

# Commissioner's Update



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Now that I have started as Treaty Commissioner, I thought it would be a good idea to let you know a bit about my role and how I plan to go about my task as Treaty Commissioner. My job is governed by a Terms of Reference (TOR) that I must follow. The TOR has been agreed between the four NT Land Councils and the NT Government, though I also had input into it.

The TOR make it very clear that I and my office are independent of the Northern Territory Government (NTG). In fact, the TOR actually require myself and my staff to act independently and impartially. Importantly, I am not be subject to direction from the Northern Territory Government and my staff are only subject to either my direction or the direction of another member of my staff. This independence should give Aboriginal Territorians the confidence to be open and frank with me.

The document which underpins the TOR is the Barunga Agreement, a Memorandum of Understanding between the four NT Land Councils and the NT Government signed at the Barunga festival in June 2018. To strengthen my appointment as Treaty Commissioner, the Government committed in the Barunga Agreement to put legislation in place so that my appointment is a statutory one. The NT Government will shortly approve the Bill to be drafted. Once drafted, I will speak to the Land Councils to get their feedback to finalise it so it can be introduced to the Parliament before the end of the year and enacted prior to March 2020.

We are a small team of three at the moment, but are in the process of recruiting an Aboriginal female as Deputy Commissioner. In addition, research staff to be provided through university partnerships should come on board in the coming weeks.

One thing that is very clear in the TOR is that it is NOT my role to negotiate a Treaty or Treaties. That will come after my job is done. My job is to inquire, report, investigate and make recommendations.

Under the TOR, I am required to consult and report on:

- The level of interest in a Treaty;
- What a Treaty will seek to achieve and what outcomes are possible;
- Whether there should be one or multiple treaties;
- The best model for a Treaty and the best process for negotiating Treaties; and
- What might be in any Treaty in the NT.

I will be consulting with First Nations and Aboriginal people and Aboriginal representative bodies and organisations throughout the NT in two stages.

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Stage 1 is intended to take a year and will result in an interim report to the Chief Minister and a Discussion Paper for public release in early 2020. Consultation during this stage will mainly be with Aboriginal representative bodies and organisations. I will also be conducting research and seeking detailed advice on the legal context of Treaty in the NT in this stage.

I am beginning with an initial introduction and awareness meeting with major organisations across the NT between now and the end of July and have had a number of positive meetings already. I then hope to have a first draft of the Discussion Paper prepared by the end of August. I will seek feedback on the draft in a second round of meetings with those same organisations from September to the end of the year, prior to completing the Discussion Paper in early 2020.

Following public release of the Discussion Paper, Stage 2 will involve extensive community consultation across the NT to see whether there is agreement on what is in it and what might need to be included. There will be many ways you will be able to provide input during this stage. Non Aboriginal Territorians will also be engaged during this stage.

I intend to deliver a final report to the Chief Minister on the outcomes of consultations, with recommendations on next steps as well as a proposed negotiation framework for Treaty to proceed in the Northern Territory by late 2021.

I look forward to seeing as many of you as possible around the Territory over the next couple of years and will keep you updated on my progress.

Our web site: [treatynt.com.au](http://treatynt.com.au) is a good source of information. However, you can also email us on [admin@treatynt.com.au](mailto:admin@treatynt.com.au) or call us on 08 8999 5413.

**Commissioner Mick Dodson AM**