



Uncle Max Eulo performing a Smoking Ceremony.
Photograph by Joseph Mayers.

Sydney2030/**Green/Global/Connected**



Aboriginal and Torres Strait Islander Protocols

Adopted 12 November 2012

city of villages



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01

Introduction

The Council of the City of Sydney acknowledges Aboriginal and Torres Strait Islander peoples as the traditional custodians of our land – Australia. The City acknowledges the Gadigal of the Eora Nation as the traditional custodians of this place we now call Sydney.

In 1788, the British established a convict outpost on the shores of Sydney Harbour. This had far reaching and devastating impacts on the Eora Nation, including the occupation and appropriation of their traditional lands.

Despite the destructive impact of this invasion, Aboriginal culture endured and is now globally recognised as one of the world's oldest living cultures. Aboriginal peoples have shown, and continue to show, enormous resilience coupled with generosity of spirit towards other peoples with whom they now share their land.

The Council of the City of Sydney recognises that, by acknowledging our shared past, we are laying the groundwork for a future which embraces all Australians, a future based on mutual respect and shared responsibility for our land.

There are many sites across our local government area with historical and cultural significance for Aboriginal and Torres Strait Islander communities.

The City of Sydney works with, and has achieved much with Aboriginal and Torres Strait Islander people and the City's Aboriginal and Torres Strait Islander Advisory Panel, consistent with the Principles of Cooperation signed between the City of Sydney and the Metropolitan Aboriginal Land Council in 2006. The City is deeply committed to Reconciliation in partnership with its Aboriginal and Torres Strait Islander peoples.

Sustainable Sydney 2030 recognises Sydney's Aboriginal heritage and contemporary Aboriginal and Torres Strait Islander cultures. The Aboriginal and Torres Strait Islander communities in the City were extensively consulted for Sustainable Sydney 2030. The City of Sydney is committed to acknowledging, sharing and celebrating a living culture in the heart of our city.

An important part of showing respect for different cultures is acknowledging and accepting that we all have different codes of behaviour and ways of interacting. Council recognises that to consult and work with Aboriginal and Torres Strait Islander people effectively, it must show sensitivity to, and respect for, the cultural protocols of these communities.

02

What are Cultural Protocols?

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

Observing the cultural protocols of a community demonstrates respect for the cultural traditions, history and diversity of that community. It also shows a willingness to acknowledge that the processes and procedures of another cultural community are equally valid and worthy of the same respect as one's own cultural protocols.

03

Purpose of Cultural Protocols



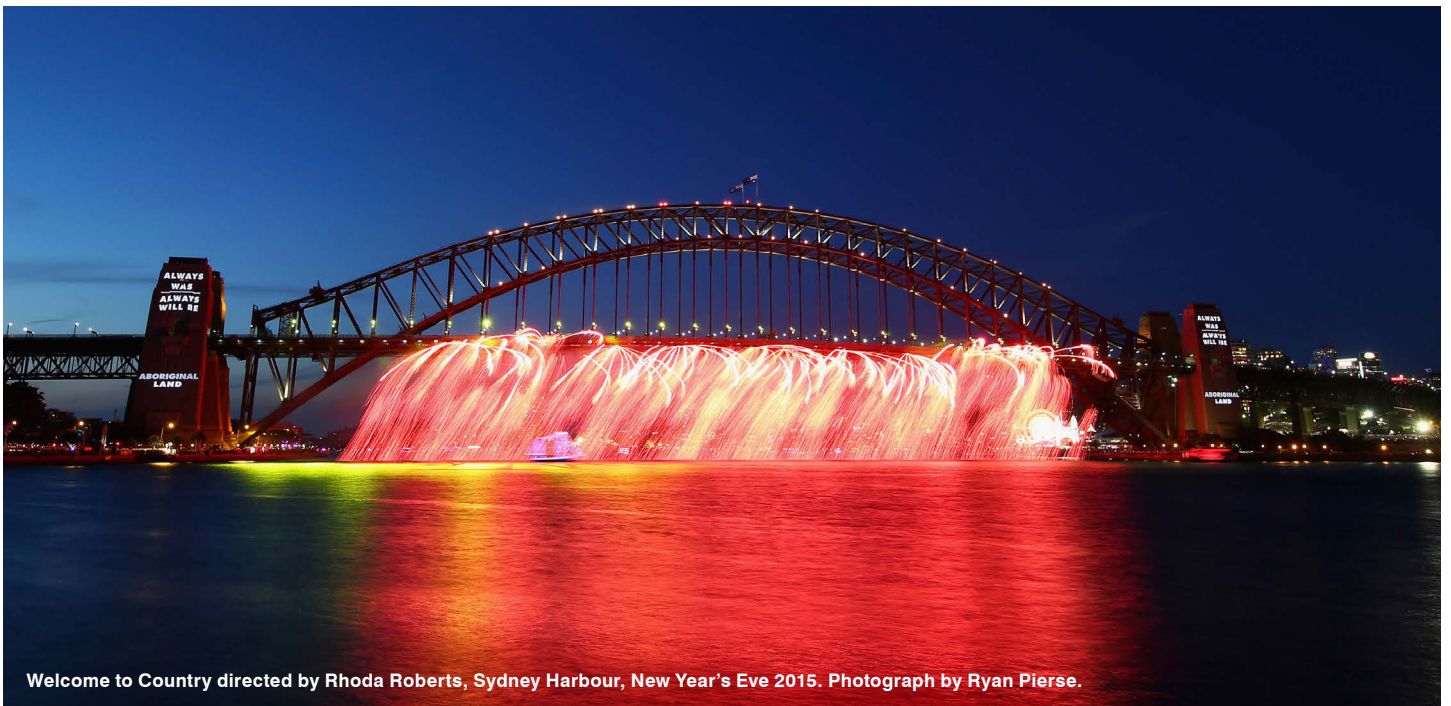
Aunty Millie Ingram welcomes people at NAIDOC in the City, 2014. Photograph by Joseph Mayers.

The purpose of this document is to provide Councillors, Council Officers, Staff and Volunteers at the City of Sydney with an understanding of some of the important protocols of the Aboriginal and Torres Strait Islander community. While this is not a complete list of protocols, staff should continue to consult with Aboriginal and Torres Strait Islander representatives about how and when to observe these and other protocols in the most appropriate manner. Observing Aboriginal and Torres Strait Islander protocols includes allowing time for traditional decision making and discussion.

04

04

Aboriginal and Torres Strait Islander History



Welcome to Country directed by Rhoda Roberts, Sydney Harbour, New Year's Eve 2015. Photograph by Ryan Pierse.

Before the arrival of European settlers, Aboriginal and Torres Strait Islander peoples inhabited most areas of the Australian continent. They spoke one or more of hundreds of separate languages and dialects, and their lifestyles and cultural traditions differed from region to region. Their complex social systems and highly developed traditions reflect a deep connection with the land¹.

¹ Australian Government, Department of Foreign Affairs & Trade: dfat.gov.au/aib/history.html

05

Local Aboriginal History

“United by common language, strong ties of kinship, and a rich saltwater economy, the Aboriginal inhabitants survived as skilled hunter-fisher-gatherers in family groups or clans scattered along the coast. They identified themselves as Eora (pronounced ‘yura’), meaning simply ‘the people’, a word derived from Ee (yes) and Ora (here, or this place), revealing their deep connection to the land. Their territory spread from the Georges River and Botany Bay in the south to Port Jackson (Sydney Harbour), north to Pittwater at the mouth of the Hawkesbury River and west along the river to Parramatta. It was an environment of bushland, sandstone cliffs and ridges, bays and coves, sandy ocean beaches, rocky headlands, mangrove swamps, creeks and tidal lagoons².”

Aboriginal people have always lived in Sydney. The original Aboriginal inhabitants of the City of Sydney local government area are the Gadigal people. The territory of the Gadi (gal) people stretched along the southern side of Port Jackson (Sydney Harbour) from South Head to around what is now known as Petersham. Their southern boundary is unclear.

