



**Leichhardt Municipal Council
Building a Better Future:**

***Protocols for Aboriginal and Torres Strait
Islander Communication, Consultation and
Consent***



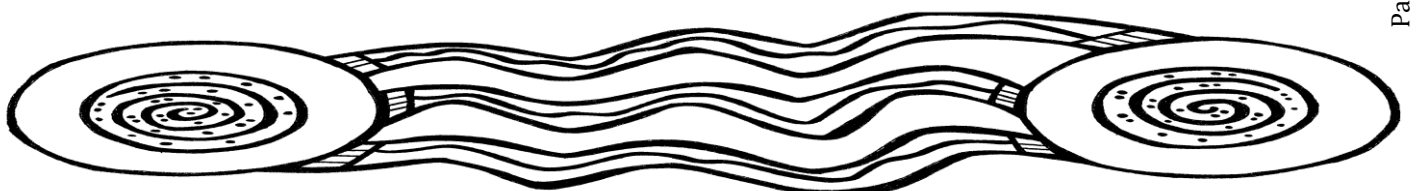


BUILDING BETTER FUTURES: PROTOCOLS FOR ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNICATION, CONSULTATION AND CONSENT

Date Adopted:	
Council or Corporate Policy	Council Policy
responsible Division:	Environment and Community Management
Supporting documents, procedures & forms of this policy:	Permission for Child/ren to be Photographed Sample Media Permission Form Fee schedule for Cultural Practices in NSW
References & Legislation:	See Section in Policy

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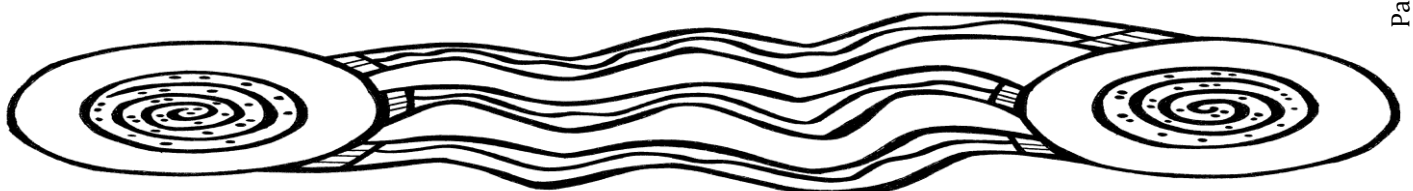
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1 Purpose of Policy

Leichhardt Municipal Council values its' culturally diverse community and is committed to work on processes of Reconciliation, in partnership with the local Aboriginal and Torres Strait Islander communities. Council constantly seeks to ensure that this is a process based on respect, trust and a spirit of openness.

Observing appropriate protocols when working with Aboriginal and Torres Strait Islander peoples and communities is critical to establishing positive and respectful relationships. Consulting with Aboriginal and Torres Strait Islander peoples and communities should always be seen as a two-way process, with both parties learning together and from each other.

Council views that an important part of showing respect for different cultures is acknowledging and accepting that we have different types of behaviours and different ways of interacting.

The aim of this document is to provide a user friendly resource for Council and community members to liaise, consult and engage with the Aboriginal and Torres Strait Islander peoples and communities.

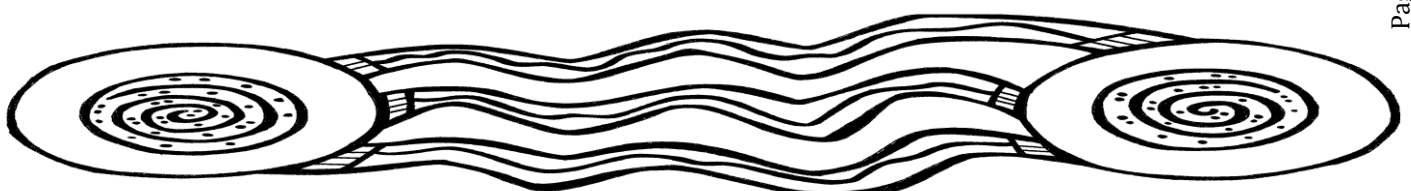
It also has clear guidelines for the process of consulting with local Aboriginal and Torres Strait Islander communities. These allow Aboriginal and Torres Strait Islander peoples to be included in activities, events and functions and are a sign of respect and understanding.



Cr Rochelle Porteous
Mayor



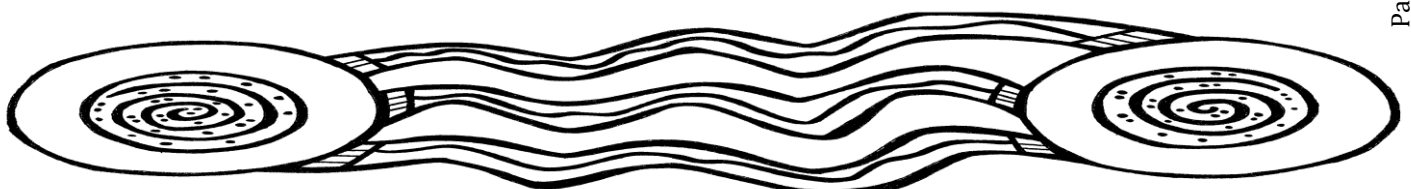
Peter Head
General Manager





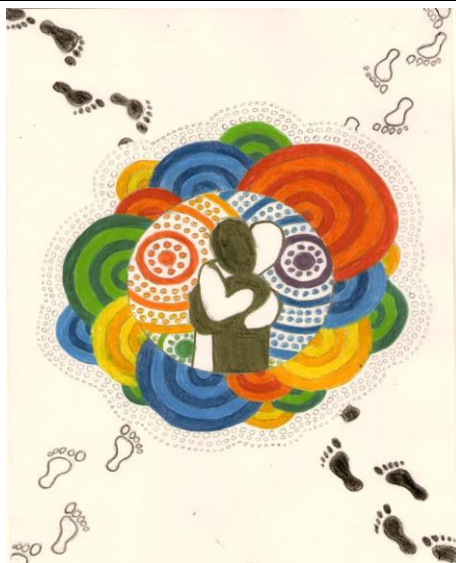
2 Definitions

<p>Aboriginal and/or Torres Strait Islander</p>	<p>The official Australian Government definition of an Aboriginal and/or Torres Strait Islander person is someone who satisfies each of the following criteria:</p> <ul style="list-style-type: none"> • Is of Aboriginal and/or Torres Strait Islander descent; • Identifies as an Aboriginal person and/or Torres Strait Islander; and • Is accepted as such by the Indigenous community in which he or she lives. <p>It is offensive to question the ‘amount’ of Aboriginal or Torres Strait Islander blood an Indigenous person possess and labels such as “half caste”, “quarter caste” and “full blood” and “true Aboriginal” are considered racist terms and should never be used. It is advisable to ask the person how they would like to be addressed. This may include where they come from or which community or language group they identify with.</p>
<p>Aboriginal and Torres Strait Islander Terminology</p>	<p>Many guidelines stipulate that Aboriginal and Torres Strait Islander peoples is the full, official terminology and should be used at all times. Council considers it an offence if the phrase Aboriginal and Torres Strait Islander is shortened to ATSI, and should always be spelt out in full as a sign of respect.</p>
<p>Indigenous</p>	<p>The term Indigenous Australians is acceptable in certain circumstances, for example in more academic literature or documents which are not for the Aboriginal and Torres Strait Islander community. It is a requirement when developing Council documents to check which term is acceptable with the Aboriginal Community Development Officer or Council’s Aboriginal and Torres Strait Islander Consultative Committee.</p>
<p>Traditional Owners or Custodians</p>	<p>“Traditional Owners” or “Custodians” are used when referring to the original inhabitants of an area. It is recommended that an organisation liaise with either Elders in the community or Council’s Aboriginal and Torres Strait Islander Consultative Committee on the preferred term for a particular circumstance.</p>
<p>Elders</p>	<p>Elders are the teachers of traditions and hold knowledge and life lessons of their communities. This knowledge typically is about the people and culture of the area. They are chosen, accepted and are highly respected by their communities. Elders are important and should always be consulted for any major project that involves cultural heritage, and knowledge.</p>
<p>Lore</p>	<p>The learning and transmission of cultural heritage. This is connected to the Dreaming and provides rules on how to interact with the land, kinship and community.</p>



