

CSV SELF-DETERMINATION PLAN ACTION PLAN 2021-2025

Yaanadhan Manamith Yirramboi:
Striving for a Better Tomorrow



The sections around the hands stand for the different Victorian courts and VCAT. The connected circles surrounding the hands show the different communities, families and work within the jurisdictions.



The orange pathways and the footprints illustrate the journey and connection of everyone.

The hands demonstrate the Aboriginal People reaching out to the different programs.

Artwork

This artwork, titled 'Striving for A Better Tomorrow', represents the Koori programs across Court Services Victoria and the Koori Community. It is reproduced with the permission of the artist, Mr Dixon Patten. Mr Dixon Patten is a traditional descendant from the Gunai and Yorta Yorta peoples. It depicts the connections between the Aboriginal Community, the Aboriginal Justice Forum and Court Services Victoria.



The diamond pattern background shows the living and thriving Victorian Aboriginal culture.



The circles stand for the different programs and initiatives with their difference in colour highlighting the variety of outcomes. Within the circle, Koori culture is described with the black symbols showing people from Community and government coming together for the sharing of knowledge, stories and decision-making. The people framing the circle, holding hands, represent harmony and Community.

The blue section with arrow shapes symbolises the choices that everyone makes and how each choice determines their path and offers its own lessons to be learned.

© Striving for A Better Tomorrow/Mr Dixon Patten (2015)

ACKNOWLEDGEMENTS

Court Services Victoria acknowledges Aboriginal and Torres Strait Islander peoples as the First Peoples and Traditional Owners and Custodians of the land and waterways upon which our lives depend. Court Services Victoria acknowledges and pays respects to ancestors of this country, Elders, knowledge holders and leaders – past and present. Court Services Victoria extends that respect to all Aboriginal and Torres Strait Islander peoples. Court Services Victoria acknowledges the ongoing leadership of Aboriginal communities across Victoria in striving to build on these strengths to address inequalities and improve Aboriginal justice outcomes.

Notes on Terminology

The term 'Koori' is used throughout this document to describe Aboriginal and Torres Strait Islander People, acknowledging that not all Indigenous People employed by CSV are necessarily of Koori background. The term 'Indigenous' is used to describe Aboriginal and Torres Strait Islander peoples nationally.

The title of the CSV Self-determination Plan, *Yaanadhan Manamith Yirramboi* (phonetically: yaarn-a-darn man-a-mit year-am-boy) is derived from the language of the Boon Wurrung people of the Kulin nation. The meaning of these words is **"strive for a better tomorrow"** and were provided to Court Services Victoria through the Victorian Aboriginal Corporation for Languages.

The name of the CSV Koori Unit, *Dhumba Murmuk Djerring* (phonetically: D-humBa MooRa-mook JEE-ring) is derived from the language of the Wurundjeri people of the Kulin nation. The meaning of these words is **"speaking and working together"** and were provided to Court Services Victoria through the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation.

Further Information

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FOREWORD

As Chair of Courts Council and Chief Executive of Court Services Victoria (CSV), we are proud to publish CSV's Self-determination Plan 2021-2025. The Plan shows our commitment to Aboriginal Victorians and to working together on very significant matters. The Plan sets out our expectation of CSV to create a Koori inclusive environment for staff, Koori agencies and the Koori Community in Victoria. It is evidence of our commitment to embracing the principle of self-determination and moving to action.

The CSV Plan sits alongside the Self-determination Plans of the courts and tribunal and CSV commits to supporting the courts and tribunal to realise their Plans. Building cultural awareness and competency capability across all areas of courts and tribunals will strengthen respect and understanding of the cultural values, traditions and customs that underpin the essence of CSV's Koori staff and the Koori Community accessing court services. With the Victorian government and Koori Community, we acknowledge the far-reaching and intergenerational consequences of colonisation and dispossession and echo the acknowledgement "that Aboriginal self-determination is a human right enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, and recognise the hard work of many generations of Aboriginal people who have fought for this right to be upheld." (State Government of Victoria, Self-Determination Reform Framework)

CSV's Plan adopts the four priority areas, or self-determination enablers, as set out in the Victorian Aboriginal Affairs Framework 2018-2023. These establish a strong foundation of the CSV Self-determination Plan. They are: Prioritise Culture, Address Trauma and Support Healing, Address Racism and Promote Cultural Safety, and Transfer Power and Resources to Communities.

Through the Courts Koori Committee, the Courts Council will rigorously monitor the implementation of the CSV Self-determination Plan. This reinforces the commitment by CSV to ensure that the Self-determination Plan becomes an effective tool that helps achieve and support tangible change and improvement.

CSV aims to be an organisation where Koori employees and Community continue to have a say in policy and program development, and where Koori leadership across the courts and tribunal are supported to inform future policy outcomes.

We thank all who contributed to the development of this Plan, in particular the foundational work of the Koori Staff Network who established key priorities based on their personal and professional experiences working in courts and tribunals.

As we present this Plan, we ask all those involved in championing and enabling Aboriginal self-determination to read this document and to think about how its strategies and initiatives can be integrated into the day-to-day business of each court, VCAT, the Judicial College of Victoria, the Judicial Commission of Victoria and Court Services Victoria.



The Honourable Anne Ferguson
Chief Justice of the Supreme Court of Victoria
Chair of Courts Council



Louise Anderson
Chief Executive Officer
Court Services Victoria

STATEMENT FROM COURTS KOORI ELDERS CAUCUS

As the Courts Koori Elders Caucus we are pleased to offer our support for the CSV Self-determination Plan. As Elders and Respected Persons (ERPs) of the Koori Court we are very pleased to have been involved in the consultation process leading to the development of this important Plan.

The term self-determination means different things to different people in our Community, however ultimately, we share a vision that sees our communities self-managing and determining our own futures. This means we must move away from deficit models and lead with innovation to reform the way business is done with the Koori Community.

The Self-determination Plan demonstrates that the courts have come a long way since the establishment of the Koori Court in 2002. It also outlines the important commitments of Court Services Victoria that ensure progressive steps towards greater cultural awareness and improved cultural safety for not only the Koori staff, but also for our Community accessing the services.

The development of the Courts Koori Committee in 2017 is one such example of where Community can now come together with judiciary to discuss and progress Koori matters and address justice inequity.

It is important that this extends to the day to day business of courts, ensuring our Koori workforce is part of, and leading the discussions as it relates to Koori Justice in a court setting. It is equally important that conversations can happen in regions with Elders and stakeholders to ensure local issues are raised and addressed with the appropriate local response. This is an important step to empowering local Communities to address and self-manage justice responses.

We must take the journey together, to ensure our views as Aboriginal people are sought from the outset when developing important policies and programs that impact our Community. We have lived and shared experiences that can only be reflected through our direct engagement across the various jurisdictions of courts and VCAT.

The Victorian Koori Community has a long-standing commitment to addressing the social injustices experienced by our people. This is demonstrated through the initiatives of the Aboriginal Justice Agreement first developed in 2000, through to today's Treaty Assembly and the Justice and Truth telling process.

Equally important to the implementation of this Plan is monitoring the outcomes and communicating progress to the broader Koori Community. The Courts Koori Elders Caucus is an important part of ensuring Community is aware of the important working being undertaken by Courts and VCAT.

Court Services Victoria Koori Caucus

Aunty Pam Pederson

Pamela Pederson OAM

Aunty Fay Muir

Fay Muir

Uncle Rod Jackson

Rod Jackson

Aunty Jacqui Stewart

Jacqui Stewart

BACKGROUND

On 8 December 2018, the Courts Koori Committee (CKC) adopted the Victorian Aboriginal Affairs Framework 2018-2023 (the VAAF) to replace the Koori Inclusion Action Plan (KIAP). In preparing the next iteration of the organisation's commitment to improve access, participation and effectiveness of court programs and services to Victorian Koori people and to deliver improved outcomes to the Victorian Koori Community, the CKC sought advice from the Department of Premier and Cabinet Executive Director for Self-determination. Following this, the CKC adopted four priority areas outlined in the VAAF and listed below, to set the foundation of the CSV Self-determination Plan (the Plan) 2021-2025.

- › Action Area 1: Prioritise Culture
- › Action Area 2: Address Trauma and Support Healing
- › Action Area 3: Address Racism and Promote Cultural Safety
- › Action Area 4: Transfer Power and Resources to Community.

Courts Council acknowledges and respects the approach adopted by the CKC and emphasises the Courts Council's and CSV's commitment to self-determination and its objectives. CSV's Self-determination Plan is an example of this commitment and focuses on improving the social and economic outcomes of Koori Peoples based on the four priority areas.

