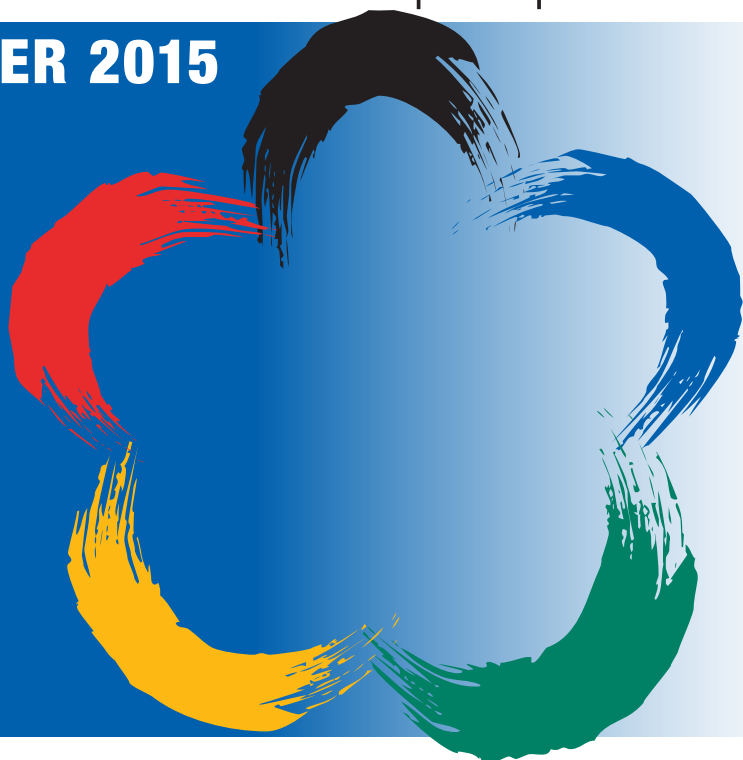


Protocols for working with Aboriginal and/or Torres Strait Islander peoples

SEPTEMBER 2015



ACT Aboriginal and Torres Strait Islander Elected Body



Contents

Message from the chairperson: Strength through unity	3
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Acknowledgement of traditional custodians	4
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SECTION 1: Community engagement protocols	5
1.1 Principles of engagement	5
1.2 A commitment to engage	6
1.3 Protocols for engagement	8

SECTION 2: Important information	12
2.1 Aboriginal and Torres Strait Islander identity	12
2.2 The Stolen Generation	12
2.3 Terminology	13
2.4 Aboriginal and Torres Strait Islander peoples in the ACT	14
2.5 Welcome to country and Acknowledgement of country	16
2.6 ACT Aboriginal and Torres Strait Islander Elected Body (ATSIEB)	18
2.7 The United Ngunnawal Elders Council (UNEC)	19
2.8 From a national perspective	20
2.9 The Aboriginal and Torres Strait Islander flags	26
2.10 From an international perspective	29

References	30
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Bibliography	31
---------------------	-----------

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Strength through unity

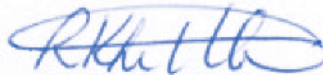
These protocols were developed by Aboriginal and Torres Strait Islander community organisations and individual members of the ACT Aboriginal and Torres Strait Islander communities.

Community feedback through meetings, electronic correspondence, and by organisational feedback were captured and compiled to create this document. The development process ensured that Aboriginal and Torres Strait Islander peoples in the ACT were able to put forward their views on effective and appropriate engagement.

Specific acknowledgement to both Kim Davison from Gugan Gulwan Youth Aboriginal Corporation and Diane Collins Deputy Chairperson, ACT Aboriginal and Torres Strait Islander Elected Body (ATSIEB) who together have guided the process and ensured the integrity of both content development and feedback from community and individual stakeholders. Kiki Korpinen previously from ACTCOSS is also acknowledged for assisting in compiling and drafting the protocols document.

These Community Engagement Protocols for the ACT Aboriginal and/or Torres Strait Islander communities are a practice resource guide for all public, private, and not-for-profit sector agencies and organisations seeking to engage with our communities.

ATSIEB recognises these protocols play a significant role in relation to the *ACT Relationship Principles of the ACT Aboriginal and Torres Strait Islander Agreement 2015–2018*. We sincerely thank all organisations and individual community members for their commitment and generosity of advice throughout the development process.



Rod Little

ACT Aboriginal and Torres Strait Islander Elected Body
September 2015

Acknowledgement of traditional custodians

We pay respect to the traditional custodians of the ACT and Region, the Ngunnawal People, on whose land we live and work upon. We acknowledge that these lands are Aboriginal lands and pay respect and celebrate their ongoing cultural traditions and contributions to the ACT and surrounding region.