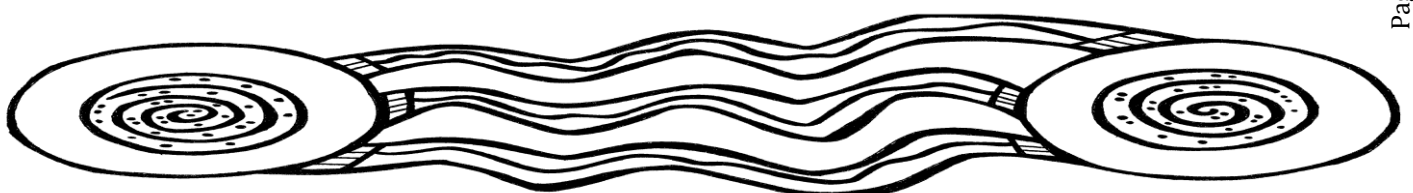


<p>Stolen Generations</p>	<p>The 'Stolen Generations' are those children of Aboriginal and Torres Strait Islander decent who were removed from their families and communities between 1883 and 1970. Their removal was part of official Australian Federal and State Government policy, that stated Aboriginal children, especially those of mixed Aboriginal and European descent, be removed from their parents, families and communities. It is estimated that between 25 and 60 percent of all Aboriginal children were removed.</p> <p>Although the official policies and practices of removal have been abandoned, the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families, <i>The Bringing Them Home Report</i>, revealed that the past effects of these policies is very evident in Aboriginal and Torres Strait Islander individuals, families and communities today.</p>
<p>Dreaming</p>	<p>The Dreaming has different meanings for different Aboriginal groups. The Dreaming can be seen as the embodiment of Aboriginal creation which gives meaning to everything; the essence of Aboriginal beliefs about creation and spiritual and physical existence. The Dreaming is linked to the past, the present and the future.</p>
<p>Traditional</p>	<p>A term widely used to refer to pre-invasion Aboriginal life, culture and social organisation. The term 'traditional' must be used with care as individuals and groups may find this term offensive.</p>
<p>Shared History</p>	<p>Recognises that Australia's history began long before 1788 and that, since then, Aboriginal and non-Aboriginal Australians have had diverse historical experiences and have occupied the same country. The term 'Australian history' is inclusive of the histories of all Australians.</p>
<p>Reconciliation</p>	<p>A Commonwealth initiative to promote reconciliation between Aboriginal and Torres Strait Islander peoples to the wider community and to address Aboriginal and Torres Strait Islander disadvantage.</p>



Leichhardt Council's Reconciliation Action Plan Cover

(Artist: Jessie-James Caldwell)





3 Introduction

Leichhardt Municipal Council has a long history and association with the local Aboriginal and Torres Strait Islander communities in the Leichhardt Local Government Area (LGA) and surrounding areas.

Working with other cultures is not always easy and requires patience, understanding and commitment from all parties. Council makes the commitment to ensure best practice when working with Aboriginal and Torres Strait Islander communities, and acknowledges that while there may be mistakes in the process that Council uses in consulting communities, Council will ensure professionalism and a firm commitment to social justice for the whole community, including the implementation of these protocols.

The purpose of this document is to provide Council and community with a reference point to understanding the importance of protocols when working with Aboriginal and Torres Strait Islander peoples and communities. This document is designed to be an instrument to help guide and foster an understanding of Aboriginal and Torres Strait Islander peoples, communities, cultures and lifestyles.

Leichhardt Municipal Council takes the approach that these protocols are important in all instances when doing Council business. It is important that Council takes the lead in showing the community that it is important to follow the protocols out of respect for the first peoples of this land.

This document is not a complete list of protocols, Council staff should continue to liaise with the Aboriginal Community Development Officer and/or consult with Aboriginal and Torres Strait Islander community members about how and when to observe these and other protocols in a culturally appropriate manner.

Observing these protocols means taking into account mannerisms and actions that show respect to the Aboriginal and Torres Strait Islander histories, cultures and the continued connection to country. This document means that Leichhardt Council will commit to encouraging other organisations within the municipality to follow these protocols.



NAIDOC Flag Raising Leichhardt Town Hall 2014





4 Principles of Cultural Protocols

Leichhardt Council firmly believes in providing culturally appropriate services to the Aboriginal and Torres Strait Islander communities and cultural protocols are an important part of this approach as they guide the customs, laws and codes of behaviour that Council is committed to. Observing cultural protocols of a community demonstrates respect for the cultural traditions, history and diversity of that community. It illustrates a willingness to acknowledge that the processes and procedures of one cultural community are equally valid and worthy of the same respect as other cultural protocols.

Cultural protocols refer to the customs, lore and codes of behaviour of a particular cultural group. Protocols are an important part of all cultures and are in place to ensure people behave and interact in an appropriate manner.

This document outlines the principal framework for understanding, respecting and engaging with Aboriginal and Torres Strait Islander peoples, cultures and heritage through:

- Respect
- Indigenous Control
- Communications, consultations and consent
- Confidentiality

5 Cultural Respect

Cultural respect is the recognition, protection and continued advancement of the inherited rights, cultures and traditions of Aboriginal and Torres Strait Islander peoples. Cultural respect is about shared respect, and can be achieved when there is a safe environment for Aboriginal and Torres Strait Islander peoples to express their cultural identity.

The rights of Aboriginal and Torres Strait Islander peoples to own and control their heritage including images, designs, stories and other cultural expressions should be respected at all times. Customs and protocols vary widely across the many diverse communities of the Aboriginal and Torres Strait Islander peoples.

6 Aboriginal & Torres Strait Islander Peoples and Culture

Aboriginal and Torres Strait Islander peoples are distinct from each other both ethnically and culturally. While there are some similarities between cultural protocols of Aboriginal and Torres Strait Islanders, it is important to remember that the history, culture and traditions of each, are unique and differentiate between States and Territories.

This document focuses on some of the cultural protocols that are relevant to both





Aboriginal and Torres Strait Islander peoples and communities. These protocols are intended as a guide only and do not reflect the total diversity amongst Aboriginal and Torres Strait Islander communities. For this purpose, it is always important to check and verify questions or issues regarding protocols and procedures with Council's Community Development Officer – Aboriginal Programs and/or members of the local Aboriginal and Torres Strait Islander communities.

The following are some regional terms used by Aboriginal society to identify the Aboriginal people who came from a particular area of Australia:

