



Innovate Reconciliation Action Plan

May 2023 - May 2025



STATEMENT FROM THE CHAIR AND CO-CEOS

Our vision at Environmental Justice Australia is a legal system that delivers environmental justice for all of us, not just some of us.

Cover artist: **Trudy Fatnowna Edgeley**
Trudy's Trees, 2022

Artist Trudy Fatnowna Edgeley's rich ancestry is of Gimuy Walubara Yidinji Aboriginal, South Sea Islander, Jamaican and Irish heritage. Trudy's unique lineage and love for country gives her a deep cultural platform to share stories through art, music, and theatre.

As a visual artist, Trudy is a member of PITCHA MAKIN FELLAS, Ballarat based indigenous art group. As an actor, Trudy performs in a traveling show titled FACING UP. As a musician, Trudy performs professionally with her musician husband Phil Edgeley. For the past twenty years they have toured throughout Australia, Europe, UK and the USA. In her own music, Trudy blends soul, gospel, work-song and tribal rhythms to share the stories of her people.

www.philandtrudyedgeley.com

About *Trudy's Trees*

"Tree bathing is something I have done since I was a child, lying under the trees and looking up through the leaves to the sky would always bring me an overwhelming feeling of inner peace and happiness.

It is from this perspective that this painting was made."

We see environmental justice as the foundation for a just, healthy world, now and for future generations. This is about all of us – and all living things who share this continent.

At its core, environmental justice means everyone, including nature itself, has the right to live in a healthy environment.

No matter our postcode, the colour of our skin or the level of material wealth, we believe all people should be involved in the development, implementation and enforcement of our environmental laws, regulations and policies. We all have the right to know about, to participate in and to challenge actions and decisions that threaten our environment.

Environmental justice also means the sustainable management, protection and care for our air, water, land and ecosystems, for the benefit for all of us, for the long term.

We acknowledge there can be no environmental justice without justice for First Nations people. Aboriginal and Torres Strait Islander peoples have been the custodians of the land and waters, caring for Country for over 65,000 years. We are privileged to learn from the oldest living cultures on the planet. At EJA, we follow the leadership of the First Nations communities we work with and amplify their campaigns for healthy Country and Culture.

Environmental justice is complex, multi-generational work. We seek to rebuild our legal system to right past wrongs and address the harm from generations of environmental injustice perpetuated through colonisation and extractive capitalism.

We are proud to present EJA's Innovate Reconciliation Action Plan 2023-2025. Our Innovate RAP acknowledges Reconciliation Australia's five dimensions of reconciliation: race relations, equality and equity, institutional integrity, unity and historical acceptance.

This is our second RAP and builds on the knowledge and lessons learnt from our Reflect Reconciliation Action Plan 2020. Since the launch of our first RAP, EJA has welcomed two First Nations staff members, funded and launched a First Nations Natural Resource Management program, and set up a Climate Justice Legal Project which includes a focus on climate justice for First Nations people.

With our Innovate RAP, we will continue to bring First Nations justice into the heart of EJA's work and empower our staff to deepen their cultural understanding in an environment based on mutual respect, genuine trust, positive relationships, equality and opportunity for all.

Elizabeth McKinnon and Nicola Rivers, **Co-CEOs**
Lane Crockett, **Chair of the Board**

OUR VISION FOR RECONCILIATION

Our vision for reconciliation is a nation in which the place of Aboriginal and Torres Strait Islander peoples is restored to one of respect and empowerment, and where equity and equality between Aboriginal and Torres Strait Islander peoples and the wider Australian community is upheld throughout Australia as the first and foremost priority. More specifically, we are working towards the vision that Aboriginal and Torres Strait Islander peoples are embraced as the custodians of Country, and there is unity and shared purpose between Aboriginal and Torres Strait Islander peoples and other Australians in caring for the land.