We also acknowledge the many other Aboriginal and Torres Strait Islander peoples from across Australia who have now made Canberra their home and we pay respect and celebrate their cultures, diversity, and contributions to the ACT and surrounding region.

Community engagement protocols

Respect cultural values, protocols and ways of doing business!

These protocols have been designed to guide public, private, and not-for-profit agencies and organisations to effectively engage, communicate, and work with the ACT Aboriginal and/or Torres Strait Islander communities.

1.1 Principles of engagement

Integrity	Engagement based on demonstrated mutual respect and trust.
Transparency	Engagement based on clear and agreed information and feedback processes.
Inclusiveness	Engagement that involves and includes the community early and throughout the process.
Communication	Engagement based on listening, learning and talking.
Respect	Engagement based on cultural security and a commitment to respecting the cultural rights, values and expectations of the ACT Aboriginal and/or Torres Strait Islander communities.
Accountability	Engagement based on an individual or organisation to account for its activities, accept responsibility for them, and to disclose the results in a transparent manner.

1.2 A commitment to engage

A commitment to engage also requires openness and clarity about how, why and when Aboriginal and/or Torres Strait Islander communities will be consulted and how much influence there will be in the decision making process. The reasons for engagement will vary and include:

- providing information and seeking community participation and input on an existing policy, strategy, service, or program
- seeking input and advice on the development and design of new services or programs or measures
- consulting about the need in a community for a proposed policy or program
- establishing an ongoing communication mechanism, such as an advisory group, to contribute to a policy, program, or service
- monitoring the implementation of an existing service, program or policy
- inviting participation in a proposed initiative.

A commitment to engage with Aboriginal and/or Torres Strait Islander peoples also means being realistic and honest about the purpose of engagement. Effective engagement requires 'front-end' planning to ensure that the engagement methods and processes are 'fit for purpose' and this means:

- being clear about the objectives and outcomes sought from the engagement
- being prepared to explain the purpose and reach of the policy, service or program including both its inclusions and exclusions
- being open about your agencies capacity to meet community expectations as a result of the engagement
- being prepared to follow through with agreements made with communities at the time of engagement, for example with an outcomes report.

Effective and meaningful engagement with Aboriginal and /or Torres Strait Islander peoples and communities on issues that affect them is an important part of culturally appropriate public policy, research, and service or program development and implementation.

When planning to seek the advice and participation or views of Aboriginal and/or Torres Strait Islander peoples, decisions must be made on the level of engagement with ACT Aboriginal and/or Torres Strait Islander communities.

Level of engagement	Definition	Technique examples
Information sharing	A one-way relationship where information is shared with the community.	Websites, brochures, education advertisements, research ACT specific reports
Consultation	A two-way relationship for communities to provide feedback on issues.	Focus groups, workshops, individual interviews
Active participation	Collaboration where community shapes policy, service or program development or implementation	Reference and Advisory Groups

Source: OECD Engagement Model



1.3 Protocols for engagement

Engagement is an ongoing process which benefits all participants equally to ensure Aboriginal and/or Torres Strait Islander voices are effectively incorporated into the development or implementation of policy, services, and programs.

The following protocols outline the strategies that organisations and agencies can use to establish respectful and ongoing relationships with the ACT Aboriginal and/or Torres Strait Islander communities.

1 Understand the community and the region

Researching and collecting background information about the ACT Aboriginal and/or Torres Strait Islander communities prior to the engagement process will assist agencies and organisations to understand the local environment and potentially assist in identifying options for addressing strengths and weaknesses. Useful information to gather includes:

- demographics of the ACT Aboriginal and/or Torres Strait Islander communities
- local community groups
- traditional custodian groups
- local ACT Aboriginal and/or Torres Strait Islander community organisations
- history of the community and past engagement
- current or emerging issues of sensitivity that may affect the engagement process
- ACT Government, Commonwealth and non-government agencies already delivering programs or services to the community.

2 Seek advice from ACT Aboriginal and/or Torres Strait Islander organisations and existing community networks

Forging strong relationships with the ACT Aboriginal and/or Torres Strait Islander community groups and organisations in the ACT region will provide further invaluable knowledge on the clan groups within the community, some of the important issues affecting the communities, and the diversity within the ACT Aboriginal and/or Torres Strait Islander communities.