New South Wales: Koori/Koorie; Goorie

Victoria: Koori/Koorie

South Australia: Nunga

Western Australia: Nyoongah

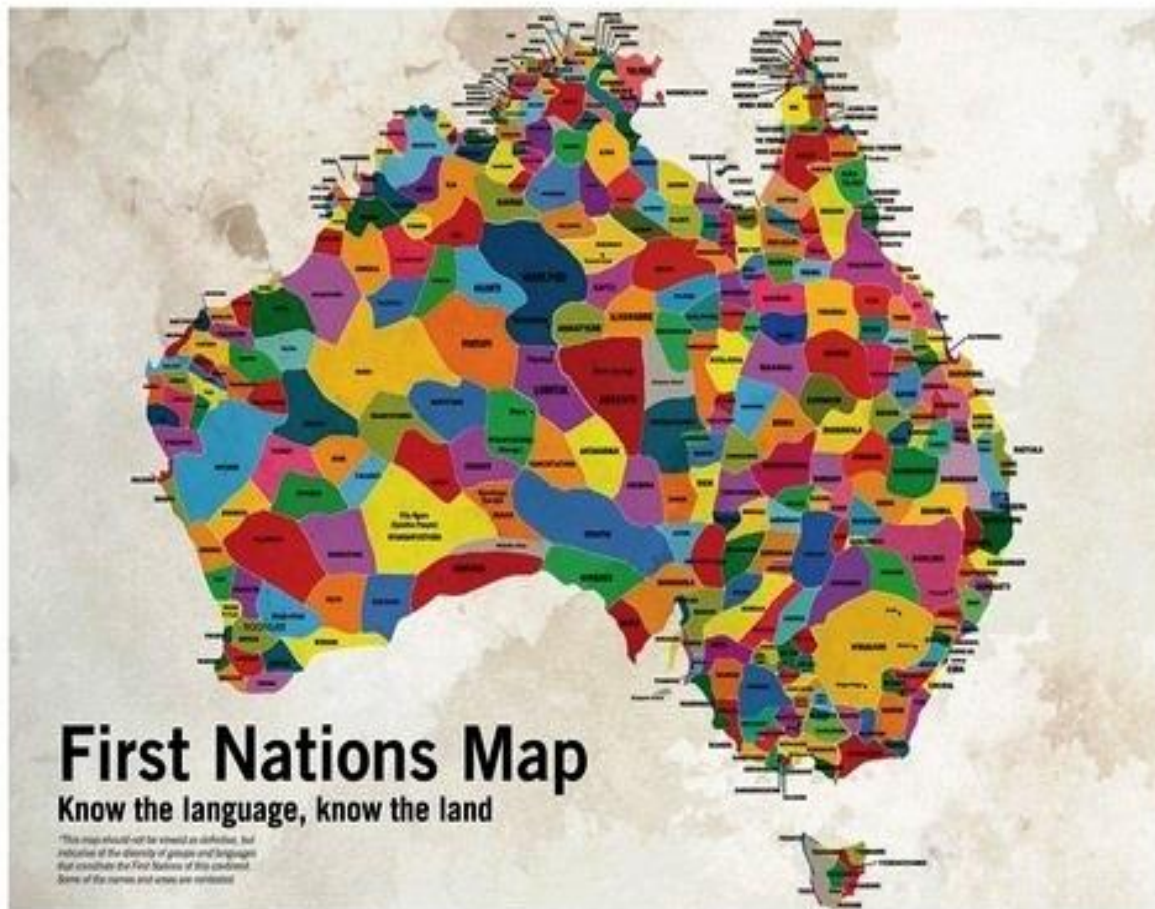
Northern Territory (top end): Yolngu

North Territory (central): Anangu

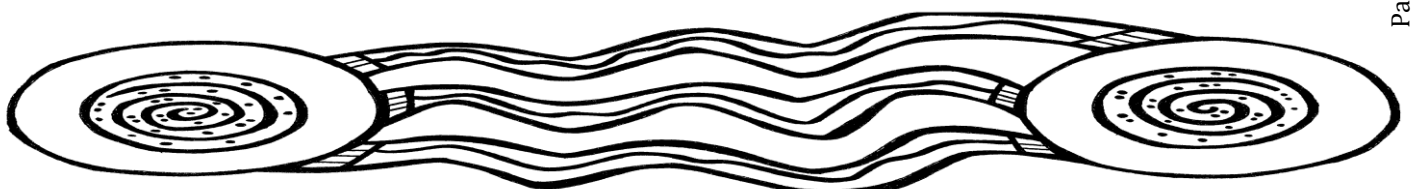
Queensland: Murri

Tasmania: Palawa

The Aboriginal language map below illustrates the language diversity of the Aboriginal and Torres Strait Islander peoples.



Aboriginal Language Map





7 Brief History

Aboriginal and Torres Strait Islander peoples have occupied Australia and the islands that surround it for over 60,000 years and have evolved with the land – changing it as well as changing with it.

Aboriginal and Torres Strait Islander peoples have a unique relationship to the land and water of their country. The land is not just soil and rocks or minerals but a whole environment that sustains and is sustained by peoples and culture. The land and water is the core of Aboriginal and Torres Strait Islander peoples spirituality, and requires a certain responsibility to look after the spiritual and environmental wellbeing of the country. The responsibility and cultural obligation to care for country is defined through 'traditional' lore and is central to all issues that are important to Aboriginal and Torres Strait Islander peoples.

In the early stages of settlement, relationships between the new settlers and the Aboriginal inhabitants of the Sydney region were generally hospitable and based on an understanding of trading foods, water source, tools, cloth and artefacts. Soon after, the relationship became adverse as Aboriginal people realised that the land, resources and cultural significance, which they depended on for survival, were being seriously disrupted by the on-going impacts of the first settlers' needs to cultivate and develop land to sustain them.

Between 1790 and 1810, clans of the Eora Nation in the Sydney area, led by Pemulwuy of the Bidjigal language group, undertook a campaign of resistance against the English colonisers in a series of attacks.

At the same time introduced diseases such as smallpox, measles and influenza caused the deaths of many Aboriginal people, who had no resistance to them. Within the first two years of European settlement these diseases wiped out more than half of the Aboriginal population around Port Jackson. Some years later the first explorers observed people with smallpox scars in areas well beyond Sydney.

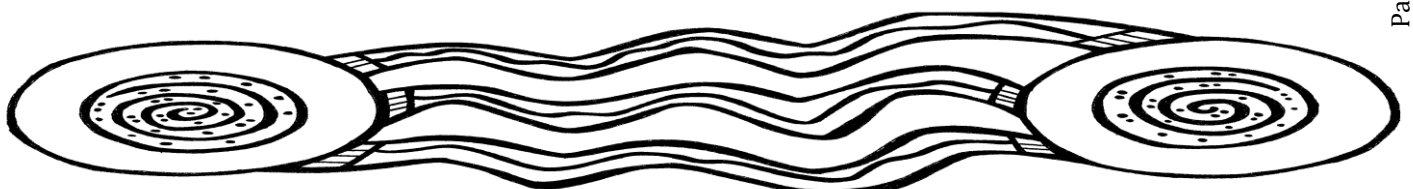
It is important to acknowledge that there are still Aboriginal people today whose heritage lies within the surrounds of the Sydney area. Within the Leichhardt Municipality, it is believed to be two clans that make up the LGA, those being the Cadigal people and Wangal people.

Cadigal (Gadigal) People

Although exact boundaries cannot be determined it is believed the Cadigal clan stretched along the south side of Port Jackson from South Head to about Petersham.

Wangal People

The Wangal people were believed to have occupied the area from about Petersham, along the southern shore of the Parramatta River to about Rosehill.





It is believed that the boundary for two clans lied along the Balmain Peninsula, suggesting that Leichhardt, Lilyfield, north-west part of Rozelle and north-west part of Balmain belonged to the Wangal people, with Annandale, south-east part of Rozelle, Birchgrove and south-east part of Balmain (Balmain East) to the Cadigal (Gadigal) people.



This is a very brief history of Aboriginal people in Australia, a wealth of knowledge of all the struggles Aboriginal peoples endured, all the triumphs Aboriginal peoples received as well as a brief account on Leichhardt's own local Aboriginal history can be obtained from Leichhardt Library.

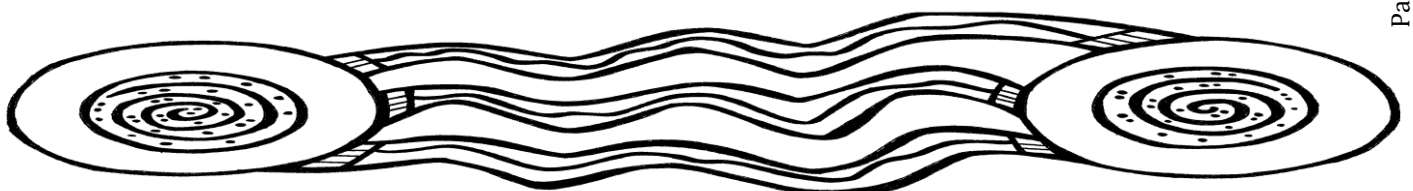
8 Welcome

8.1 'Welcome to Country'

A 'Welcome to Country' or 'Traditional Welcome' is where an Aboriginal descendent or elected representative of the local Aboriginal group welcomes people in attendance to their land prior to a meeting, event or function. A 'Welcome to Country' enables the traditional owners of the land to give their consent for the meeting, event or function to take place on their lands and is a mark of respect from the organisers to the local Aboriginal community.