The Plan outlines the Courts Council's and CSV's commitment to self-determination. It provides context about the definition and guiding principles of self-determination and reaffirms the commitment of the Courts Council and CSV to the process and progress made so far.

It also clarifies governance and reporting mechanisms, key action areas, specific initiatives undertaken by the courts and VCAT to support and progress self-determination and, importantly, how the success of the Self-determination Plan will be measured.

As noted, each court, VCAT, the Judicial College and the Judicial Commission has developed Self-determination Plans, also focused on the four priority areas.

Together, these initiatives go a long way to ensuring that the courts and VCAT are accessible to Koori people and that the judiciary are supported in the delivery of justice to Aboriginal Victorians.

In addition, the Plan relies on eleven guiding principles of self-determination that were developed following extensive Community engagement with Aboriginal Victorians. These are outlined in the VAAF. These principles provide a 'common language' for what Aboriginal self-determination looks like in practice and will underpin all the actions set out in the Plan. The principles are: Human Rights, Cultural Integrity, Commitment, Aboriginal Expertise, Investment, Equity, Accountability, Partnership, Decision-Making, Empowerment and Cultural Safety. These are detailed in Appendix 3.

A comprehensive governance process or framework has been developed that reflects the complexity and importance of rigorous implementation. This is detailed later in this Plan and set out in Appendix 1.

At the broader level, the jurisdictions welcome collaboration through the Self-determination Committee (SDC) and the opportunity to share successes and come together to provide a whole of Courts Group response to key initiatives. Sound governance will ensure accountability and transparency.





Pathway Towards Aboriginal Self-determination

The Plan builds on a longstanding body of work, developed to support a pathway to Aboriginal Self-determination. Since the establishment of the Victorian Aboriginal Justice Agreement in 2000, Victorian courts and VCAT have been active participants and respondents to the Aboriginal Justice Forum. This is evidenced by, for example, the launch of the first Koori Court in 2002. Since then, there has been an expansion of Koori programs reaching beyond Koori Court and across all Victorian courts and tribunals.

Koori Court

Victoria was the first state to enact specific legislation to recognise and give effect to its Koori Court (*Magistrates' Court (Koori Court) Act 2002*). This was followed by the *Children and Young Persons (Koori Court) Act 2004* and the *County Court Amendment (Koori Court) Act 2008*. The successful implementation of Koori Courts in the Magistrates', County and Children's Courts has been a key pillar of the Victorian Aboriginal Justice Agreement (AJA) Phase 1 and 2. This is intended to address Koori over-representation in the justice system and reduce Koori alienation with the traditional court sentencing process by providing a culturally sensitive court environment. The success of Koori Courts has seen the program expand beyond budget provisions and across courts and VCAT in the past 17 years.

Umalek Balit – Koori Family Violence

Umalek Balit provides a cultural safety program to court staff and Koori family violence practitioners, offering Aboriginal families culturally safe and appropriate family violence services at specific Magistrates' Court locations across the state.

Umalek Balit, formerly the Koori Family Violence Victim Support Program, commenced in November 2018 when it was reinstated at Melbourne Magistrates' Court. Over the next four years, Umalek Balit will be rolled out at various court locations across Victoria. Currently, Umalek Balit exists at Melbourne, Mildura, Shepparton and Ballarat Magistrates' Courts.

Umalek Balit recognises that the complexity of family violence within Victorian Aboriginal Communities is reflected throughout the family violence court process. The service aims to deliver the appropriate support, information and referrals for family violence matters involving Aboriginal families.

Other Specialist Court Koori Programs

The Magistrates' Court also provides support through the Court Integrated Support Program (CISP). Koori CISP officers are available at Heidelberg, Latrobe Valley, Melbourne, and Shepparton Magistrates' Courts.

Likewise, Koori specific programs and support are available through the Victims of Crime Assistance Tribunal (VOCAT).





Marram-Ngala Ganbu – Koori Family Hearing Day

In 2009, the Aboriginal Justice Forum (AJF2) noted its concerns about the significant number of Aboriginal children involved in the child protection system in Victoria, and suggested the establishment of a Koori Family Hearing Day in the Children’s Court of Victoria family division. In 2012, the Protecting Victoria’s Vulnerable Children Inquiry recommended that a pilot Koori family hearing list be developed.

The Koori Services Coordinator role commenced at Broadmeadows Children’s Court in January 2016 and by July 2016, Marram-Ngala Ganbu (‘We are one’ in Wurundjeri Woi Wurrung language) was operational.

Koori Conciliation Conference Conveners

In addition to the establishment of a Koori Family Hearing Day, the Children’s Court has developed the Koori Conciliation Conference convener role.

The conciliation conferences are meetings conducted in child protection cases before the Children’s Court of Victoria. The aim of a conciliation conference is to provide an opportunity for the parties to agree on what should happen, without resorting to a contested hearing. In a conciliation conference, parents and children can speak for themselves.

The Koori Conciliation Conveners conduct the conferences in a culturally safe environment while ensuring that the child’s cultural identity and connection to family are maintained throughout the conversation. The first Koori Conciliation Convener commenced in late 2012.

Coroners Cultural Support Program

A comprehensive program of cultural case management support operates at the Coroners Court of Victoria. Commencing in 2019 with funding through AJA4, this program is designed to ensure cultural safety and understanding throughout the coronial process for families who have lost a loved one. This program is led by the Koori Family Engagement Coordinator and has the following fundamental cultural elements:

- › Cultural support at the notification of death of an Aboriginal and/or Torres Strait Islander with family engagement.
- › End-to-end cultural management for every Aboriginal and Torres Strait Islander passing, by identifying and modelling care on families’ specific needs.
- › Cultural competency-building within the court’s framework including cultural briefs prepared for the investigating coroners.
- › Cultural appropriateness across the court when working with Aboriginal and/or Torres Strait Islander cases.
- › Community engagement to build a ‘Process of Understanding’ about the role of the coronial investigation with communities.
- › At the time of publication of this SDP (July 2021), the Coroners Court of Victoria is the only coronial jurisdiction in Australia that has implemented a culturally specific role to support Aboriginal and Torres Strait Islanders with Sorry Business, and adherence to cultural protocols. Through this program, the Court aims to ensure inclusion of cultural protocols and requirements within its jurisdiction.





VCAT Koori Engagement Program

VCAT's commitments under AJA4 are to increase the number of Koori Staff at VCAT and to further promote engagement between VCAT and Koori Community members and Koori stakeholder organisations to help make VCAT more accessible to Koori People. The Koori Engagement team will educate and support Koori People coming to VCAT. Other changes to the VCAT operating environment include Koori Hearing Rooms in new venues and the ongoing involvement of Koori stakeholders within a Koori Reference Group model to inform and support new activities.

Four VCAT Koori Support team members will support Koori people in accessing and navigating VCAT processes. Induction program activities commenced on 13 January 2020. At the time of publication of this SDP (July 2021), VCAT is the only Civil and Administrative Tribunal within Australia that has implemented a culturally specific Koori team model to support Aboriginal and Torres Strait Islanders attending the Tribunal.

Judicial College of Victoria Committee

The Judicial College of Victoria facilitates the delivery of relevant and timely education on matters of Aboriginal and Torres Strait Islander culture and experience to members of the Victorian judiciary.

The development and delivery of this education is underpinned by the principle of self-determination. It values and respects Aboriginal knowledge, systems and expertise and believes that working together is the pathway to better outcomes for Aboriginal People and to stronger and safer communities.

The College recognises the influential role of education in shaping Community and healing relationships which contribute to improved outcomes for Aboriginal and Torres Strait Islander People coming into contact with the justice system.

The College's range of curated materials and programs aim to enhance judicial officers' awareness of factors contributing to the inter-generational disadvantage and trauma experienced by Aboriginal and Torres Strait Islander People, and to create better understanding of cultural customs and beliefs.

In this area, the College works closely with the Victorian Judicial Officers' Aboriginal Cultural Awareness Committee (JOACAC), Victorian courts and VCAT, and members of the Koori and broader Aboriginal and Torres Strait Islander Community. With the support from partnerships with Community, it identifies relevant themes and engages Aboriginal and Torres Strait Islander speakers, suppliers and organisations to promote increased positive interaction between the judiciary and Community. The College continues to encourage and support its staff to undertake Koori cultural education and to promote cultural safety across the College's work more broadly.