Collaborating with local ACT Aboriginal and/or Torres Strait Islander community organisations and existing community networks is also vital both to seek advice about the right individuals or groups to engage with and, the most appropriate way to engage. It is noted that examples provided below are not exhaustive and do not limit the services delivered to Aboriginal and Torre Strait Islander peoples in the ACT.

ACT Government programs and services	Office for Aboriginal and Torres Strait Islander Affairs
Art	Burrunju Aboriginal Corporation
Education	ACT Aboriginal and Torres Strait Islander Education Consultative Group
Elders	United Ngunnawal Elders Council
Employment	Habitat
Health and wellbeing	Winnunga Nimmityjah Aboriginal Health Service
Heritage	Registered Aboriginal Organisations, United Ngunnawal Elders Council
Housing	Housing ACT
Legal and justice	NSW/ACT Aboriginal Legal Service, Legal Aid ACT, Women's Legal Centre
Representation, advocacy and governance	ACT Aboriginal and Torres Strait Islander Elected Body
Torres Strait Islander	Torres Strait Islander Corporation
Youth and young people	Gugan Gulwan Youth Aboriginal Corporation

3 Engagement practices and processes

Open and transparent engagement practices and processes are a powerful mechanism for the Aboriginal and/or Torres Strait Islander communities in the ACT to inform decision making and to also increase trust and credibility with the engaging organisation. The following engagement practices and processes are recommended:

- Identify and provide the required resources to conduct the engagement such as meeting costs, travel expenses, or other arrangements to support the engagement.
- Allow appropriate lead-in time before the engagement occurs to ensure that community members and representatives have sufficient time to engage in the process.
- Provide appropriate recognition to the ACT Aboriginal and/or Torres Strait Islander communities by acknowledging or engaging an Elder to provide a Welcome to country or an Acknowledgment of country to show respect to traditional custodians and communities generally.
- Set transparent parameters for the engagement activity through clearly defined inclusions and exclusions which are a mutual agreement with the participants at the start of the engagement.
- Ensure that all information, verbal and written, is appropriate for the intended audience and is accurate, easy to access, and easy to understand.
- Ensure that there is a logical flow to the information presented and the overall engagement process provides time for discussion via a range of communication strategies to allow all participants the opportunity to speak, contribute and be heard.
- Effectively manage expectations to allow for different views to be heard, respected and equally represented.
- Agree to a feedback or follow-up process at the engagement and confirm the outcomes from the process at the end of the engagement.

4 Traditional customs

The use of Aboriginal and Torres Strait Islander traditional customs, stories and sacred information requires permission to translate or reproduce. Men's and Women's business are culturally sensitive issues within Aboriginal and Torres Strait Islander cultures in the ACT. Permission to use such information in the ACT is through the United Ngunnawal Elders Council (UNEC).

5 Feedback and follow-up processes

Feedback is a critical element of successful engagement with the ACT Aboriginal and/or Torres Strait Islander communities. Feedback enables community members to 'see' that their views have contributed to the process and confirm that their views have been understood and accurately recorded.

By providing timely feedback agencies can enhance their partnership and engagement with the ACT Aboriginal and/or Torres Strait Islander communities thus working together to improve outcomes. Feedback also demonstrates the agency's commitment to deliver agreed outcomes and develop meaningful, long-term relationships with the ACT Aboriginal and/or Torres Strait Islander communities.

Important information

This section provides educative information about the ACT Aboriginal and/or Torres Strait Islander communities for all public, private, and not-for-profit agencies and organisations developing policy, and delivering services and programs to the community.

2.1 Aboriginal and/or Torres Strait Islander identity

Aboriginal and/or Torres Strait Islander peoples identity is defined by heritage, belonging and connection to country.

An Aboriginal and/or Torres Strait Islander person is someone who:

- is of Aboriginal and/or Torres Strait Islander descent
and/or
- identifies themselves as an Aboriginal and/or Torres Strait Islander person
and
- is accepted as such by the community in which they live or have lived.

2.2 The Stolen Generation

Many people who were removed from their families as children live in the Canberra community today. They are part of the Stolen Generation. Identity can be a sensitive issue and some people are still trying to locate their kin and to reunite with their culture.

2.3 Terminology

Aboriginal peoples are descendants of the original inhabitants of mainland Australia and its islands, for example: Tasmania, Rottneest, Magnetic, Palm, Hinchinbrook, Stradbroke, Fraser, Mornington, Bathurst, Groote Eylandt and Melville Islands. Researchers say that their ancestors lived on the mainland for more than 60 000 years. Aboriginal peoples believe they have always been here since Creation, the beginning of the Dreaming.¹

Aboriginal peoples are the oldest surviving culture in the world, a proud and prominent fact!

