RAMINGINING

LOCAL DECISION MAKING AGREEMENT



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Ramingining Biṉipilimirriŋ Djagagiṉiŋ Mala Local Decision Making Agreement.

Made by **Ramingining Biṉipilimirriŋ Djagagiṉiŋ Mala (BDM)** and the **Northern Territory Government** for the benefit of the community of Ramingining and nearby Homelands.

1. MAKING OF THIS AGREEMENT

a. Yolŋu have long standing governance, authority structures and decision-making processes that have successfully existed for tens of thousands of years. These leadership and governance processes hold great strength today.

b. Ramingining is a major Yolŋu community of approximately 900 people on the edge of the Arafura swamp. The community has strong links to Milingimbi and is connected to more than 10 surrounding homelands.

c. The Ramingining Biṉipilimirriŋ Djagagiṉiŋ Mala (BDM) represent the Bäpurru (clans) in Ramingining and surrounding homelands (see Schedule 1). Since 2021, the Ramingining BDM has been working together and with the Northern Territory (NT) Government to negotiate a Local Decision Making (LDM) Agreement with a focus on Law and Justice as a first priority.

d. On 8 February 2024, Ramingining BDM presented a draft LDM Agreement to the NT Government senior officials through a significant Buŋgul ceremony (See Schedule 2)

e. The BDM draft LDM Agreement seeks:
   i. The Balanda (Western) legal system to recognise Yolŋu Rom (law and culture) more and to create more ways for the two systems to work together;
   ii. Support for the establishment of the Ramingining Law and Justice Group (LJG) including funding for local Yolŋu involvement and brokerage funding to help BDM and the LJG to establish local community led initiatives for prevention, community safety and restorative justice;
   iii. The Court, Judges, Police and Corrections and other agencies to commit to meet with the Ramingining LJG regularly and to work to:
      - create ways for the LJG to talk directly about what types of solutions and punishments (sentences) are best for the local community;
      - ensure new Police and Corrections officers know who the LJG leaders are and establish protocols for engagement and two way learning;
      - understand how to include elders and LJG members on sensitive cases, including arresting people, bail decisions and people returning to Ramingining after being in prison for a long time.

f. The BDM draft LDM Agreement stipulates that Yolŋu authority, self-determination and independence must be a foundation of how the Law and Justice work is done.

g. The BDM draft LDM Agreement seeks continue to make more agreements about other issues and asks for the NT Government to commit to keep working with the BDM to negotiate additional agreements on other priorities.

h. Subsequent to the submission of the BDM draft LDM Agreement, the BDM has asked for consideration of the construction of a physical external covered area for the appropriate engagement between the BDM LJG and the justice system agencies and Courts.

i. The NT Government response and commitment to the BDM draft LDM Agreement is at Schedule 3.









2. PURPOSE

a. The purpose of this agreement is to:
   i. Increase Yolŋu self-determination and control in Ramingining and the surrounding homelands so Yolŋu can determine their own future;
   ii. Document the commitment by NT Government and Ramingining BDM to work together to guide the implementation of the Ramingining LDM Agreement;
   iii. Document the commitment of relevant NT Government agencies to engaging and collaborating with Ramingining BDM to agree on how the LDM priorities will be achieved and maintained over time; and
   iv. Guide the process for the negotiation and agreement of additional LDM priorities.

3.COMMITMENT

a. The NT Government commits to working with Ramingining BDM in a meaningful way and acknowledges that Yolŋu authority, self-determination and independence is the foundation of the Agreement and will underpin priority focus areas of the Agreement over time, including the initial focus on Law and Justice. The NT Government commitments are in Schedule 3.

b. Ramingining BDM commits to:
   i. Practicing Yolŋu Rom and keeping rom strong throughout Ramingining and the surrounding homelands, including supporting sharing appropriate knowledge and teaching with respectful non-Yolŋu so that they can move forward strongly towards the commitments in Schedule 2;
   ii. Sitting at the table as equals with NT Government in this process to see action and collaboration.
   iii. Continuing to negotiate with the NT Government about additional areas of focus for this Agreement.

c. The pace of LDM implementation and further negotiations will be set by the Ramingining BDM and negotiated with the NT Government over time.

d. The NT Government and Ramingining BDM will work together on the basis of the LDM guiding principles as set out in the NT Government LDM framework and as set out in this Agreement.

e. Parties to this Agreement acknowledge that its provisions are not legally enforceable. However, that does not lessen the commitment of the Parties to achieve the agreed outcomes and commitments therein.