There are about 29 clan groups of the Sydney Metropolitan Area, referred to collectively as the Eora Nation³. The Gadigal are a clan of the Eora Nation.

There has been extensive debate about which group or nation these 29 clans belong to. It is generally acknowledged that the Eora are the coastal people of the Sydney area, with the Dharug people occupying the inland area from Parramatta to the Blue Mountains. The Dharawal people’s lands are mostly confined to the area south of Botany Bay, extending as far south as the Nowra area, across to the Georges River in Sydney’s west. The Kuring-gai people occupied the area north of Port Jackson along the coast.

Aboriginal people have an unbroken and ongoing connection with the City of Sydney area. Because they lived around Sydney Harbour, the Eora were one of the first Nations to be directly affected by the arrival of the British in 1788. Despite the destructive impact of first contact, Gadigal culture survived. The Aboriginal communities here showed enormous resilience and generosity towards the British who took their land. As the town of Sydney developed into a city, the Gadigal were joined by other Aboriginal people from elsewhere in New South Wales, to live, work and forge relationships within the urban Aboriginal community. Aboriginal people in our city have a devastating yet profound past and a diverse yet shared future. The City of Sydney is committed to acknowledging, sharing and celebrating a living culture in the heart of our city.

More history about the Aboriginal peoples of Sydney can be found on the City’s website Barani (Yesterday): sydneybarani.com.au

² Eora Mapping Aboriginal Sydney 1770-1850 exhibition guide, State Library of NSW, 2006: sl.nsw.gov.au/events/exhibitions/2006/eora/index.html

³ Metropolitan Local Aboriginal Land Council website: metrolalc.org.au

06 Aboriginality



Members of the Aboriginal and Torres Strait Islander Advisory Panel. Photograph by Jamie Williams.

An Aboriginal or Torres Strait Islander person is someone who satisfies each of the following criteria:

- Is of Aboriginal or Torres Strait Islander descent;
- Identifies as an Aboriginal person or Torres Strait Islander; and
- Is accepted as such by the Indigenous community in which he or she lives.

It is offensive to question the ‘amount’ of Aboriginal or Torres Strait Islander blood an Aboriginal and Torres Strait Islander person may possess. The labels “half caste”, “quarter caste” and “full blood” are now considered racist terms and should not be used. It is advisable to ask people how they would like to be described. This may include where they come from or the community or clan with which they identify.

07

Aboriginal and Torres Strait Islander People

The City of Sydney acknowledges the Aboriginal and Torres Strait Islander people who live within its Local Government Area. Aboriginal and Torres Strait Islander people are distinct from each other ethnically, culturally and historically. While there are some similarities between the cultural protocols of Aboriginal and Torres Strait Islanders, it is important to remember that the history, culture and traditions of each are distinct and unique.

This document focuses on cultural protocols that are relevant to both the Aboriginal and Torres Strait Islander communities. These protocols are intended as a guide only, as there is enormous diversity among Aboriginal and Torres Strait Islander communities. For this reason, it is always important to verify any questions about procedure with the local Aboriginal or Torres Strait Islander communities before proceeding.

The following regional terms are used by Aboriginal and Torres Strait Islander society to identify the people who come from a particular area of Australia:

- New South Wales - Koori/Koorie; Murri; Goorie;
- Victoria - Koori/Koorie;
- South Australia – Nunga;
- Western Australia – Nyoongah;
- Northern Territory (top end) – Yolngu;
- Northern Territory (central) – Anangu;
- Queensland – Murri;
- Tasmania – Palawa;

These terms are used by Aboriginal and Torres Strait Islander people when referring to themselves and are generally not to be used by non-Aboriginal people. It is important for non-Aboriginal and Torres Strait Islander people to use these terms only when they have sought permission from the relevant people in the community. An exception is when using recognised industry names such as “Koori Mail” or “Koori Radio”.

08

Stolen Generations

The term “Stolen Generations” refers to the Aboriginal and Torres Strait Islander people who were forcibly removed as children from their families, homes and communities, in accordance with the official government policy at the time. Children were removed by churches, welfare bodies and governments and placed in institutional care or with non-Indigenous foster families. This policy of removal was managed in New South Wales by the Aborigines Protection Board (APB).

The Aborigines Protection Board – renamed the Aboriginal Welfare Board in 1940 – was established in 1883. It was the main government agency in this State to implement policy and legislation relating to Aboriginal people. In 1909 under the Aborigines Protection Act, the Board became responsible for administering Aboriginal stations and reserves throughout NSW and for providing food, clothing and housing for the people living there. They were given the power to remove Aboriginal children from their families without consent from their parents and (from 1915-1939) without a court order. The forced removal of children continued until 1969.

Under the White Australia and assimilation policies, Aboriginal and Torres Strait Islander people who were “not of full blood” were encouraged or made to become assimilated into the wider society so that eventually there would be no Aboriginal and Torres Strait Islander people left in Australia. The institutional homes used control, isolation and propaganda to break cultural ties. From 1957 – 1969 Aboriginal children were also placed in foster care with white families. Children were taken from their parents so that they could be brought up “white” and taught to deny and reject their Aboriginality.

As State wards, the children at the age of 15 had to leave the institutions and enter an ‘apprenticeship’; generally in domestic service (girls) or as rural workers (boys). Educational prospects were minimal and talent ignored. It was forced employment with little or no pay.

It is not known exactly how many Aboriginal and Torres Strait Islander children were taken as most records were either lost or deliberately destroyed. Many parents whose children were taken never saw them again, and siblings who were taken were deliberately separated from each other. Today many Aboriginal and Torres Strait Islander people still do not know who their relatives are or have not been able to find their families and other relatives.

Link-Up NSW was founded in the early 1980s as a voluntary organisation to assist Aboriginal and Torres Strait Islander people who had been separated from their families as children. It was formally incorporated under the Aboriginal Associations Act in 1985. Since it started, Link-Up has enabled members of the Stolen Generations to reconnect with their families and communities⁴.

The children forcibly taken from their families became known as the Stolen Generations. As the practice of removing children continued until 1969 this means there are Aboriginal and Torres Strait Islander people in their 30s and 40s who are part of the Stolen Generations and who suffer the effects of this removal policy every day, along with the families and relatives from whom they have been separated.

‘Bringing Them Home’ was a report on the national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families, published by the Commonwealth Government in 1997.

After more than ten years of public debate and lobbying, the Commonwealth gave an apology to the ‘Stolen Generations’ for the first time on 13 February 2008. On that day the then Prime Minister Kevin Rudd offered an apology for laws and policies of successive Parliaments and Governments in Australia that have inflicted profound grief, suffering and loss to the Stolen Generation and Aboriginal and Torres Strait Islander communities in Australia⁵.

⁴ Link Up NSW website: www.linkupnsw.org.au

⁵ Commonwealth of Australia (1997) Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families: hrcoc.gov.au/social_justice/bth_report

09

The City of Sydney's Aboriginal and Torres Strait Islander Community



Uncle Charles "Chicka" Madden, Welcome to Country, Reconciliation Park. Photograph by Katherine Griffiths

The City of Sydney's Aboriginal and Torres Strait Islander community is a diverse and vibrant community comprised of many Aboriginal and Torres Strait Islander people from language and community groups from all over Australia. There are many Aboriginal and Torres Strait Islander people who live in the City of Sydney who are Stolen Generations members, or have been affected by child removal policies.

According to the 2011 Australian Bureau of Statistics Census there was a recorded total of 2,176 City of Sydney residents who identified as Aboriginal or Torres Strait Islander. This was an increase from 1,982 at the 2006 Census and from 1,914 at the 2001 Census.