We are at a turning point in our history as a nation. Australia's relationship with First Australians past and present is being widely re-evaluated. We acknowledge the intergenerational trauma experienced by Aboriginal and Torres Strait Islander peoples, from Australia's history of dispossession, colonisation and incarceration, and the ongoing discrimination perpetuated through the legal system and structures of government and administration. The work of Environmental Justice Australia (EJA) is concerned fundamentally with notions of justice, in particular environmental justice. That is, we seek to use the law to protect nature and defend the rights of communities to a healthy environment. Our vision of healthy, empowered communities depends upon a broader vision of a reconciled, just and healthy Australia. Without reconciliation, we cannot build healthy communities and our vision cannot succeed.



OUR BUSINESS

Environmental Justice Australia (formerly the Environment Defenders Office, Victoria) is a not-for-profit public interest legal practice. We operate independently of government and are largely funded by private donations, philanthropic grants and some fees for service. Our legal team combines technical expertise and a practical understanding of the legal system to protect our environment.

We act as advisers and legal representatives to individuals, community-based environment groups, regional and state environmental organisations, and larger environmental NGOs, representing them in court when needed. We also provide strategic and legal support to their campaigns to address climate change, protect nature and defend the rights of communities to a healthy environment. We pursue new and innovative solutions to fill the gaps and fix the failures in our legal system to clear a path for a more just and sustainable world.

Our sole office is in Melbourne, Victoria, but we have some staff working in Newcastle and Tasmania, and we work with communities, groups, and individuals in many parts of Victoria and Australia. Currently EJA employs 35 staff members, and has more than 30 volunteers a year, and two staff members (7%) were hired during our last RAP who identified as Aboriginal and/or

Torres Strait Islander people. EJA collects data on its Aboriginal and Torres Strait Islander employment and is committed to improving opportunities for Aboriginal and Torres Strait Islander staff and volunteers throughout the implementation of our Reconciliation Action Plans.

Externally, EJA engages directly with thousands of clients, funders, donors, and stakeholders, either individually or collectively. We have a sphere of influence that covers those engaged on environmental issues in government, through other not-for-profits, in community groups and individually.



Left: Painting by Tati Tati and Wadi Wadi Traditional Owner Brendan Kennedy, Margooya Lagoon, Victoria. Photograph: Tim Herbert.
Right: Tati Tati and Wadi Wadi Traditional Owner Brendan Kennedy, Margooya Lagoon, Victoria. Photograph: Tim Herbert.

OUR RAP

EJA is committed to using the law to protect the environment and to building healthy communities and achieving environmental justice. Resolution of the defining national injustice of the treatment of Australia’s First Nations peoples, especially in relation to land, waters and culture, is inseparable from these commitments. As it seeks to achieve its overarching vision, EJA is committed to building stronger relationships with Aboriginal and Torres Strait Islander peoples and to providing culturally appropriate services, which we have highlighted in our Innovate Reconciliation Action Plan.

In 2015, EJA first collaborated with the Murray and Lower Darling Rivers Indigenous Nations (MLDRIN), a representative body of 24 Indigenous Nations across the lower Murray-Darling Basin, facilitating participation of those Nations in natural resources management.

In May 2016, EJA entered into an agreement to collaborate with MLDRIN under the Victorian Legal Aid Beyond Outreach project, with the following objectives:

- to advise and assist MLDRIN and Traditional Owners in engagement with Government and in preparation of legal and policy instruments for water management in Victoria and in the Murray-Darling Basin;
- to provide environmental legal advice to MLDRIN; and
- to provide capacity building on Country with MLDRIN delegates in relevant aspects of water law and management.

EJA continues to advise, assist, and collaborate with MLDRIN.

On 25 October 2017, EJA published a response to the Uluru statement from the heart, which can be viewed here: www.envirojustice.org.au/projects/uluru-statement-from-the-heart-a-response-from-eja/

Throughout 2020-21, EJA supported the Tati Tati Wadi Wadi to establish a model of cultural flows at Margooya Lagoon or Tol Tol. Cultural flows return water and its rights and management to Traditional Owners to improve the spiritual, cultural, natural, environmental, social and economic conditions of their Nations.

EJA has a number of other First Nations clients, and we seek to expand our work for First Nations communities through our new Strategic initiative.