Torres Strait Islanders are descendants of the original inhabitants of the Torres Strait region which lies between the tip of Cape York Peninsula and south-west coast of Papua New Guinea. In the last 25 years, archaeologists working in the Torres Strait have found evidence of human settlement dating back 2500 years.²

Indigenous peoples is a recognised term in Australia to refer to Aboriginal and Torres Strait Islander people collectively and is used by the United Nations to refer to Indigenous peoples from all around the world.

Use of capitals. Terms such as 'Aboriginal and/or Torres Strait Islander, and Indigenous should always be written with a capital.

Terms not to use

Aborigine, this is a generic term for the original inhabitant of any country, however the majority of Aboriginal people today do not use this term as it is taken to have negative connotations.

Traditional owners. Use traditional custodians, as Aboriginal people and Torres Strait Islander people have a role to care for and look after the land and country.

ATSI or TSI. Using the abbreviation for Aboriginal and/or Torres Strait Islander should never be used as it is taken as offensive by Aboriginal and/or Torres Strait Islander peoples.

2.4 Aboriginal and/or Torres Strait Islander peoples in the ACT

Traditional custodians are Aboriginal and/or Torres Strait Islander peoples who have traditional links to the community, are originally from that area and whose families have had custodial responsibilities from generation-to-generation over thousands of years.

The Canberra region has been home to the Ngunnawal people for thousands of years. Evidence of their long occupation exists in archaeological evidence found at Birrigai Rock Shelter at Tidbinbilla Nature Reserve, in rock paintings in Namadgi National Park and in other places throughout the ACT.

When Europeans settled the area in the early 1820s hundreds of Aboriginal peoples lived in the area, meeting regularly for corroborees and feasts and then breaking off into smaller bands. Aboriginal peoples moved about to take advantage of seasonal foods, such as bogong moths which arrived in their thousands during the summer months.

Many people come to the ACT for work, education, health and legal reasons and this has resulted in great diversity within the Aboriginal and/or Torres Strait Islander communities in the ACT as peoples come from many areas of Australia.

The *Heritage Act 2004* also includes provisions for the declaration of Representative Aboriginal Organisations (RAOs). Under the Act, the ACT Government is responsible for consulting with RAOs on a range of matters relating to Aboriginal places and objects in the ACT. There are currently four RAOs:

- Buru Ngunawal Aboriginal Corporation
- Little Gudgenby River Tribal Council
- King Brown Tribal Group
- Ngarigu Currawong Clan.

An important and unique food resource for Aboriginal people in the Canberra area was the Bogong Moth (*Agrotis infusa*). These moths spend the summer months in a torpid condition along the mountain ranges. The moths are highly nutritious, easy to collect and were in sufficient numbers to warrant large gatherings of Aboriginal people. These gatherings of different tribes were for initiation ceremonies, marriage arrangements, corroborees and trade (Flood, 1980).

The ACT has a diverse and ancient record of Aboriginal heritage. Often it can be discrete and yet abundant, not obvious to the untrained eye. Thousands of sites have been recorded across the ACT, with many entered in the ACT Heritage Register.

Isolated artefacts and artefact scatters constitute the majority of registered places. These represent activities undertaken at what are commonly referred to as open campsites. Scatters may be the remains from varied activities, and are most likely to include stone artefacts (lithics), but in some cases charcoal, animal bone, or ochre may survive.

Australian Bureau of Statistics Census 2011

The 2011 Census was conducted on 9 August 2011 and measures the number of people in Australia on Census Night, their key demographic characteristics, and the dwellings (usual place of residence) in which they live.

The overall Aboriginal and Torres Strait Islander population for ACT and Queanbeyan at 9 August 2011 was 6290.³

More information about Australian Bureau of Statistics (ABS) activities in the field of Indigenous statistics is available from the 'People' topic in the 'Topics @ a Glance' section of the ABS website: www.abs.gov.au.

	Census 2011 count	% of total ACT population
ACT Aboriginal and Torres Strait Islander people (REG)	5184	1.5
ACT population (GCCSA)	356,586	
Queanbeyan Aboriginal and Torres Strait Islander people (LGA)	1139	
Queanbeyan population (LGA)	37,991	

	0–14 years	15–64 years	65 years+
ACT Aboriginal and Torres Strait Islander people by age group breakdown	32.6	64.9	2.1

ACT and Queanbeyan by sex	Male	Female	Total
Aboriginal	3025	2921	5946
Torres Strait Islanders	110	101	211
Both Aboriginal and Torres Strait Islander	92	69	161

Data provided from Census 2011, ABS

2.5 Welcome to country and Acknowledgement of country⁴

A Welcome to country is usually performed at significant meetings and events in an organisation. For example launch of a Reconciliation Action Plan or a community event.