Dhumba Murmuk Djerring (CSV Koori Unit)

Dhumba Murmuk Djerring (CSV Koori Unit) was established to provide strategic and cultural support across courts and VCAT, coinciding with the establishment of the Koori Court. The CSV Koori Unit continues to ensure that responsive and up-to-date advice and information are available to Koori Staff, Community and all users accessing the courts and VCAT. Collaborating with all jurisdictions, the CSV Koori Unit coordinates the strategic development and delivery of the Victorian Koori justice policies and programs and coordinates statewide responses to requests from the Aboriginal Justice Forum (AJF).

The CSV Koori Unit also provides policy advice in response to the AJA and secretariat support to the Courts Koori Committee. The Unit also plays an important role within the governance structures of CSV, regularly reporting to the CKC and Courts Council on the CSV and jurisdictional progress of the delivery of Koori projects, initiatives and policies.



The Courts Council is supported in the delivery of its commitment to the key objectives through the CSV Koori Unit. Together with the Courts Koori Committee, the CSV Koori Unit will oversee and monitor the progress of the Plan's implementation within CSV and across the jurisdictions. Regular reporting to the Courts Council will create strict accountability structures and transparency. The transparency of the implementation progress will highlight successes and provide insight into delays and barriers for implementation.

Koori Employment Plan

The first organisational Koori Employment Plan was developed in 2016, two years after the establishment of CSV, when the commitment to Koori employment was just beginning to demonstrate benefits.

In addition to strengthening organisational cultural awareness to improve the work environment for Koori employees and recruits, the 2016 Koori Employment Plan also aimed to increase the number of Koori employees. Implementation of much of the Koori Employment Plan resulted in a significant increase in the number of Koori people employed across Victorian courts and VCAT, employed, surpassing the Victorian Koori employment target of two per cent.

Building on past achievements, CSV's Koori Employment Plan 2021-25 aims to meet the new organisational Koori employment target of three per cent, while equally being committed to improving cultural safety at work and supporting the guiding principles of self-determination as set out in this document.

Courts Koori Committee

The Courts Council is supported by the Courts Koori Committee (and its sub-Committees), comprising Koori stakeholders, judicial members, and the strategic CSV Koori Unit. The support provided to Courts Council through these links to the jurisdictions and the Koori Community inform Courts Council's decisions. It also ensures the effective implementation of policies by functioning as mechanisms of oversight, monitoring, reporting and a platform for cultural information sharing and decision-making.

A key function of the CKC is to provide input and guidance to Courts Council on the delivery of justice to Koori people in our Community, and on the inclusion of Indigenous Communities in the justice system and in the work of the Courts Group.

As a consultative committee, the CKC makes decisions by way of consensus rather than formal vote, and its procedures aim to be conducted with minimum formality. As a committee concerned with matters relating to Indigenous justice, it is recognised that the contribution of Koori Communities and stakeholders to the work of the Committee is fundamental to ensure an informed delivery of Koori justice.





THE ACTION AREAS AND PRINCIPLES

As noted, the Victorian Aboriginal Affairs Framework 2018-2023 (the VAAF) is the Victorian Government's overarching framework for working with Aboriginal Victorians, organisations and the wider community to drive action and improve outcomes.

The VAAF sets a clear direction for how government will Plan, Act, Measure and Evaluate to progress change across government, to address inequity and to deliver stronger outcomes for, and with, Aboriginal Victorians. This Plan draws heavily on the VAAF and embraces the four enablers of self-determination arrived at through extensive Community consultation.

“[The Victorian Government...] acknowledge that the way government enables Aboriginal self-determination will continue to evolve over time, based on changing Community expectations and needs. However, Community has identified four self-determination enablers which government must commit to and act upon over the next five years to make Aboriginal self-determination a reality.”

SELF-DETERMINATION IN VICTORIAN COURTS AND VCAT

What is Self-determination?

The VAAF outlines the Victorian Government's commitment to advancing Aboriginal self-determination.

This commitment is also made by CSV and is built on Community perspectives and priorities regarding self-determination, acknowledging the decades during which Aboriginal Victorians have fought for self-determination and their right to make decisions on matters that affect their lives and Communities.

While Aboriginal self-determination means different things to different people, the UN Declaration on the Rights of Indigenous People describes self-determination as the ability for Indigenous People to freely determine their political status and pursue their economic, social and cultural development. It also describes self-determination as a right that relates to groups of people, not individuals.

Commitment to Self-determination

CSV understands that Aboriginal self-determination encompasses a spectrum of rights necessary for Aboriginal Victorians to achieve economic, social and cultural equity, based on their own values and way of life.

“Self-determination Plan allows for Aboriginal People to express their thoughts and ensures they are given equally the opportunity to be heard. It allows for all to have a voice and know that all are treated equally. This encompasses courts and tribunals settings considering the specific differences based on Aboriginal values.”

- Koori Staff member

Courts Council and CSV support self-determination in courts and VCAT. The underlying factors ensuring the successful implementation of self-determination plans across the jurisdictions are strengthened accountability structures, cultural safety and inclusive and effective Koori engagement in all policy processes.

The successful implementation of the Plan is essential to improve the economic, social and cultural safety of Koori peoples across Victoria. The success and expansion of Koori programs across the jurisdictions and growing CSV Koori Staff numbers positively impact Koori Community, however, the over-representation of Koori Peoples in the criminal justice system continues. This ongoing challenge highlights the importance of self-determination to improve the settings and the perception of the courts and VCAT amongst Koori Community. This effective change relies on close cooperation between CSV, the courts and VCAT, and Koori Community and stakeholders, to always ensure that all processes are culturally informed and appropriate.

CSV's Commitment to Action

Following consultation with our Koori staff, the Koori Community and key stakeholders, CSV is committed to the key objectives outlined below on the four key areas. These objectives are the broader foundational elements necessary to support the jurisdictions to achieve their individual Plans.

Action Areas	CSV Commitments	CSV Areas for Action
Action Area 1: Prioritise Culture	Embed Aboriginal Culture	<ul style="list-style-type: none"> › Deliver a comprehensive Cultural Awareness program that targets all judicial officers and CSV staff, including managers and executives. › Provide cultural leadership, advice and support to jurisdictions in the implementation of their self-determination activities. › Promote and facilitate cultural engagement consultation with Koori Managers, Koori Community and Traditional Owner groups relevant to the location. › Develop cultural inclusivity policies (e.g. display of cultural flags, welcome and acknowledgements, celebrating significant cultural events).
Action Area 2: Address Trauma and Support Healing	Deliver Cultural Support and Healing programs for Elders and Respected Persons and Koori staff	<ul style="list-style-type: none"> › Design and deliver a consistent comprehensive cultural support program that aligns to the Koori Employment Plan (2021-25). › Design and deliver a culturally appropriate Employee Assistance and Vicarious Trauma Program. › Support the Koori Staff Network to provide cultural support and learning and development opportunities. › Promote the Cultural and Ceremonial Leave policy.
Action Area 3: Address Racism and Promote Cultural Safety	Address racial and cultural discrimination	<ul style="list-style-type: none"> › Design and deliver a comprehensive Koori induction program. › Design and implement a Managers' Cultural Safety Training Program to be delivered annually. › Contribute to the development of an organisational workplace discrimination policy. › Support the delivery of the Koori Employment Plan and its targets (e.g. improving attraction and recruitment of Koori staff, providing training opportunities to support career progression, improving cultural safety across the organisation, enhancing support for Koori staff and ensuring appropriate networks and services are available, and providing central oversight and strong governance). › Finalise and implement the CSV Cultural Safety Framework. › Provide advice and promote culturally safe practices, services and workplaces.
Action Area 4: Transfer Power and Resources to Community	Enable Koori Governance Arrangements	<ul style="list-style-type: none"> › Establish and support strong Koori governance arrangements across CSV, including the Courts Koori Committee and Self-determination Committee. › Promote Victoria's Social Procurement Policy to ensure procurement targets are met by increasing Aboriginal and Torres Strait Islander suppliers. › Engage the Koori Community in the review and development of new programs as per the Koori Community Consultation Framework. › Report expenditure of Koori funding and delivery of initiatives. › Provide high level advice and support to the CKC, AJF, SDC and CWG.

Summaries of the Courts, VCAT’s and the Judicial College’s Self-determination initiatives

The following section of the Plan demonstrates the broad overarching goals for each of the entities. Each jurisdiction is in the process of implementing Koori Working Groups and will develop more detailed plans outlining Strategy, Action, Accountability and Timelines.

A specific aim of the Plan is to ensure that actions are embedded and implemented across the jurisdictions as core business. While it is not intended that Koori Staff lead all aspects of the Plan, their cultural engagement and advice will be paramount to informing the Plans.

