



Aboriginal & Torres Strait Islander Cultural Protocol Guidelines 2014



Front Cover Artwork

Jessica Birk, *Sugar Loaf Bay 2011*

Acrylic on canvas board, 34cm x 40cm

Important Note

These Guidelines are a continual work in progress. They are a guide and do not claim to be the best or only way of doing things. We welcome feedback from Aboriginal people and Torres Strait Islanders and will continually update this guide accordingly.

Acknowledgement

The content of this document has been informed by the work of Federal and State Government departments and institutions, NSW Councils, and Third Sector organisations who have published material on Aboriginal and Torres Strait Islander cultural protocols.

Thanks and appreciation is given to all those organisations for making these guidelines possible.

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1.0 Introduction

These guidelines have been developed to assist anyone who wishes to work with Aboriginal people and/or Torres Strait Islander people in the North Sydney community. They help users engage and relate to Aboriginal people and Torres Strait Islanders in culturally appropriate ways by providing an understanding of their most important cultural protocols.

Cultural protocols are the generally accepted customs, values or codes of behaviour that are important to a cultural group. They are an important part of all cultures which help ensure people behave and interact in a respectful and appropriate manner. Understanding and observing Aboriginal and Torres Strait Islander cultural protocols helps:

- eliminate misunderstandings;
- mend, build and strengthen current and future relationships;
- demonstrate a new awareness and respect for the cultural group; and
- value the contribution that Aboriginal people and Torres Strait Islanders provide to the cultural, social, environmental and economic development of the community.

This is particularly important for Aboriginal and Torres Strait Islander people as much of their culture has been lost as a direct result of previous policies of government. Rebuilding and acknowledging Aboriginal and Torres Strait Islander culture shows respect and is vital in building strong and equal partnerships with the first peoples of Australia. North Sydney Council has a proud history of respecting Aboriginal and Torres Strait Islander culture since the 1990s when the Aboriginal flag was flown from Council and a formal apology was offered to the Stolen Generations.

These guidelines serve to support individuals to undertake their own research and consultation with Aboriginal people and Torres Strait Islander people and tailor their work to ensure they meet the needs of the individuals, groups and communities concerned.

2.0 A Brief History of Aboriginal People in North Sydney

Aboriginal people believe the lands and seas were created through the actions of Dreamtime beings and that their ancestors were here from earliest times. All Aboriginal groups across Australia had specific and detailed laws and responsibilities in relation to social interactions and to the environment, plants and animals of the land. Aboriginal peoples had an intimate knowledge of local ecosystems and used different methods, including fire, to ensure there was sufficient food and other resources available even during droughts and extreme weather events. The knowledge of the land along with innovative burning strategies allowed people to search for food and water efficiently and have plenty of time for leisure and to engage in complex cultural practices. It is widely recognised that Aboriginal people are descendant of one of the oldest continuous surviving cultures in the world.

The traditional knowledge and stories for North Sydney are largely lost. As North Sydney is located opposite the location of the first European settlement in Australia in 1788, it has experienced some of the longest and most destructive impacts to Aboriginal culture. In 1789, smallpox broke out among Sydney Aboriginal clans and the majority of the people in the area died. Continuing waves of disease, violence and dispossession have resulted in great losses to traditional knowledge, language and culture. For this reason, identifying clan and language groups and their boundaries has become very difficult.

Archaeological evidence shows that Aboriginal people have been in North Sydney at least 5,800 years, although evidence from elsewhere suggests they are likely to have inhabited the area for thousands of years prior to this. The earliest colonial accounts suggest that there were two groups living in this area prior to the arrival of Europeans, including the Cammeraygal (Gammeraigal) who inhabited the north west side of Port Jackson – an area that covered the present-day North Sydney local government area.

In 1790, Governor Phillip made one of the first records of Aboriginal naming in the north Sydney area in a letter to Lord Sydney which referred to the district on the ‘north west part of this harbour’ as ‘Cammerra’, with its ‘chief’ named ‘Cammerragal’. The name Cammeraygal appeared on North Sydney Council’s first coat of arms in the 1890s and it has remained ever since (Figure 1).