4. MAINTAINING AND EXPANDING THE AGREEMENT

a. NT Government agencies relevant to a nominated service delivery area will nominate representatives with appropriate decision making authority, who will attend and actively participate in meetings with the Ramingining BDM and LJG.

b. Ramingining BDM members will attend and actively participate in meetings, nominate a meeting space and will ensure processes are in place to regularly report to, and receive feedback from, interested families and clans and the broader community.

c. The Ramingining BDM will nominate an agreed primary contact or contacts for the purpose of communication with the Ramingining BDM.

d. The Ramingining BDM will report back to the NT Government with honest and direct feedback about progress and issues raised by the broader community, including stories of strength, healing and pride, as well as areas that need support to change.

e. The NT Government and the Ramingining BDM will, as far as possible, share information and data, including financial information, to inform the process and to allow fully informed and transparent decision making, subject to confidentiality and privacy requirements.

f. Any negotiations will be subject to agreed meeting protocols, including roles and responsibilities, monitoring and evaluation processes.

g. The NT Government and Ramingining BDM will collaborate and negotiate respectfully, openly, honestly and in good faith in the spirit of building trust and a strong and lasting partnership.

h. If issues arise, the CM&C Regional Executive Director will work with the Ramingining BDM representatives to resolve the issue and, if no satisfactory outcome is achieved, will refer the issue to Regional Coordination Committee which may escalate the issue to the Chief Executive Coordination Committee.

i. In the event the issue is not resolved, the parties commit to participating in a mediated process, if appropriate.

j. The Parties acknowledge that the advancement of a particular priority area:

   i. must recognise and meet existing regulatory and policy requirements or agree that areas for proposed change are to be escalated for NT Government consideration;

   ii. may take a staged approach in order to build sustainability for the those involved;

   iii. will be supported by the agreed NT Government financial commitment and/or other in kind support which may include training, assets, in-kind support or other resources

k. Ramingining BDM may identify additional priority areas for inclusion in this LDM Agreement.

l. Should the Ramingining BDM identify a new or expanded area for focus, this will be raised with the CM&C Regional Executive Director, who will in turn ensure the relevant agency or agencies are notified and involved in subsequent negotiations.

m. The NT Government and Ramingining BDM are to conduct negotiations and prepare a variation to the LDM Agreement.



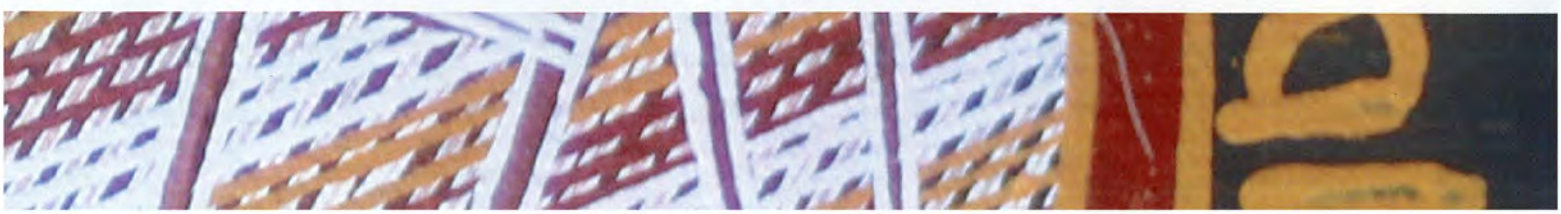
5. AGREEMENT REVIEW DATES AND END DATE

a. The NT Government and Ramingining BDM will review and evaluate this agreement two years from the date of commencement and in the fifth year prior to expiry or renewal or extension.

b. This agreement expires five years after the date of commencement unless extended or terminated by the Parties in accordance with the Agreement.

c. The Parties may vary this agreement at any time by agreement of all Parties in writing.





