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Statement: Receipt of Karabena Consulting Report “Implementation Pathways to achieve Ngunnawal, First Nations Peoples and Australian Capital Territory Government Treaties”

Released 07/07/2022

On 17 March 2022, the Chief Minister and I announced that Professor Kerry Arabena had been appointed to facilitate preliminary talks about what a Treaty would mean for the ACT's Traditional Owners. This announcement was in keeping with our commitment in the 2021-22 Budget.

At that time, we said the following:

“Ultimately, what a Treaty might look like in the ACT and how we get there is a process that must be led by Traditional Owners and those who have a connection to the lands within the ACT.

“While the ACT Government committed to commencing Treaty conversations in the *ACT Aboriginal and Torres Strait Islander Agreement 2019-2028*, we are still at an early stage of this process.

“We have seen from other jurisdictions that Treaty conversations take time, and we know there will be challenges along the way.

“The \$20 million Healing and Reconciliation Fund has been established to facilitate community healing and self-determination. Supporting the Treaty process is a priority under the Fund.

"The discussions will take place in the coming weeks and months with the process led by Traditional Owners."

Yesterday afternoon I received the Final Report from Karabena Consulting reflecting on their conversations. The report is available here ([https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2factgovernment.cmail20.com%2F%2Ft-l-qudkrll-zikthllc-r%2F&data=05%7C01%7C%7C3e7c3ee353a74848130b08da5fa36f1f%7Cb46c190803344236b978585ee88e4199%7C0%7C0%7C637927452806835663%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTEl6lk1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=blPo7hRRb4aWGouTilddn4utoBxBhgRIPRiC7g4aYnc%3D&reserved=0](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Factgovernment.cmail20.com%2F%2Ft-l-qudkrll-zikthllc-r%2F&data=05%7C01%7C%7C3e7c3ee353a74848130b08da5fa36f1f%7Cb46c190803344236b978585ee88e4199%7C0%7C0%7C637927452806835663%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTEl6lk1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=blPo7hRRb4aWGouTilddn4utoBxBhgRIPRiC7g4aYnc%3D&reserved=0))).

Karabena Consulting was contracted to facilitate a range of engagement activities to:

1. Re-establish relationships between UNEC, Government and other families;
2. Bring people with strong connection to this land together in a way that supports healing and deep listening; and
3. Advise on what is required to commence a process about a Treaty in the ACT.

I want to thank those Ngunnawal people who participated in this process and shared their trauma and fears, as well as their hopes and vision for a better future.

The report includes powerful statements of aspiration and a commitment to self-determination. It provides a number of significant recommendations and emphasises the need for healing strategies to be used in Treaty processes to ensure safety when coming together for conversations.

I recognise that the report's content and assertions will cause distress for some community members, particularly those Traditional Owner individuals and families who were not consulted or engaged in this early process.

On behalf of the ACT Government, I acknowledge that, for various reasons, this process did not engage as broadly as we had intended, and I apologise for the hurt that this has caused.

I note that the report also recognises the vocal opposition from those not engaged in the process about the validity of this work.

Over the last few weeks, I have had conversations with a range of community members, including Traditional Owners, who have expressed concern that the ACT Government was rushing into a Treaty process without facilitating the healing and deep conversations that will be required.

I want to assure all ACT Traditional Owner families and the wider Aboriginal and Torres Strait Islander community that the Government has made no decisions or commitments to any individual or family group about what Treaty will look like or how we will get there.

We understand that everyone who potentially has a stake in Treaty must be engaged in the process and that this process will take time. We do not have a fixed timeline and we know that processes in other jurisdictions have taken many years.

I have also heard from some individuals and families that they do not believe Treaty is the right path forward for the ACT. These voices must have the opportunity to be heard.

The Government is also aware of the significant pain and conflict within the local Aboriginal and Torres Strait Islander community resulting from trauma and lateral violence.

We are actively considering how – through the Healing and Reconciliation Fund – we can facilitate a productive and healing conversation with Traditional Owners and the wider Aboriginal and Torres Strait Islander community to help address these very challenging issues.

We recognise that whatever comes next will require sustained effort, resourcing and expertise.

Professor Arabena's report is one of many contributions that will help us to understand what a Treaty could mean for Traditional Owners and other Aboriginal and Torres Strait Islander Canberrans. We will consider its recommendations alongside the significant feedback we have already received from the community.

I invite anyone who wishes to offer their views or ideas to me at this time to email me at stephen-smith@act.gov.au (<mailto:stephen-smith@act.gov.au>).

- Statement ends -

Rachel Stephen-Smith, MLA (https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/rachel-stephen-smith-mla-media-releases) | Media Releases

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