

NAA

NATIONAL ARCHIVES OF AUSTRALIA

OUR WAY

ABORIGINAL AND TORRES
STRAIT ISLANDER
PROTOCOLS



FEBRUARY 2021

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Introduction

National Archives of Australia (National Archives) respects the traditional custodians of Australia and celebrates their ongoing culture and contribution to society. Respect for Aboriginal and Torres Strait Islander peoples, culture, land and history is vital to the management of, and access to, the national archival collection and to the provision of culturally appropriate services to Indigenous Australians.

National Archives' collection (the national archival collection) is the preeminent resource for Australian and international communities to learn about the issues and events that have shaped, and are continuing to shape, our understanding of Australian history, government, society and culture from the establishment of the Commonwealth of Australia in 1901. Our collection is the evidence and memory of our nation, connecting Australians with their identity, history and place in the world. Records in the national archival collection provide evidence of the rights, entitlements and responsibilities of all Australians and tell the many stories of Australia's collective history.

National Archives holds important government records documenting the individual and collective histories of Aboriginal and Torres Strait Islander peoples, and their contribution to the history of this nation.

For more than 20 years, in consultation with Aboriginal and Torres Strait Islander communities, National Archives has offered tailored services to assist Indigenous Australians to access the national archival collection for a range of purposes, including to link up with family and community. Our exhibition, education, events, publishing and digital-engagement programs develop understanding and respect through the sharing of voices, stories and perspectives of Aboriginal and Torres Strait Islander peoples.

Building on well-established relationships, the *Aboriginal and Torres Strait Islander Strategy, 2017–2021* reflects National Archives' commitment to broaden and strengthen its capacity to engage with, and meet the needs of, Aboriginal and Torres Strait Islander clients.

The Strategy responds to the cultural, historical and social context in which National Archives works to fulfil its two main roles as set out in the *Archives Act 1983*:

- to preserve Australia's most valuable government records and encourage their use by the public
- to promote good records management by Australian Government agencies.
- The Strategy articulates National Archives' commitment to:
- follow best practice cultural protocols in relation to the management of, and access to, records about Aboriginal and Torres Strait Islander peoples
- acknowledge the historical and cultural contexts of records
- make records and information about Aboriginal and Torres Strait Islander peoples available in a respectful and appropriate manner
- consult with Aboriginal and Torres Strait Islander peoples and communities on the use of records relating to them in National Archives public programs, and include Acknowledgment of Country/ Welcome to Country in all events and public programs
- be mindful of Indigenous cultural sensitivities that may be present in records, such as secret and/or sacred material, references to deceased people and the use of historical terminology that may be a barrier to access.

- include the voices, stories and perspectives of Aboriginal and Torres Strait Islander peoples in our public programs
- value engagement and collaboration by staff with Aboriginal and Torres Strait Islander peoples, communities and organisations
- deliver targeted services that meet the needs of Aboriginal and Torres Strait Islander peoples
- develop culturally diverse and aware staff
- employ, mentor and professionally develop Aboriginal and Torres Strait Islander staff
- implement the Aboriginal and Torres Strait Islander programs and policies of the Australian Government.

The Aboriginal and Torres Strait Islander Strategy is relevant to functions, policies and activities of National Archives, including:

- collection management – the transfer, preservation, arrangement and description of records created by Commonwealth agencies identified through records authorities to retain for archival purposes; and engaging with, and supporting, Australian Government agencies in developing policy and delivering programs and services to Aboriginal and Torres Strait Islander peoples
- access and public engagement – provision of reference services, access examination, digitisation, websites, publishing, exhibitions, events, tours, education, communications and collaboration with Aboriginal and Torres Strait Islander peoples and other organisations to support access to the national archival collection
- employment and procurement actions under the Archives Workplace Diversity program – including the attraction and professional development of staff, and implementation of the Commonwealth Indigenous Procurement Policy.