6. SIGNING

Parties commit to this Agreement per the following:
Ramingining Community represented by the Ramingining Biṉipilimirriṉ Djagagiṉiṉ Mala



Manharrṉu

Rembarrṉa

Djambarrpuyṉu

Buyu-yukuḻumirr

Liya-Galawumirr

Wurrki-Ganydjarr

Wagilak

Dätiwuy

Gamalaṉga

Warramiri


Ganalbiŋu
Dhalwaŋu
Wangurri
Dabi
Djadiwitji
Gupapuyŋu
Miltjingi/ Dhuwupu
Wolkpuy
Wuḏuminy

6. SIGNING CONTINUED

NORTHERN TERRITORY GOVERNMENT

Northern Territory Government

Signature Eva Lawler

Name EVA LAWLER

Position CHIEF MINISTER

Date 9th JULY 2024

NORTHERN TERRITORY GOVERNMENT

Northern Territory Government

Signature Selena Uibo

Name SELENA UIBO

Position MINISTER FOR LDM

Date 12/07/2024

NORTHERN TERRITORY GOVERNMENT

Northern Territory Government

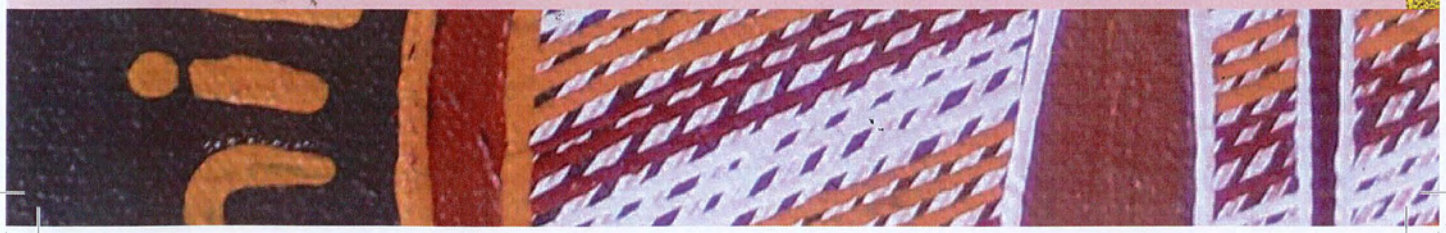
Signature

Name CHANSEY PAECH

Position ATTORNEY-GENERAL

Date 9 JULY 2024





Witness Signature

Signature .....

Name Yingiya Guyula

Position MLA

Date 12/07/24.





SCHEDULE 1

List of Bäpurru represented by the Biṉipilimirriŋ Djagagiṉiŋ Mala (BDM)

(Includes Traditional Owner (wäŋa waṯaŋu) clans, clans connected to nearby homelands and clans who are now living in Ramingining)

BÄPURRU *(Clan-nation)*	MOIETY	BDM – Miyalk *(women)*	BDM - Dhirramu *(men)*
Djambarrpuyŋu • Dhamarrandji • Wanybarrnga	Dhuwa	Brenda Djadawak Sylvia Wanybarnga	Mark Wanybarrnga Philip Dhamarrandji Peter Yanyuk Brian Byambal
Buyu-yukuḻumirr	Dhuwa	Faye Matjarra Garrawurra	Ronnie Garrawurra Lloyd Garrawurra (Vice-chair)
Liya-Galawumirr • Durrurrŋa • Lilipiyana • Birritjama • Manhdhalpuy	Dhuwa	Lizzie Durrurrnga/ Mindhili Jennifer Banaka Rita Gatjabawuy	Albert Durrurrnga Charlie Ramandjarri Peter Djumbu
Wurrki-Ganydjarr • Daymirarr • Aṉmaṯay • Nirrgiṉiŋ • Marraŋu	Dhuwa		Gerald Yawulkpuy Jimmy Djamaṉba
Wagilak	Dhuwa		David Biḻtji
Dätiwuy	Dhuwa		Peter Manyuku Ganambarr
Gamalaŋga • Mari¬ŋa	Dhuwa		
Warramiri	Dhuwa	Judith Dhuru	
Rembarrŋa • Balŋarra	Dhuwa		
Wuḏuminy	Dhuwa	Mali Djängirri	Peter Djegirr Dhalparri



