

Practical Indigenous Protocols

A practical guide for working with the
Indigenous Community of the Shire of Yarra Ranges

A Yarra Ranges Council
Indigenous Advisory Committee Project



Manna Gum Leaf

Significant in Wurundjeri history and used in smoking ceremonies to cleanse the area of bad spirits. The Wurundjeri people call it Wurun

This protocols document draws extensively on:

Respect, Acknowledge, Listen.

Practical protocols for working with the Indigenous Community of Western Sydney.

The Yarra Ranges Council thanks Community Cultural Development New South Wales for its permission to replicate this material.

The Yarra Ranges Council acknowledges and thanks the Indigenous Advisory Committee and the participating members of the Indigenous community within the Shire of Yarra Ranges for their extensive effort in the development of these protocols.

Terminology:

Indigenous – the recognised term in Australia to refer to Aboriginal and Torres Strait Islander people collectively.

Aboriginal - the term used to describe the native people and their descendents from mainland Australia, including Tasmania.

Torres Strait Islander – the term used to describe the native people and their descendents from the Torres Strait region of Australia, the body of water and its islands between Australia and New Guinea.

Why have a protocols document?

The area covered by the Shire of Yarra Ranges, like all parts of Australia, is land that was, for thousands of years, occupied by traditional Indigenous groups including the Wurundjeri. Today, this region is home to approximately 2000 Indigenous people, who are descendents from various peoples across the country. As we conduct our daily lives anywhere in Australia, whether that be going to work, going to school, doing the shopping, playing sport - we are doing so on land that is recognised as traditional Indigenous land.

In the Shire of Yarra Ranges, these activities take place on Wurundjeri land. As such, it is important to acknowledge this very real connection between past and present.

This document has been produced to assist all people to gain an understanding of our Indigenous heritage and history, and to acknowledge and learn how this affects us all today. Acknowledging Indigenous heritage of our land does not mean that we are 'handing over ownership' of the land to Indigenous people. Rather, we are embracing a part of Australia's history, and recognising that this history still lives amongst us all today.

This document therefore provides guidelines for you to follow should you wish to learn, acknowledge and recognise this history and its links to you today.

What are protocols?

Protocols can be classified as a set of rules, regulations, processes, procedures, strategies or guidelines. Protocols are simply the ways in which you work, communicate and collaborate with people in an appropriate manner. Protocols are also standards of behaviour, respect and knowledge that need to be adopted. They can also be considered as a code of manners to observe rather than a set of rules to obey. These protocols are a guide to assist everyone in the way in which they can effectively engage, communicate and work with the Indigenous community in a culturally appropriate fashion.

Who is an Aboriginal and/or Torres Strait Islander Person?

The identity of Aboriginal and Torres Strait Islander people is determined only by Aboriginal and Torres Strait Islander people. The former Aboriginal and Torres Strait Islander Commission (ATSIC) criteria involve three levels of identification:

- A person must be of Aboriginal and/or Torres Strait Islander descent;
- A person must identify as an Aboriginal and/or Torres Strait Islander person; and
- A person must be accepted as an Aboriginal and/or Torres Strait Islander person by the community in which they live.

This criteria is acceptable to most groups living in the Shire of Yarra Ranges

It is highly offensive to Indigenous people to be referred to as half-caste/half blood, part Aboriginal, mixed blood or quarter-cast. Referring to Aboriginal people as a percentage such as 25% Aboriginal or ¼ Aboriginal is also highly offensive. These terms must be avoided at all times.

Know your Indigenous Community

Getting to know your Indigenous community is an essential first step. Establishing trust and credibility is vital. Arrange appointments to meet the local Indigenous organisations such as Indigenous health services, Traditional Owner organisations, Indigenous education units of local TAFEs and other Indigenous community organisations. You can find contacts in the community who can give you guidance and assist you with this process. You may need to organise initial contact or meetings through people that work in the Indigenous sector such as Indigenous liaison workers, council or community workers.

Engagement.