National Archives maintains active involvement in issues related to Indigenous/Aboriginal and Torres Strait Islander peoples through its national and international relationships in the archives sector as a member of the International Council on Archives with representation on the Council's Expert Group on Indigenous Matters. National Archives is also a member of the Council of Australasian Archives and Records Authorities, has representation on the Working Group on Access to Records of Out-of-Home-Care, the Royal Commissions Working Group and the First Nations Working Group and is also a member of the Australian Society of Archivists and has representation on its special interest groups.

Purpose of Our Way: Aboriginal and Torres Strait Islander Protocols

The purpose of *Our Way: Aboriginal and Torres Strait Islander Protocols* (the Protocols) is to set a framework for National Archives to undertake over the next 5 years in line with the Aboriginal and Torres Strait Islander Strategy and relevant organisation strategies.

The Protocols aim to build a culturally competent organisation that will facilitate trust between National Archives and Aboriginal and Torres Strait Islander peoples, communities and organisations.

The Protocols highlight 5 overarching themes: Leadership, Rights, Access, Authority and Acknowledgment.

How were the Protocols developed?

The need for these Protocols was identified in the Aboriginal and Torres Strait Islander Strategy. They embrace emerging developments across archives internationally and have been developed in line with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the International Council on Archives *Tandanya–Adelaide Declaration*.

Jenny Macklin, Minister for Families, Housing, Community Services and Indigenous Affairs, declared Australia's support of the UNDRIP on 3 April 2009. The Article of the UNDRIP relevant to Aboriginal and Torres Strait Islander peoples and archives is:

Article 13.1 Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

The *Tandanya–Adelaide Declaration* relates to the UNDRIP's intentions and emphasises a movement to change archival practice by decolonising public archives in colonial jurisdictions such as National Archives of Australia to remodel traditional archival principles.

It has 5 themes:

- 1. Knowledge authorities** – Acknowledging there are Indigenous cognitive frameworks to understand ideas of history, memory, heritage and cultural identity.
- 2. Property and ownership** – Understanding that there is a need for state-sanctioned archival institutions to recognise Indigenous ownership of Indigenous traditional knowledge, cultural expression, knowledge and intellectual property.
- 3. Recognition and identity** – Understanding that the 500-year history of the colonial encounter has been an Indigenous struggle for recognition.
- 4. Research and access** – Recognising research and access to archival records is a socially mediated process and a conceptual site of conflict between European and Indigenous ways of knowing.
- 5. Self-determination** – As noted in the UNDRIP, 'Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development'.

The Protocols draw from and enhance National Archives practices when working with Aboriginal and Torres Strait Islander-related collections, and access and engagement with peoples, groups and communities.

PROTOCOL 1 | Leadership

Leadership at all levels ensures that services and activities are culturally appropriate.

Actions

- 1.1 In accordance with National Archives' *Archives Way*, lead across the organisation to embrace the Protocols to strengthen our engagement and collaboration with Aboriginal and Torres Strait Islander peoples.
- 1.2 Facilitate diverse involvement and representation with Aboriginal and Torres Strait Islander peoples on National Archives of Australia Advisory Council, regional Consultative Forums, national and international archival bodies, and special interest groups.
- 1.3 Work to ensure a culturally diverse, culturally safe and culturally aware workforce, including partnerships for career pathways related to Aboriginal and Torres Strait Islander peoples in accordance with National Archives Diversity and Workforce Plans.
- 1.4 Diversify recruitment panel representation for specific positions with Aboriginal and Torres Strait Islander peoples, to provide different cultural perspectives.
- 1.5 Develop diverse cultural capability across the workforce for individual and collective responsibility, through archives-specific facilitated awareness and learning programs that focus on Aboriginal and Torres Strait Islander cultures.

PROTOCOL 2 | Rights

Recognise that records may contain Aboriginal and Torres Strait Islander traditional and cultural knowledge.

Actions

- 2.1 Through dialogue and practice, acknowledge Aboriginal and Torres Strait Islander peoples' right to and interest in culturally secret/sacred content in records.
- 2.2 Recognise Aboriginal and Torres Strait Islander knowledge systems in records by incorporating multiple provenance over time in National Archives collection management systems.