BäPURRU *(Clan-nation)*	**MOIETY**	**BDM –** Miyalk *(women)*	**BDM -** Dhirramu *(men)*
Manharrŋu	Dhuwa	Maya Daymirriŋu	David Warraya Norman Daymirringu (contact person & facilitator)
Wolkpuy	Dhuwa	Cara Gurralpa Roslyn Mirrmirr	Michael Dawu
Miltjingi/ Dhuwupu	Yirritja	Joanne Richard Samantha Carter	Blake Carter Member name TBC
Gupapuyŋu • Buyamalamarr • Daygurrgurr • Birrkili	Yirritja	Rosita Gaykamangu Joanne Gaykamangu Judy Gaykamangu Justine Gawiny Gawiny (Chairperson)	
Djadiwitji	Yirritja	Kathy Goŋun	Peter Gorrpruk (Galiwin'ku)
Dabi	Yirritja	Evoyn Gayurrwi	Leslie Djimirirri
Wangurri	Yirritja		Tommy Munyarryun Daniel Munyarryun Dixon Munyarryun
Dhalwaŋu	Yirritja	Roslyn Wunungmurra	Tom Wunungmurra
Ganalbiŋu	Yirritja	Daphne Banyawarra Malibirr	Andrew Malibirr Steve Malibirr Rex Malibirr



SCHEDULE 2

Request by Ramingining BDM

Local Decision Making Agreement
Ramingining Biṉipilimirriŋ Djagagiṉiŋ Mala
AND
Northern Territory Government

Presented by Biṉipilimirriŋ Djagagiṉiŋ Mala to NTG on 8 February 2024 in Ramingining

1. The purpose of this Local Decision Making agreement between Ramingining elders and leaders and the Northern Territory Government is to increase Yolŋu self-determination and control in Ramingining and the surrounding homelands so we can determine our own future.
2. Yolŋu peoples have existing authority structures and decision-making processes that have existed for tens of thousands of years. These structures and processes hold great strength and leadership.
3. Yolŋu authority is represented through bäpurru (clan nations), each of which has clear connection to areas of land, language and ceremony. Clan nations are connected to each other through riŋgitj and gurruṯu, which provides a way of decision-making through consensus, and making sure that no-one is left out of decision-making processes.
4. Leaders, elders and clan leaders have already been working together in Ramingining for many years. Local decision making is an existing part of Yolŋu ways of working together for the benefit of the entire community.
5. When existing Yolŋu authority structures and decision-making processes are respected by Balanda and Yolŋu and an integrated Ramingining-led leadership model is created and followed, it can empower and strengthen community.
6. Some recent examples of local decision-making in Ramingining include;
   a. East Arnhem Land Youth Leadership Model
   b. Raypirri camps and on-country learning with rangers
   c. Many Yolŋu ceremonies that continue to happen, without support from government.
7. In Ramingining, the Biṉipilimirriŋ Djagagiṉiŋ Mala (BDM) is a group based on Yolŋu clan authority, made up of representatives from 19 bäpurru who are connected to Ramingining. BDM meets together regularly to talk about things that are significant for Ramingining. The BDM group has already chosen a chair person and vice chair person to help government agencies interact with BDM.