EJA has a policy of providing staff an alternative day of leave if they wish to work on the “Australia Day” holiday. Aboriginal and Torres Strait Islander staff members may take a day of pre-approved cultural leave, and choose an alternative day to have a holiday.



Through the delivery of our first RAP, EJA:

- provided cultural awareness, cultural safety in the workplace, anti-racism and allyship training to staff members;
- engaged an Aboriginal consultant to assist us to develop critical programs for internships and engaging with Aboriginal and Torres Strait Islander clients and partners (see below);
- updated our HR policies to include cultural leave, buddy support for new starters and awareness in recruitment;
- developed a program for Aboriginal and Torres Strait Islander interns;
- drafted an Engagement Framework to provide us with context and a process for engaging Aboriginal and Torres Strait Islander individuals, groups and organisations as clients and partners in our work;
- included a First Nations natural resource management initiative in our Strategic Plan, and gained major philanthropic funding to employ two staff members;
- increased spending with Aboriginal and Torres Strait Islander businesses from \$3,800 to \$35,000.

The key learnings and challenges experienced through delivery of our first RAP were:

- We had to work out ways to commence the engagement activities remotely, as there was less opportunity to meet face to face and build relationships during Covid. We therefore took advantage of the extension offered by Reconciliation Australia to extend the timeframe of our Reflect RAP to August 2021.
- We found that EJA staff were very enthusiastic and engaged in making progress, but that it was slower than expected given staff workloads in a small organisation.
- We had to adjust expectations for in person events and experiences, and use remote webinars and experiences available to us.
- We have found it difficult to find appropriate consultant support to finalise some activities from our first RAP, as we do not want to rely on our Aboriginal and Torres Strait Islander staff to take on this work.



The significant changes we are making to this RAP in response to these challenges are:

- Providing ourselves with more time to deliver our RAP actions;
- Taking advantage of the growth in the organisation to spread more RAP responsibilities across the organisation;
- Continuing to allow time for relationship building with First Nations communities through our various programs.

The aims of EJA’s Innovate RAP are to:

- build on the framework we developed through our Reflect RAP for EJA to realise our vision for reconciliation;
- develop and strengthen relationships with Aboriginal and Torres Strait Islander individuals, communities and organisations involved in and supporting those caring for Country;
- continue to build a culturally safe and inclusive workplace; and
- reduce barriers for Aboriginal and Torres Strait Islander individuals and groups accessing EJA services and materials.

We will do this through:

- reporting regularly to our staff, Board and stakeholders on RAP progress;
- finding appropriate external support for our RAP journey;
- engaging with First Nations stakeholders to gather feedback;
- establishing an external advisory group who can provide us with guidance and advice;
- continuing to participate in the Legal Profession Reconciliation Network;
- providing opportunities for a member of each program team to be part of the RAP working group.



Left: *Galabs*. Photograph: Shannon Stent.
Right: *Invasion day rally, Victoria*.
Photograph: Johan Mouchet.