Based on suburbs in the City of Sydney, the principle areas where Aboriginal and Torres Strait Islander people reside are Waterloo – 387; Redfern – 290; Glebe – 280; Surry Hills – 148; Alexandria – 125; Erskineville – 104; and Woolloomooloo – 103.

10

Respecting Traditional Protocols

10.1 Traditional Owners and Custodians

Traditional Owners and Custodians are the terms used to describe the original Aboriginal or Torres Strait Islander people who inhabited an area. Traditional Custodians today are descendants of these original inhabitants and have continuing spiritual, cultural, political and often physical connection with particular land where their ancestors lived. The Traditional Owners and Custodians of the City of Sydney Local Government Area are known as the Gadigal people. For more information regarding Traditional Owners and Custodians please contact the Metropolitan Local Aboriginal Land Council.

10.2 Elders

In traditional Aboriginal and Torres Strait Islander cultures, Elders are custodians of traditional knowledge and customs and are responsible for providing guidance to the community on cultural matters and cultural protocols. It is the Elders who hold the history, know the culture and pass on the laws that govern the community. The term “Elder” is used to describe people who have knowledge, wisdom and the respect of the local community. Elders are not necessarily older people, but must have the trust and respect of their community and be recognised as cultural knowledge keepers.

10.3 Gender Protocols

Aboriginal and Torres Strait Islander society still regards some information as specific and sacred to either men or women. This knowledge is sacred and recorded in a way that only men or women can access. It is not likely that a council will be able to distinguish between men’s and women’s business. The City needs to be aware that such issues exist and seek advice from Aboriginal and Torres Strait Islander people about when they are likely to arise and how to manage such issues⁶.

10.4 Naming the Deceased

In many Aboriginal and Torres Strait Islander communities it is offensive to refer to a deceased person by name or to show photographic images of the person during the mourning period, unless agreed to by the relevant family. Mourning periods differ between communities; sometimes the person’s name or image cannot be used for a week or a year, sometimes it is for an indefinite period.

Before using the name of a deceased person or publishing their image, it is essential to obtain the family’s permission. Many organisations and publishers use cultural warnings in publications to avoid causing offence to the families of the deceased. An example of this type of cultural warning can be found on the City of Sydney’s Barani Website:

“Barani contains the history, life stories and images of many Indigenous men and women who have made great contributions to their people and their country. The story of Aboriginal Sydney could not be told without recognising their achievements.”

In some Aboriginal communities, seeing the names and photographs of dead people may cause sadness and distress, particularly to relatives of those people⁷”.

⁶ Department of Local Government NSW and the Local Government and Shires Association of NSW, Engaging with local Aboriginal communities: A resource kit for Local Government in New South Wales, (2007).

⁷ City of Sydney, Barani website: sydneybarani.com.au

10.5 Welcome to Country

A “Welcome to Country” or “Traditional Welcome” is where the traditional Aboriginal or Torres Strait Islander custodians welcome people to their land at the beginning of a meeting, event or ceremony. This welcome must be conducted by an appropriate person such as a recognised Elder from the local area. Welcome to Country enables the Traditional Custodians to give their blessing to the event and is an important mark of respect for Aboriginal and Torres Strait Islander people as Australia’s original inhabitants. For more information on what events need a Welcome to Country or for appropriate people to conduct Welcome to Country please contact the Metropolitan Local Aboriginal Land Council.

10.6 Acknowledgement of Country

“Acknowledgement of Country” is where other people acknowledge and show respect for the Traditional Custodians of the land on which the event is taking place. This acknowledgement is a sign of respect and should be conducted at the beginning of a meeting, event or ceremony. Acknowledging Country may also take place when traditional Elders are not available to provide an official Welcome to Country. It is important to note in the acknowledgement that Aboriginal and Torres Strait Islander people continue to live in the City of Sydney area to which they have continuing spiritual and cultural ties. The following is considered appropriate wording for an Acknowledgement of Country.

“I would like to acknowledge the Gadigal people of the Eora Nation, the traditional custodians of this land and pay my respects to the Elders both past and present.”

For more information on what types of events need an Acknowledgement of Country or for details on the process please contact The Metropolitan Local Aboriginal Land Council.

10.7 Smoking Ceremony

Smoking ceremonies are undertaken in Aboriginal communities to cleanse the space in which the ceremony is taking place. The Smoking Ceremony is a ritual of purification and unity and is always undertaken by an Aboriginal person with specialised cultural knowledge. This is a very significant ceremony and is performed only at events deemed appropriate by the Aboriginal or Torres Strait Islander community.

10.8 Acknowledgement of Elders

Acknowledging Elders is an important mark of respect for the Elders of the Aboriginal and Torres Strait Islander community including, but not limited to, Traditional Owners or Custodians. This acknowledgment can follow the Welcome to Country or Acknowledgment of Country with the speaker paying respect to Elders past and present.

The acknowledgment of Elders statement for Council could be appropriately worded:

“I would like to pay respect to the Elders both past and present of Sydney and extend that respect to other Aboriginal and Torres Strait Islander Australians who are present⁸”.

10.9 Other Events and Ceremonies

An increasing number of people are Acknowledging Country in events and ceremonies undertaken by Council and in the community without Aboriginal and Torres Strait Islander involvement. It is becoming recognised that some acknowledgement should be given to the local Aboriginal people of the area. Representatives of Council should always consult with the Aboriginal community, Aboriginal Community Development Officer and or Metropolitan Local Aboriginal Land Council to make sure they have correctly identified the Traditional Owners and Custodians and have the correct wording for Acknowledging Country.

10.10 Fee for Services

It is important to acknowledge that Aboriginal people are using their intellectual property whenever they carry out a cultural ceremony or an artistic performance and it is appropriate that they receive payment for the service. The payment should take into account travel to the event, time and complexity of the service and the profile of the event.

The Department of Education and Communities, Office of Communities, Aboriginal Affairs, maintains a fee for service schedule. The schedule sets minimum fees for a range of Aboriginal cultural services. This schedule is only a guide and can be found within their “Aboriginal Cultural Protocols and Practices Policy⁹”.

For the most recent fees paid by the City for specific services, please contact the Aboriginal Community Development Officer.

⁸ Blue Mountains City Council, Aboriginal Cultural Protocols, (2010).

⁹ Department of Education and Communities, Office of Communities, Aboriginal Affairs, Aboriginal Cultural Protocols and Practices Policy: daa.nsw.gov.au/policies/policyreperformance.html

11

Respecting Culture and Heritage

11.1 Copyright, Cultural Ownership and Intellectual Property Rights

According to the World Intellectual Property Organisation, copyright is a legal term describing rights given to creators for their literary and artistic works. Intellectual property laws govern the use, production and dissemination of original artistic works. Copyright is designed to prevent the unauthorised use by others of such works.

In Australia, copyright law is set out in the Copyright Act 1968. The Copyright Act is federal legislation and as such applies throughout Australia.

The works covered by copyright include novels, poems, plays, reference works, newspapers, computer programs, databases, films, musical compositions and choreography, paintings, drawings, photographs, sculpture, architecture, advertisements, maps and technical drawings.

Aboriginal and Torres Strait Islander intellectual property consists of the intangible ideas and knowledge associated with Aboriginal and Torres Strait Islander artistic works and designs and other forms of cultural expression such as Indigenous music, dance, song and story.

Copyright and the protection of intellectual property are key issues to be aware of when working with the Indigenous community. Aboriginal and Torres Strait Islander people are the custodians of their culture and have the right to own and control their cultural heritage. Unfortunately the cultural and intellectual property rights of Aboriginal and Torres Strait Islander Australians are not always recognised or appropriately respected and our existing laws provides limited recognition of and protection for these rights.