In turn, the local plans will inform the annual SDP Report, capturing the work being undertaken in the jurisdictions aligned to the Koori Governance Framework and the CSV Community Consultation and Engagement Framework.

Like this document, each document connected to the SDP and produced to support its aims and objectives should contain an acknowledgement reflecting that CSV recognises Aboriginal and Torres Strait Islander peoples as the First Peoples and Traditional Owners and Custodians of the land and waterways upon which our lives depend.

Partnership and Collaboration

The local Koori Working Groups will be representative of internal staff and Koori Community stakeholders to ensure that goals align with the aspirations of the Victorian Aboriginal Community. Most of the Working Groups’ members should be Koori, thereby realising the full meaning of self-determination and self-management. Major initiatives implemented under the Plan will be done in consultation with various internal and external stakeholders as outlined in the CSV Koori Governance and Consultation Framework, and with the overarching principles of the Victorian Aboriginal Affairs Framework (2018-2023).



Koori Staff Network 2021 with CSV CEO Louise Anderson and Wurundjeri Elder Aunty Joy Murphy-Wandin.



SUPREME COURT OF VICTORIA



Summary of Self-determination Initiatives

Action Areas	Activities
Action Area 1: Prioritise Culture	<ul style="list-style-type: none">› Acknowledge, celebrate and promote significant Koori cultural events and support attendance of members, representatives and staff at National Reconciliation Week, NAIDOC Week etc as appropriate.› Ensure culture is visible and inclusive across the court, including the displaying of Aboriginal and Torres Strait Islander flags and artwork in locations across the court.› Acknowledgment of Country at all court events.› Development of an effective and integrated program of employment, internship and work placement initiatives that lead to greater employment opportunities and representation within the industry.› Development and implementation of designated Associate role(s) supported through engagement in Community groups (such as RAJACs).› Increased Aboriginal and Torres Strait Islander employment rates.› Establish a suite of educational programs for judiciary and staff participation.› Improve data collection and monitoring to establish benchmarks and evaluation of initiatives.
Action Area 2: Address Trauma and Support Healing	<ul style="list-style-type: none">› Access to culturally appropriate debriefing and assistance supports for Aboriginal and Torres Strait Islander staff.› Promotion of Cultural and Ceremonial leave.› Engagement with Koori Staff Network.
Action Area 3: Address Racism and Promote Cultural Safety	<ul style="list-style-type: none">› Promote attendance at Koori Cultural Awareness training to all.› Managers to complete Koori Cultural Awareness Training in order to best support the cultural safety of staff.› Partner with CSV Koori Unit and other jurisdiction specialists to improve culturally safe practices.› Promote employment of Aboriginal and Torres Strait Islander staff in non-identified and designated roles.
Action Area 4: Transfer Power and Resources to Community	<ul style="list-style-type: none">› Development of effective partnerships with Aboriginal and Torres Strait Islander Communities (through groups such as RAJACs) and networks in tertiary education and the legal industry.› Actively encourage and support Aboriginal and Torres Strait Islander staff to attend and participate in Koori Staff Network activities.› Link Aboriginal and Torres Strait Islander staff with cultural mentoring programs.› Actively seek to increase employment of Aboriginal and Torres Strait Islander staff in leadership roles.



Summary of Self-determination Initiatives

Action Areas	Activities
Action Area 1: Prioritise Culture	<ul style="list-style-type: none"> › Engage with the Traditional Owners of Country and local Communities when exploring expansion opportunities. › Engage with local Communities to ensure appropriate cultural protocol and practices are being followed. › Acknowledge, celebrate and promote significant Koori cultural events. › Ensure culture is visible and inclusive across all County Court environments.
Action Area 2: Address Trauma and Support Healing	<ul style="list-style-type: none"> › Monitor and provide data/information as required regarding participation and access to court programs. › Identify areas for development. › Provide ERPs and staff access to appropriate cultural debriefing and support. › Implement vicarious trauma training activities to ensure that ERP and Koori Court staff can recognise signs of vicarious trauma and seek appropriate support/assistance.
Action Area 3: Address Racism and Promote Cultural Safety	<ul style="list-style-type: none"> › Support cultural awareness training for judicial officers and staff. › Identify local opportunities to implement and build cultural safety.
Action Area 4: Transfer Power and Resources to Community	<ul style="list-style-type: none"> › Ensure staff have access to training and development, in addition to senior employment opportunities. › Enable Koori Staff to participate in decision making processes.



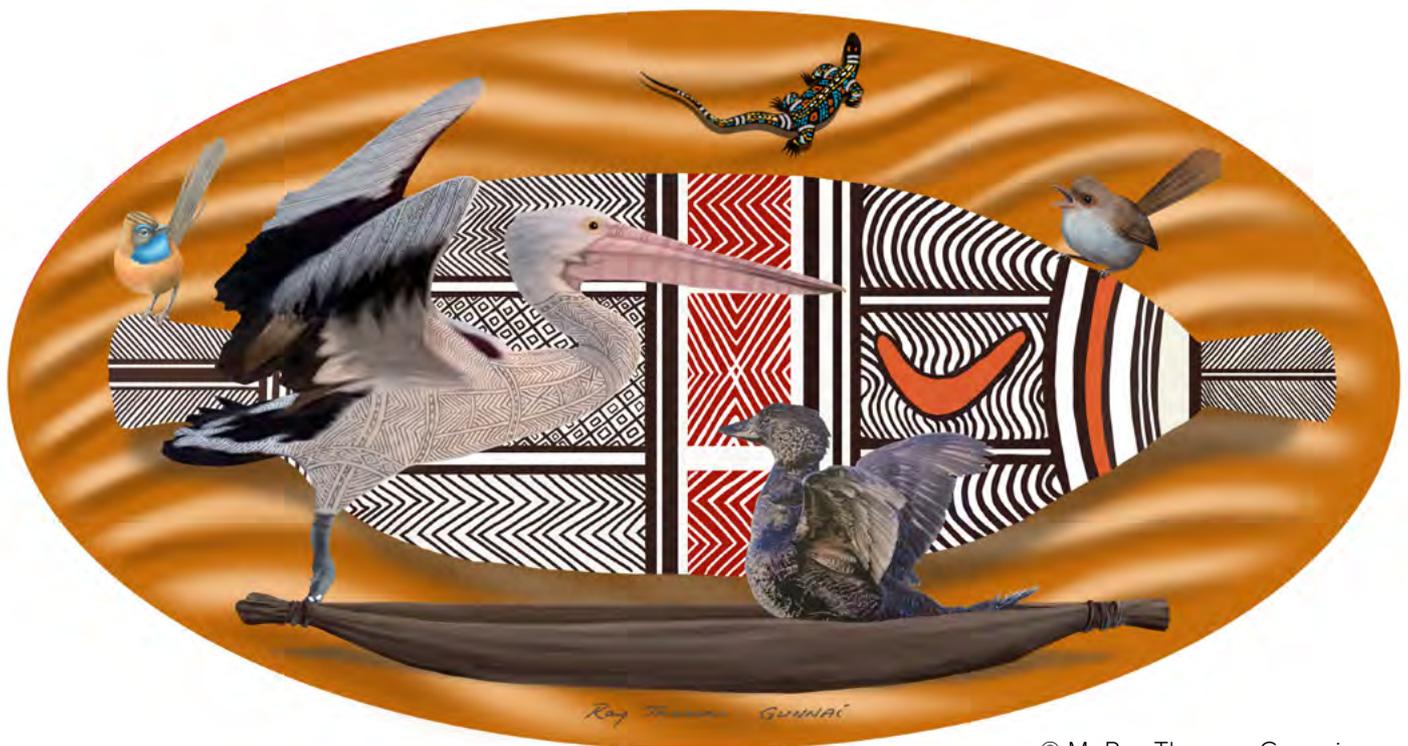
Uncle Andrew Jackomos, Uncle Lloyd Hood, Terrie Stewart, Uncle Rod Jackson, Judge Grant, Judge Lawson, Shaun Braybrook, Aunty Pam Pederson, Uncle David Farrall, front Magistrate Falla and Uncle Kevin Coombs