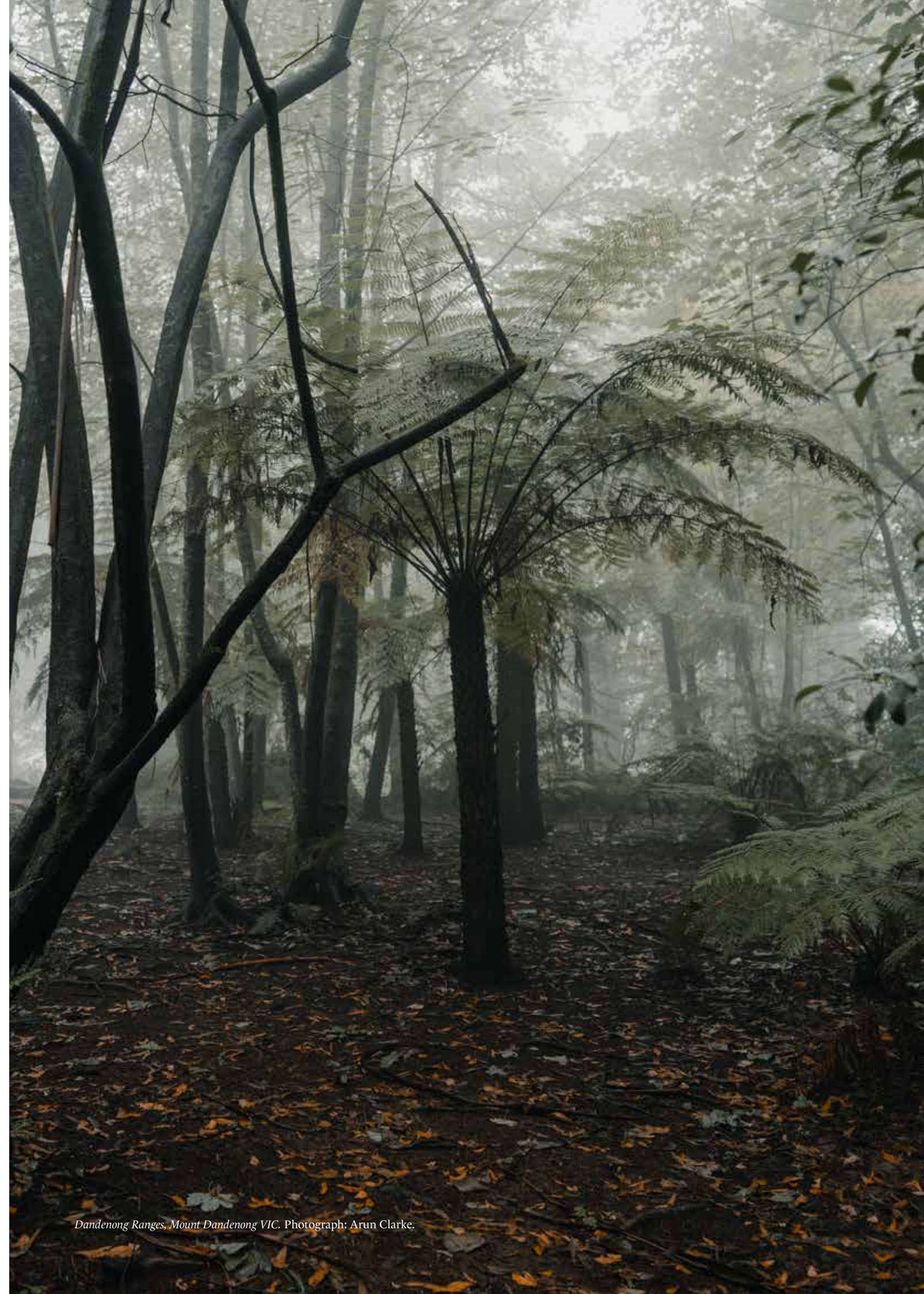
Our RAP has been drafted through a RAP Working Group, which was formed in December 2018, and continues to monitor and work on RAP delivery and progress.

Our RAP Working Group is currently made up of:

- Tony Kelly, Board member
- Kate Allsopp, Board member
- Nicola Rivers, co-CEO
- Thea Lange, Chief Operating Officer (COO)
- Bruce Lindsay, Justice program lead
- Ellen Maybery, Ecosystems program lead
- Brooke Scobie, External member
- Clint Lingard, External member

Prior to 2022, EJA had no Aboriginal or Torres Strait Islander staff members, so Lauren Houthyusen, Murray and Lower Darling Indigenous Nations water officer, filled the position of external member, to ensure we had Aboriginal or Torres Strait Islander representation on the working group. In 2022, Jay Peluso, a proud Ngadjuri man and EJA staff member joined our RAP Working Group. In early 2023 Jay took an opportunity to study and travel aboard, and we have since appointed two external members to our RAP Working Group, Brooke Scobie and Clint Lingard.

Our RAP Champion is Thea Lange, Chief Operating Officer.