Originally a 'Welcome to Country' was to seek permission to enter and travel across another clan's country and was performed to provide safe passage from one place to the next. If the Aboriginal community objects to performing a 'Welcome to Country', it is important to understand their point of view. There may be cultural or political reasons why they are objecting or it could be a misunderstanding of what the event or function is for.

The 'Welcome to Country' ceremony should, where possible, be undertaken by Elders of the locally recognised Aboriginal community. There is no exact wording for a 'Welcome to Country' and therefore the content of the ceremony should be negotiated between the Elder and promoter.





If there is any doubts about your meeting, event or function, it is advisable to contact Council's Community Development Officer – Aboriginal Programs or the Metropolitan Local Aboriginal Lands Council by phoning (02 8394 9666)

8.2 'Acknowledgement to Country'

An 'Acknowledgement to Country' is where people not from Aboriginal background or an Aboriginal person not from the traditional area acknowledge and show respect to the 'traditional owners', and their descendants, of the land. The acknowledgement is a sign of respect and should always be conducted prior to any meeting, event or function. An 'Acknowledgment to Country' takes place in the absence of a 'Welcome to Country'.

Leichhardt Municipal Council considers the following to be appropriate wording in conducting an 'Acknowledgement to Country':

"I acknowledge the Gadigal and/or Wangal peoples of the Eora Nation who's Country we are meeting on today, and acknowledge their Elders past, present and future".

8.3 Smoking Ceremony

A smoking ceremony is conducted to cleanse the place where an event or special celebration will be taking place. In some Aboriginal and Torres Strait Islander cultures, a smoking ceremony is used in the burial process to cleanse the burial site and to provide a safe passage for the deceased spirit to travel to the next world.

Smoking ceremonies are conducted by Aboriginal Elders who are descendants of the Gadigal or Wangal peoples and who are an approved representative of the community. An approved representative would be a member of the Metropolitan Local Aboriginal Lands Council.

Prior to conducting a 'Smoking Ceremony' it is best to seek advice from Council's Community Development Officer – Aboriginal Programs, the Leichhardt Aboriginal and Torres Strait Islander Consultative Committee (LATSICC) or Metropolitan Local Aboriginal Lands Council.

A fee will be charged for providing a smoking ceremony for the event or special occasion. It is important to negotiate this fee with the Aboriginal person undertaking the 'Smoking Ceremony'.



Uncle Max performing a 'Smoking Ceremony' at Rozelle Village Fair 2014





9 Significant Symbols, Dates and Events

9.1 Flags

A flag is a country's way of portraying itself to the rest of the world and their uses can vary. Flags can be a representation of a country's historical past and can signify the important symbols of a country's values, people and culture. The Aboriginal and Torres Strait Islander flags, of which the Aboriginal and Torres Strait Islander communities have strong symbolic connections, were proclaimed as official flags of Australia under Section 5 of the Flags Act 1953 on 14 July 1995.

The Aboriginal Flag was designed by Harold Thomas, Luritja man from the Arrernte clan of Central Australia. The black symbolises the Aboriginal peoples, yellow symbolises the sun as the re-newer of life, red symbolise the earth and the spiritual relationship to the land. The Aboriginal flag was first raised in South Australia in 1971, and then flown nationally in 1972 at the Aboriginal Tent Embassy in Canberra.

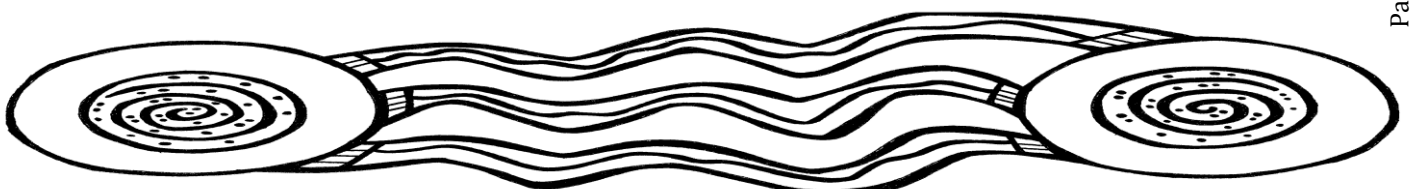
The Torres Strait Islander flag was designed by Bernard Namok, from Thursday Island and was formally adopted by all Torres Strait Islanders in 1992. The green symbolises the land, the black the people, the blue the sea, whilst the white Dhari (headdress) and the white five pointed star symbolises the five major island groups as well as navigation which is important to these seafaring peoples.

9.2 Dates of Significance

There are a number of significant dates throughout Australian history that have shaped Aboriginal and Torres Strait Islander affairs. Some of these are:

1938 – Day of Mourning, which has become known as the 'Birthplace of Aboriginal Civil Rights Movement' in Australia. January 26th, 1938 celebrations were being held for 150 years of 'white' settlement. The Aboriginal and Torres Strait Islander peoples had nothing to celebrate. The 150 years meant misery and degradation imposed upon the original 'native' inhabitants by the 'white' invaders of this country. The Aborigines Progressive Association and the Australian Aborigines League organised a protest meeting, which was held at Australian Hall, 150 Elizabeth Street Sydney. The Day of Mourning was the first formal meeting and recognised steps towards the promotion of equal rights for all Australians.

1965 - Freedom Ride was significant for the civil rights of Aboriginal peoples. Inspired by the 'Freedom Riders of the American Civil Rights Movement', students from the University of Sydney formed a group; "Student Action for Aborigines", led by Charles Perkins & Jim Spigelman. They organized a bus tour of western and coastal New South Wales towns. Their purpose was threefold. The students planned to draw public attention to the poor state of Aboriginal health, education and housing. They hoped to point out and help to lessen the socially discriminatory barriers which existed between Aboriginal and white residents. And they also wished to encourage and support Aboriginal people themselves to resist discrimination.





1966 – *Wave Hill Walk Off* refers to the strike by Aboriginal workers that focused national attention on Aboriginal Land Rights. In August 1966, 200 stockmen and domestic servants employed at Wave Hill station, mainly Gurindji people led by Vincent Lingiari, went on strike for better pay and conditions. In April 1967, the Gurindji people sent a petition to the Governor-General “*Our people lived here from time immemorial and our culture; myths, dreaming and sacred places have been evolved in this land. Many of our forefathers were killed in the early days trying to retain it. Therefore we feel that morally the land is ours and should be returned to us*”. This petition was rejected and the land was not returned to the Gurindji peoples until 1975.

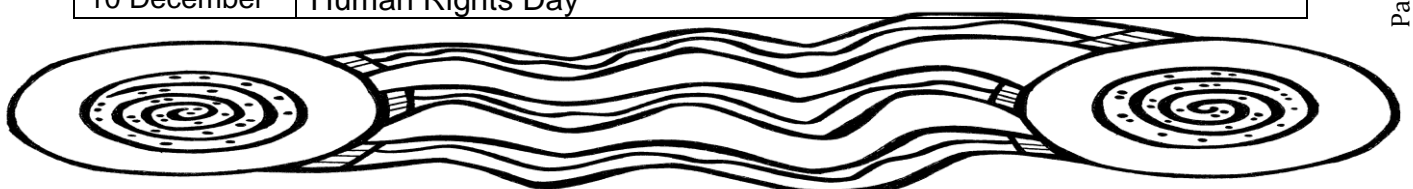
1967 – *Referendum* which was held on May 27th, expressed the will of the Australian people that Aboriginal and Torres Strait Islander peoples would be counted in the national census and be acknowledged as citizens within the Australian constitution. The referendum results were a high 90.77% YES vote, which showed that the vast majority of Australians felt goodwill towards Aboriginal peoples and wanted to improve their circumstances.