By including Welcome to country and/or Acknowledgement of country into your organisation's activities, you are recognising and paying respect to the Aboriginal peoples on whose country or ancestral land you are meeting on. You will also be promoting a mutual respect and understanding of Aboriginal peoples and their cultures to the wider community.

Welcome to country

The Welcome to country is a ceremony performed by the traditional custodians to welcome visitors to country and can also be a way of informing their ancestors of who they are, and the event taking place.

This is an opportunity to increase your awareness and acknowledge the Aboriginal peoples on whose country or ancestral land you are meeting on. Some examples of Welcome to country are a speech by the traditional custodians (usually an elder), dance, didgeridoo playing or smoking ceremonies. Where it is not possible or practical to arrange a Welcome to country, as a general rule it would be appropriate to do an Acknowledgement of country at the beginning of your event.

Acknowledgement of country

The Acknowledgement of country is a statement made by the speaker, usually at the beginning of proceedings, to acknowledge the traditional custodians of the land on which you are meeting:

I wish to acknowledge the traditional custodians of the land we meet on, [insert name of land here] people, and pay my respect to their elders, both past and present.

If you are holding an activity in the ACT and wish to acknowledge the traditional custodians, you may like to make the following recommended acknowledgement:

I/We wish to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. I/we wish to acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region. I/We would also like to acknowledge and welcome other Aboriginal and/or Torres Strait Islander peoples who may be attending today's event.

2.6 ACT Aboriginal and Torres Strait Islander Elected Body (ATSIEB)

This representative body was established to enable ACT Aboriginal and/or Torres Strait Islanders to have a strong democratically elected voice.

ATSIEB was established under the *ACT Aboriginal and Torres Strait Islander Elected Body Act 2008* and consists of seven people representing the interests and aspirations of the local ACT Aboriginal and/or Torres Strait Islander communities.

ATSIEB provides direct advice to the ACT Government to improve the lives of Aboriginal and/or Torres Strait Islander Canberrans, and conducts regular community forums to seek advice on priorities and specific outcomes.

ATSIEB maintains regular contact with the community via various distributions lists and communication methods, including chairpersons message, communiqués, media releases and reports.

Postal address

ACT Aboriginal and Torres Strait
Islander Elected Body
c/- Secretariat
Office of Aboriginal and
Torres Strait Islander Affairs
Community Services Directorate
GPO Box 158
Canberra ACT 2601

Street address

Secretariat
Level 8, 11 Moore Street
Canberra City ACT 2601

Secretariat

Telephone: 02 6205 2551
Email: atsieb@act.gov.au
Website: www.atsieb.com.au

2.7 The United Ngunnawal Elders Council (UNEC)

UNEC is made up of representatives nominated by each of the Ngunnawal family groups. The council meets up to four times a year in Canberra at various locations, including community-based organisations.

Secretariat and administrative support for UNEC is provided by the ACT Office of Aboriginal and Torres Strait Islander Affairs.

Please contact the secretariat for further details.

Correspondence for UNEC should be addressed as follows:

Postal address	Street address
Chairperson United Ngunnawal Elders Council C/- Office of Aboriginal and Torres Strait Islander Affairs GPO Box 158 Canberra ACT 2600	Secretariat Level 8, 11 Moore Street Canberra City

Secretariat

Telephone: 02 6207 1667

Email: oatsia@act.gov.au

Website: www.communityservices.act.gov.au/atsia/committees/ngunnawal_issues

2.8 From a national perspective

Month	Day	Year	Event	Summary
Jan	26		Common terms used: Day of Mourning Invasion Day Survival	From 1938 until 1954, the Day of Mourning was held annually on the Sunday before Australia Day and was known as Aborigines Day. In 1988 Aboriginal people and their supporters marched to mark the 200th anniversary of the invasion. The first Survival Concert was held in 1992.
Jan	26	1972	Aboriginal Tent Embassy	The Aboriginal Tent Embassy appeared on the lawns in front of Parliament House, Canberra. The Aboriginal flag was flown later this year and grew national recognition as the flag representing Aboriginal people.
Feb	12	1965	Freedom Rides	Led by the late Charles Perkins, it exposed to the wider community, nationally and internationally, the racism and lack of rights Aboriginal peoples faced.
Feb	13	2008	The Apology	Anniversary of the formal apology by the Australian Government and the Parliament of Australia to Australia's Aboriginal and Torres Strait Islander peoples—in particular to the Stolen Generations.
Mar	05	1990	Aboriginal and Torres Strait Islander Commission (ATSIC)	ATSIC is established by the <i>Aboriginal and Torres Strait Islander Commission Act 1989</i> (ATSIC Act) as a means to involve Aboriginal and Torres Strait Islander peoples in the processes of government affecting their lives.
Mar	16	2005	ATSIC Amendment Bill	Parliament passed the ATSIC Amendment Bill, repealing provisions of the <i>Aboriginal and Torres Strait Islander Act 1989</i> (Commonwealth) and thereby abolishing the Aboriginal and Torres Strait Islander Commission and its structures from 30 June 2005.