Effective negotiation, relevant to the community, needs to occur for equal relationships to develop. Face to face consultation is a preferred way of engaging and communicating with the Indigenous community but it is essential to get permission to do so first. Formal ways of making contact with the community such as letters, faxes, phone calls and email, where available, are fine for the initial contact to allow face to face meetings to occur. Consultation and negotiation should not only focus on the issues at hand but should include a broad range of other issues that would be advantageous to the Indigenous community. Issues such as community strengthening, healing, self sufficiency, employment, partnerships and the creation of opportunity should be fully explored.

Our Indigenous Community and Diversity

Aboriginal and Torres Strait Islander communities are as diverse as any other community. They are not all one cultural group and are not all the same. Every community will have common ground and similarities, but also very different issues. Often it is assumed that one Indigenous person is the knowledge holder and the sole voice for the whole community in which they live. This is not the case. There are different traditions and customs, different ways of communicating, different understandings, different sensitive issues and different Elders.

Throughout Australia, responsibilities to look after or 'care for country' are held by clan and family groups and individuals. Senior people in the community who are responsible for traditional lands and water are often referred to as 'traditional owners'.

The Indigenous Community within the Shire of Yarra Ranges consists of two main groups of people. These groups are, firstly, the Traditional Owners and custodians of the lands within the Shire of Yarra Ranges. The Traditional Owners are the original inhabitants of the area in which we live. They are the clans, nations and groups of Aboriginal or Torres Strait Islander people who have traditional connections to the land and waters relating to their area.

The Traditional Owners of the Shire of Yarra Ranges are the Wurundjeri People. The Wurundjeri have inhabited the lands that lie within the inner city of Melbourne, extending north to the Great Dividing Range, east to Mt Baw Baw, south to Mordialloc Creek and west to the Werribee River for at least 35,000 years.

The second group consists of Indigenous people from different cultural backgrounds from all over Australia. The Traditional lands of this group are elsewhere and we have representatives from clans and tribes from across Australia. Some of the people represented here in the Shire of Yarra Ranges are:

- Taungurung –Goulburn River region Victoria;
- Gunai Kurnai – Gippsland Victoria;
- Monero – Far East Gippsland and Southern New South Wales;
- Yorta Yorta – Central North Victoria;
- Nyoongah – South Western Australia;
- Wiradjuri - Central New South Wales;
- Dja Dja Wurrung –North West Loddon River Victoria;
- Torres Strait Islander – Torres Strait;
- Worimi – Central New South Wales
- Yolgnu - Top End Northern Territory; and
- Gunditj Mara – South Western Victoria

There are matters that relate to the whole Indigenous community and matters that relate specifically to the Traditional Owners. For example matters of cultural heritage and land are generally matters for the Traditional Owner group.

It is essential then to make sure you are talking to the right people. Any issue concerning local culture, its preservation, local traditions including 'Welcome to Country' ceremonies must acknowledge the Wurundjeri people.

Other issues such as health, education and employment affect the Indigenous community as a whole. Engagement on these issues should occur with the wider Indigenous community. Once again, if you are not sure who you should be speaking to, contact Indigenous liaison workers, council or community workers. The contact details of these people are readily available. A list of differing Traditional Owner and Community issues are detailed below.

Traditional Owner or Wurundjeri Specific Issues

- Wurundjeri Cultural Heritage;
- Place Naming;
- Municipal gateway signage;
- Surveying – monitoring of significant sites;
- Wurundjeri History;
- Local Aboriginal history;
- Wurundjeri Relics – Artifacts; and
- Consultation and engagement on appropriate issues.

Indigenous Community Issues

- Health;
- Education;
- Housing;
- Local Aboriginal history;
- Consultation and engagement on appropriate issues;
- Employment; and
- Other social and cultural issues.