1992 – *Mabo Decision* was handed down on June 3rd. The High Court of Australia rejected the notion of ‘terra nullius’ (land belonging to no-one), which claimed that Australia was unoccupied prior to European settlement. The High Court’s decision in favour of Mabo and the Meriam people recognised that Aboriginal peoples had lived in Australia for thousands of years as well as acknowledging that the development of Australia was based on dispossession.

9.3 Events

There are a number of significant events in the Aboriginal and Torres Strait Islander calendar.

Date	Occasion
Friday prior to 26 January	Yabun Movie Night ‘Pics in the Park’
26 January	Australia Day/Survival Day (Yabun Festival)
13 February	National Apology - ‘Stolen Generations’
19 March	International Close the Gap Day
21 March	Harmony Day (Elimination of Racial Discrimination Day)
26 May	National Sorry Day (Recommendation of Stolen Generation Report)
27 May to 3 June	National Reconciliation Week
1 July	Coming of the Light Festival
1 st Week of July (Sunday to Sunday)	National Aboriginal and Islander Day of Celebration (NAIDOC Week)
4 August	National Aboriginal and Islander Children’s Day
9 August	International Day of the World’s Indigenous Peoples
October Long Weekend	NSW Annual Aboriginal Rugby League Knockout
10 December	Human Rights Day





Yabun Movie Night 'Pics in the Park' – is collaboration between Gadigal Information Services and Leichhardt Council and is part of the Yabun Festival. The Yabun Movie Night supports Council's commitment to building positive, respectful and meaningful relationships between Aboriginal and Torres Strait Islander peoples, organisations, communities, professionals and staff, a key component of Council's Reconciliation Action Plan. www.leichhardt.nsw.gov.au / www.facebook.com/leichhardtcouncil

Australia Day/Survival Day (Yabun Festival) – Australia Day is a celebration for most, however, for Aboriginal and Torres Strait Islander peoples it is a day that represents invasion, dispossession and loss of culture and sovereign rights. Yabun is recognised as Australia's premier Aboriginal and Torres Strait Islander festival, celebrating the survival of and showcasing the best of Aboriginal and Torres Strait Islander arts and culture. www.yabun.org.au / www.gadgial.org.au

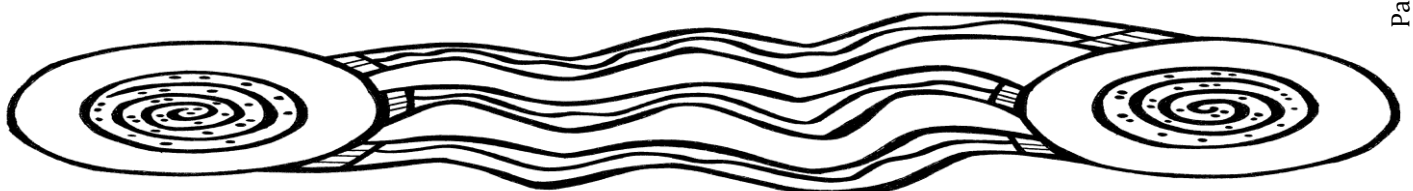
National Apology - On the 13th February 2008 the Prime Minister of Australia, the Hon. Kevin Rudd MP formally apologised to the Aboriginal and Torres Strait Islander Stolen Generations on behalf of the Australian government. www.australia.gov.au

International Close the Gap Day – Is a day for all Australians to join together and to generate awareness about the inequality health, education and incarceration issues that face Aboriginal and Torres Strait Islander peoples. www.oxfam.org.au

Harmony Day – 'Living in Harmony' is an Australian Government initiative designed to promote community harmony, build community relationships and address racism issues. Council has committed to celebrating the culturally diverse community of the LGA and has an agreement to support the 'Racism NO Way' campaign. www.harmony.gov.au

National Sorry Day – is to publicly acknowledge the pain and suffering by many Aboriginal and Torres Strait Islander peoples who were part of the 'Stolen Generations' and the effects of their removal from family and community today. www.nsd.org.au

National Reconciliation Week – is celebrated annually from the 27th May (1967 Referendum) to the 3rd June (Mabo Decision). 'Reconciliation involves symbolic recognition of the honoured place of the first Australian, as well as practical measures to address the disadvantage experienced by Aboriginal and Torres Strait Islander peoples in health, employment, education and general opportunity'. Leichhardt Council has written practical actions to help address these issues with the LGA. www.reconciliation.org.au





Coming of the Light Festival – this festival is a significant day for many Torres Strait Islander peoples. The day is celebrated with a variety of religious and cultural ceremonies. www.qm.qld.gov.au

NAIDOC Week – National Aboriginal and Islander Days of Celebration. The week celebrates and promotes a greater understanding of Aboriginal and Torres Strait Islander peoples and culture. NAIDOC week is held between the first Sunday (National Aborigines Day) and the second Sunday annually in July. The week involves religious and cultural events to commemorate Aboriginal and Torres Strait Islander culture, heritage and the contributions made by these communities to modern Australia. www.naidoc.org.au

National Aboriginal and Islander Children's Day – was initiated in 1998, by the National Aboriginal and Islander Child Care (SNAICC), a non-government advocacy body for Aboriginal and Torres Strait Islander children. The day is to promote the needs and importance of children in Aboriginal and Torres Strait Islander communities. www.aboriginalchildrensday.com.au

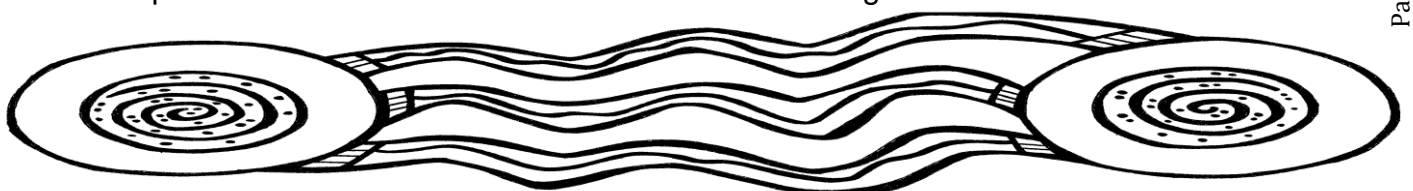
International Day of World's Indigenous Peoples – 1994 the United Nations declared the 9th August as 'International Day of the World's Indigenous Peoples'. The day is about celebrating the achievements and contributions of Indigenous peoples to the global community and to highlight the many problems that face these communities particularly in regards to human rights, the environment, development, education and health. www.un.org / www.indigenous.gov.au

NSW Aboriginal Rugby League Knockout – started in 1971 and is also known as the 'Koori Knockout'. As many as 60 teams participate in the knockout competition and has over 10, 000 spectators. This event is held annually over the October Labour Day Weekend and is often held in rural town within NSW. www.heathinfont.ecu.edu.au

Human Rights Day – marks the adoption of the United Nations 'Universal Declaration of Human Rights'. This declaration is the universal standard for defending and promoting human rights globally. www.un.org / www.humanrights.gov.au

10 Aboriginal and Torres Strait Islander Peoples and the Media

Aboriginal and Torres Strait Islander media and communication organisations allow Indigenous peoples to have access to culturally appropriate and regionally relevant media and communication services in the same way the broader Australian public does. They allow Aboriginal and Torres Strait Islander voices, stories, music, viewpoints and information to reach communities throughout Australia.