There are no special provisions for Aboriginal and Torres Strait Islander works in the Copyright Act and no recognition of customary or traditional Aboriginal and Torres Strait Islander laws. Copyright law applies to Indigenous artistic works in the same way as it applies to other artistic works. Consequently:

- As copyright in an artistic work usually lasts for the life of the artist plus 70 years, there is no copyright protection for ancient Aboriginal and Torres Strait Islander artworks such as rock art;
- Because copyright does not protect ideas, methods, or styles, it does not prevent others artists using styles belonging to Aboriginal and Torres Strait Islander communities such as dot painting or cross hatching;
- Because copyright law applies only to works which have been “recorded” in some way, it does not protect aspects of Aboriginal and Torres Strait Islander culture which have never been written down such as some music or stories; and
- Under the Copyright Act there is an obligation only to get permission from a copyright owner and not from an Aboriginal and Torres Strait Islander community whose customary laws apply to the use of a work¹⁰.

The report *Our Culture, Our Future: Report on Australian Indigenous Cultural and Intellectual Property Rights* (1998) by Terri Janke provides an important overview of the issues surrounding the protection of Indigenous culture and heritage .

The former Aboriginal and Torres Strait Islander Commission (ATSIC) adopted a working definition of “Indigenous Cultural and Intellectual Property” (ICIP) which lists some of the key components of Aboriginal and Torres Strait Islander heritage as outlined below. When working with Aboriginal and Torres Strait Islander people it is imperative that ICIP rights and copyright are observed and safeguarded in relation to all of the following:

¹⁰ Janke, Terri, *Our Culture, Our Future. Report on Australian Indigenous Cultural and Intellectual Property Right*, prepared for Australian Institute of Aboriginal and Torres Strait Islander Studies and the Aboriginal and Torres Strait Islander Commission, (1998). nla.gov.au/nla.arc-55164

- Literary, performing and artistic works (including songs, music, dances, stories, ceremonies, symbols, languages 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); and
- Documentation of Indigenous peoples' heritage in archives, film, photographs, videotape or audiotape and all forms of media.

Permission should be obtained from the traditional owners before using any material which relates to their cultural heritage. They should be consulted on how the community will be attributed and given the opportunity to approve the way in which the material is used.

For detailed information and advice on observing Indigenous cultural heritage rights, the Aboriginal and Torres Strait Islander Arts Board of the Australia Council has developed a series of five Indigenous protocol guides on the following topics:

- Writing Cultures;
- Performing Cultures (Drama/Dance);
- Visual Cultures;
- Song Cultures; and
- New Media Cultures.

These protocol guides refer to appropriate conduct when interacting with Aboriginal and Torres Strait Islander people and their communities. Although they are not legally binding, they are made in good faith and encourage mutual respect. They can be obtained by contacting the Australia Council or downloaded directly from their website.

Aboriginal and Torres Strait Islander Arts Board,
Australia Council

Ph: 9215 9000

Fax: 9215 9061

Toll Free: 1800 555 677

Email: mail@australiacouncil.gov.au

australiacouncil.gov.au

Mainstream organisations providing advice or information about copyright and the protection of intellectual property rights include:

Arts Law Centre of Australia

www.artslaw.com.au

Copyright Council

www.copyright.org.au

World Intellectual Property Organisation

www.wipo.int

“There are many common stereotypes of Aboriginal peoples. One is that we are all the same and conform to the idealised image of the naked Aborigine standing with spear in hand watching the sun set. This is a picture which quickly dissolved into the reality of the 21st century. We are as different as the landscapes of coast, desert, rainforest and snowy mountains. The land is different and so are we, the first peoples of the land.” Dr Irene Watson, Aboriginal lawyer, writer and activist, 2001, Lonely Planet Aboriginal Australia and the Torres Strait Islands Travel Guide”

11.2 Aboriginal and Torres Strait Islander Media

Some media publications and programs have a large Aboriginal and Torres Strait Islander audience. The National Indigenous Times, Koori Mail, Gadigal Information Services (or Koori Radio) and the ABC’s Message Sticks are all useful reference points for information about Aboriginal and Torres Strait Islander communities. Any consultation process or Council information relating to Aboriginal and Torres Strait Islander people should, where possible, be advertised via a combination of the publications and programs and delivered through a variety of relevant media.

11.3 Challenging Stereotypes

A “stereotype” is a generalisation about a person or group of people which does not acknowledge individual differences and which is often prejudicial to that person or group. Racial or ethnic stereotypes are labels or categories that people use to define people from a different race or ethnic background.

Unfortunately there are numerous stereotypes of Aboriginal and Torres Strait Islander Australians, which are often perpetuated by the Australian media. These stereotypes can be damaging to relations between Aboriginal and Torres Strait Islanders and non-Aboriginal and Torres Strait Islander Australians and can lead to acts of discrimination and racism.

There is enormous diversity among the Aboriginal and Torres Strait Islander communities. They are made up of many different cultural groups, with different histories, languages, beliefs, opinions and traditions.

Some negative stereotypes have led to sweeping generalisations about Aboriginal and Torres Strait Islander people that are unfair and unfounded.

Other stereotypes reflect traditional images of Aboriginal and Torres Strait Islanders and fail to recognise their contemporary, progressive contributions to Australia's history, culture and economy.

Listed below are some of the more common stereotypes experienced by Aboriginal and Torres Strait Islander Australians. When working with these communities it is important to be aware of these stereotypes and to challenge them wherever possible.

- All Aboriginal and Torres Strait Islander people are welfare dependent, or abuse alcohol and drugs;
- Aboriginal and Torres Strait Islander people of mixed descent are not “truly” Aboriginal;
- All Aboriginal and Torres Strait Islander people will know or have heard of another Aboriginal and Torres Strait Islander person, or are experts on everything to do with Aboriginal and Torres Strait Islander culture;
- Aboriginal and Torres Strait Islander people don't want to work;
- Aboriginal and Torres Strait Islander people commit crime;
- Too much money is spent on Aboriginal Affairs; and
- Only Aboriginal and Torres Strait Islander people who choose to live in traditional societies are “truly Aboriginal and Torres Strait Islander”.

11.4 Permission to be photographed or filmed

Before filming or taking photographs 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 photographs will be used. Film or photographs obtained for Council publications are not to be released to the media or any external agency without the written consent of the person or people involved (see Appendix A for an example of the form).

11.5 Photographing or Interviewing Children

If a child's photograph or interview is to be included in any media, including the City's own publications, written permission must be obtained from the parent before taking the photograph or recording the interview. 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.

This policy must be clearly explained to external organisations that want to photograph or interview children in Council's care, for inclusion in any form of media.

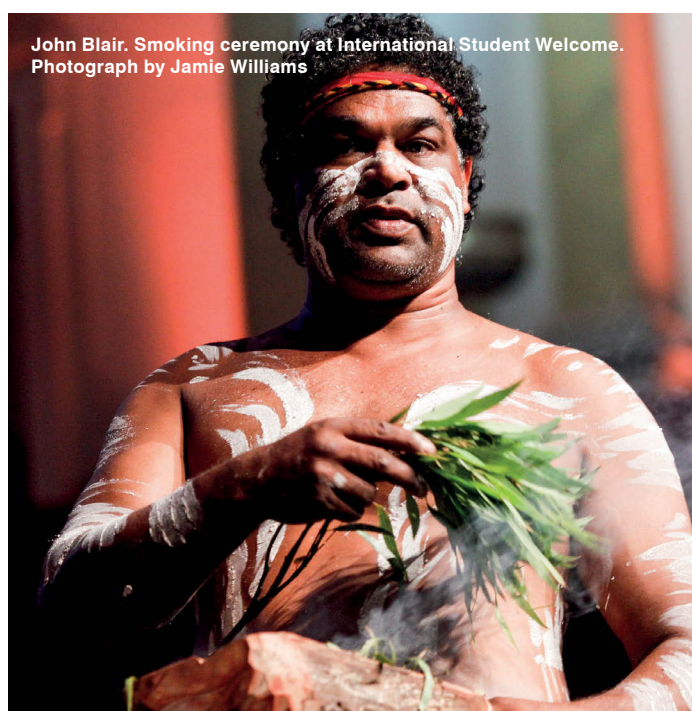
11.6 Media, Publications, Art and Signage

The Interpretation Australia Association (IAA) has developed a number of guidelines for the interpretation of Aboriginal and Torres Strait Islander heritage in natural and cultural settings. These guidelines should also be applied more generally to all Council's publications or artwork that depict or represent Aboriginal and Torres Strait Islander culture, including brochures, newsletters, posters, reports, signage, web information, videos, photographs, motifs, clothing, oral recordings, music and public art. The IAA Guidelines are:

- The content of all copy and text and selection of images is subject to community advice;
- Develop proposals jointly with the community from the outset and observe protocols regarding written and visual resources;
- The whole design process should be subject to community advice. 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 culturally sensitive;
- Ensure Aboriginal and Torres Strait Islander 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;
- Consider using Aboriginal and Torres Strait Islander names as the norm, with colonial names as secondary.
- Use the present tense when discussing people and country; and
- All signs placed in natural or cultural settings should acknowledge the local Aboriginal and Torres Strait Islander people in accordance with their wishes. This should involve policies developed across agencies and ideally across the whole of Government.