PROTOCOL 3 | Access

Engage in two way relationships – National Archives to individuals and communities; and individuals and communities to National Archives.

Actions

- 3.1 Enhance descriptive information, search capability and findability by using Aboriginal and Torres Strait Islander place names and naming conventions, including additional entries to the Bringing Them Home name index.
- 3.2 Enrich the context of records by providing opportunities for Aboriginal and Torres Strait Islander peoples to describe and annotate finding aids for records that relate to themselves and their communities.
- 3.3 Enable Aboriginal and Torres Strait Islander peoples' right to reply by facilitating attachment of a correcting statement to a respective record.
- 3.4 Facilitate new approaches for consultation and engagement with Aboriginal and Torres Strait Islander peoples and communities about National Archives services, programs and collections by developing new memoranda of understanding arrangements with:
 - every state Link-up organisation
 - relevant Australian Land Councils and the Aboriginal Land Commissioner.
- 3.5 Expand links to other Australian Government Aboriginal and Torres Strait Islander organisations and archival collections.
- 3.6 Under the *Archives Act 1983* and National Archives policy, protect information considered secret or sacred under the customary law of Aboriginal and Torres Strait Islander peoples.
- 3.7 Through the lens of Aboriginal and Torres Strait Islander peoples deliver onsite, online and offsite public programs that connect and engage people.

PROTOCOL 4 | Authority

Ensure related collections are handled, stored, preserved and accessed in a culturally respectful and appropriate manner.

Actions

- 4.1 Implement informed Aboriginal and Torres Strait Islander diverse practice on arrangement and description of collections, and the transfer, handling and storage of records with culturally secret/sacred content.
- 4.2 Realise and maintain a central register of Aboriginal and Torres Strait Islander culturally secret/sacred records, with appropriate access protocols.
- 4.3 Continue to work with Australian Government agencies to ensure culturally secret/sacred records across all formats are identified, along with any specific requirements.
- 4.4 New practices of the Commonwealth Records Series system, Archival Control Model ensure to implement considerations for Aboriginal and Torres Strait Islander sensitivities, culturally secret/sacred content and rights.

PROTOCOL 5 | Acknowledgement

Express recognition of Aboriginal and Torres Strait Islander peoples as the first peoples of Australia.

Actions

- 5.1 Recognise Aboriginal and Torres Strait Islander peoples by displaying Acknowledgement of Country statements naming the local Aboriginal language group at National Archives offices.
- 5.2 Follow Welcome to Country or Acknowledgement of Country cultural protocols at all National Archives events (onsite, offsite and online), in relevant publications, and on all online platforms.
- 5.3 Acknowledge Aboriginal and Torres Strait Islander peoples' diverse differences and modify as practicable onsite spaces to provide culturally safe areas for individuals or groups to visit and view sensitive or culturally secret/sacred records.
- 5.4 Appreciate Aboriginal and Torres Strait Islander peoples' diverse differences and consider that there may be barriers to effective communication and engagement because of past experiences, and cultural and traditional differences.

Roles and responsibilities

The Director Aboriginal and Torres Strait Islander Engagement is responsible to the Assistant Director-General, Access and Public Engagement for the coordination of Aboriginal and Torres Strait Islander initiatives across the organisation.

The Manager Aboriginal and Torres Strait Islander Services is responsible to the Director, Aboriginal and Torres Strait Islander Engagement with support from the Koorie Reference Officer in Victoria, in relation to the provision of services and consultation with communities about access to the collection.

All staff across the organisation are responsible for embracing the Protocols into their work practices.