10.1 Aboriginal & Torres Strait Islander Media Organisations

The Koori Mail is an Australian newspaper written and owned by Indigenous Australians. It has iconic status amongst Aboriginal and Torres Strait Islander peoples and their supporters. The Koori Mail was founded in 1991. It is published fortnightly and available by subscription and in newsagents in every Australian state and territory. www.koorimail.com

Koori Radio is a community radio station based in Redfern broadcasting to Sydney on a city-wide license. It is part of the Gadigal Information Service and is the only radio station in Sydney providing full-time broadcasting to the Aboriginal and Torres Strait Islander communities. www.gaigal.org.au

The National Indigenous Times (NIT) first hit the streets on February 27th, 2002. The paper is staffed and owned by Indigenous and non-Indigenous Australians. NIT is proud of the dedicated team of predominantly Indigenous Australian writers and columnists who contribute to the publication. It does not, and has never, received Government grants or funding. NIT continues to rely upon the good will and support of their readers and advertisers and they have continued to adopt a publishing mantra of publishing without fear or favour. www.nit.com.au

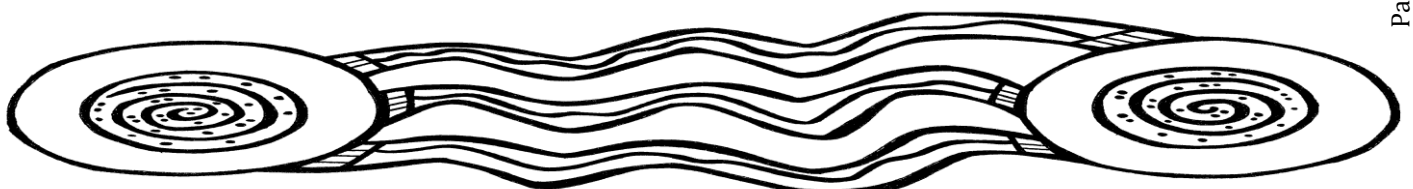
The Australian Indigenous Communications Association (AICA) is the national peak body for the Australian Aboriginal and Torres Strait Islander broadcasting and media sector, encompassing the print, television, radio, internet and film mediums. AICA represents all individual practitioners as well as over 130 Indigenous media outlets in remote, regional & urban Australia. www.aicainc.org.au

The National Indigenous Television channel, commonly referred to as NITV, is an Australian television channel that broadcasts programming produced primarily by Indigenous peoples of Australia. www.nitv.org.au

10.2 Naming the Deceased

In many Aboriginal and Torres Strait Islander communities, lore prohibits naming, viewing or hearing a person who has passed away, image, sound or name. The deceased are not referred to by their name directly as a mark of respect of their status within the community. The avoidance period may last anywhere from a few months to several years. The person may still be referred to by a generic name however, not their first name in most cases.

Leichhardt Council considers it an offence to name or show images of a deceased Aboriginal or Torres Strait Islander community member. Council encourages organisations to get consent from family members to be able to do so. If you are in doubt please do not hesitate to contact Council's Community Development Officer –





Aboriginal Programs or the Aboriginal and Torres Strait Islander Consultative Committee. Where images and names of Aboriginal and/or Torres Strait Islander peoples are shown, the following cultural warning should accompany the material.

'Aboriginal and/or Torres Strait Islander viewers are advised that the following material may contain images and/or sounds of deceased persons. We wish not to cause any offence.'

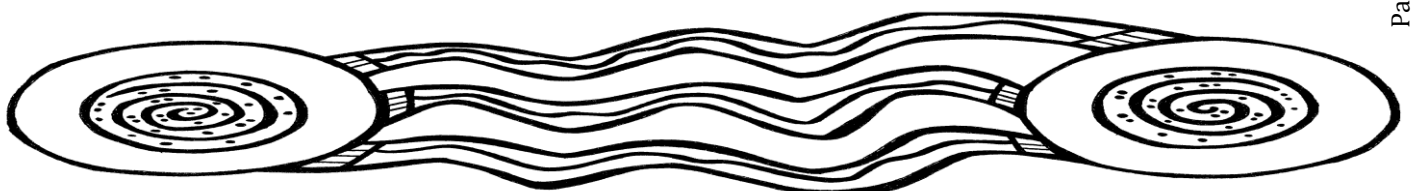
10.3 Copyright, Cultural and Intellectual Property Rights

The World Intellectual Property Organisation (WIPO) states "*that copyright is a legal term describing the rights given to creators for their literary and artistic works. Copyright laws govern the use, production and dissemination of original works. The kinds of works covered by copyright include novels, poems, plays, reference works, newspapers, computer programs, databases, films, musical compositions and choreography, paintings, drawings, photographs, sculptures, architecture, advertisements, maps and technical drawings*"

Copyright and the protection of intellectual property are key issues of consideration when working with the Aboriginal and Torres Strait Islander peoples, who are the custodians of their cultural knowledge and have the right to own and control the use of their cultural heritage. Unfortunately the cultural and intellectual property rights of Aboriginal and Torres Strait Islander peoples are not always recognised or appropriately respected.

The former Aboriginal and Torres Strait Islander Commission (ATSIC) adopted a working definition of 'Indigenous Cultural and Intellectual Property' which lists some of the key components of Aboriginal and Torres Strait Islander heritage as such '*When working with Aboriginal and Torres Strait Islander peoples, it is imperative that intellectual property rights and copyright are observed and safeguarded in relation to the following:*

- *Literary, performing and artistic works (including songs, music, dances, stories, ceremonies, symbols, language and designs)*
- *Languages*
- *Scientific, agricultural, technical and ecological knowledge*
- *Spiritual knowledge*
- *All items of moveable cultural heritage*
- *Indigenous ancestral remains and Indigenous human genetic material*
- *Immovable cultural property (including sacred and historically significant sites and burial grounds)*
- *Documentation of Indigenous peoples' heritage in archives, film, photographs, videotape or audiotape and all forms of media'.*





For detailed information and advice on observing Aboriginal and Torres Strait Islander cultural heritage rights contact the Aboriginal and Torres Strait Islander Arts Board of the Australia Council - www.australiacouncil.gov.au

10.4 Photographs and Interviews

Before filming or taking photographs of Aboriginal and Torres Strait Islander peoples for inclusion in publications or other media, it is essential to obtain written consent from those people you wish to photograph. The participants must be completely briefed as to how the film or photograph will be used. In terms of photographing or interviewing children, parental or guardian consent is always required, regardless of what the photograph or transcript would be used for. It is against the NSW Children and Young Persons (Care & Protection) Act – 1998, to take photographs of children and conduct an interview with a child without a parent or guardians permission. The permission note must clearly explain how the photograph will be used, who will have access to it and what will be done with it after it is used or even if it is not used.

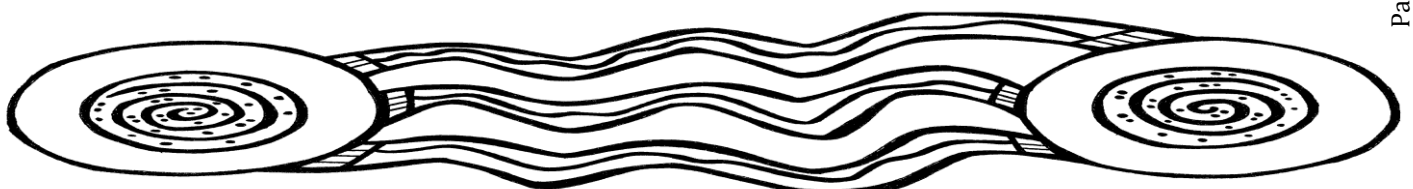
NB: A copy of a permission form can be found in the appendices

10.5 Advertising of Aboriginal and Torres Strait Islander Achievements

From time to time, members of the Aboriginal and Torres Strait Islander community within the Leichhardt Municipality will receive an award or commendation regarding a significant achievement. Accomplishments such as these should be encouraged on an ongoing basis to create a community that is proud of its members and their achievements. Council commits to highlight the achievements of its Aboriginal and Torres Strait Islander community by advertising them through its newsletters, website and Council page in the local courier.

10.6 Privacy and Confidentiality

All people are entitled to their privacy and confidentiality and Aboriginal and Torres Strait Islander peoples are no different. Confidentiality and Privacy requires that all parties must ensure that information is restricted to only those who genuinely need to know and that those people are only told as much as they need to know and no more. For example some people may need to know of an issue so they can provide advice, but do not need to know the identities of the peoples involved. If you require further information, contact the Community Development Officer - Aboriginal Programs.





