

The sale of fur in Victoria – Draft Issues Paper November 2025

The following response has been prepared by the Federation of Victorian Traditional Owner Corporations, and is provided in addition to the discussion presented at the workshop on the 28th November 2025.

Recommendations

- Any considerations for future policy reform must **centre the rights and interests of Traditional Owners** and **uphold existing agreements** under Victorian and Commonwealth law.
- **Explicit Exemptions** be included in any legislative or policy changes to protect Traditional Owner rights under the RSA and other agreements.
- **Recognition of Collective Rights** under UNDRIP and Indigenous Cultural and Intellectual Property principles be embedded in policy development.
- Future work to actively involve Traditional Owners in **co-design** to avoid unintended consequences that create legal conflict or erode cultural authority.

General comments

The significance of fur for Traditional Owners

Fur has and does play a significant role in the lives and culture of Victoria's Traditional owners. Fur serves as a material for clothing, accessories and art. It plays a vital role in the identity of Indigenous Victorians, often used for ceremonial purposes and can be specific to a family or group, often passed down through many generations. In Victoria, the possum skin cloak will contain stories of the identity of the wearer, it may grow with them through life culturally, socially, physically, and as such are a sacred part of Traditional Owner customs.

The use of fur for Traditional Owners is culturally significant and provides for connection to country. This extends to practices that support economic prosperity and management of Country, including pest control and species balance.

There is an inequality presented with the underpinning arguments of 'animal cruelty' within the issue paper that are in conflict with the current practice of wool production in Victoria, resulting in the culling of Dingo. This provides an example of where sheep welfare and that of the industry is being prioritised over the rights and interests of Traditional Owners and their kin being the Dingo.

The rights and Interests of Traditional Owners

The issues paper appears to consider a blanket approach to restricting the sale of fur in Victoria, without adequate consideration being given to the rights and interests of Victoria's Traditional Owners. Traditional Owner rights and interests to access and use natural resources must not be impinged by any future policy reform.

Any future policy reform must include exemptions to allow for Traditional Owner rights and interests in the use, purchase and sale of animal fur. This must also be extended to enabling Traditional Owners to support the development and sustainability of markets that provide animal fur for their use. This includes the existing need to purchase possum skins from NZ. This practice has been born by restricted availability and access to sustainable supply in Victoria from the impacts of colonization on connection to country and species abundance. This cultural right for Traditional Owners must be protected.

There are concerns that the proposal will frustrate and have little regard to existing agreements that provide for the rights and interests of Traditional Owners. Specifically, this refers to the agreements such as a determination of native title (Commonwealth Law – Native Title Act 1993), a Recognition and Settlement Agreement (Victoria State Law – Traditional Owner Settlement Act 2010), and a Registered Aboriginal Party (Victorian Law – Aboriginal Heritage Act 2006), as they apply to the 12 recognised Traditional Owner Corporations in Victoria.

Many of these agreements hold the rights to access and use of natural resources on Country, including fauna, for cultural, social and economic purpose with the Traditional Owners. These rights are not discretionary they are legally recognised and integral for Traditional Owners to care for Country and maintain cultural practices. Any blanket ban or restriction on the sale of animal fur could directly conflict with these rights.

Further, as statewide Treaty embeds in the Victorian system, and local Treaty's are developed, any future policy reform must not close off the opportunities for future agreements with regard to access to animal fur and management of Country.

Unintended consequences of policy reform that does not place the rights of Traditional Owners at the core of its development can result in existing agreements being unable to be actioned, creating a conflict in law and undermining the rights to Country, which were never ceded. At the very least future work will need to provide for the exemption of the relevant matters of the agreements above.

Providing for Self-determination

Policy reform must make provision for the self-determination of Traditional Owners. This means future policy and legislation must not impact on the ability for Traditional Owners to govern and make decisions on how animal fur is used and accessed to support the political, economic, social and cultural development needs of mob. Of particular concern, the potential restrictions on the sale of fur would remove a pathway for cultural enterprise and economic self-determination, rights which are embedded in many of the agreements with the State and/or Commonwealth.

The State Government has made many commitments to supporting and providing for self-determination of Traditional Owners, including the DEECA strategy - Pupangarli Marnmarnepu “Owning Our Future”. This sets out that self-determination is about choice, and that it is the role of the Department to identify and remove barriers that keep Traditional Owners in Victoria from exercising their rights to self-determination. Any further work in this area must not create barriers for Traditional Owners.

Related to this, future policy reform shouldn’t undermine any development towards co-governance and shared decision-making regarding the management of native species, as per recommendations from the recent Wildlife Act review.

Indigenous Cultural and Intellectual Property Rights

In providing for exemptions for the rights and interests of Traditional Owners, Indigenous Cultural and Intellectual Property (ICIP) concepts should also be applied. Whilst we acknowledge this is an evolving area of legislation, future application of ICIP to much broader policy considerations must not be closed off or constrained so that it can apply to Traditional Knowledge relating to the access and sale of fur by Traditional Owners. Under international law, the ICIP rights of Australia’s First National are recognised in the United National Declaration on the Rights of Indigenous People (UNDRIP). UNDRIP provides for the concept of ‘collective rights’, these are rights held by indigenous communities themselves, not by individuals in community with others. The right to Traditional Knowledge associated with the use of animal fur is held collectively.

Policy specific points / response to issue paper questions

Definitions

- From a Traditional Owner perspective, it matters less about the type of animal or animal product included a definition, and is more importantly about the rights and interests of Traditional Owners being recognised. Whilst indigenous species such as possum and kangaroo are of particular importance, the ability for Traditional Owners to manage and connect with Country, including through the use and sale of animal fur, should not be limited through the lens of just these animals.
- The examples of definitions provided do not appear to address the issue of animals euthanized for the purposes of pest control and management of Country. This could further constrain the ability of Traditional Owners to manage Country and the rights and interest they are entitled to in doing so.

Exemptions

- The rights and interests of Traditional Owners must be exempt from the restrictions being explored in the issues paper.
- Fur use is not limited to ceremonial or artistic purposes, it extends to practices that support economic prosperity and management of Country, including pest control and species balance. Policy reform must recognize this broader context.