12

Aboriginal and Torres Strait Islander Community Consultation



John Blair. Smoking ceremony at International Student Welcome. Photograph by Jamie Williams

12.1 City of Sydney Aboriginal and Torres Strait Islander Advisory Panel

On 15 December 2008, Council appointed the City of Sydney's first Aboriginal and Torres Strait Islander Advisory Panel made up of community and industry professionals, youth and Elders. Panel members are from Aboriginal and Torres Strait Islander background and live or work in the City of Sydney area.

The Terms of Reference for the Panel were adopted by Council on 14 February 2011. The primary role of the Aboriginal and Torres Strait Islander Advisory Panel is to provide advice to guide the policies and operations of the City of Sydney in matters of importance to the Aboriginal and Torres Strait Islander community, including:

- advising Council on the needs of Aboriginal and Torres Strait Islander people living in the City of Sydney's LGA;
- promoting an increased knowledge and understanding of Aboriginal and Torres Strait Islander culture and society in the wider community and developing the interests of Aboriginal and Torres Strait Islander people in the local area;
- advising Council on the development and implementation of Council's Sustainable Sydney 2030 Strategy, the City of Sydney's Social Plan and other relevant plans as they are adopted by Council;
- providing strategic advice to Council and making recommendations to Council;
- advising Council on programming of Aboriginal and Torres Strait Islander events;
- providing input to policy development, planning and advice to Council across all areas where there is likely to be an impact on Aboriginal and Torres Strait Islander people; and
- actively promoting and facilitating reconciliation between Aboriginal and Torres Strait Islander peoples and Council.

12.2 Why consult the Aboriginal and Torres Strait Islander Community?

When consulting Aboriginal and Torres Strait Islander communities it is important to select consultation mechanisms that are culturally sensitive and appropriate. It is always best to seek guidance from local community leaders before beginning a consultation process. The following principles should underpin all community consultation processes involving the Aboriginal and Torres Strait Islander Communities:

- Council recognises the Gadigal People, part of the Eora Nation, as the traditional owners of the land. It recognises and celebrates the rich culture and strong community values that Aboriginal and Torres Strait Islander Australians provide to City of Sydney today. Council also recognises the Indigenous community's right to self-determination;
- It is important to be respectful of cultural protocols and practices and seek advice from community leaders before any consultation process.
- The Elders of a community are central to all negotiations and it is very important to gain their approval and support of a project from the outset;
- Within the City of Sydney Local Government Area, The Metropolitan Local Aboriginal Land Council was established following the introduction of the New South Wales Aboriginal Land Rights Act in 1983 and is recognised as the custodian of Aboriginal land, cultural sites and landscapes. It is appropriate that any issues about Aboriginal land and heritage be addressed in close consultation with the Metropolitan Local Aboriginal Land Council;
- Community leaders and organisations should be researched and identified, as well as the best method for communicating with them. It is important to consult widely, inviting participation from all the key

Aboriginal and Torres Strait Islander organisations. One organisation does not represent the interests of the entire community, and talking only to one or two organisations is not acceptable protocol and will not facilitate support from the wider community;

- Many Aboriginal and Torres Strait Islander communities have been deeply affected by inappropriate policies and practices of past governments. For this reason it is essential to take the time to build long-term relationships with each community. These relationships must be based on trust, respect and honesty. It is important to honour any commitments made to the community, and to find appropriate consultation mechanisms that ensure an open dialogue exists between the community and Council; and
- Decision-making in Aboriginal and Torres Strait Islander communities is a consultative and participatory process with all community members being invited to have their say before a decision is made. Part of respecting cultural protocols involves allowing enough time for traditional decision-making processes and working with the community at an agreed and acceptable pace.

South Sydney Koori Interagency Network (SSKIN) is a voluntary network and is a forum for Aboriginal and non-Aboriginal people living and working in South East Sydney. The Interagency includes representatives from a range of government and non-government organisations and is also open to individuals. The Interagency is an excellent resource and can provide valuable guidance on issues relating to Aboriginal and Torres Strait Islander communities. The Interagency meets on the first Thursday of each month at various locations. For more information, contact the Aboriginal Community Development Officer at the City of Sydney or go to: sydneykin.org.au

12.3 Obtaining permission from the community

Before work begins on any Council project that may affect the Aboriginal or Torres Strait Islander community or is related to their culture and heritage it is important to seek appropriate permission. Strong working relationships should be built with local Aboriginal and Torres Strait Islander organisations and they can be consulted about the correct methods for gaining appropriate permission within the community.

It must be recognised that Aboriginal and Torres Strait Islander people have the right to own their history and cultural knowledge and continue to do so. This is especially significant because past practices denied Aboriginal and Torres Strait Islander people a sense of ownership of their histories and cultural knowledge.

Sometimes permission to undertake certain work will be refused. Refusal often may relate to specific issues that might be secret or sacred, men's or women's business or could relate to death customs or beliefs.

12.4 Communication and Language

When consulting the Aboriginal and Torres Strait Islander community, it is best to be honest, open and sincere in all aspects of communication.

For many Aboriginal and Torres Strait Islander people, the natural way to communicate information is indirectly. Some may find the direct communication approach by non-Aboriginal and Torres Strait Islander people too confronting or find it creates awkwardness. This may lead to failures of communication.

Choose appropriate language and delivery when communicating with the community.

Avoid using jargon such as technical terms or acronyms. When such terms cannot be avoided give a full explanation.

Do not use Aboriginal or Torres Strait Islander language or community words (if you are not Aboriginal or Torres Strait Islander) in formal consultations.

Some alternatives for commonly mis-used words are:

Inappropriate	Replace with	
ATSI	Aboriginal and Torres Strait Islander	<i>Singular and plural</i>
Aborigines	Aboriginal people or Aboriginal community	<i>Plural</i>
Islander	Torres Strait Islander	<i>Singular</i>
Islanders	Torres Strait Islanders or Torres Strait Island community	<i>Plural</i>
Indigenous	Aboriginal and Torres Strait Islander	<i>Singular and plural</i>

12. Cultural understanding, sensitivity and confidentiality

There are many differences in the way Aboriginal and Torres Strait Islander and non-Aboriginal and Torres Strait Islander people interact and communicate.

One difference is the use of an introductory protocol when meeting for the first time. You may have to provide some background information about yourself to establish who you are before the consultation begins. This introduction is the first step towards building rapport with the community. It may take several meetings to establish a good level of rapport and build credibility with the community before consultation can be fully effective.

Another difference is the time taken to make important decisions. Often groups will discuss matters with community leaders, community members and families before making decisions. Flexibility should be allowed when setting times for community decision making.