Summary of Self-determination Initiatives

Action Areas	Activities
Action Area 1: Prioritise Culture	<ul style="list-style-type: none">> Include a Welcome to and/or Acknowledgment of Country at all formal MCV events.> Develop an MCV approach in relation to the flying of Aboriginal and Torres Strait Islander flags at all courthouses to ensure respect and recognition of Traditional Owners and Koori Peoples.> Develop an MCV Statement that is promoted and embedded in MCV public platforms, acknowledging, respecting and recognising Koori Peoples.> Embed a culture of respect for the Koori Peoples of Victoria which recognises their connection to culture as a source of enduring strength, resilience and safety, and recognises Koori Peoples as the custodians of knowledge and expertise concerning their Communities and culture.> Develop an MCV strategy in relation to the integration of local cultural protocols, language, artworks, totems and customs in MCV courthouses and buildings, including in all newly developed courthouses and buildings, to ensure continued promotion of MCV as a culturally safe environment.> Implement cultural awareness training that supports and facilitates greater understanding of Aboriginal self-determination and its meaning in a court context.> Acknowledge, celebrate and support significant events in the Aboriginal and Torres Strait Islander calendar that marry with the CSV Cultural Awareness Programs.
Action Area 2: Address Trauma and Support Healing	<ul style="list-style-type: none">> Promote and encourage participation in culturally appropriate and trauma-informed support services to all members of MCV's Koori workforce.> Provide cultural support to all Koori judiciary and staff, including exploring the use of centralised and localised healing ceremonies and participation programs made available by CSV.> Strengthen training for MCV management that supports and facilitates greater understanding of cultural loads and builds recognition of the critical need for a culturally aware approach to addressing trauma and healing for Koori staff.> Promote and actively support participation in the established Koori staff Network and its role in facilitating informal support and healing for Aboriginal staff.> Consider the establishment of a Koori Mentoring Program that would connect individual Koori staff members with senior and respected members of the Koori Community to provide support and mentoring.> Ensure that MCV's Health and Wellbeing Plan considers the needs of Koori judiciary and staff.

Action Areas	Activities
<p>Action Area 3: Address Racism and Promote Cultural Safety</p>	<ul style="list-style-type: none"> ➤ Promote a work environment that actively addresses racism and other forms of discriminatory behaviour within MCV. ➤ Implement the Koori Cultural Safety Framework across MCV that provides guidance and tools to ensure a culturally safe environment that supports and facilitates greater understanding and awareness of unconscious bias. ➤ Review current practices relating to the administration of the Standard Indigenous Question and consider how to improve current practice in a manner consistent with the promotion of cultural safety. ➤ Foster an inclusive work environment that is engaged, responsive and supportive of Koori judiciary and staff and that values the insights and experience that they bring to MCV.
<p>Action Area 4: Transfer Power and Resources to Community</p>	<ul style="list-style-type: none"> ➤ Enhance Koori involvement in leadership and strategic decision-making. ➤ Maintain MCVs commitment to participation in forums such as the Aboriginal Justice Forum and the Courts Koori Portfolio Committee. ➤ Support the professional development of the MCV Koori workforce to help promote career advancement.



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CHILDREN'S COURT OF VICTORIA



Summary of Self-determination Initiatives

Action Areas	Activities
Action Area 1: Prioritise Culture	<ul style="list-style-type: none">› Align the SDP with the Court's business plan.› Utilise a Koori Conciliation Conference, when possible, for conferences involving Aboriginal children.› Ensure the Family Drug Treatment Court model offers an enabler for Koori families to pursue reunification.› Improve the rate of participation in the Children's Koori Court by 10 per cent.› Monitor the rate of Koori participation in the Youth Diversion Pilot Program and consider strategies to include a Koori-specific component in any expansion.› Employ a pool of Koori Court Elders and Respected Persons statewide.› Complete expansion of Koori specific children's Koori Programs including MNG and Koori Court.› Review the operations of the metropolitan Koori Court circuit.› Engage local Community and CSV KU with any new Children's Court Koori-specific initiatives.› Determine level of cultural awareness amongst staff at all levels.› Provide cultural awareness training.
Action Area 2: Address Trauma and Support Healing	<ul style="list-style-type: none">› Expand therapeutic Koori specific programs for statewide coverage.› Make cultural leave available for Aboriginal staff.
Action Area 3: Address Racism and Promote Cultural Safety	<ul style="list-style-type: none">› Contribute to the development and implementation of a CSV Koori Employment Plan.› Create additional roles within the court to support Koori programs and services.› Promote employment of Aboriginal staff in non-identified and/or designated roles.› Maintain key relationships and engagement at all levels.› Develop Courts stakeholder engagement plan, recognising the Koori Community as a key stakeholder.
Action Area 4: Transfer Power and Resources to Community	<ul style="list-style-type: none">› Actively encourage and support Koori staff to attend and participate in Koori Staff Network activities.› Link Koori staff with cultural mentoring programs.› Employ Aboriginal staff in leadership roles.



Summary of Self-determination Initiatives

Action Areas	Activities
Action Area 1: Prioritise Culture	<ul style="list-style-type: none">› Enhance the Coroners Koori Engagement Unit, ensuring that the Aboriginal program is developed by Aboriginal People, for Aboriginal People, to support Aboriginal Communities.› Ensure the Coroners Koori Engagement Unit Program is always run, led and enhanced by Aboriginal People.› Promote shared knowledge on the Process of Understanding, allowing for greater cultural appropriation throughout the framework of the court.› Establish cultural base education concepts across multiple learning platforms to support families.› Implement cultural exchange and shared knowledge to support all members of Victorian Aboriginal Communities.› Drive adherence to cultural training for new recruits to CCoV, ensuring developments in cultural competency.› Ensure all court employees participate in engagement with the Coroners Koori Engagement Unit as part of their induction.› Maintain strong partnership with Victorian Institute of Forensic Medicine (VIFM), building cultural understandings and competencies to support Aboriginal People.› Implement Torres Strait Islander protocols and learnings to ensure cultural adherence in respect to cultural protocols.› Prepare cultural briefs for coroners, allowing for a cultural lens in case investigations.
Action Area 2: Address Trauma and Support Healing	<ul style="list-style-type: none">› Support and understand the concept of generational trauma using lived experience and learning to further enhance knowledge of cultural trauma.› Develop a formal Process of Understanding strategy for the wider Aboriginal Community.› Maintain culturally appropriate supports for Koori staff.
Action Area 3: Address Racism and Promote Cultural Safety	<ul style="list-style-type: none">› Maintain and establish protocols that support the recommendations made by the 1991 Royal Commission into Aboriginal Deaths in Custody.› Maintain framework and internal cultural behaviours that abide by the principals of “Ask to educate, don’t state to discriminate”, in relation to cultural safety in the court.› Conduct Community educational shared programs to further develop staff understanding across the court.
Action Area 4: Transfer Power and Resources to Community	<ul style="list-style-type: none">› Coroners Koori Engagement Unit engages the Community to share knowledge and information to support Aboriginal health programs.› Engage with CSV Koori framework to support growth and knowledge of CCOV business and milestones.› Coroners Koori Engagement Unit must engage with communities across Victoria to build stronger connections and develop stronger communities.› Coroners Koori Engagement Unit creates career pathways within the court.› Coroners Koori Engagement Unit becomes a world leader in developing, showcasing and promoting a First Peoples response and support in coronial jurisdiction engagement.



VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (VCAT)

Summary of Self-determination Initiatives

Action Areas	Activities
Action Area 1: Prioritise Culture	<ul style="list-style-type: none"> > Establish a more welcoming online environment by establishing a Koori landing page on the VCAT website. > Celebrate significant dates in the Aboriginal and Torres Strait Islander calendar of dates, and support Member and staff attendance at National Reconciliation Week and NAIDOC Week activities. > On request and where available, provide a culturally informed Hearing Room space for use by Koori people at stand-alone VCAT venues. > Create designated Koori positions to deliver support for Koori people. > Promote VCAT as an employer, including use of Internship and Traineeship initiatives and work placements during tertiary education, to attract Koori staff to VCAT.
Action Area 2: Address Trauma and Support Healing	<ul style="list-style-type: none"> > A dedicated Koori Engagement team supports Community members who identify themselves as Koori, either by direct contact or self-identification on applications. > Promote broad Koori Community awareness of VCAT's role and function in delivering civil justice.
Action Area 3: Address Racism and Promote Cultural Safety	<ul style="list-style-type: none"> > Ensure all available data on Koori Community member use of VCAT is captured and that analysis of Koori data informs specific engagement activities and service improvements. > Promote availability of Community legal services and consumer resources to VCAT's Koori enquirers. > Ensure all VCAT Members and staff have access to Koori Cultural Awareness training, including as a core Induction activity.
Action Area 4: Transfer Power and Resources to Community	<ul style="list-style-type: none"> > Build and strengthen positive relationships with key Victorian Aboriginal organisations by encouraging their membership within the Koori Reference Group (KRG). KRG outcomes will progress through the VCAT Committee structure to the VCAT Board of Management as the formal VCAT approval process. > Strengthen positive relationships with key Victorian Aboriginal organisations at the six-monthly VCAT Koori Stakeholder Information Sharing meetings. > Foster active participation in CSV Koori meetings. > Be responsive to issues raised in the Aboriginal Justice Forums. > Participate in Koori civil justice networks, including attendance at RAJAC meetings and the Koori Justice Action Group. > Utilise procurement guidelines to increase use of Koori suppliers and services where appropriate. > Ensure that VCAT's Koori Engagement activities are culturally informed through endorsement by VCAT KRG.