11 Publications, Signage and Naming

11.1 Publications – Written Word and Artworks

The following guidelines were developed by Interpretation Australia (IA) for the interpretation of Aboriginal and Torres Strait Islander heritage in natural and cultural settings. These are considered to be of importance when designing publications that depict or represent Aboriginal culture. These publications include brochures, newsletters, posters, reports, web information, signage, videos, photographs, motifs, clothing, oral recordings, and music:

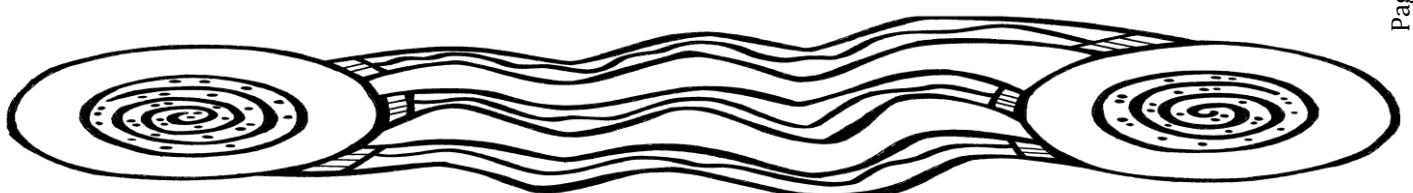
- The content of all copy, text and selection of images is subject to community advice and approval.
- Develop proposals jointly with the community from the outset and observe protocols regarding written and visual resources.
- The design process should be subject to community approval. This includes layout, colour, use of symbols and images.
- Observe intellectual property rights; safeguard copyright of stories and images.
- Language must be accurate, based on research and whether it is culturally sensitive. Ensure Aboriginal custodianship and culture is referred to in the present tense, unless the community wants it otherwise. Develop a glossary of words to be avoided.
- Ensure correct use of symbols and motifs by consulting with the community and if in doubt seek further advice.
- Consider using Aboriginal names as the norm, with colonial names as secondary.
- Use the present tense when discussing peoples and country.
- All signage located in natural cultural settings should acknowledge the local Aboriginal peoples in accordance to their wishes, meaning an 'Acknowledgement of Country' recognises the traditional peoples of the land.

Community consultation advice and approval can be located under Section 12 – COMMUNITY CONSULTATION

11.2 Signage

Council recognises the need to provide appropriate signage to the members of the public that is clear and concise, ensuring the information is understandable. This means providing signage that is in plain English and is not discriminatory or threatening in any way.

Wangal Nura Park – Leichhardt





11.3 Naming

As with any new public development or unidentified road, park, reserve or area, a name is always an important thing to choose and allows for the community to create a connection to the place. When considering naming any new place, it would be ideal to first consider Aboriginal terminology or names suggested by the Aboriginal and Torres Strait Islander community. This not only demonstrates respect to the custodians of this land but also creates greater Aboriginal awareness which can be seen as advancing the Reconciliation process.

11.3.1 Initiating the Naming Process

The naming process will be initiated when:

- A complete application is received by Council from member(s) of the public pertaining to site/s within Leichhardt LGA
- Council resolves that a (new) name is required
- Council opens or forms a road
- Council opens or forms a park, reserve or other public space requiring naming

11.3.2 Naming of Places

Council seeks to promote the ongoing recognition of the rich and diverse history through its naming procedures. Council aims to ensure that the naming of roads, parks, reserves and public spaces within the LGA are uniform with relevant legislation and the guidelines of the Geographical Names Board (NSW) where applicable.

11.3.3 Dual-naming

A dual name recognises Aboriginal cultural heritage by registering original place names given by Aboriginal people so that they sit side by side with existing European names. Council will investigate all applications as a dual-naming proposal.

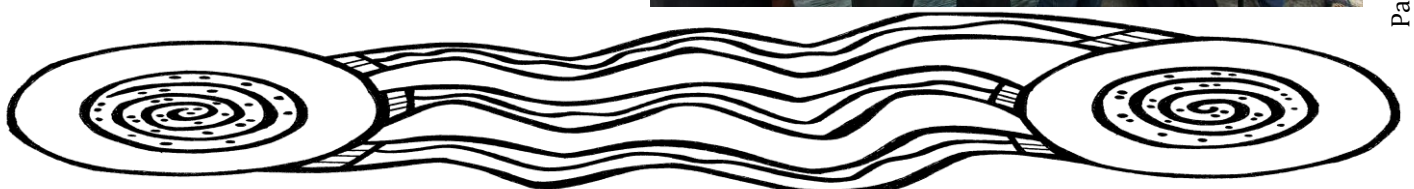
11.3.4 Re-naming

Re-naming involves re-naming parks and reserves, as well as any other public place that can be changed without too much confusion for the general public. Re-naming is usually a method that is not undertaken very often; this is due to the fact that the community may not be able to adjust to the changes.

The Jimmy Little Community Centre (formally Lilyfield Community Centre) 2013



Picture: Uncle Jimmy Little's Daughter & Grandson with members of the Jimmy Little Foundation at the re-naming.





12 Community Consultation

Communications through consultation is essential in the development of meaningful relationships and partnerships with Aboriginal and Torres Strait Islander Australians. The Interpretation Australian Association (IAA) has developed some guidelines as a starting point for consulting with Aboriginal and Torres Strait Islander communities:

- Aim to create long-term relationships of trust, respect and honesty.
- Identify the relevant communities and organisations, and know how to communicate with them.
- Know and observe the correct protocols for each community.
- Understand the central role of Elders, both men and women. They must be approached with respect. It is very important to gain their confidence, as they are the key to successful negotiations. Talking to one individual or small group is usually not appropriate protocol.
- Discussions should be open, honest and generous with no hidden agendas.
- The information that is given to people should be clear and concise.

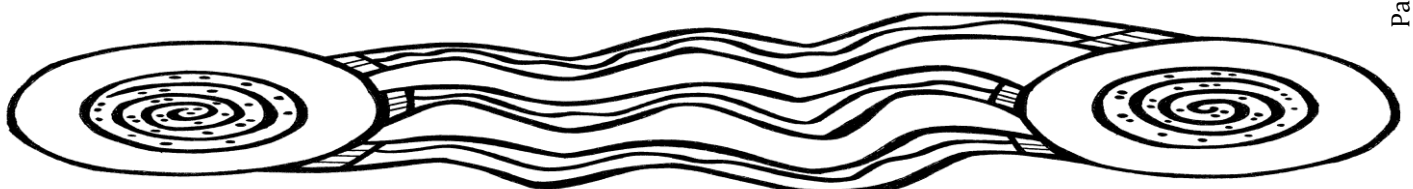
These are a sample guidelines only for best practice when consulting with the Aboriginal and Torres Strait Islander communities. If these guidelines are followed it will aid in creating a level of genuine trust and respect with the Aboriginal and Torres Strait Islander community within the LGA. Also note that if in doubt always seek the advice and information from the Community Development Officer – Aboriginal Programs.

13 Challenging Negative Stereotypes and Appropriate Terminology

A 'stereotype' - is a generalised assumption of a person or group, which does not acknowledge individual differences and which is often prejudicial and derogatory. These types of stereotypes are commonly referred to as labels or categories that people use to define people from different racial or ethnic backgrounds.

13.1 Negative Stereotypes

Aboriginal and Torres Strait Islander peoples have been subjected to numerous stereotypical references throughout Australia's history since colonisation. There is enormous diversity amongst the Aboriginal and Torres Strait Islander communities; these communities are made up of many different cultural groups, however, each has their own histories, language, beliefs, opinions and traditions. Many of these stereotypes overtime have been extremely negative and have led to sweeping generalisations about Aboriginal and Torres Strait Islander peoples that are unfair and unfounded. Other stereotypes are to do with traditional images of Aboriginal and Torres Strait Islander peoples that are based on the past and fail to recognise that Aboriginal and Torres Strait Islander culture is alive and well in contemporary Australia.





