming linkages and relationships for research, investment and jobs growth.
- \$2.9m over four years will support the planning, information and relationship development to identify and assist in sectors and regional development across Victoria.

6. Procurement Policy

The State's procurement policy and in particular the social procurement policy has been highlighted through our work with Traditional Owner Corporations as an area requiring further work. Traditional Owners consider that the current set of arrangements are not effective in enabling Traditional Owner Corporations to implement cultural and legal obligations. It is also ineffective as a measure for the Government to fulfil its legal obligations. While accepting the fundamental principles of achieving value for money, there are areas where the current processes and instruments are not appropriate when working in partnership with Traditional Owners, or where Traditional Owner interests cross multiple government portfolios and budget appropriations.

Our proposal includes advancing policy and programmatic initiatives to better reflect the social objectives and the outcomes intended through native title and Traditional Owner Settlement Act processes. Consideration of a set of arrangements, tools and understanding of the activities and options for supplementing the current settings, including how to best manage funding streams would provide a basis for efficiency gains, and to develop the data for modelling through the piloting of practical examples.

Testing and developing practical examples to build real data is critical not only for developing the policy settings but also to test and develop the maturity in the system to adapt and change. This would include a contribution to the costs of training and scale that impacts on the current ability of Traditional Owners to work on Country where government agencies in applying the current policies continue to undermine the ability of Traditional Owner Corporations to build skills, partnerships and the track record for efficient management of public lands. It would also include undertaking the required engagement and communications with Traditional Owners and with agencies to better implement the range of options.

Policy

- Support policy development and communications activity to establish better systems and review the procurement policy in light of the legal and policy requirements for Traditional Owners, and pilot efficiency measures through specific funding support measures.
- \$3.5m over four years will support the engagement, training, information and relationship development to pilot and establish better systematic approaches.

Building strong foundations to activate self-determination

Strong foundations are critical ingredients for self-determination to be realised. Core to strong foundations are the capacity and relationships that need to be built within the organisations and with the broader community, stakeholders and other authorities.

While there is no doubt that this is a 2-way street, Traditional Owners are often at a disadvantage through the lack of capacity to engage and are frustrated with the need to focus on the day-to-day activity to meet basic organisational requirements, without the ability to focus on the longer term and strategic relationships, policy and priorities.

Self-determination in practical terms means having sustainable Traditional Owner organisations that are in a position to give effect to self-determination through effective and efficient interactions, particularly with government. Traditional Owner organisations continue to signal the need for baseline funding to meet their core responsibilities and functions, including a range of statutory functions and implementation of Traditional Owner Settlement agreements, and the increasing expectations for contributing to knowledge and expertise as well as to community wellbeing.

7. Sustainable Organisations

Government has a shared interest in ensuring a strong and vibrant Traditional Owner system that is achieving social and economic outcomes. It is vital that the structures are strong and sustainable as they are the mechanism through which groups exercise their rights and responsibilities and representation. This will strengthen Treaty and Policy outcomes, and give better effect to self-determination.

However, this is hampered by the capacity within Traditional Owner groups to be able to respond, manage and develop in accordance with their own strengths, aspirations and strategies across the full range of activity expected. Funding simply to keep the 'doors open' is problematic, with increasing levels of consultation leading to fatigue and frustration and undermining the ability of government and Traditional Owners to meet expectations.

Organisations need to have access to staffing and funds to manage and maintain the flows of information, consultation and expertise within their communities in order to continue to contribute effectively to and shape the priorities of government as well as the design and development of local level solutions, holistic understanding of the environment and to build on-going relationships.

A full suite of statutory and policy functions are being identified and costed through the First Principles Review process to ensure that there is a consistent approach while enabling tailored requirements across all Traditional Owner corporations. However, this funding is sought to maintain the ability to be responsive to the consultation requirements and would enable each group to continue to participate and manage the current requirements while further work is underway to develop a more comprehensive formula.

Traditional Owners see that other authorities such as Catchment Management Authorities receive significant funding just for the corporate governance. Traditional Owner Corporations have accountabilities that include complex community arrangements, beyond corporate governance which underpin the purpose and ability to fulfil the range of statutory and cultural responsibilities and functions, and to give effect to the intent of arrangements under the Traditional Owner Settlement Act.