Measures of success

The primary measures of success include:

- good will and satisfaction of Aboriginal and Torres Strait Islander peoples with our programs, products and services
- recognition of National Archives as a trusted repository for Aboriginal and Torres Strait Islander records and source of information for government agencies
- increased engagement and reach by National Archives with Aboriginal and Torres Strait Islander peoples
- increased voice and views of Aboriginal and Torres Strait Islander peoples in the development of National Archives' policies, strategies and procedures and implementation through programs and services nationally
- increased use of the collection by Aboriginal and Torres Strait Islander peoples
- collection is managed in accordance with Aboriginal and Torres Strait Islander peoples' culturally appropriate guidelines
- culturally aware, diverse and capable staff.

Implementation and review

Director Aboriginal and Torres Strait Islander Engagement is responsible for *Our Way: Aboriginal and Torres Strait Islander Protocols*.

Director Aboriginal and Torres Strait Islander Engagement will work with relevant business areas of National Archives to support the implementation of the Protocols.

The Protocols' implementation timeframe will cover a 5-year period 2021–22 to 2025–26 and include twice yearly reporting in June and December.

Guidance and support

Glossary of terminology

Term/Phrase	Definition
Aboriginal and Torres Strait Islander peoples	<p>Aboriginal people comprise diverse nations, each with their own language and traditions and have historically lived on mainland Australia, Tasmania or on many of the continent's offshore islands. Torres Strait Islander peoples come from the islands of the Torres Strait, between the tip of Cape York in Queensland and Papua New Guinea. Torres Strait Islanders are of Melanesian origin with their own distinct identity, history and cultural traditions. Many Torres Strait Islanders live on mainland Australia.</p> <p>From: Questions and Answers about Aboriginal & Torres Strait Islander Peoples Australian Human Rights Commission</p>
Correct your personal information	<p>Australian privacy law gives people the right to correct the personal information an organisation or agency holds about them if it is inaccurate, out of date, incomplete, irrelevant or misleading.</p> <p>People also have rights under the <i>Freedom of Information Act 1982</i> to access government records, and to ask an agency or minister to change or annotate a record of their personal information.</p> <p>From: Correct your personal information – OAIC</p>
Cultural knowledge	<p>The knowledge gained as individuals from cultural traditions, laws and customs, languages, cultural expressions and heritage. Cultural knowledge is intergenerational and in most instances does not belong to one person – it belongs to the group.</p> <p>From: Australian Human Rights Commission – The Declaration Dialogue Series: Paper No 4 – Ensuring the ongoing survival of the oldest living culture in the world</p>
Culturally safe	<p>For Aboriginal and Torres Strait Islander peoples a culturally safe environment is one where they feel safe and secure in their identity, culture and community.</p> <p>From: Chapter 4: Cultural safety and security: Tools to address lateral violence – Social Justice Report 2011 Australian Human Rights Commission</p>

Term/Phrase	Definition
Indigenous rights	<p>In relation to archives – from the United Nations Declaration on the Rights of Indigenous Peoples:</p> <p>Affirming that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such; Recognizing and reaffirming that Indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples.</p> <p>Article 13</p> <p>1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.</p> <p>From: UN Declaration on the Rights of Indigenous Peoples Australian Human Rights Commission</p>
Provenance over time	<p>A link within or between entities establishing provenance and records context. It allows the capture of multiple relationships between entities over time, and provides detail as to the nature of the actions through which entities are linked.</p> <p>From: Archival Control Model naa.gov.au</p>
Rights of ownership claims	<p>Article 29 of the United Nations Declaration on the Rights of Indigenous Peoples states: Indigenous peoples are entitled to the recognition of the full ownership, control and protection of their cultural and intellectual property.</p> <p>From: UN Declaration on the Rights of Indigenous Peoples Australian Human Rights Commission</p>
Secret/sacred	<p>Sacred means sacred according to Aboriginal tradition. Secret means secret according to Aboriginal tradition.</p> <p>From: Aboriginal Heritage Act 2006 – SECT 4 Definitions (austlii.edu.au)</p>
Traditional knowledge	<p>Indigenous traditional knowledge generally means traditional practices and culture and the knowledge of plants, animals and their methods of propagation. It includes expressions of cultural values, beliefs, rituals and community laws, knowledge regarding land and ecosystem management.</p> <p>From: www.humanrights.gov.au – ntreport08 Chapter 7</p>