One aspect of local history that all Victorian Aboriginal communities share is that of the Coranderrk Aboriginal Reserve. By the mid to late 1800s the Coranderrk Aboriginal Reserve was home to Indigenous people from across Victoria, reflecting government policy at the time. Coranderrk was closed in 1924 and most of the surviving residents were re-located to Lake Tyres Aboriginal Reserve in East Gippsland. Some older people refused to leave and saw out their remaining days at Coranderrk and later joined the other 300 former Coranderrk residents buried at the Coranderrk Cemetery. Many contemporary traditional Aboriginal groups in Victoria still have ancestral connections to Coranderrk. The story of Coranderrk is one of great courage, great achievement and great sadness and the legacy of Coranderrk is still very much apart of the lives of the Aboriginal community within the Shire of Yarra Ranges.

More information on the Coranderrk Aboriginal Reserve can be found at the Koori Heritage Trust and the State Library of Victoria.

Seeking Permission

Getting permission is essential. It is not appropriate to do research or work on any Indigenous project or program without the consent of the community involved or Indigenous people connected to the issues. Indigenous people perceive their knowledge and history as owned by them. It is their right to pass it on if they wish. There may be specific reasons why information may not be passed on to you or why permission may not be given. For example, it could be sacred or taboo, related to death customs or be specifically women's or men's business. Failure to respect the wishes of the community in this area will cause great offence which will also jeopardise your relationship with community and undermine your project.

When working with the Indigenous community as a whole you need to gain as much permission and support from as many members of the community as possible. This means disseminating information broadly and making it available to the whole community. In some instances permission may not be allowed to be given by just one Indigenous person. It may need the consent of the whole or majority of the community.

Elders

An Elder is usually a respected member of a particular Indigenous clan or family group who has the permission and authority within the tribe or community group to give advice and pass on knowledge. An Elder is the holder of knowledge. Elders have the authority to determine appropriate use of their culture outside of the Indigenous community. The term 'Elder' may not always mean men and women

over fifty or sixty years of age. An Elder may well be a person who is recognised within the clan or community group who has the trust, knowledge and understanding of their culture and permission to speak on such matters. Young people may be given permission to talk on behalf of a clan or community group.

You must also be aware of addressing an Elder in the appropriate way. Some Elders are referred to as Uncle or Aunty but you should only use these titles when given permission to do so. Simply asking an Elder is the best way to identify their preference for being addressed.

Ownership and Copyright of Indigenous Cultural and Intellectual Property.

The knowledge of Indigenous culture is owned by its Indigenous peoples. Any access to this information must have cleared permission from relevant individuals and the Indigenous community.

Copyright and moral rights are very important issues to be aware of when working with the Indigenous community.

In the past, Indigenous stories, songs, dance and knowledge have been appropriated. This has had the effect that Indigenous knowledge holders are not recognised as the owners of the information that they have imparted to people who have entered their communities. They have not benefited from the use of their stories and knowledge and further, they no longer control the dissemination of the material.

One example that has occurred in many parts of Australia is where Indigenous people tell researchers and writers about their culture, or relate a traditional story. The Non-Indigenous writer is then recognised as the copyright owner of the written version of the story or report.

Traditional knowledge may not be protected adequately under Australian and International laws. Concepts of ownership of traditional knowledge differ to Western Law.

From consultations, negotiations, simple conversations to project development and management, you need to discuss copyright with the Indigenous community. The ideas, stories and knowledge that come from Indigenous people are considered by them to be their intellectual property even though our western legal system may not recognise this ownership.

Rights to use Indigenous material can be held by an individual but predominantly rights to the use Indigenous cultural material belongs to the traditional owners of that knowledge. These rights are referred to as Indigenous Cultural and Intellectual Property rights. In many Indigenous communities, there are laws covering the protection of traditionally owned cultural expression and knowledge. This includes visual arts, photographs, stories, dances colour combinations and other expressions on Indigenous culture.

If you have permission to work with an Indigenous person or group, you may still have to gain permission from the community to use, reproduce or copy the traditional owned images and/or ideas.