Month	Day	Year	Event	Summary
Mar	21	1999	Harmony Day	This date coincides with United Nations International Day for the Elimination of Racial Discrimination as a day to encourage tolerance and understanding between Australians of all races and cultural backgrounds.
Apr	25	1993	ANZAC Day	The Aboriginal and Torres Strait Islander Commemorative Ceremony is held after the ANZAC Day Dawn Service at the Aboriginal Memorial Plaque on the side of Mount Ainslie. The commemorative ceremony is conducted to remember those Aboriginal and Torres Strait Islander peoples who have served in the Australian Forces.
May	26	1998	National Sorry Day	Is held on the anniversary of the tabling of the <i>Bringing Them Home</i> report to the Human Rights and Equal Opportunity Commission. Sorry Day is followed by National Reconciliation Week.
May 27 to Jun 03		1996	National Reconciliation Week	Beginning with the anniversary of the 1967 Referendum, this week is celebrated with activities across Australia. The week ends with Mabo Day on 3 June.
May	27	1967	1967 Referendum	Over 90 per cent of Australians voted in a referendum to remove clauses from the Australian Constitution which discriminated against Aboriginal and Torres Strait Islander Australians. The referendum also gave the Commonwealth Government the power to make laws on behalf of Aboriginal and Torres Strait Islander people.
May	28	2000	Peoples Walk for Reconciliation	250,000 people walked across the Sydney Harbour Bridge in a public declaration that 'Reconciliation is the work of all Australians.'

Month	Day	Year	Event	Summary
Jun	03	1992	Mabo Day	Commemorates the High Court decision that recognised the existence of native title rights of Aboriginal and Torres Strait Islander peoples. This decision overturned the myth of terra nullius—that the continent was empty, unowned land before the arrival of Europeans in 1788.
Jun		1992	Torres Strait Islander Flag	The Torres Strait Islander flag was recognised by the Aboriginal and Torres Strait Islander Commission (ATSIC) and given equal prominence with the Aboriginal Flag. The flag was designed by Bernard Namok in 1992.
Jun	26	1879	Torres Strait annexed to Queensland	The majority of the remaining islands in Torres Strait were annexed to Queensland, by Letters Patent from London again, and by an Act in the Legislative Assembly in Brisbane. Torres Strait had become part of Queensland.
Jul	01	1871	Coming of the Light Festival	This is the day the London Missionary Society first arrived in Torres Strait at Erub Island on 1 July 1871, introducing Christianity to the region. This is a significant day for Torres Strait Islanders, who are predominantly of Christian faith. The festival of religious and cultural ceremonies is held annually.
Jul			NAIDOC Day	From 1938 until 1954, the Day of Mourning was held annually on the Sunday before Australia Day and was known as Aborigines Day. In 1955 Aborigines Day was moved to the first Sunday in July after it was decided the day should also become a celebration of Aboriginal Culture.

Month	Day	Year	Event	Summary
Jul—first Sunday to Sunday		1975	NAIDOC Week	NAIDOC stands for National Aboriginal and Islander Day Observance Committee; this is a week that celebrates Aboriginal and Islander peoples and cultures. The week is marked with different activities, with each year having a different national theme.
Jul	12	1971	First day Aboriginal Flag flown	Designed by Harold Joseph Thomas, a Luritja man from Central Australia, the Aboriginal flag was first flown in Adelaide on National Aborigines Day, 12 July.
Jul	14	1995	Flags of Australia	Both the Aboriginal flag and the Torres Strait Islander flag were officially proclaimed by the Australian Government as 'Flags of Australia' under Section 5 of the <i>Flags Act (1953)</i> .
Aug	04	1988	National Aboriginal and Islander Childrens' Day	The Secretariat of National Aboriginal and Islander Child Care established this annual event. Each year the day is marked with a special theme.
Aug	09		International Day of the World's Indigenous People	A day marked to recognise Indigenous history, cultures, languages, rights and aspirations throughout the world. It is celebrated with activities highlighting Indigenous peoples and their culture.
Aug	10	1987	Royal Commission into Aboriginal Deaths in Custody	Announced after a spate of Aboriginal deaths in prison and policy custody, hearings began in 1988. The final report was submitted in April 1991 with 336 recommendations.