Silence should not be misinterpreted as a lack of understanding. Often Aboriginal and Torres Strait Islander people remain silent when they are listening and thinking about an unfolding discussion. Silence can also mean that people do not wish to give an immediate opinion and prefer to contribute after more consideration. In some cases silence may be used as a form of cultural politeness or quiet protest when people do not agree with the discussion or information being presented.

Information shared during consultation must remain confidential in keeping with the principles of Aboriginal and Torres Strait Islander intellectual property rights. Any sacred information or material shared, for example the location of special sites such as men's initiation area or a burial place, must remain secret. Knowledge of rites, cultural practices and customary laws should not be shared publicly.

It is important to determine with the group being consulted what is and what is not confidential or secret information and what can be discussed with other parties.

Do not put Aboriginal or Torres Strait Islander people on the spot with an unannounced request then expect an immediate response. This may make many Aboriginal and Torres Strait Islander people feel uncomfortable. In some cases they will need to consult others before they can respond. Be aware that not every Aboriginal or Torres Strait Islander person will want to speak publicly about their culture, history, family, or issues that affect the community.

12.6 Who should you consult?

When consulting or giving information to the Aboriginal and Torres Strait Islander community, the most appropriate protocol is to first approach Traditional Owner and Custodian groups, Aboriginal and Torres Strait Islander community based organisations and community representatives. Community organisations will often pass on information to their members about consultations. Individual organisations cannot represent the interests of the whole community, therefore it is an appropriate protocol to consult with as many local organisations as possible.

Broader consultations will be more appropriate for significant issues because not all Aboriginal and Torres Strait Islander community members belong to organisations. It may be necessary to hold community information sessions on such issues with follow up individual or small group consultations for community members who have expressed interest in the matter.

Further information about consulting with Aboriginal and Torres Strait Islander communities can be found in the Communities NSW publication, *Working with Aboriginal Families and Communities*, available on the website: community.nsw.gov.au¹¹

12.7 Working together

When consulting face-to-face or by telephone, be prepared to talk generally before getting to the purpose of your call. This is often a part of the rapport and trust building process used by community members. Using a too-direct approach for important issues may inhibit effective communication.

As with any dealing with the public, be open, honest and down-to-earth and do not promise anything that may not be achievable. Work towards stepping stones that are achievable and may bring higher level results in the longer term. Bringing results will strengthen your community rapport and your track record as a person who delivers.

12.8 Formal meetings

Do not expect agreements to be reached at consultation meetings. Meetings should be viewed as an opportunity to provide information to the Aboriginal and Torres Strait Islander community or to report back on successful agreements.

Meetings should be timed for the convenience of those who are invited and recognise that certain days may not be appropriate. It is useful to send a meeting reminder shortly before your meeting as Aboriginal and Torres Strait Islander cultural obligations (particularly in relation to illness or deaths in the community) will often take precedence above western obligations.

Community meetings should not be used to force decisions or extract information from the community.

Other advice for meetings:

- Do not question community members about their opinions;
- Do not publicly ask people for the source of their information;
- Be diplomatic if you need to correct what another person has said;
- Do not use personal references or names (for example *“such and such likes this idea”* or *“I heard the community supports this idea”*);
- Do not directly criticise anyone; and
- Do not undermine the personal dignity of anyone present.

In meetings, cultural and political elements come into play and Aboriginal and Torres Strait Islander people may react in ways that differ from those of non-Aboriginal and Torres Strait Islander people. There may be many more people quietly talking or moving around, but this does not mean people are not paying attention or are being disrespectful. When people speak they may work gradually towards the topic by talking first about other matters or stories. There may not be many questions from people at the meeting because in many Aboriginal and Torres Strait Islander communities, it is considered bad manners to be too inquisitive. Also many Aboriginal people will resist answering questions that they feel intrude on their privacy.

¹¹ Working with Aboriginal Families and Communities, Communities NSW website: community.nsw.gov.au/for_agencies_that_work_with_us/childrens_services/aboriginal_access/aboriginal_resources.html

13

The Australian Aboriginal and Torres Strait Islander Flags

The Australian Aboriginal flag and Torres Strait Islander flag were proclaimed as flags of Australia under section 5 of the Flags Act 1953 on 14 July 1995.

13.1 The Australian Aboriginal Flag

The Aboriginal flag is divided horizontally into equal halves of black (top) and red (bottom), and has a yellow circle in the centre. The black symbolises the Aboriginal people, the red represents the earth and the colour of ochre used in Aboriginal ceremonies, and the yellow circle represents the sun. Harold Thomas is recognised as having created the flag in 1970. It has now become widely recognised as the flag of the Aboriginal people.

The copyright licence for the manufacture and marketing of the Aboriginal flag has been awarded by Mr Harold Thomas to Carroll and Richardson Flags. Permission to reproduce the Aboriginal flag can be sought from:

Carroll and Richardson Flags

22-24 Miles Street
Mulgrave VIC 3170
Ph: 03 9566 4500

Or

Mr Harold Thomas

PO Box 41807
Casuarina
Northern Territory 0810

13.2 The Torres Strait Islander Flag

The Torres Strait Islander flag has three horizontal panels, the top and bottom panels are green and the middle one blue. These panels are divided by thin black lines. The green is for the land, the blue is for the sea and the black represents the Torres Strait Islander people. In the centre of the flag is a white Dari (dancer's headdress), which is a symbol for all Torres Strait Islander people. Underneath the Dari is a white five-pointed star. These five points represent the island groups in the Torres Strait and the white stands for peace.

The Torres Strait Islander flag was created by Bernard Namok of Thursday Island. It was formally adopted during the 1992 Torres Strait Islands Cultural Festival.

Permission to reproduce the Torres Strait Islander Flag should be sought from:

The Secretary

The Island Co-ordinating Council
PO Box 501
Thursday Island
Queensland 4875
Ph: (07) 4069 1446
Fax: (07) 4069 1868

13.3 Flying the Aboriginal and Torres Strait Islander Flags

On 5 June 2000, the Council of the City of Sydney passed a resolution to fly the Australian Aboriginal flag at the Sydney Town Hall alongside the Australian National flag, the State flag of NSW and the City of Sydney flag. These flags are also flown at other Council buildings where possible. This decision forms part of Council's commitment to the Indigenous people of Australia and recognises their role as the original owners of this land.

Council also flies the Aboriginal and Torres Strait Islander flags on the flag poles mounted on the exterior domes of Sydney Town Hall during NAIDOC (National Aboriginal and Islander Day of Celebration) Week (first week in July), National Reconciliation Week (27 May-3 June) and National Sorry Day (26 May).



Aboriginal Flag

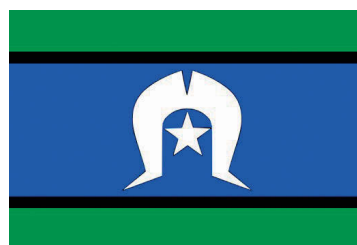
The black symbolises the Aboriginal people, the red represents the earth and the colour of ochre used in Aboriginal ceremonies, and the yellow circle represents the sun.

13.4 Flag Protocols

When flying the Australian flag with the Aboriginal, Torres Strait Islander and City of Sydney flags, the flag order should follow the rules of precedence. The Australian flag should always be flown on the far left of a person facing the flags (with the exception of a flag pole fitted with a gaff). The Aboriginal flag and Torres Strait Islander flags are flown next and finally the City of Sydney flag. The Australian national flag will always be given precedence (Australian Flags, 1998).

Always make sure that both flags are reproduced, hung and depicted in the correct way and that the Aboriginal flag is used for business relating to the Aboriginal community and that the Torres Strait Islander flag is used for business relating to the Torres Strait Islander community.

Permission needs to be sought if you are reproducing either flag for commercial use or in reports or brochures. For guidance about using the both the Aboriginal and Torres Strait Islander flags contact the Department of Prime Minister and Cabinet at itsanhonour.gov.au



Torres Strait Islander Flag

The green is for the land, the blue is for the sea and the black represents the Torres Strait Islander people. In the centre of the flag is a white dari (dancer's headdress), which is a symbol for all Torres Strait Islander people. Underneath the dari is a white five-pointed star. These five points represent the island groups in the Torres Strait. The white stands for peace.