Local Decision Making and Law and Justice in Ramingining

8. As part of Local Decision Making conversations over the last two years, Yolŋu elders and clan leaders have identified Law and Justice as an area where local leaders want to have more control and more say about what happens in Ramingining and the surrounding homelands. This is one way to empower and strengthen the community.
9. We (BDM) want the Balanda (Western) legal system to recognise Yolŋu Rom (law and culture) more, and we want to create more ways for the two systems to work together. This includes coming together to have a better understanding of both legal systems.
10. Local solutions, through Yolŋu Rom, are a better way for restoring relationships, creating community harmony (mägaya), rehabilitating offenders and preventing further offending. The Balanda system does not do a good job fixing the underlying problems that lead to people breaking the law.
11. When Yolŋu elders are given more authority and recognition in the Balanda system, it will also help to build more respect for Yolŋu elders amongst the younger generation. Some younger people might be starting to believe that Balanda systems have all the power and that it is ok to ignore local leaders.
12. We want government to support us in establishing a Law and Justice Group. This includes making sure there is enough funding for local Yolŋu people to be paid properly for the time we spend working on Law and Justice issues.
13. We want the Court and Judges to commit to meeting with us regularly. We want to create ways for us to talk directly with the judge about what types of solutions and punishments are best for our community.
14. We want Police and Corrections to commit to meeting with us regularly. We want all new police and corrections officers to learn who the local leaders are, and to work to create local protocols about how to include elders on sensitive cases, including arresting people, bail decisions and people returning to Ramingining after being in prison for a long time.
15. We want government to give us brokerage funding so that we can make our ideas and solutions happen. We do not want to always rely on government programs or other existing programs to make our ideas happen.
16. Yolŋu authority, self-determination and independence must be a foundation of how we do this law and justice work. Government must not try to control how we do things. Respectful dialogue and negotiation will be the pathway for moving forward, or when there are things we disagree about.
17. We have other ideas for ways that Yolŋu leaders and elders in Ramingining will work with government. We want to continue to make more agreements about other issues. We ask for government to commit to keep working with BDM and Yolŋu Bäpurru so that we can negotiate more agreements and ways of working in the future.



SCHEDULE 3

NT Commitments to Ramingining LDM agreement

The NT Government:

1. Recognises Ramingining Biṉipilimirriŋ Djagagiṉiŋ Mala (BDM) as the Yolŋu bäpurru (clan) authorities for the Ramingining community and surrounding homelands and agrees to engage as equal partners with respect and appropriate recognition.
2. Shares Ramingining BDM's aspiration for this Agreement to provide a platform for self-determination and increase community control in the initial priority of Law and Justice and other priorities as put forward by BDM over the term of this Agreement.
3. Recognises and respects that Yolŋu authority, self-determination and independence are the key foundation to ensure the effective engagement of the Ramingining BDM and LJG in the justice system and other priorities negotiated under this Agreement over time.
4. Will support Ramingining BDM to establish a LJG including through the provision of funding to an agreed auspice organisation to support the LJG operations (including appropriate training and office space for members) and the proposed brokerage fund to support local, community led initiatives which improve and support community safety and stronger law and justice group outcomes.
5. Will support the processes of approving applications by Ramingining LJG members to engage in Community Court, following Ramingining being approved as a 'Place' under the Sentencing Act 1995 to establish a Law and Justice Group in April 2024.
6. Commit senior representatives being involved in Ramingining LJG meetings every eight weeks over the period of the Agreement to provide opportunities to learn 'two ways' about the Balanda (Western) justice system and Yolŋu Rom (law) system and to determine practical ways of working together, including:
    - Ramingining Remote Sargent supported by the Senior Sargent and Divisional Superintendent as needed;
    - representatives of the Department of the Attorney General and Justice (including the Aboriginal Justice Unit) alternating with the Department of the Chief Minister and Cabinet (SAO2 or above); and
    - Department of Territory Families Housing and Communities



7. Will support new police staff stationed in Ramingining to spend time with the Ramingining BDM to learn who the members are and design a process and protocol for how to include elders in sensitive cases. This includes: arresting people, bail decisions and how to returning people to Ramingining after being in prison.
8. Will support a Community Court to be established in Ramingining
9. Commit to working with relevant agencies on the establishment of a Justice Partnership Group for Ramingining that includes Ramingining LJG, Police and AGD to advise and inform the Court what types of solutions are appropriate for Ramingining Community and surrounding homelands.
10. Will undertake necessary discussions with Ramingining BDM to understand their needs for spaces to enable their work, then planning, survey and feasibility assessment for a BDM/Ramingining LJG/Community Court covered meeting place for the BDM, LJG and Courts to meet, and subsequently support the securing of funding for its construction.
11. Will continue to negotiate and work with the Ramingining BDM to progress other local decision making priorities, initiatives and projects over the life of the LDM Agreement and in accordance with the processes set out in this Agreement.