Month	Day	Year	Event	Summary
Aug	14	1963	The Yirrkala Bark Petitions	The Yolngu people of north-east Arnhem Land presented the petitions to the Australian Parliament, in the form of a bark painting, calling for recognition of their land rights. The petitions were the first documents from the Aboriginal people that were recognised by the Commonwealth Parliament. Currently on display at Parliament House.
Aug	22	1975	Gurindji Freedom Day	Prime Minister Gough Whitlam handed deeds to Vincent Lingiari and poured a handful of earth into his hand saying: ‘... this land will be the possession of you and your children forever...’
Sep/ Oct	TBA	1995	The Deadlys	The Deadly Sounds Aboriginal and Torres Strait Islander Music, Sport, Entertainment and Community Awards is held in Sydney.
Oct—long weekend		1971	Koori Knockout	Every year on the October long weekend, NSW hosts the Koori Knockout of Aboriginal Rugby League teams from all around the state.
Oct	26	1985	Uluru-Kata Tjuta National Park ‘Handover’	Aboriginal and non-Aboriginal people attended the ‘Handover’ when Governor-General Sir Ninian Stephen passed over the title deeds at a ceremony at the base of Uluru. Five minutes later the traditional owners signed an agreement leasing the park back to the Australian Parks and Wildlife Service for 99 years.
Dec	09	1976	Aboriginal Land Rights (Northern Territory) Act 1976	The first Aboriginal Land Rights Act was passed in Parliament. The Act recognised Aboriginals as traditional land owners for the first time in Australian history and came into force on 26 January 1977.

Month	Day	Year	Event	Summary
Dec	10	1948	Human Rights Day	Human Rights Day celebrates the adoption of the Universal Declaration of Human Rights. Since its adoption in 1948, this declaration has been translated into 360 languages, showing its universal relevance and forethought for securing human rights around the world.
Dec	22	1993	<i>Native Title Act 1993</i>	<i>The Native Title Act 1993</i> (Commonwealth) was passed by Federal Parliament. The Act provides statutory recognition and protection for the concept of native title as recognised by the High Court in the case of <i>Mabo v. The State of Queensland</i> (1992). The Act came into effect on 1 January 1994.
Dec	23	1996	Wik Decision	The High Court of Australia judgement that native title rights could exist side-by-side with the rights of pastoralists on cattle and sheep stations. When pastoralists and Aboriginal rights were in conflict, the pastoralists' rights would prevail, giving pastoralists certainty to continue with grazing and related activities.

2.9 The Aboriginal and Torres Strait Islander flags⁵

The Aboriginal Flag

As stated by Mr Harold Thomas:



Black: Represents the Aboriginal people of Australia.

Red: Represents the red earth, the red ochre and a spiritual relation to the land.

Yellow: Represents the Sun, the giver of life and protector.

The Aboriginal flag was designed by Harold Thomas, a Luritja man from Central Australia. It was created as a symbol of unity and national identity for Aboriginal people.

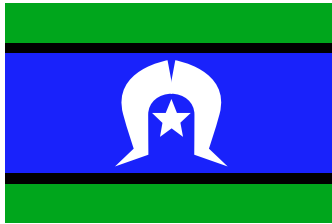
The flag was first flown at Victoria Square in Adelaide on National Aborigines Day, 12 July 1971. The flag was chosen as the official flag for the Aboriginal Tent Embassy and was first flown there in 1972.

In 1997, the Federal Court of Australia officially recognised Harold Thomas as the author of the flag. This protects the flag under the *Copyright Act 1968* and so it may be only reproduced in accordance with this legislation or with the permission of Mr Thomas.

The copyright license for the manufacture and marketing of the Aboriginal flag has been awarded by Mr Thomas to Carroll and Richardson Flags. Flags that do not have a white header at the left side, or flags that do not show the Carroll and Richardson label could be infringing the copyright owned by Mr Harold Thomas.

The Torres Strait Islander Flag

Each part of the flag is designed to represent something about Torres Strait Islander culture.



Green: Represents the land.

Blue: Represents the sea.

White: Represents peace.

Black: Represents the Indigenous peoples.

The dhari (headdress) represents Torres Strait Islander people and the five-pointed star represents the five major Island groups. The star also represents navigation, as a symbol of the seafaring culture of the Torres Strait.