Summary of Self-determination Initiatives

Action Areas	Activities
Action Area 1: Prioritise Culture	<ul style="list-style-type: none"> › Continue Koori Cultural Awareness Training for current and new staff, included as a core induction activity. › Promotion and participation in significant cultural events and celebrations. › Build an established partnership with Koori staff, judiciary and executive to prioritise self-determination. › Implement a Koori component/s in judicial and staff induction. › Develop a central online resource portal containing relevant and timely materials for judicial officers. › Displaying of Aboriginal and Torres Strait Islander flags at all educational programs. › Ensure the continued creation of a culturally appropriate environment in the Judicial College Warren Learning Centre. › Acknowledgement of Country at the commencement of all JCV staff meetings. › Welcome to Country at all major educational events. › Increase Aboriginal and Torres Strait Islander employment rates.
Action Area 2: Address Trauma and Support Healing	<ul style="list-style-type: none"> › Ensure support and encouragement of Koori Staff to access cultural leave and attend staff wellbeing programs. › Ensure the ongoing commitment to continued education and understanding of Koori and Torres Strait Islander culture for College staff. › Continue the ongoing commitment to enhance judicial officers' knowledge of Koori and Torres Strait Islander culture to address trauma and support healing.
Action Area 3: Address Racism and Promote Cultural Safety	<ul style="list-style-type: none"> › Managers of Koori staff to complete cultural awareness management training. › Promote a culturally safe workplace. › Adopt a zero-tolerance approach to racism and discriminatory conduct.
Action Area 4: Transfer Power and Resources to Community	<ul style="list-style-type: none"> › Develop effective partnerships with Aboriginal and Torres Strait Islander Communities through committee membership. › Maintain and develop resource materials. › Procure presenters and suppliers in consultation with Community members.

Summary of Self-determination Initiatives

Action Areas	Activities
Action Area 1: Prioritise Culture	<ul style="list-style-type: none"> ➤ Implement Koori Cultural Awareness Training for current Commission staff and as part of induction for new staff. ➤ Develop positive relationships with key Victorian Aboriginal organisations, including peak representative bodies for court users. ➤ Acknowledgement of Country at commencement of significant meetings.
Action Area 2: Address Trauma and Support Healing	<ul style="list-style-type: none"> ➤ Engage with relevant organisations, including Aboriginal Health Service and Family Safety Victoria, about relationships with the justice system. ➤ Encourage complainants to have support from an Elder or other person throughout the complaints process. The Commission's online complaint form enables complainants to identify as Aboriginal or Torres Strait Islander.
Action Area 3: Address Racism and Promote Cultural Safety	<ul style="list-style-type: none"> ➤ Engage with Aboriginal Legal Service and regional Aboriginal Justice Workers to share information about the Commission's role and the experiences of their clients. ➤ Engage with CSV Koori Unit to share information and to assist the Commission in making appropriate enquiries and contacts to promote Community engagement opportunities. ➤ Commission staff to participate in Victorian Equal Opportunity and Human Rights Commission 'Charter Education Program', or similar training.
Action Area 4: Transfer Power and Resources to Community	<ul style="list-style-type: none"> ➤ Ensure all Commission staff are aware of self-determination for Aboriginal Communities in Victoria and the overarching framework. ➤ Produce information to help strengthen and improve Aboriginal justice initiatives.



Justice Kaye and Uncle Kevin Coombs - retirement of Uncle Kevin from Koori Court

GOVERNANCE

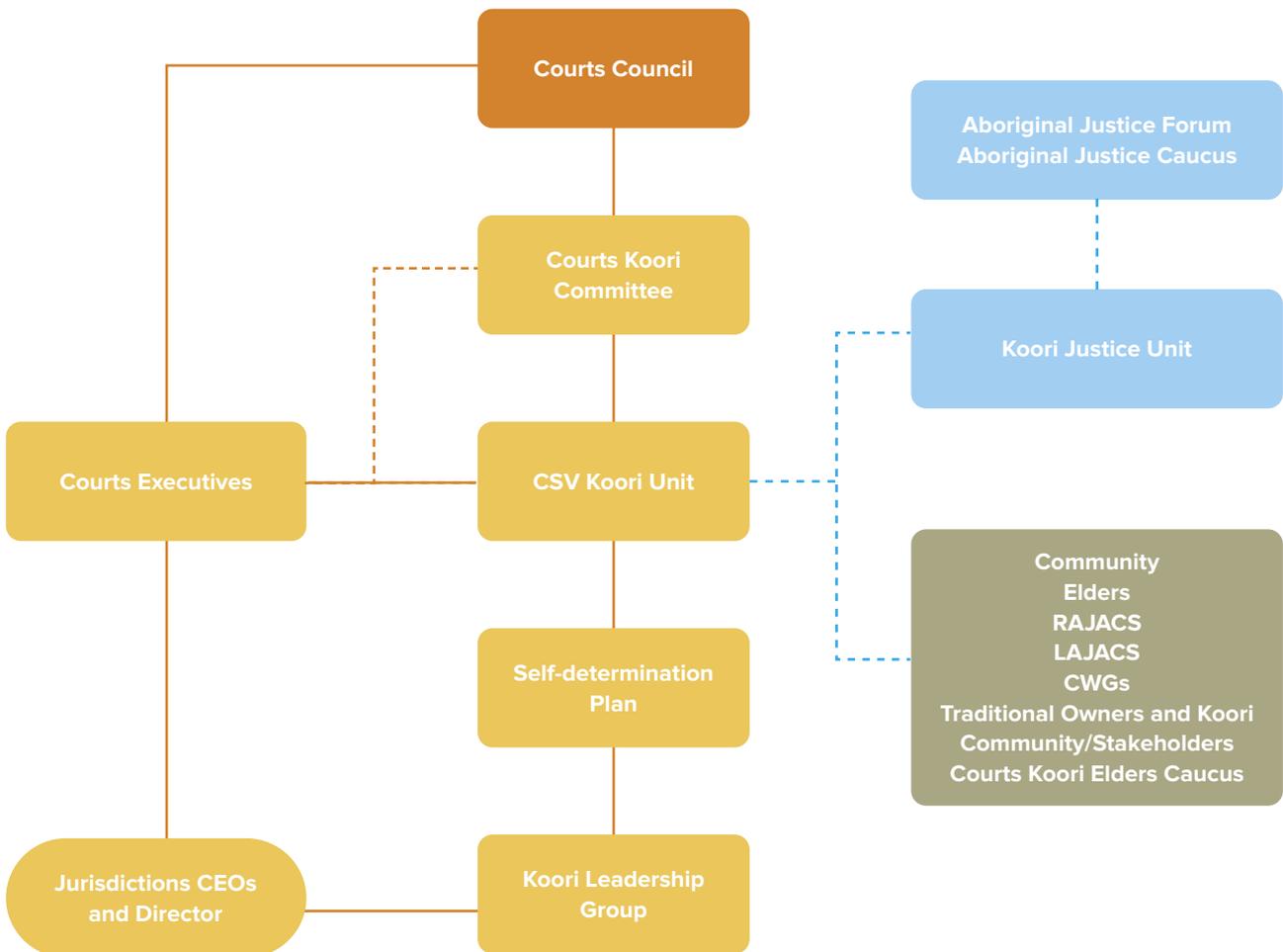
The Koori Governance Framework (KGF) aims to outline current organisational governance mechanisms that promote Aboriginal leadership in the implementation of the Burra Lotjpa Dunguludja (Victorian Aboriginal Justice Agreement), and other statewide and organisational policies and initiatives.

The governance mechanisms encompass all levels of the organisation and its operations: local, jurisdictional and statewide. Each governance mechanism

determines the purpose, frequency, membership, and format of interactions between the organisation and Aboriginal Communities.

In addition, the complex consultative processes are driven by a two-way knowledge transfer between the governance mechanisms. These are illustrated in the diagram below and governance and consultative mechanisms are explained in detail in Appendix 1.

