



Ashfield Council

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# Recognition of the Aboriginal Community Policy

February 2013

This policy will be reviewed triennially by: Governance  
Next review date: February 2016

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<b>Title:</b>	Recognition of the Aboriginal Community Policy.
<b>Summary:</b>	To provide basic guidelines for the recognition of traditional indigenous owners of the land in Ashfield Council formal events and proceedings.
<b>Record Number:</b>	
<b>Date of Issue:</b>	February 2016
<b>Approval:</b>	Council 26 February 2013
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<b>Contact Officer:</b>	Manager Corporate Services
<b>Relevant References:</b>	NSW Aboriginal Education Consultative Group Inc Guidelines and Protocols  DLG Circular – Aboriginal Protocols  Engaging with Local Aboriginal Communities – A Resource Kit for Local Government – LGSA/DLG 2007
<b>Main Legislative or Regulatory References:</b>	
<b>Applicable Delegation of Authority:</b>	As per delegations schedule
<b>Related Ashfield Council Policy:</b>	
<b>Related Ashfield Council Procedure:</b>	Ashfield Council – Reconciliation Action Plan 2010

## Policy Background

The process of "Welcome to Country" and "Acknowledgement of Country" recognises the unique position of Aboriginal Peoples in Australian culture and history. Aboriginal Peoples are the Traditional Custodians of the Land and in general usage, *Traditional Custodians* is the term used to describe the original Aboriginal or Torres Strait Islander Peoples who inhabited a geographical area. Traditional custodians are recognised as the descendents of the original inhabitants and have an ongoing spiritual and cultural tie to the land and waterways where their ancestors lived.

It is important that this unique position is recognised and incorporated as part of official protocol and events to enable the wider community to share in Aboriginal Culture and Heritage, facilitating better relationships between Aboriginal Peoples and the wider community. By incorporating Aboriginal Acknowledgements and Ceremonies into official events and daily proceedings, Ashfield Council recognises and pays respect to Aboriginal Peoples' Culture and Heritage.

## Policy Purpose

This policy provides guidelines for the formal recognition of the indigenous community. All major official events of Ashfield Council, where Federal and NSW Government representatives are present, representatives of other Councils, the wider community and/or the media are present, should include a *Welcome to Country* ceremony or, if this is not possible, an "Acknowledgement of Country" as a minimum. Events in this category include:

- Civic events, commemorations and major festivals;
- conferences held or sponsored by Ashfield Council;
- citizenship ceremonies; and,
- major sporting events.

An Acknowledgement of Country should be given in all formal meetings of Council and other meetings as deemed appropriate. Most likely these other meetings would be ones with external attendees.

## Policy Objectives

The objectives of this policy are to:

- Define the importance of recognition for the indigenous, traditional owners of the land.
- Provide guidelines for the formal procedure to be used in affording recognition to the Traditional Owners in Ashfield Council activities.

## Implementation and access

### ***What is a Welcome to Country?***

A "*Welcome to Country*" is where the Traditional Aboriginal Custodians (in most cases the Elders) welcome people to their Land. This is a significant recognition and is made through a formal process. A "*Welcome to Country*" should always occur in the opening ceremony of the event in question, preferably as the first item.

The "Welcome to Country" is conducted by a representative (or representatives) of the local Aboriginal Custodians who welcome the delegates, invited guests, staff and other visitors to their Country. Protocols in relation to the performing of a "Welcome to Country" Ceremony are wide and diverse and can vary according to region and locality.

A "Welcome to Country" may consist of a single speech by the representative of the local Aboriginal community, or it can also include a performance of some description (which will vary according to region and locality). Performances can include a Traditional Welcoming Song, a Traditional Dance, didgeridoo performance or a combination of any of the above. Generally an appropriate person such as a recognised Elder within the local area needs to conduct this welcome however a non indigenous representative authorised by a local Aboriginal community body (such as the Metropolitan Aboriginal Land Council) may also conduct a 'Welcome to Country'.

### **Acknowledgement of Country**

An "*Acknowledgment of Country*" is a way that non-Aboriginal Peoples can show respect for Aboriginal and Torres Strait Islander heritage and the ongoing relationship of traditional owners with the land. State and Federal Government, public sector departments, organisations and Local Government are adopting the practice of Acknowledging the Traditional Custodians of Country at events, ceremonies, meetings and functions. At the beginning of a meeting or function, a Chair or Speaker begins by Acknowledging that the meeting is taking place in the Country of the Traditional Custodians. Where the name of the Traditional Custodians is known, it is specifically used. Where it is not known, a general Acknowledgement is given.