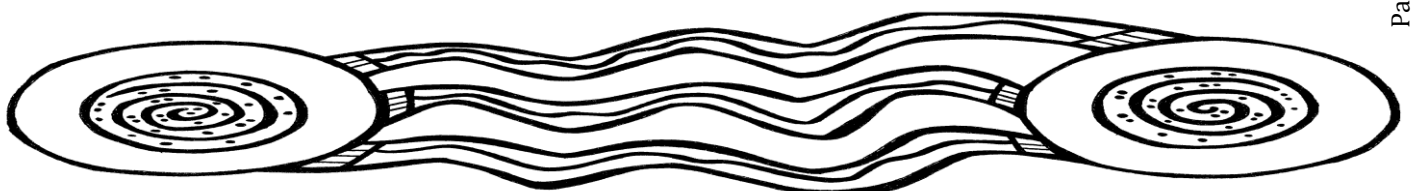
13.2 Appropriate Terminology

Less appropriate	More appropriate	Reasons/Explanation
Dreamtime	The Dreaming	The Dreaming as it shows that Aboriginal & Torres Strait Islander beliefs are still on going in contemporary Australia
Religion	Spirituality	Is localised by definition, as is more about the way of life of connectedness and belonging
Aborigine/s The Aborigines ATSI	Aboriginal person/s Aboriginal people/s Aboriginal & Torres Strait Islander peoples	Europeans used the word Aborigine with the meaning 'first inhabitants' and each have their own customary lore. Inappropriate abbreviation, in full is mostly preferred
Half-caste Full-blood Traditional / Real	Aboriginal people/s Torres Strait Islander	To stop the negative stereotypes that are often associated with the Aboriginal and Torres Strait Islander peoples, and that the culture is alive and well in contemporary Australia
Tribe Horde Band	Clan/s Language groups Communities	Is based on other cultures with a underlying tones of having a single chief as head of the community (some older Aboriginal & Torres Strait Islander peoples will use the word 'Tribe' due to imposed schooling)

14 Local and Significant Aboriginal & Torres Strait Islander Organisations

Boomalli Aboriginal Artist Co-operative - is one of Australia's longest running Aboriginal owned and operated art galleries. *Boomalli* is a word derived from three (3) different NSW Aboriginal language groups and means 'to strike, to make a mark'. Boomalli was established as a co-operative to provide a platform for all Aboriginal and Torres Strait Islander artists to exhibit and promote urban Aboriginal and Torres Strait Islander art on their own terms. Web address: www.boomalli.com.au

Tony Mundine Hostel – is part of the Aboriginal Hostels Limited. The Tony Mundine Hostel provides boarding accommodation for tertiary students and those who are completing training in Sydney. Aboriginal Hostels Ltd provides safe, comfortable, culturally appropriate and affordable accommodation for Indigenous Australians who must live away from home to access services and economic opportunity. This





Aboriginal and Torres Strait Islander Hostel is named after Anthony ‘Tony’ William Mundine (1951) and is one of Australia’s greatest boxing legends who competed in four weight divisions. Web address: www.ahl.gov.au

Metropolitan Local Aboriginal Land Council – is a significant Aboriginal organisation in the Sydney metropolitan region. The existence and strength of Metro’s continuation is an important symbol and vital ongoing resource. Metro’s core business is based on culture and heritage, land claims and housing. Leichhardt Council has signed the ‘Principals of Co-operation Agreement’ with Metropolitan Local Aboriginal Land Council. Web address: www.metrolalc.org.au

Gadigal Information Service – was established to provide a community based media, arts and information service for the Aboriginal and Torres Strait Islander communities in Sydney. Leichhardt Council currently works in partnership with Gadigal Information Service to provide ‘Yabun Movie Night – Pics in the Park’ which is part of the Yabun Festival annually during January. Web address: www.gadigal.org.au

National Centre for Indigenous Excellence (NCIE) – opens 7 days a week. NCIE has a vision of an Australia where young Aboriginal and Torres Strait Islanders can create their own futures, with no limitations whilst remaining strong in their culture. NCIE’s mission is to work with their Pathway Partners to build futures for young Aboriginal and Torres Strait Islanders by cultivating talent and creating opportunities. Web address: www.ncie.org.au

15 Appendix

15.1 Permission for Child/ren to be photographed

Permission for Child/ren to be photographed

(It is standard practice in the interests of child protection to seek permission before photographing children)

I give permission for my child/ren (*insert name/s*)

.....

to be photographed whilst participating in the following activity/event

.....

on (*date*).....

for the sole purpose of

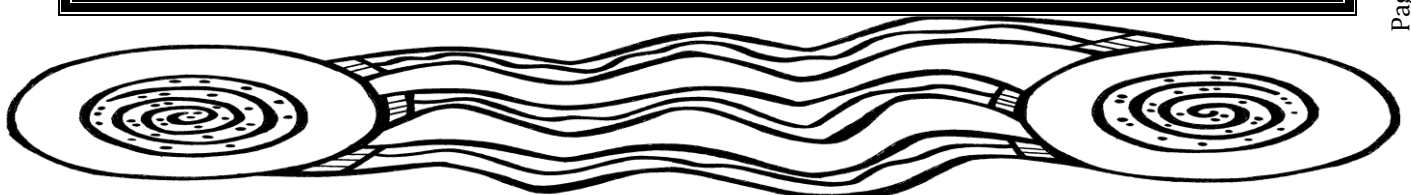
.....

.....

Signed Parent/Guardian

Parent/Guardian name (please print)

Date:





15.2 Sample of Media Permission Form

Media Permission Form

I.....give permission for my child to be included in a photograph taken by

.....
at
on *(insert date)*.....

I understand that this photograph may be used in *(Please state exactly what the photograph/film/ interview may be used for)*

.....
.....
.....

onlywill have access to this Photograph/ film/ interview transcript.

It will be stored at.....
after which they will be destroyed/returned to you.

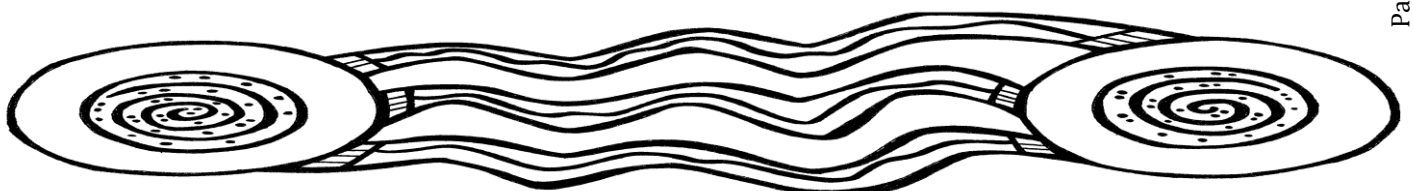
If not used it will be destroyed/returned to you within a period ofweeks/months.

Please contact
.....

to access or make any enquiries about any information/ material held by us on you and/or your child.

SignedParent/Guardian
Parent/Guardian name (please print).....

Date:





15.3 Fee Schedule for Cultural Practices in NSW

Cultural Practice	Certified Agreement	Min. Fee
Welcome to Country	NIL	\$350.00
Smoking Ceremony	Performers Certified Agreement (2005)	\$450.00
Didgeridoo Performance	Musicians Certified Agreement (2005)	\$600.00
Dancer Category 1 (inexperienced)	Performer's Certified Agreement (2005)	\$450.00
Dancer Category 2 (experienced)	Performer's Certified Agreement (2005)	\$600.00
Guest Lecturer (based on 2 hour preparation 1 hour delivery)	Enterprise Agreement (2002)	\$230.00
University of Sydney (Academic and Teaching Staff)	Enterprise Agreement (2002)	\$200.00

NB: This table was produced by the NSW Government Department of Aboriginal Affairs, all fees are negotiable and these fees are based on market rate. This table is a few years old, and rates may have changed since time of printing.

16 Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1	2006	Council	First Version
2	2009	Council	Second Version
3	2015	General Manager	Third Version



Aboriginal design of a Platypus and Kangaroo