Policy

- Identify the capacity needs of Traditional Owner corporations and alignment with government strategy and resources to achieve long term sustainability and self-determination, through a program of resourcing support
- \$20m over three years to build, develop and maintain a strong, vibrant, self-determining Traditional Owner sector that is leading the way on Treaty negotiations, policy outcomes and implementation

8. Local Government Relationship building

The new Local Government Act and the development of the Victorian Aboriginal Local Government Strategy requires Traditional Owner groups and local government to develop the processes and systems for planning, shared understanding and greater recognition and participation. This will affect many aspects of the way in which local government and Traditional Owners work together.

However, there has been little or no investment in these relationships over many years, with limited information and no current mechanisms for supporting or developing the capacity in Traditional Owner corporations to meet these new regulatory requirements.

There is a risk that the changes to the Act will be hollow without the supporting information, support and capacity to work as partners with local government, to build relationships and shared understanding of the planning processes and contribute to the outcomes and local needs. Given these new expectations, particularly in the early stages of understanding and developing relationships, there needs to be dedicated resources – local government needs to have someone to talk to within the Traditional Owner corporations.

Policy

- Support the implementation of the Act and strategy by providing capacity support to Traditional Owner Corporations to help develop the relationships and protocols and meet planning and community engagement requirements.
- \$14m over four years to provide the support for implementing statutory requirements and give effect to the strategy.

9. Advice, Capacity and Traditional Owner Support

Continuation of core funding for the Federation is required to enable the vital role in facilitating and informing Traditional Owners and in developing and supporting government's sound policy development through informed and insightful advice and advocacy based on experience, knowledge and understanding of the Traditional Owner context.

The Federation's work is becoming increasingly broad, as ever more departments seek the Federation's input on matters where it is unaware of how to undertake work with Traditional Owners or what their interests might be. In this regard the Federation supports the development of relationships and two-way capacity on a wide range of issues including health and wellbeing, culture and heritage, economic development and land and resource management through its role in numerous departmental committees and through our ability to convene Traditional Owners to effectively harness and amplify the strategic voice of Traditional Owners.

Further, the Federation often acts as a central broker on a wide range of matters that enable Traditional Owners to move towards self-determination and we are cognisant that the Traditional Owner community provides regular feedback that government at all levels needs to fully understand and consider how formally recognised rights are included policy development.

In addition, there is a significant gap in the State's ability to measure and monitor progress under Closing the Gap, self-determination and the implementation of policies and capacity that can be understood in a holistic way and managed across the current departmental portfolios. For example, the ability to undertake Caring for Country with 'recidivist offender' outcomes are currently poorly understood in the Victorian context and the role of Traditional Owners in undertaking this work. Without this, there will continue to be a gap in the ability to give effect to self-determination and to positively affect the outcomes on the ground for jobs, wellbeing and local relationships.

The Federation has initiated thinking around a number of these issues but is currently unable to progress this or the building of capacity with departments as the current work continues to expand.

The Federation is increasingly bearing costs of government inefficiencies. Examples stretch across portfolios including dealing with Water, Nation Building and First Principles Review.

Traditional Owners continue to seek reforms and modernisation of approaches under the Traditional Owner Settlement Act through the First Principles Review. The long lengths of time that it takes for the State to review and adopt, or require further information, is a clear gap in the way in which the current funding expertise and institutional arrangements operate. This undermines the trust and ability to reconvene and continue. The Federation is often at the centre of this seeking to enable the relationships to be maintained, despite projects being on hold.

The Federation continues to work with Traditional Owners on these matters as they continue to seek answers. While these governance arrangements have benefits, it concentrates the cost inefficiencies on the Traditional Owners, and on the Federation to maintain the knowledge levels, momentum and operational and overhead costs. However, we believe that there is intrinsic value in supporting the Traditional Owners to convene in culturally appropriate governance arrangements that can share and advise on state-wide matters relating to the management of Country and community. The Federation is also positioned to continue to meet the expanding expectations from government and Traditional Owners on the level of advice and advocacy and on the breadth of interests and agencies that are beginning to recognise their responsibilities towards Traditional Owners interests.

Finally, we have learned across our work with Traditional Owners and the Traditional Owner Corporations that there remains a significant gap in understanding of the journey to recognition and the mechanisms for activating rights. In seeking to build on the nation building work, and the broad range of regulatory opportunities that enable rights to be activated, the Federation is in an ideal position to support and inform the Traditional Owner (and broader community) on the pathways and opportunities. In the long term this will also have a flow on effect to Traditional Owner buy-in to processes of Treaty and Traditional Owner Settlements, reducing risks to those processes and the government's commitments.