RELATIONSHIPS

Building strong relationships between Aboriginal and Torres Strait Islander peoples and other Australians is important to EJA because creating trust and having a shared purpose in caring for the land will mean we can achieve more together. In particular, the success of EJA’s new First Nations natural resource management initiative depends on our ability to build relationships with Aboriginal and Torres Strait Islander individuals and groups in Victoria, and build trust that EJA is able to provide appropriate support and innovative legal mechanisms to support Aboriginal and Torres Strait Islander people to care for Country

FOCUS AREA: Support First Nations people caring for Country and communities facing environmental harm to achieve environmental justice through the law, advocacy, community engagement and activism.

Action	Deliverable	Timeline	Responsibility
1. Establish and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.	Meet with local Aboriginal and Torres Strait Islander stakeholders and organisations to develop guiding principles for future engagement.	August 2023	Co-CEOs
	Develop and implement an engagement plan to work with Aboriginal and Torres Strait Islander stakeholders and organisations.	September 2023	Lead: Chief Operating Officer (COO) Support: Communications Manager
2. Build relationships through celebrating National Reconciliation Week (NRW).	Circulate Reconciliation Australia’s NRW resources and reconciliation materials to our staff.	May 2023, 2024	Office Assistant
	RAP Working Group members to participate in an external NRW event.	27 May-3 June, 2023, 2024	COO
	Encourage and support staff and senior leaders to participate in at least one external event to recognise and celebrate NRW.	27 May-3 June, 2023, 2024	COO
	Organise at least one NRW event each year.	27 May-3 June, 2023, 2024	Lead: COO Support: Engagement Team
	Register all our NRW events on Reconciliation Australia’s NRW website.	May 2023, 2024	Office Assistant

Left. Aboriginal father and son at the beach. Photograph: David F, iStock.

3. Promote reconciliation through our sphere of influence.	Develop and implement a staff engagement strategy to raise awareness of reconciliation across our workforce.	June 2023	COO
	Communicate our commitment to reconciliation publicly through our website and supporter communications.	June 2023	Communications Manager
	Explore opportunities to positively influence our external stakeholders to drive reconciliation outcomes.	July 2023	Lead: Co-CEOs Support: COO
	Provide opportunities for employees to learn more about the Uluru Statement from the Heart including through information sessions and internal discussions/workshops.	June 2023	Lead: Co-CEOs Support: COO and all Team Leads
	Work with staff and clients/partners to develop a process and plan for how we promote and advance the aims of the Uluru Statement from the Heart with our external stakeholders.	July 2023	Lead: Co-CEOs Support: COO and Justice Team Lead
	Collaborate with RAP and other like-minded organisations to develop ways to advance reconciliation.	July 2023	Lead: COO Support: RAP Working Group
4. Promote positive race relations through anti-discrimination strategies.	Conduct a further review of HR policies and procedures to identify any updates required to existing anti-discrimination provisions, and future needs.	June 2023	COO
	Develop, implement, and communicate an anti-discrimination policy for our organisation.	July 2023	COO
	Engage with Aboriginal and Torres Strait Islander staff and/or Aboriginal and Torres Strait Islander advisors to consult on our anti-discrimination policy.	June 2023	COO
	Educate senior leaders on the effects of racism.	June 2023	Co-CEOs

5. Build relationships with Aboriginal and Torres Strait Islander communities and clients through our natural resource management initiative, and support Caring for Country	Build relationships with new First Nations client groups through our Natural Resource Management initiative.	June 2023	Lead: Senior Specialist Lawyer (First Nations program lead)
	Recruit Aboriginal and Torres Strait Islander staff to run the initiative.	November 2024	Co-CEOs
	Research and record what we learn about the opportunities for Aboriginal and Torres Strait Islander individuals and communities to use existing legal mechanisms for rights to care for Country.	June 2023	Senior Specialist Lawyer, Justice
	Report our findings to staff and stakeholders to encourage others to use these mechanisms to support Aboriginal and Torres Strait Islander clients and partners.	November 2023	Senior Specialist Lawyer, Justice

RESPECT

At Environmental Justice Australia, Respect is one of our key values. We treat everyone with respect and we value different perspectives as we know we can learn something from everyone. In particular, we want to equip our staff with the confidence to engage with First Nations stakeholders and clients and also to foster a positive and productive work environment for all staff which will additionally support the retention of First Nations staff.