National Archives of Australia products and advice listing

Protocol	National Archives document
Leadership	<p>Aboriginal and Torres Strait Islander Strategy 2017–2021</p> <p>Aboriginal and Torres Strait Islander Strategy Implementation Plan, 2017–18 to 2020–21</p> <p>NAA Aboriginal and Torres Strait Islander Engagement Plan including GLAM Collaboration</p>
Rights	<p>Policy and Procedure on Request for Copies of Records for Indigenous Keeping Places June 2007</p> <p>Personal Information in Commonwealth Records from NT Memorandum of Understanding for Access</p>
Access	<p>Subject Guidelines: Indigenous cultural sensitivities – July 2019</p> <p>Acknowledgement of Country and Welcome to Country Guidelines</p> <p>Before Reading This File Coversheet from NT Memorandum of Understanding for Access</p> <p>Guidelines Access Use of Larrakia Petition (Draft)</p>
Authority	<p>Use of Aboriginal and Torres Strait Islander Cultural Sensitivity Warnings – May 2020</p> <p>Subject Guidelines: Indigenous cultural sensitivities – July 2019</p> <p>Personal Information in Commonwealth Records (for right to reply)</p> <p>National Archives of Australia Editorial Style</p> <p>Updated RNA Selection Principles</p> <p>Disposal Authorisations Strategy</p>

Protocol	National Archives document
Acknowledgment	<p>Memorandum of Understanding between National Archives of Australia and Representatives of the Northern Territory Aboriginal Community Affected by Past Government Separation Policies</p> <p>Memorandum of Understanding between National Archives of Australia and Victorian Aboriginal Child Care Agency for Access to Commonwealth Records by Aboriginal People</p> <p>Memorandum of Understanding between Nunkuwarrin Yunti of South Australia Incorporation (Link-Up SA Program) and National Archives of Australia for Access by Aboriginal and Torres Strait Islander People to Commonwealth Records</p> <p>Memorandum of Understanding between National Archives of Australia and Australian Institute of Aboriginal and Torres Strait Islander Studies for access to records for Link Up clients to assist Stolen Generations in tracing family</p> <p>Acknowledgement of Country and Welcome to Country guidelines</p>

Service Portal

Aboriginal and Torres Strait Islander Service Portal – where Aboriginal and Torres Strait Islander Services inquiries will be responded to or directed by the Aboriginal and Torres Strait Islander Engagement section to the relevant business area within National Archives.

Current programs and services

Services

- Targeted Research Centre visits and tours of National Archives' facilities
- Outreach activities through presentations to Aboriginal and Torres Strait Islander community groups and Link Up staff offsite
- Bringing Them Home name index
- Specialist service to members of the Stolen Generations and their families through Memoranda of Understanding agreements

Research guides

- *Aboriginal and Torres Strait Islander People in Commonwealth Records: A guide to records in the Australian Archives ACT regional office*, Ros Fraser, 1993
- *Aboriginal Deaths in Custody: The Royal Commission and its records, 1987–91*, Peter Nagle and Richard Summerrell, revised 2002
naa.gov.au/help-your-research/research-guides/aboriginal-deaths-custody-royal-commission-and-its-records
- *My Heart Is Breaking: A joint guide to records about Aboriginal people in the Public Record Office of Victoria and the Australian Archives*, Victorian Regional Office, 1993
- *Tracking Family: A guide to Aboriginal records relating to the Northern Territory*, 2015
naa.gov.au/help-your-research/research-guides/tracking-family-guide-aboriginal-records-relating-northern-territory
- *Walata Tyamateetj: A guide to government records about Aboriginal people in Victoria*, Richard Broome, 2014
prov.vic.gov.au/walata-tyamateetj-research-guide