Governance Structure





MEASURING AND REPORTING

The success of the Plan will be underpinned by the work done locally within jurisdictions and as a collective across the Courts Group. The CSV Koori Unit with its overseeing, monitoring and reporting functions, will support the CSV and local implementation of the Self-determination Plans. Collaborating closely with Koori stakeholders through CKC and through local working groups, CSV will ensure comprehensive programs are culturally informed and appropriately developed and matured over time.

The success of self-determination will inform all processes involving Koori Staff and Community, improving accountability and Koori engagement in policy processes and ensuring improved cultural safety for Koori Staff and ERPs, as well as Koori clients accessing the courts, VCAT and all other services.

CSV is in a unique position, employing more than 70 ERPs across the Koori Court program who are actively engaged in informing our Koori program and policy implementation.

- › CSV has committed to a number of deliverables and timelines through the AJA4 and Dhelk Dja: Safe Our Way and is committed to a two-way partnership with the Koori Community, ensuring CSV representation on key departmental committees. Our objectives and measures are aligned to the AJF which also has a monitoring and reporting role for CSV. The AJF's objectives are: Self-determination for Aboriginal Peoples.
- › Developing long-term sustainable relationships based on trust.
- › Respecting Aboriginal knowledge, history, lived experience and connections to Community and Country.
- › Shared responsibility and accountability for outcomes and actions.
- › Redressing structures, relationships and outcomes

that are unequal, racist and/or discriminatory.

- › Recognising Aboriginal cultural rights, protocols, principles, ethics and standards.
- › Working differently with Aboriginal Peoples, recognising that mainstream approaches are frequently not the most appropriate or effective.
- › Collaborating with Community to co-design services to achieve collective impact. Using a self-determination approach means that government does not have exclusive ownership of issues.

The Self-determination Plan will not be implemented in isolation and will be informed by internal and external policies and programs, including:

- › CSV Koori Employment Plan (Designated Positions Policy and Confirmation of Aboriginality)
The employment processes involving the Koori workforce across the jurisdictions mirrors the efficacy of the Self-determination Plan. The CSV Koori Employment Plan 2021-25 sets the total Koori employment target rate at 3 per cent.
- › Support provided to the specific Koori plan implementation.
- › Continuous input into all policies and procedures ensuring an appropriate cultural lens is applied.
- › CSV HR manual for Elders and Respected Person's, Koori Court.
- › CSV Koori Governance Framework, to include mechanisms for inclusive engagement and consultation.
- › CSV Cultural Safety Framework.
- › Koori Consultation Framework (in draft).
- › CSV Koori Cultural Resource Guide.
- › CSV Koori Court Reference Groups.
- › VAAF 2018-2023.
- › AJA4 – Burra Lotjpa Dunguludja 2018-2022.
- › Dhelk Dja – Safe Our Way 2018-2028.



Successful implementation of the CSV Self-determination Plan across Victorian jurisdictions requires a reporting program designed to aid accountability and provide the opportunity to reflect upon achievements and challenges. The Koori Leadership Group and nominees will be responsible for reporting on the Self-determination Plan at each Self-determination Committee meeting. The CSV Koori Unit will provide regular reports to the Courts Executive, CSV Executive Group and the Courts Koori Committee.

The CSV Koori Unit is available to support jurisdictions in reporting and to promote their achievements and insights through relevant publications and forums. Regular reports on the progress of implementing local Action Plans will be provided by each entity and these will be monitored by the CSV Koori Unit with reports to the Courts Executive and the Courts Council. Further details about this can be found in the table below.

Reporting	Description	Accountability	Timelines
Courts Koori Committee report	Progress on implementation of the SDP will be reported to the CSV CKC	CSV	Quarterly
Self-determination Committee	Jurisdiction updates	All jurisdictions	Bi-monthly
Local jurisdiction working Group	Established locally to progress jurisdiction specific actions	All jurisdictions	As determined
Jurisdictions Mid-cycle Review Report	CSV KU will report on activities in the form of case studies and 'good news' stories, based on reports provided to the Self-determination Committee	Self-determination Committee	Mid-cycle
	CSV to provide update to CKC	CSV	Mid-cycle
Jurisdictions Annual Self-determination Report	CSV KU will provide a comprehensive Self-determination Annual Report on implementation of activities based on reports provided to the Self-determination Committee	Self-determination Committee	Annually
	CSV to provide update to CKC	CSV	Annually
	CSV to provide update to AJF via annual standing report and input to the Victorian Government Aboriginal Affairs Report (VGAAR)	CSV	Annually
CSV Annual Report	CSV SD Progress Report	CSV	Annually



APPENDIX 1: OVERVIEW OF GOVERNANCE MECHANISMS

Courts Council

The Courts Council is the governing body of CSV. It comprises the Chief Justice, heads of each jurisdiction and up to two appointed non-judicial members. The Courts Council has the general direction and superintendence of CSV, directing the strategy, governance and risk management of CSV, appointing the Chief Executive Officer of CSV and the Chief Executive Officer for each jurisdiction. Its functions ensure that CSV is free from the direction of the executive arm of government.

Courts Koori Committee (CKC)

The CKC reports directly to Courts Council, and through its Co-Chairs to the AJF. It is a less formal consultative committee, overseeing and supporting the development and implementation of jurisdiction-based initiatives which enable greater Aboriginal participation and engagement, and making decisions on initiatives and projects as proposed by the AJF. The CKC provides project governance, advice on issues and changes, supports and monitors project progress and uses its influence and authority to assist in achieving project outcomes. It ensures that endorsement and decision-making are brought back to the Aboriginal Justice Caucus (AJ Caucus) or the AJF, if required. The CKC includes judicial, executive and Koori representation.

Courts Executive

The Courts Executive reports to the Courts Council directly, or through Council's subordinate committees. Its purpose is to support the CSV CEO as the accountable officer and public service head for all CSV bodies and staff, to support Courts Council in the Governance of CSV and to support the continuous improvement and optimisation of corporate services across CSV. Chaired by the CSV CEO, it includes the CEOs of the courts, VCAT and the College, the Director of the Commission and senior CSV executives. It meets frequently and consults with the Courts Koori Committee.

Courts Koori Elders Caucus (CKEC)

To ensure strong cultural leadership, the CKEC was established in 2020. The CKEC comprises all non-government Koori members and ERPs who are members of the CKC and who attend its meetings. The Caucus is chaired by the CSV Koori Unit whose Director has been nominated by the CKEC to present reports on its behalf to the CKEC.

Aboriginal Justice Forum (AJF), Aboriginal Justice Caucus and Aboriginal Community Committees

With the development and progression of the Burra Lotjpa Dunguludja, now in its fourth phase, multi-layered partnerships between Victorian Government and the Aboriginal Community have been established.



Collaborative Working Group (CWG)

Newly established relevant Collaborative Working Groups replace the former Koori Reference Groups, building on existing governance structures in courts. The CWGs create an authorising decision-making environment that assists to focus on and progress systemic issues. CWGs monitor the development and implementation of key AJA initiatives and projects arising from AJFs and report on this to the AJF.

Koori Leadership Group

The Koori Leadership Group comprises all Koori managers and coordinators of Koori programs across the courts, VCAT and the College. The Koori Managers Group reports to their local jurisdictions and to the CKC.

The Koori Leadership Group is a multi-jurisdictional forum for discussion and consultation on all matters relating to Koori programs and Koori Staff and on funding as allocated by the AJA4.

Self-determination Committee (SDC)

The SDC advises the Courts Executive on matters relating to Koori programs, Koori operations and Koori Communities. SDC informs decision-making and provides strategic program and policy advice where appropriate. Its members are classified as VPS5 or higher and comprise Koori Staff and non-Koori Staff who work with organisational Koori units. The newly established SDC seeks to ensure culturally safe delivery of services, feedback on the implementation of Koori policies and frameworks, and visible recognition and acknowledgement of Koori culture across the Courts Group.

Elders and Respected Persons, Koori Staff Network (KSN) and Aboriginal Community are critical to leading the Koori programs across courts and tribunals. The primary focus of self-determination is the inclusion and leadership of Koori Community and Koori Staff in the development of programs and policies. Meetings, information and feedback received from ERPs, KSN and the Aboriginal Community varies in frequency and occurs as required.

Dhumba Murmuk Djerring Unit (CSV Koori Unit)

The CSV Koori Unit is the central coordinating Koori Unit, that works across the jurisdictions. Through its centralised approach to the four focus areas of self-determination across the organisation, the CSV Koori Unit (KU) will deliver and drive CSV initiatives and support the jurisdictions in their implementation of self-determination.