FOCUS AREA: We aim to partner with Aboriginal and Torres Strait Islander communities and organisations with a focus on how we can best provide authentic support, resources, and services to help care for Country.

Action	Deliverable	Timeline	Responsibility
6. Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.	Conduct a review of cultural learning needs within our organisation.	October 2023	Chief Operating Officer (COO)
	Consult local Traditional Owners and/or Aboriginal and Torres Strait Islander advisors on the development and implementation of a cultural learning strategy.	December 2023	Lead: COO Support: RAP Working Group
	Develop, implement, and communicate a cultural learning strategy for our staff, including all staff to be provided with an annual opportunity for cultural awareness training	December 2023	COO
	Provide opportunities for all staff to participate in formal and structured cultural learning, including through visiting Country.	March 2024	COO

7. Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.	Increase staff’s understanding of the purpose and significance behind cultural protocols, including Acknowledgement of Country and Welcome to Country protocols, including through opportunities to participate in specific training (example Acknowledge This! training).	July 2023	COO
	Develop, implement and communicate a cultural protocol document, including protocols for Welcome to Country and Acknowledgement of Country.	July 2023	COO
	Continue to invite a local Traditional Owner or Custodian to provide a Welcome to Country or other appropriate cultural protocol at significant events each year.	January 2024, 2025	Lead: Co-CEOs Support: Program Leads / Development Manager
	Continue to include an Acknowledgement of Country or other appropriate protocols at the commencement of important meetings.	January 2024, 2025	Co-CEOs
8. Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.	RAP Working Group to participate in an external NAIDOC Week event.	First week in July, 2023 2024	COO
	Review HR policies and procedures to remove barriers to staff participating in NAIDOC Week.	June 2023. 2024	COO
	Promote and encourage participation in external NAIDOC events to all staff.	First week in July, 2023 2024	Co-CEOs
9. Increase staff understanding and awareness for working with Aboriginal and Torres Strait Islander clients and partners.	Finalise EJA’s draft Legal Engagement Framework and train staff in how it applies to making decisions and setting up memorandums of understanding / engagement principles for work with First Nations clients and partners on legal matters.	June 2023	Lead: COO Support: external consultant
	Provide training for staff on culturally appropriate interview and communication techniques when working with First Nations clients and partners, and advocating for Aboriginal and Torres Strait Islander clients in culturally appropriate ways	December 2023	COO
	Provide training and guidance to staff for best practice in asking about Aboriginal and Torres Strait Islander identification of clients.	June 2023	Principal Lawyer

OPPORTUNITIES

Environmental Justice Australia is committed to providing opportunities to Aboriginal and Torres Strait Islander people to join our organisation, as staff members, Board members, volunteers or advisers, to foster an organisation that benefits from the diversity of perspectives in our workforce. We are also focussed on providing more opportunities for partnerships and client relationships, offering legal support that enables stronger Aboriginal and Torres Strait Islander involvement in caring for Country.

Action	Deliverable	Timeline	Responsibility
10. Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.	Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities.	August 2023, 2024.	Chief Operating Officer (COO)
	Engage with Aboriginal and Torres Strait Islander staff to consult on our recruitment, retention and professional development strategy.	June 2023	COO
	Develop and implement an Aboriginal and Torres Strait Islander recruitment, retention and professional development strategy.	July 2023	COO
	Advertise job vacancies to effectively reach Aboriginal and Torres Strait Islander stakeholders, including via the Koori Mail, through Tarwirri and via University support networks for Aboriginal and Torres Strait Islander law students and interns.	January 2024, 2025	Operations Specialist
	Employ specialist Aboriginal and Torres Strait Islander recruitment agencies to increase effective job advertisement where applicable	October 2023	Co-CEOs
	Review HR and recruitment procedures and policies to remove barriers to Aboriginal and Torres Strait Islander participation in our workplace.	June 2023	COO
	Provide mentoring and support structures for Aboriginal and/or Torres Strait Islander volunteers, interns, and staff.	November 2023, 2024	Co-CEOs
	Increase representation of Aboriginal and Torres Strait Islander people on the EJA Board, through board membership and/or providing opportunities for Board observerships.	November 2024	Chair of EJA Board
	Increase the percentage of Aboriginal and Torres Strait Islander staff employed in our workforce.	November 2024	Co-CEOs

11. Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	Develop and implement an Aboriginal and Torres Strait Islander procurement strategy.	July 2023	COO
	Investigate Supply Nation membership.	August 2023	COO
	Develop and communicate opportunities for procurement of goods and services from Aboriginal and Torres Strait Islander businesses to staff.	August 2023	COO
	Review and update procurement practices to remove barriers to procuring goods and services from Aboriginal and Torres Strait Islander businesses.	September 2023	COO
	Develop commercial relationships with Aboriginal and/or Torres Strait Islander businesses.	June 2023	Lead: Office Administrator Support: COO
12. Support equal and equitable educational opportunities and outcomes for Aboriginal and Torres Strait Islander peoples.	Identify opportunities for EJA to provide community legal education for Aboriginal and Torres Strait Islander organisations and stakeholders. In particular, to share knowledge on the legal opportunities available to First Nations communities involved in Caring for Country with a broader set of interested parties and stakeholders, through a mix of workshops, presentations and published reports.	December 2023	Lead: Co-CEOs Support: Justice Lead
	Investigate and enhance internship program possibilities and secondment opportunities for Aboriginal and Torres Strait Islander law and non-law students.	July 2023	Lead: Co-CEOs Support: Office Assistant

GOVERNANCE

Action	Deliverable	Timeline	Responsibility
13. Establish and maintain an effective RAP Working group (RWG) to drive governance of the RAP.	Maintain Aboriginal and Torres Strait Islander representation on the RWG.	July, Sep, Nov 2023, Feb, May, Aug, Nov 2024 and Feb, May 2025	COO
	Annually update the Terms of Reference for the RWG.	July 2023,2024	COO
	Meet at least four times per year to drive and monitor RAP implementation.	June, August, Sep, Nov 2023, Feb, May, Aug, Nov 2024 and Feb, May 2025	R WG Chair
	Explore the establishment of an external Aboriginal and Torres Strait Islander Advisory Network to provide cultural advice and guidance.	July 2023	COO
14. Provide appropriate support for effective implementation of RAP commitments.	Define resource needs for RAP implementation.	May 2023,2024	COO
	Engage our senior leaders and other staff in the delivery of RAP commitments.	June 2023	Co-CEOs
	Define and maintain appropriate systems to track, measure and report on RAP commitments.	June 2023	COO
	Appoint and maintain an internal RAP Champion from senior management.	June 2023	Co-CEOs

15. Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.	Contact Reconciliation Australia to verify that our primary and secondary contact details are up to date, to ensure we do not miss out on important RAP correspondence.	June 2023, 2024	COO
	Contact Reconciliation Australia to request our unique link, to access the online RAP Impact Measurement Questionnaire.	1 August 2023, 2024	COO
	Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	30 September, 2023,2024	COO
			COO
	Report RAP progress to all staff and senior leaders regularly at team meetings.	October 2023	COO
	Publicly report our RAP achievements, challenges, and learnings, annually through our Annual Report.	November 2022 October 2023, October 2024	Lead: Development Manager Support: COO
16. Continue our reconciliation journey by developing our next RAP.	Submit a traffic light report to Reconciliation Australia at the conclusion of this RAP.	November 2024	COO
	Participate in Reconciliation Australia's biennial Workplace RAP Barometer.	May 2024	COO
	Register via Reconciliation Australia's website to begin developing our next RAP.	July 2024	COO

CONTACT DETAILS

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Because this is about all of us
envirojustice.org.au