Website features

- First Australians landing page
naa.gov.au/explore-collection/first-australians
- Eddie Koiki Mabo and the Mabo Case
naa.gov.au/explore-collection/first-australians/eddie-koiki-mabo-and-mabo-case
- Accessing the collection
naa.gov.au/explore-collection/first-australians/find-records-relating-first-australians
- 50+ Learning Resources
naa.gov.au/learn/learning-resources/learning-resource-themes/first-australians
- 15 Aboriginal and Torres Strait Islander-related fact sheets
naa.gov.au/search?search_api_fulltext=fact+sheets

Publications

- *Between Two Worlds: The Commonwealth Government and the removal of Aboriginal children of part descent in the Northern Territory*, Rowena MacDonald, 1995
- *Family Journeys: Stories in the National Archives of Australia*, 2008 (one of the stories focuses on the Cubillo family of the Northern Territory)
- *Footprints: The journey of Lucy and Percy Pepper*, Simon Flagg, Sebastian Gurciullo, 2008

MOU agreements

- Memorandum of Understanding between National Archives of Australia and Representatives of the Northern Territory Aboriginal Community Affected by Past Government Separation Policies
- Memorandum of Understanding between National Archives of Australia and Victorian Aboriginal Child Care Agency for Access to Commonwealth Records by Aboriginal People

- Memorandum of Understanding between Nunkuwarrin Yunti of South Australia Incorporation (Link-Up SA Program) and National Archives of Australia for Access by Aboriginal and Torres Strait Islander People to Commonwealth Records
- Memorandum of Understanding between National Archives of Australia and Australian Institute of Aboriginal and Torres Strait Islander Studies for Access to Records for Link Up Clients to Assist Stolen Generations in Tracing Family

Key National Archives' strategy and policy

Strategy

- Aboriginal and Torres Strait Islander Strategy 2017–2021
- External Communications Strategy 2019 and 2020
- National Archives of Australia Data Strategy 2020–2022
- National Description Strategy 2018–19 to 2020–21
- National Digitisation Strategy 2018 to 2021
- National Preservation Strategy 2019 to 2022
- National Reference Service Reference Strategy 2017–18 to 2020–21
- National Storage Strategy 2017–2018 to 2020–2021
- National Transfer Strategy 2020–2024
- National Volunteer Program Strategy and Implementation Plan 2018–19 to 2022–23
- Public Programs Innovative, Creative, Sustainable 2019–2024

Policy

- The Archives Way
- Building Trust in the Public Record: Managing information and data for government and community

External resources

Resource	Link
Australian Adoption of United Nations Declaration on the Rights of Indigenous Peoples, 2009	Statement on the United Nations Declaration On the Rights of Indigenous Peoples: speech, Canberra
Australian Government Style Manual	stylemanual.gov.au
Australian Human Rights Commission— Aboriginal and Torres Strait Islander Social Justice Commissioner-Response to Australian Adoption of the United Nations Declaration on the Rights of Indigenous Peoples, 2009	United we stand— Support for United Nations Indigenous Rights Declaration a watershed moment for Australia
Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Austlang: Directory of Indigenous languages	collection.aiatsis.gov.au/austlang/search
AIATSIS— Map of Indigenous Australia	aiatsis.gov.au/explore/map-indigenous-australia
AIATSIS Pathways Thesaurus for Indigenous Languages and Peoples	www1.aiatsis.gov.au/index.asp
Australian Public Service Commission	Commonwealth Aboriginal and Torres Strait Islander Workforce Strategy 2020–2024
Australian Society of Archivists	Policy Statement on Archival Services and Aboriginal and Torres Strait Islander People
Council of Australasian Archives and Records Authorities: Statement of Principle: Access to records of Indigenous Australians affected by past separation policies	CAARA Policy 14 – Statement of Principle— Access to records of Indigenous Australians affected by past separation policies— CAARA
International Council on Archives Tandanya – Adelaide Declaration	Tandanya—Adelaide Declaration



Australian Government

National Archives of Australia