"Acknowledgement of Country" can be performed by both Aboriginal and non-Aboriginal Peoples. It is a demonstration of respect dedicated to the Traditional Custodians of the Land and/ or Sea where the gathering of participants is being conducted.

Examples of "Acknowledgement of Country" are:

#### **Option 1:**

"Let us acknowledge that we are meeting on country for which the members and elders of the local Aboriginal community have been custodians for many centuries, and on which Aboriginal people have performed age old ceremonies. We acknowledge their living culture and unique role in the life of this region."

#### **Option 2:**

"I would like to acknowledge that we are here today on the land of the Traditional Custodians of this land, the Gadigal people. The Gadigal people form part of the wider Aboriginal nation known as the Eora Nation."

#### **Option 3:**

"I would like to begin by paying my respects to the past and present Elders of the Gadigal nation and acknowledge their custodianship of the land on which we are meeting today".

#### **Option 4:**

"I would like to acknowledge the Traditional Custodians of the land on which we are meeting today".

## **Flags on display**

### *The Aboriginal flag*

This is now well recognised as the flag of the Aboriginal Peoples. The black top half of the flag symbolises the Aboriginal Peoples. The Red bottom half, represents the earth and the yellow circle in the centre represents the sun. Mr Harold Thomas, an Aboriginal Elder, holds the copyright for the flag. The Australian Aboriginal Flag was proclaimed on 14 July 1995. Permission is not required to fly the Australian Aboriginal Flag.

### *The Torres Strait Island flag*

This flag has three horizontal panels, the top and bottom are green and the middle one blue. The panels are divided by thin black lines. The green represents the land, the blue represents the sea, and the black represents the Torres Strait Islander people. In the centre is a white dari (dancer's headdress), which is a symbol of the Torres Strait Islander Peoples. Underneath the dari is a white five-pointed star. This represents the island groups in the Torres Strait and the white represents peace. Bernard Namok of Thursday Island created this flag.

### *Flag Flying Protocol*

The Australian National Flag should always take precedence. It should be flown on the far left of the person/s facing the flags. After the Australian National Flag, the order of precedence of flags is:

- national flag of other nations
- state and territory flags
- other Australian flags prescribed by the *Flags Act 1953* (including Indigenous flags) ensigns and pennants

## **Collaboration and Negotiation**

One of the most significant practices for all parties is the capacity to show mutual respect for different cultural groups and their practices. It is important to understand that the meanings of ceremonies and acts of practices differ across region and locality.

## **Smoking ceremonies**

Smoking ceremonies are undertaken in Aboriginal communities in order to cleanse a space. The Smoking Ceremony is a purification ritual and is always undertaken by an Aboriginal person with specialised cultural knowledge. Aboriginal Peoples may request a Smoking Ceremony in a workplace where a death or other traumatic event has occurred. This request is of tremendous significance to them and should be respected. Failure to do so may cause significant distress.

## **Ownership, copyright, cultural and intellectual property**

In the past, non-Aboriginal Peoples have appropriated Aboriginal stories, language, songs, dance and knowledge. Aboriginal Peoples have not been recognised as the owners of this knowledge. In some cases non-Aboriginal authors, who have benefited from the knowledge given to them, have claimed the copyright and have profited from the information. As a result copyright and the protection of intellectual property are vital issues for Aboriginal Peoples. They are the custodians of their culture and have the right to own and control their cultural heritage.



Any access to and use of Aboriginal cultural information must have permission from relevant individuals or organisations. Rights to use Aboriginal material may be held by an individual, but mostly cultural material belongs to the traditional owners of that knowledge as a community. Copyright and moral rights are complex issues and not always clear in relation to Aboriginal culture. The relevant Council section in consultation with Aboriginal Peoples should seek specific legal advice when these issues arise. The Arts Law Centre of Australia can provide further advice on these issues (website [www.artslaw.com.au](http://www.artslaw.com.au)).

### **Gender protocols**

Aboriginal 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 only women can access. It is likely that a council will be unable to distinguish between men's and women's business. Council needs to be aware that such issues exist and seek advice from Aboriginal Peoples about when they are likely to arise and how to manage such issues.

### **Naming the deceased**

In NSW, Aboriginal communities may have different protocols regarding naming deceased Aboriginal persons than that which is often raised with northern Australian Aboriginal communities. The best way for Council to use the appropriate protocol regarding naming the deceased or showing photographic images is to consult the Metropolitan Aboriginal Land Council. In many Aboriginal communities in northern Australia, it is offensive to refer to a deceased person by name or show photographic images of the person during the mourning period, unless agreed to by the relevant family. Many organisations are now using cultural warnings to avoid causing offence to the families of deceased persons.

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