Policy

- Grow the core funding for the Federation of Victorian Traditional Owner Corporations as the key mechanism to facilitate insightful advice and advocacy enabling strengths-based partnerships strengthening self-determination and to enhance two-way capacity with government and develop knowledge within Traditional Owner communities on understanding the journey to recognition and activating rights.
- \$4.4m over four years to support policy advocacy and advisory services, enhance partnerships and self-determination and to build two-way capacity and knowledge to enable relationships and continuing trust

Cultural strengthening

At the heart of self-determination is the revitalisation of Traditional Owner language and culture in Victoria. Re-establishing the cultural knowledge, practice and language is intrinsic to the identity and recognition of groups. While it is acknowledged that this will be a process that may take a long time to be fully embedded and understood within the broader community, there are areas of significant risk and significant potential opportunity which Traditional Owners have strongly indicated the need to be addressed without delay.

Across key areas of policy and strategy development Traditional Owners are seeing the rights and authority being eroded as their knowledge is increasingly sought, but without adequate acknowledgement or even protection.

While areas of cultural strengthening, such as dance, elder circles and community engagement and learning opportunities are proudly undertaken by Traditional Owner groups, there are areas which need particular care and interest through development of policy settings and increasing awareness and understanding within government. There is a need to invest in appropriate leadership to address these issues and to ensure the Traditional Owners are able to maintain and control these intangible and cultural rights and assets.

10. Self-determination, data sovereignty and ICIP

There is a growing realisation that cultural knowledge, Traditional Ecological Knowledge and intellectual property in such knowledge (together being seen as Indigenous Cultural and Intellectual Property – **ICIP**) is of growing interest and relevance to sectors such as tourism, arts and bushfood. It is a complex area and has the potential to drive significant economic growth for Traditional Owners. This is emerging as a significant step towards Indigenous data sovereignty, beyond the collection, management and interpretation of government collected data and statistics.

However, there is no forum or space currently for the Traditional Owner interest to be asserted in Victoria. This means that the value that can be added or created – whether from tourism, from the native foods or from the arts may be lost to the value chain, as there is no authority to support Traditional Owners to negotiate, register and maintain ICIP, or to provide assurance processes for labelling and access and benefit sharing.

The *Aboriginal Heritage Act* was amended in 2018 to enable some forms of ICIP to be registered. However, this is not seen as Traditional Owners having authority and cultural authority over their own ICIP. It is also not broad enough to encapsulate the array of Traditional Owner interests.

The Federation is increasingly being approached by universities and businesses to register their work, support appropriate engagement with Traditional Owners and enable their work to proceed. However, there needs to be a greater level of Traditional Owner control and authority developed, that will bring certainty to markets and reduce the risks of economic loss to international businesses, and reduced value where there is a lack of authenticity.

Policy

- Support the development of appropriate structures that enable Traditional Owners through the lens of self-determination, to consider and consolidate how best to manage and control ICIP with a view to enabling appropriate systemic or structural options by 2025
- \$5m over four years to support education and awareness and development of appropriate systems or structural options.

11. Cultural Strengthening through language

It is recognised that cultural identity and strengthening is interwoven with language. However, there is currently little support for Traditional Owner languages to be reclaimed, reintroduced and strengthened at a foundational level with Traditional Owner groups.

Historically, the Victorian Government has only invested in Aboriginal languages to support school-based programs and teacher training. This is seen by some as a failure to recognise the rights and authority of Traditional Owners to self-determine the use and future of their languages. Whilst there are some Traditional Owners who support Aboriginal language teaching as a move towards reconciliation, there remains a need to provide positive support for Traditional Owners to manage the use, development and authority for language, through their own communities.

While it is recognised language revitalization is a long-term goal, it is proposed that two immediate actions are taken:

- Providing support to Traditional Owner Corporations to support language revitalization
- Initiating a cohesive State-wide approach by embedding Traditional Owner Languages across government through a state-wide strategy for communities to develop appropriate protocols, awareness and education on appropriate use of Traditional Owner languages and practice

Over time it would be expected that education policy reforms that supports Traditional Owner self-determination and leadership would support the revitalization of languages appropriately. This will provide the basis for, and confidence in, data sovereignty in relation to language.

Policy

- Support Traditional Owners to undertake appropriate language revitalisation including developing appropriate tools, build capacity to engage with the broader community
- \$20m over four years to support on-going processes of treaty readiness and protection of intangible cultural heritage