Confidentiality

Confidentiality and privacy are essential when working with the Indigenous community. Indigenous people have traditional customs, stories and sacred information that may or may not be passed on to you. Similarly, when customs, stories and sacred information is given to you, it is given in trust. That trust requires that you respect that confidentiality. To breach community confidentiality by translating, reproducing or passing on any information, practices or cultural product without permission would be damaging to your project and erase any trust developed during consultation and negotiation processes. You should assume that all information is confidential unless you have specifically negotiated permission to use it.

Men's and women's business are very important and sensitive issues within Indigenous culture. This information may only be talked about, negotiated and consulted on by either men or women. It should also be recorded or stored in a way that only men or only women have access as appropriate.

Integrity and Trust

The integrity and trust you develop within the Indigenous community is vital and must be maintained. Continual acknowledgement of clans, Elders, Traditional Owners, information, ideas and research has to be written into any documentation and verbalised in speeches, talks and presentations. Any advertising, media releases, news articles etc concerning Indigenous people should only be made with the prior knowledge and agreement of the community concerned.

Respect

Respect and acknowledgement are common procedures for working within Indigenous communities. When meeting and working with anyone, an understood standard of respect and acknowledgement must exist. An example of the proper way of doing this is engaging an Elder to perform a 'Traditional Welcome' or 'Welcome to Country' ceremony. Giving an 'Acknowledgment of Country' is another method. Both of these protocols show respect to Traditional Owners and Community Elders in any forum or meeting. This demonstration of your respect will make it easier to set up appropriate standards of respect and trust and will make it easier for consultation and negotiation to take place effectively.

Traditional Welcome or Welcome to Country

Welcoming people to Country is a traditional practice of special significance. Today, the same practices are important, and traditional owners and communities take the role and responsibility of welcoming travellers and visitors to their country very seriously.

Recognition of 'Traditional Lands' or 'Welcome to Country' from a traditional owner or their representative is generally included at the start of a major event or gathering. The type of welcome offered will vary depending on the individual or group involved.

A 'Traditional Welcome' and a 'Welcome to Country' is the same thing. This ceremony is done by an Elder or member of the Traditional Owner group of a particular area. It is mostly done at major events and meetings. It welcomes people to visit and meet on the traditional lands of the original owners. A 'Welcome to Country' cannot be given by someone who is not a Traditional Owner of that particular area.

Acknowledgement of Country

An 'Acknowledgement of Country' is something that is done to pay respects to the Traditional Owners and other Indigenous Elders and community groups. Anyone can perform an 'Acknowledgement of Country' and it is appropriate that at any organisational, public or community forum that this is done. An example of an 'Acknowledgement of Country' is:

We respectfully acknowledge the Traditional Owners, the Wurundjeri People as the Custodians of this land. We also pay respects to all Aboriginal Community Elders, past and present, who have resided in the area and have been an integral part of the history of this region.

This Acknowledgement of Country was developed through extensive consultation with local Aboriginal Elders and appears in the Shire of Yarra Ranges Reconciliation Strategy and Action Plan 2008 – 2010 and is an appropriate example for anyone to use.

What to Call People

It can be offensive to refer to Indigenous peoples in the wrong manner. Some Indigenous people prefer to be called 'Indigenous' and others prefer 'Aboriginal'. The same way that some people prefer 'Torres Strait Islander' to 'Islander'. Most, but not all, Indigenous people regard 'Aborigine' as offensive but are quite happy with 'Aboriginal'. The often used term 'Koori' refers to Aboriginal people from South Eastern Australia, and therefore does not apply to Aboriginal people with traditional lands elsewhere.

If you are unsure as to how to refer to particular groups asking politely "how would you like to be referred to" is an acceptable approach.

Paying People

It has often been assumed that Indigenous people will participate and work for nothing. Indigenous people are owners and holders of their culture and knowledge. They are the only ones who have the knowledge, expertise and permission to work with and pass on their culture. In western culture, specialised knowledge is not something that is given away for free. If an Indigenous person chooses to work with you in any capacity i.e. giving a dance performance, giving a speech, a talk or a traditional welcome, doing or participating in the artwork or project etc it is appropriate that they be paid for their time, expertise and knowledge, just as it is for any other artist or professional.