14

Important dates for the Aboriginal and Torres Strait Islander community

Significant dates in the Aboriginal and Torres Strait Islander calendar are outlined below. Depending on the occasion, these dates are marked by the Aboriginal and Torres Strait Islander communities in a variety of ways, including ceremonies, celebrations, events and activities.

Invasion Day/Survival Day/ Yabun Festival	26 January
National Apology to the Stolen Generations	13 February
Harmony Day	21 March
National Close the Gap Day	3rd Thursday in March
Coloured Digger March / ANZAC Day	25 April
National Sorry Day	26 May
Anniversary of the 1967 Referendum	27 May
National Reconciliation Week	27 May – 3 June
Mabo Day	3 June
Coming of Light Festival	1 July
NAIDOC Week	First week in July
National Aboriginal and Islander Children's Day	4 August
National Day of the World's Indigenous People	9 August
NSW Koori Knockout (Rugby League)	October long weekend
Human Rights Day/ Anniversary Redfern Speech	10 December

14.1 Invasion Day/Survival Day/ Yabun Festival

Australia Day is a day of celebration for most Australians. However, for Aboriginal and Torres Strait Islander people, it is a day that represents invasion, dispossession and loss of culture and sovereign rights. For this reason many Aboriginal and Torres Strait Islander people choose to refer to Australia Day as Survival Day.

The Survival Day concept was born out of the 1988 Bicentenary Australia Day celebrations in Sydney. These celebrations were marked by a large gathering and protest march by the Aboriginal community, many of whom had travelled to Sydney from all over Australia. Significant numbers of non-Aboriginal people also joined in the march from Redfern Oval to Hyde Park, with a crowd estimated at 40,000 people. Many Aboriginal Australians who took part in the Bicentennial marches felt they would like to have an alternative celebration which told the story of how their history and culture had survived since colonisation.

From this march grew the concept of “Invasion Day” and “Survival Day”, marking the anniversary of the beginning of land loss, but also recognising the survival and resilience of Aboriginal and Torres Strait Islander people. In 1992 the first Survival Day concert was held at La Perouse, moving to Waverley Oval near Bondi Beach in 1998.

The Survival Concert in the 1990s was one of the biggest Aboriginal cultural events of the year and had been entirely initiated and coordinated by the Aboriginal community. Although La Perouse hosted the concerts for many years, now many Aboriginal and Torres Strait Islander communities across New South Wales host their own local Australia/Survival Day ceremonies and celebrations¹².

Presented by Gadigal Information Service since 2003, the Yabun Festival is a one-day festival that celebrates the ongoing survival of Aboriginal and Torres Strait Islander cultures. Yabun is one of the most important arts and music events in Australia reflecting the huge wealth of creative talent in established and emerging artists. It is held annually at Victoria Park on 26 January.

14.2 National Apology to the Stolen Generations

On 13 February 2008, Prime Minister Kevin Rudd apologised on behalf of all Australians for the laws and policies which afflicted pain, suffering and loss on the ‘Stolen Generations’ of Indigenous peoples. The Apology was adopted by the Commonwealth Parliament with the support of all political parties.

The national Apology was a recommendation of the Bringing Them Home Report 1997 (section 5(a)). The Report identified that a national Apology would contribute to the proper recognition of Aboriginal and Torres Strait Islander Australians as our first nations’ peoples and to validate the need for national healing and reconciliation¹³.

To signify recognition and respect, the national Apology should be spelt with a capital ‘A’.

14.3 Harmony Day

The Diverse Australia Program is an Australian Government initiative that evolved from the Living in Harmony program which was established in 1998. The Diverse Australia Program engages all Australians to take a stand against cultural, racial and religious intolerance by promoting respect, fairness, inclusion and a sense of belonging for everyone. This gives all Australians the opportunity to share with others the importance of diversity in our communities.

A core component of the Diverse Australia Program is the celebration of Harmony Day. Harmony Day falls on 21 March annually and coincides with the United Nations International Day for the Elimination of Racial Discrimination. It is a day that gives us all the opportunity to celebrate the cohesive and inclusive nature of our nation and promotes the benefits of cultural diversity. Many community organisations, businesses, schools, government departments, community groups and individuals throughout Australia organise activities to mark the day.

For the past few years, the City has been hosting the Living in Harmony Program to celebrate the City’s cultural diversity and the program has grown bigger and better every year.

The City will again organise a range of programs providing residents with the opportunity to experience and learn more about diverse cultures, people and significant cultural sites. Moreover, through the Council’s Sponsorship and Grant program, the City has supported many community initiatives to celebrate cultural diversity and promote better understanding between communities.

¹² Australia Day Council of New South Wales, Student Resources – Indigenous Australians, “1988 Onwards - A Turning Point”, Australia Day website: australiaday.com.au/studentresources/indigenous.aspx

¹³ Commonwealth of Australia, Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, (1997) http://hrcoc.gov.au/social_justice/bth_report

14.4 Coloured Digger March

Anzac Day is commemorated annually on 25 April. The City of Sydney actively supports the recognition of Aboriginal and Torres Strait Islander service men and women who have fought for their country in all overseas conflicts.

The annual Coloured Digger March, established in 2006, is held in Redfern on ANZAC Day. The March and Commemorative Service grows with participants each year and is a source of pride in the community and is organised by Babana Men's Group. The City, in partnership with other Aboriginal and Torres Strait Islander community organisations, assist by supporting this event through sponsorship, grants and media coverage. The Coloured Digger March is about honouring, recognising and respecting Aboriginal and Torres Strait Islander servicemen and servicewomen.

14.5 National Sorry Day

National Sorry Day was held for the first time on 26 May 1998, a year after the release of the Bringing Them Home Report. This Report followed the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, and recommended that a National Sorry Day be declared. The purpose of Sorry Day is to publicly acknowledge the history and continuing effects of the past and present practices of removal of many Aboriginal and Torres Strait Islander children from their families¹⁴.

14.6 National Reconciliation Week

In 1991, the Commonwealth Parliament voted unanimously to establish the Council for Aboriginal Reconciliation and a formal reconciliation process. Reconciliation Week was established in 1995 and is held each year from 26 May to 3 June.

National Reconciliation Week (NRW) celebrates the rich culture and history of the First Australians. It is the ideal time for everyone to join the reconciliation conversation and to think about how we can help turn around the disadvantage experienced by many Aboriginal and Torres Strait Islander people.

For more information, go to: reconciliation.org.au

City of Sydney is part of the Eastern Region Local Government Aboriginal and Torres Strait Islander Forum, which also incorporates Leichhardt, the City of Botany Bay, Randwick City, Waverley and Woollahra Councils. One of the pivotal objectives of the forum is to promote Reconciliation on a regional basis.

Each year the forum runs the Pauline McLeod Award for Reconciliation which aims to recognise people who have worked to promote Reconciliation in their community. Each year the forum organises a number of other activities across the Eastern Region to promote Reconciliation Week.

14.7 Anniversary of the 1967 Referendum

On 27 May 1967, a Referendum was held in Australia to determine whether the Australian constitution should be changed to remove clauses considered discriminatory against Indigenous Australians. The two questions asked in the Referendum were:

1. Should the Commonwealth Government be allowed jurisdiction over Aboriginal people, a right hitherto given to the States?
2. Should people of Aboriginal descent be counted in the national census?

An overwhelming 90 per cent of Australians voted 'yes' to both questions. The changes meant that Aboriginal and Torres Strait Islander people would be counted in the national census and be governed by Commonwealth law as opposed to State laws only. This was a significant moment in Australian history¹⁵.