The Torres Strait Islander Flag was created in January 1992 as a symbol of unity and identity for Torres Strait Islander peoples. Designed by the late Bernard Namok, it was the winning entry from a design competition held as part of a Cultural Revival Workshop, organised by The Islands' Coordinating Council. The Islands' Coordinating Council also chose the design as its simplicity would allow each Torres Strait community to incorporate their own emblem into the design for local identification.

The flag was recognised by the Aboriginal and Torres Strait Islander Commission in June 1992 and given equal prominence with the Aboriginal flag.

Further information

On 14 July 1995, both flags were recognised by the Australian Government as an official 'Flag of Australia' under the *Flags Act 1953*.

For guidance about using the Aboriginal flag, its colours, or the Torres Strait Islander flag refer to the Commonwealth Flag Officer (phone 02 6271 5629 or 02 6271 5111) at the Department of Prime Minister and Cabinet.

2.10 From an international perspective

The *United Nations Declaration on the Rights of Indigenous Peoples* (the Declaration) is significant because Indigenous peoples, including Aboriginal and Torres Strait Islanders, were involved in drafting it.⁶

The Declaration is the most significant achievement in the protection of Indigenous peoples' rights at the international level.

It is sourced from existing international human rights and it will inform how these rights apply to Indigenous peoples.

The Declaration is a positive document that maps out a path for Indigenous peoples to be free from discrimination and secure in our identities and life choices.

Self-determination

Self-determination is a central right of the Declaration. It is a right that distinct groups of people have. All other rights in the Declaration help to achieve self-determination. Self-determination means that as a collective:

- We should have a choice in determining how our lives are governed.
- We should be able to participate in decisions that affect us.
- We should have control over our lives and development.

Exercising the right to self-determination means we have the freedom to live well and to live according to our values and beliefs.

Social Justice for Aboriginal and Torres Strait Islander Peoples⁷

In Australia, social justice and human rights for Aboriginal and Torres Strait Islander peoples is grounded in the practical, day-to-day realities of life. Social justice also means recognising the distinctive rights that Aboriginal and Torres Strait Islander people's hold as the original peoples of this land, including:

- **the right to a distinct status and culture**, which helps maintain and strengthen the identity and spiritual and cultural practices of Indigenous communities
- **the right to self-determination**, which is a process where Indigenous communities take control of their future and decide how they will address the issues facing them
- **the right to land**, which provides the spiritual and cultural basis of Indigenous communities.
- www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
- www.humanrights.gov.au/about/commissioners/aboriginal-and-torres-strait-islander-social-justice-commissioner

References

- 1 ACT Government, Canberra op. cit.
- 2 ACT Government, Canberra. op. cit.
- 3 ABS, *2075.0: Census of Population and Housing—Counts of Aboriginal and Torres Strait Islander Australians*, 2011, ABS, 2012, <<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/2075.0main+features32011>>.
- 4 ACTCOSS, *Aboriginal & Torres Strait Islander Cultural Resource for Community Sector Workers*, ACTCOSS, 2012.
- 5 ACTCOSS, *Aboriginal & Torres Strait Islander Cultural Resource for Community Sector Workers*, ACTCOSS, 2012.
- 6 UN General Assembly, *UN Declaration on the Rights of Indigenous Peoples*, adopted 13 September 2007, <<http://social.un.org/index/IndigenousPeoples/DeclarationontheRightsofIndigenousPeoples.aspx>>.
- 7 Australian Human Rights Commission, *Community Guide to the UN Declaration on the Rights of Indigenous Peoples, Short version: Strong cultures, proud people*, Australian Human Rights Commission, 2010, <http://www.humanrights.gov.au/declaration_indigenous/declaration_short_version.html>.

Bibliography

The following documents and websites were used in the development of these protocols:

- 2011 Census Data, ABS, <<http://www.abs.gov.au/>>.
- ACTCOSS, *Aboriginal & Torres Strait Islander Cultural Resource for Community Sector Workers*, ACTCOSS, 2012.
- Australian Human Rights Commission, <<http://www.humanrights.gov.au/>>.
- Chamberlain, S and Kruger, L, *Different Cultures Common Ground: Guide for engaging respectfully with Aboriginal and Torres Strait Islander people*, Indigenous Lead Centre, TNQIT, 2009, <http://www.tnqit.indigenouslead.tafe.qld.gov.au/resources/pdf/ATSIP_engagement_guide.pdf>.
- ACT Government, Canberra — ACT Health Directorate website, <<http://www.health.act.gov.au/>>.