The KU links CSV with the Victorian Aboriginal Community through the participation in Community-based networks, by the provision of advice and guidance to staff and stakeholders, and through its reporting function to a variety of Koori stakeholders and its Secretariat support to the Aboriginal Justice Forum. Its central oversight, monitoring, and reporting on Koori initiatives and policies at CSV and across the jurisdictions will drive and secure the delivery of SDP commitments made by the Courts Council and CSV.

The KU also reports to the CKC and the Victorian Government, as published in the annual Victorian Government Aboriginal Affairs Report (VGAAR). This enables the Unit to seek leadership support for the implementation of change, highlights any barriers and ensures transparency across the implementation and development of Koori initiatives and programs.



APPENDIX 2: CULTURAL TERMINOLOGY DEFINED

Community

Community refers to and acknowledges all Aboriginal People living in Victoria. Community can be used to describe the entire Victorian Aboriginal Community or smaller specific Communities.

Country

Country and Land encompasses everything within the landscape including landforms, water, air, trees, rocks, plants, animals, medicines, minerals, stories and special places. Country also includes cultural practices, knowledge, songs, stories, art and people past, present and future. Aboriginal People have custodial responsibility to care for their Country.

Culture

For Aboriginal People, culture is the foundation upon which everything else is built. Culture underpins all aspects of life including connections to family and Community, connection to Country, the expression of values, symbols, cultural practices and traditional and contemporary forms of cultural expression such as Aboriginal language, ceremonies, cultural events, storytelling, dance, music and art. Many Indigenous People in Australia have a unique view of the world distinct from the mainstream. Land, family, law, ceremony and language are five key interconnected elements of Indigenous culture. For example, families are connected to the land through the kinship system and this connection to land comes with specific roles and responsibilities which are enshrined in the law and observed through ceremony. In this way, the five elements combine to create a way of seeing and being in the world that is distinctly Indigenous.

Cultural Safety

CS means “an environment that is safe for people: Where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared knowledge and experience, of learning, living and working together with dignity and truly listening.”

Elder

An Elder is a respected member of the Community who has gained recognition as a custodian of knowledge and lore, and who has permission to disclose knowledge and beliefs.

Racism

On an individual level, racism refers to the beliefs and attitudes that members of certain groups have of their superiority in relation to other groups who are regarded as inferior, based on race, ethnicity or cultural background. Those who are assumed to be inferior are treated differently and unfavourably. At a societal level, racism can be defined as “that which maintains or exacerbates inequality of opportunity among ethno-racial groups.” Racial discrimination can be defined as the racist behaviours and practices that result in inequality of opportunity among ethno-racial groups. Today, Indigenous Australians continue to face interpersonal and institutional racism which creates and sustains their lower socioeconomic status by excluding them from economic opportunities and land ownership. Moreover, Indigenous men and women can expect to live 10.6 and 9.5 years less than non-Indigenous men and women respectively. A large and growing body of evidence consistently implicates racism as a key determinant of the health of Indigenous Australians.

Trauma

The word trauma is used to describe experiences or situations that are emotionally painful and distressing and that overwhelm people's ability to cope, leaving them powerless. Trauma has sometimes been defined in reference to circumstances that are outside the realm of normal human experience. Unfortunately, this definition doesn't always hold true. For some groups of people, trauma can occur frequently and become part of the common human experience. For Aboriginal and Torres Strait Islander communities, the trauma of colonisation came in many forms: conflicts, massacres and dispossession of traditional lands and resources; introduction of diseases and starvation, undermining of traditional identity, spirituality, language and cultural practices through the establishment of missions and reserves and the government policy of assimilation; forced removal of children from their kin, Country and culture to institutions where they were harmed physically, emotionally and sexually; destruction of Indigenous forms of governance, leadership and Community organisation; discrimination and racism; and the breakdown of healthy patterns of individual, family and Community life.

Treaty

The Victorian Government is in the process of negotiating a treaty with Aboriginal Victorians.

Self-determination

While Aboriginal self-determination means different things to different people, the UN Declaration on the Rights of Indigenous People describes self-determination as the ability for Indigenous People to freely determine their political status and pursue their economic, social and cultural development. It also describes self-determination as a right that relates to groups of people, not individuals.



APPENDIX 3

The Courts Council and Courts Koori Committee adopt the Victorian Government's action to advance Aboriginal self-determination. This is driven by 11 guiding principles of self-determination, as contained within the Victorian Aboriginal Affairs Framework 2018-2023 (VAAF). These principles underline the four action areas named above.

Human Rights

Self-determination initiatives honour the norms set out in United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and Victoria's Charter of Human Rights and Responsibilities Act 2006.

Cultural Integrity

As First Nations peoples, the rich, thriving cultures, knowledge and diverse experiences of Aboriginal People, including where they fit with family, Community and society, will be recognised, valued, heard and celebrated.

Commitment

Aboriginal self-determination will be advanced and embedded through planned action that is endorsed by, and accountable to, all parties.

Aboriginal Expertise

Government and agencies will seek out, value and embed Aboriginal culture, knowledge, expertise and diverse perspectives in policies and practice.

Investment

Investment to support self-determination will be sustainable, flexible and appropriate to strengthen Aboriginal Peoples' aspirations and participation, including around economic participation, economic independence and building wealth.

Equity

Systemic and structural racism, discrimination and unconscious bias and other barriers to Aboriginal self-determination will be actively identified and eliminated.

Accountability

All parties responsible for delivering outcomes involving Aboriginal People will be held accountable and subject to Aboriginal-led, independent and transparent oversight.

Partnership

Partnerships will advance Aboriginal autonomy through equitable participation, shared authority and decision-making, and will be underpinned by cultural integrity.

Decision-making

Decision-makers will respect the right to free, prior and informed consent and individual choice and will prioritise the transfer of decision-making power to Aboriginal People in areas that impact their communities.

Empowerment

Aboriginal People will have autonomy and participation in the development, design, implementation, monitoring and evaluation of legislation, policies and programs that impact their Communities.

Cultural Safety

Programs and services accessed by Aboriginal People will be inclusive, respectful, responsive and relevant, and informed by culturally safe practice frameworks.



ACRONYMS

AJA	Aboriginal Justice Agreement
AJA4	Victorian Aboriginal Justice Agreement Phase 4
CCV	County Court of Victoria
CCOV	Coroners Court of Victoria
ChCV	Children's Court of Victoria
CKC	Courts Koori Committee
CSV	Court Services Victoria
CSV KU	CSV Koori Unit
ERPs	Elders and Respected Persons
IFCE	International Framework of Court Excellence
JC	Judicial Commission
JCV	Judicial College Victoria
JS	Jurisdiction Services, CSV
KCU	Koori Court Unit
KGF	Koori Governance Framework
KIAP	Koori Inclusion Action Plan 2018-2019
MCV	Magistrates' Court of Victoria
NAIDOC	National Aborigines and Islanders Day Observance Committee
RAJAC	Regional Aboriginal Justice Advisory Committee
SCV	Supreme Court of Victoria
SD	Self-determination
SDC	Self-determination Committee
SDP	Self-Determination Plan
VAAF	Victorian Aboriginal Affairs Framework
VCAT	Victorian Civil and Administrative Tribunal
VGAAR	Victorian Government Aboriginal Affairs Report

FURTHER INFORMATION

To find out more about specific Self-determination Plans, please contact the relevant organisational contacts below:

Supreme Court of Victoria

Mr Matthew Hall, Chief Executive Officer
Email: matt.hall@supcourt.vic.gov.au

County Court of Victoria

Mr Daniel Caporale, Chief Executive Officer
Email: daniel.caporale@countycourt.vic.gov.au

Magistrates' Court of Victoria

Mr Simon Hollingsworth, Chief Executive Officer
Email: simon.hollingsworth@magistratescourt.vic.gov.au

Children's Court of Victoria

Mr Simon McDonald, Chief Executive Officer
Email: simon.mcdonald@childrenscourt.vic.gov.au

Coroners Court of Victoria

Ms Carolyn Gale, Chief Executive Officer
Email: carolyn.a.gale@courts.vic.gov.au

Victorian Civil and Administrative Tribunal

Ms Mary Amiridis, Chief Executive Officer
Email: mary.amiridis@courts.vic.gov.au

Judicial College of Victoria

Ms Samantha Burchell, Chief Executive Officer
Email: samantha.burchell@judicialcollege.vic.edu.au

Judicial Commission of Victoria

Ms Alexis Eddy, Director
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Court Services Victoria

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