¹⁴ National Sorry Day Committee, "History of Sorry Day", website: nsdc.org.au

¹⁵ Australian Broadcasting Commission, Timeframe, "1967...Citizens at Last?", archived website: abc.net.au/time/episodes/ep5.htm

14.8 Mabo Day

Mabo Day is a significant day for Aboriginal and Torres Strait Islander people as it marks the anniversary of the landmark High Court of Australia decision recognising native title in Australia for the first time (*Mabo v Queensland (No. 2)*). On 3 June 1992, the High Court of Australia rejected the notion of 'terra nullius', which claimed that Australia was unoccupied before British settlement. For the first time in 200 years, the common law of Australia recognised the entitlement of Aboriginal and Torres Strait Islander inhabitants to their traditional lands and that land entitlement is preserved as native title (in cases where discontinuation of occupation of traditional lands has not occurred). It also entitles Aboriginal and Torres Strait Islander people legal rights, not just symbolic rights to all Crown land in Australia, as well as possible rights to pastoral leases.

Mabo Day is held in recognition of Eddie Mabo, the Torres Strait Islander man who led a ten year legal battle that ultimately resulted in the historic Mabo judgement¹⁶.

14.9 Coming of the Light Festival

The Coming of the Light Festival is a significant day for many Torres Strait Islanders as it marks the day (1 July 1871) that the London Missionary Society first arrived, introducing Christianity to the region.

Torres Strait Islanders are predominantly of Christian faith and celebrate this event with religious and cultural ceremonies across the Torres Strait Islands and on mainland Australia¹⁷.

14.10 NAIDOC Week

NAIDOC week is a way of celebrating and promoting a greater understanding of Aboriginal and Torres Strait Islander people and culture. NAIDOC originally stood for 'National Aborigines and Islanders Day Observance Committee'. This committee was once responsible for organising national activities during NAIDOC Week and its acronym has since become the name of the week itself.

The first Day of Mourning was held on Australia Day in 1938, which marked the 150th anniversary of the First Fleet landing at Sydney Cove. In January 1940, the Sunday before Australia Day, became the first official "Day of Mourning" for Aboriginal people known as Aboriginal Sunday. In 1955, the National Missionary Council (NMC) suggested that Aborigines Day should become a National Day, and it was officially changed to the first Sunday in July.

In 1957, the National Aborigines' Day Observance Committee (NADOC), with the support and co-operation of the Federal and State Governments, churches and major Aboriginal organisations, was formed. In the same year, an Aboriginal Pastor, Sir Douglas Nicholls, persuaded the NMC to nominate the second Sunday in July to be a day of remembrance of Aboriginal people and heritage. Since 1975, the celebration has taken place over a week with an annual theme. The 'I' for 'Islander' was added in 1989 (NAIDOC) to recognise and include the distinct history and culture of Torres Strait Islander people.

NAIDOC Week is held between the first Sunday (National Aborigines Day) and the second Sunday in July and has evolved into a week of religious and cultural events to commemorate Aboriginal and Torres Strait Islander culture and heritage. The wider community now joins with the Aboriginal and Torres Strait Islander community in this commemoration.

Many organisations in the inner city are responsible for planning and organising significant Aboriginal and Torres Strait Islander events across the City of Sydney during NAIDOC week. Many organisations create partnerships to help organise local events. Council supports these organisations in preparing for NAIDOC Week with grants and sponsorship and by providing staff. This is in addition to the official Flag-Raising Ceremony conducted by the City.

¹⁶ Radical Tradition: An Australasian History Page, "Make Mabo Day – 3 June – an Australian Public Holiday", website: takver.com/history/ph_maboday.htm

¹⁷ Australian Government, Torres Strait Regional Authority, "General History – Coming of the Light", tsra.gov.au/the-torres-strait/general-history.aspx

14.11 National Aboriginal and Islander Children's Day

National Aboriginal and Islander Children's Day is held annually on 4 August. The day was initiated in 1998 by the National Aboriginal and Islander Child Care (NAICC), a non-government advocacy body for children. The day promotes the needs of Indigenous children and demonstrate the importance of children in Aboriginal and Torres Strait Islander communities¹⁸.

14.12 International Day of the World's Indigenous People

In 1994, the United Nations declared 9 August International Day of the World's Indigenous People. This date marks the day (9 August 1992) of the first meeting of the Working Group on Indigenous Populations of the Sub-commission on the Promotion and Protection of Human Rights. The day celebrates the achievements and contributions of Indigenous people to the global community and highlights many of the problems faced by Indigenous communities particularly with human rights, the environment, development, education and health¹⁹.

14.13 NSW Aboriginal Rugby League Knockout

The NSW Aboriginal Rugby League Knockout (aka the Koori Knockout) began in 1971. It has developed into a major event on the Aboriginal and Torres Strait Islander calendar and is held each year over the long weekend in October. As many as 60 teams compete in the knockout and it attracts more than 10,000 spectators. Traditionally the winning team hosts the following year's Knockout tournament and carnival²⁰.

14.14 Human Rights Day

Human Rights Day marks the adoption of the Universal Declaration for Human Rights. The United Nations adopted the Declaration, which has become a universal standard for defending and promoting human rights.

December 10 is the anniversary of the adoption by the United Nations (UN) of the Universal Declaration of Human Rights (UDHR). The UDHR sets out a certain set of rights that are the basic and minimum set of human rights for all citizens. Setting aside a day to commemorate, educate and reflect on the principles that form the UDHR means celebrating the rights we exercise everyday as Australians, and acknowledging that enjoying those rights carries with it the responsibility of promoting human rights for all people.

14.15 Prime Minister Paul Keating's Speech Redfern Park

On 10 December, 1992, former Prime Minister of Australia, Paul Keating delivered one of the most memorable speeches on Aboriginal and Torres Strait Islander reconciliation at Redfern Park in Sydney to launch the International Year for the World's Indigenous People. This speech became known as the Redfern Address. Although it was not given much media attention at the time it is now regarded by many to be one of Australia's greatest speeches. Keating was the first Australian Prime Minister to publicly acknowledge the dispossession of Aboriginal and Torres Strait Islander people and that European settlers were responsible for the disadvantage these communities still face.

¹⁸ Secretariat of National Aboriginal and Islander Child Care, "National Aboriginal & Islander Children's Day", website: snaicc.asn.au/children

¹⁹ United Nations Permanent Forum on Indigenous Issues, International Day of the World's Indigenous People, website: un.org/esa/socdev/unpfii/index.html

²⁰ "NSW Knockout: a brief history of a great event", National Indigenous Times (Issue 62)

15 Acknowledgments

The City of Sydney Aboriginal and Torres Strait Islander Protocols were adopted by Council in 2005. In reviewing the Protocols in 2011, there were a number of sources that provided valuable information and good examples of protocols that other organisations, both government and non-government have adopted. Some of these protocols are in use at a state and local government level and some have been in existence for a number of years. While much of the information in the City's 2005 Protocols is still relevant, the following documents provided insight and a guiding framework into ways organisations conduct business with their respective Aboriginal and Torres Strait Islander communities:

- Blue Mountains City Council Aboriginal Cultural Protocols (2010), Blue Mountains City Council Aboriginal Cultural Protocols
- Department of Aboriginal and Torres Strait Islander Policy and Development, Queensland Government (1999), Protocols - For consultation and negotiation with Aboriginal People
- Department of Local Government NSW and the Local Government and Shires Association of NSW (2007), Engaging with local Aboriginal communities – A resource kit for Local Government in New South Wales
- Board of Studies New South Wales (2001), Working with Aboriginal Communities – A Guide to Community Consultation and Protocols
- Oxfam Australia (2007), Aboriginal and Torres Strait Islander Cultural Protocols

The City of Sydney's 2005 Aboriginal and Torres Strait Islander Protocols were reviewed by the City's Aboriginal and Torres Strait Islander Advisory Panel who made valued contributions to this protocols document.

16

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