Figure 1 North Sydney Council Logo



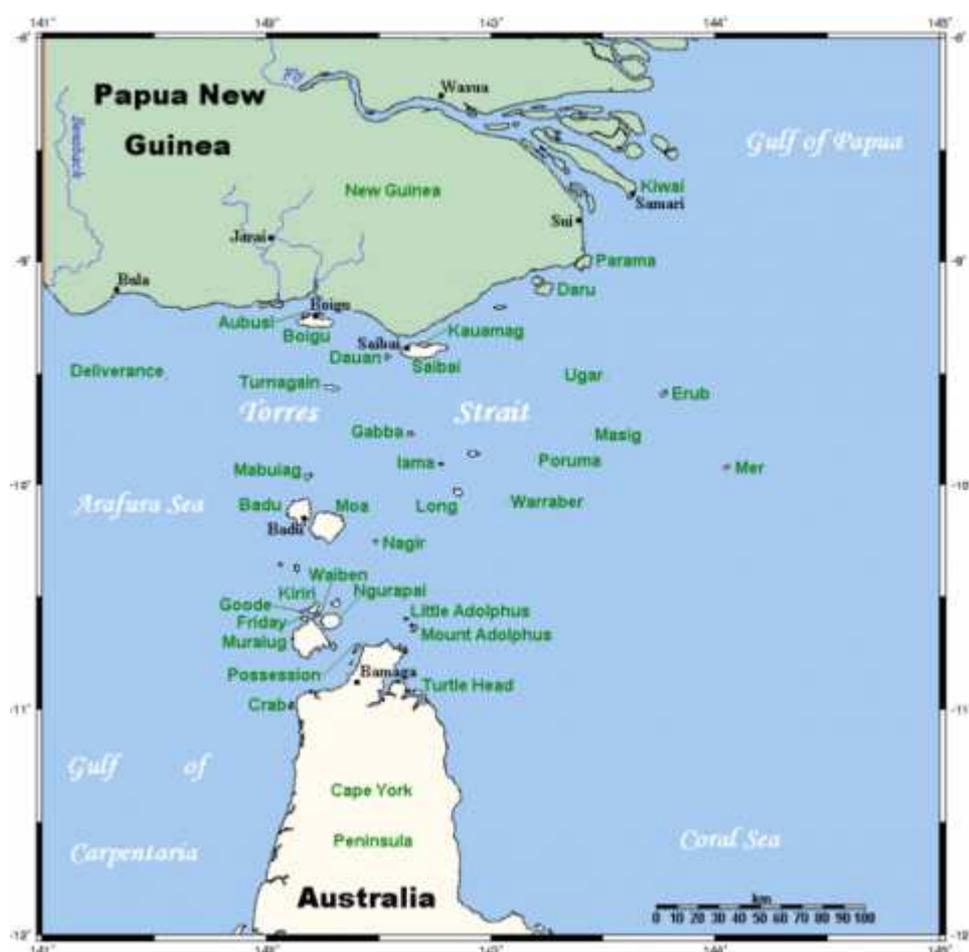
The ‘robust and muscular’ Cammeraygals appeared to have been one of the most numerous and formidable Aboriginal groups in the Sydney area, numbering 50 to 60 of the estimated population of 1,500 to 3,000 in 1788. Their demise accelerated in 1795 when 30 acres of land at Kirribilli was granted to ex-convict Samuel Lightfoot. Further land grants followed and 30 years after the arrival of the Europeans, most of Cammeraygal’s land had been deeded to colonists. By the 1890’s the original owners of North Sydney are believed to have been completely displaced from the area.

For a more detailed history, see *Aboriginal North Sydney – an outline of indigenous history* by Ian Hoskins (2008), available at Stanton Library.

Torres Strait Islanders

The history of Torres Strait Islanders' arrival in North Sydney is yet to be documented. The Torres Strait Islands are named after a Spanish captain, Luis Vaez de Torres, who sailed through the strait in 1606. Archaeologists have dated evidence of human settlement on the islands to 2,500 years ago. Islanders live in 18 permanent communities on 17 islands and continue to visit their traditionally owned islands for fishing, gardening, food collecting, camping and picnicking. A map of the Torres Strait Islands is shown in Figure 2.

Figure 2 Torres Strait Island Map



Source: Torres Strait Island Regional Council

3.0 What Does the Census Data Tell Us?

As with all communities, every effort should be made to get to know, listen to and understand the Aboriginal and Torres Strait Islander communities before any inferences are made about them using Census data. For example, these cultural guidelines have been prepared in partnership with the local Aboriginal and Torres Strait Islander communities using the collective wisdom of a diverse range of stakeholders and drawing upon a series of professional relationships which have been developed over several years.

Data from the Census provides a useful foundation upon which to build a picture of the local population. Users of Census data should understand that it is widely acknowledged that the Census data represents an undercount of the actual Aboriginal and Torres Strait Islander populations due to those who choose not to identify as Aboriginal or Torres Strait Islander people for personal reasons. This must be taken into consideration when drawing conclusions from the data.

Note: where the Census data does not distinguish between the Aboriginal and Torres Strait Islander populations, the term Indigenous has been used.

For more information on the Census data and North Sydney Council's Community Profile, visit:

http://www.northsydney.nsw.gov.au/Community_Services/About_North_Sydney/Community_Profiles

3.1 Selected characteristics

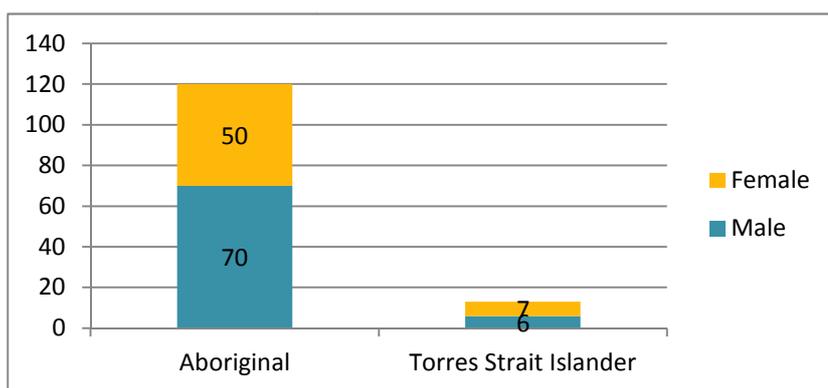
- 120 Aboriginal people (70 males, 50 females) live in the North Sydney local government area.
- 13 Torres Strait Islanders (6 male, 7 female) live in the North Sydney local government area.
- They all speak English at home.

Figure 3 Indigenous versus Non-Indigenous Comparison

	Indigenous	Non-Indigenous
Median age	31	36
Median personal weekly income	\$972	\$1,217
Median household weekly income	\$2,150	\$2,206
Median weekly rent	\$430	\$480
Average household size (people)	2.2	2.0
Completed Year 12 of High School	68%	82%
Attending an educational institution	33%	20%
Attending university	14%	7%
Degree or Postgraduate qualification	35%	53%
Unemployment rate	4.5%	3.7%
Lived at same address 1 year ago	66%	76%
Lived at same address 5 years ago	33%	40%

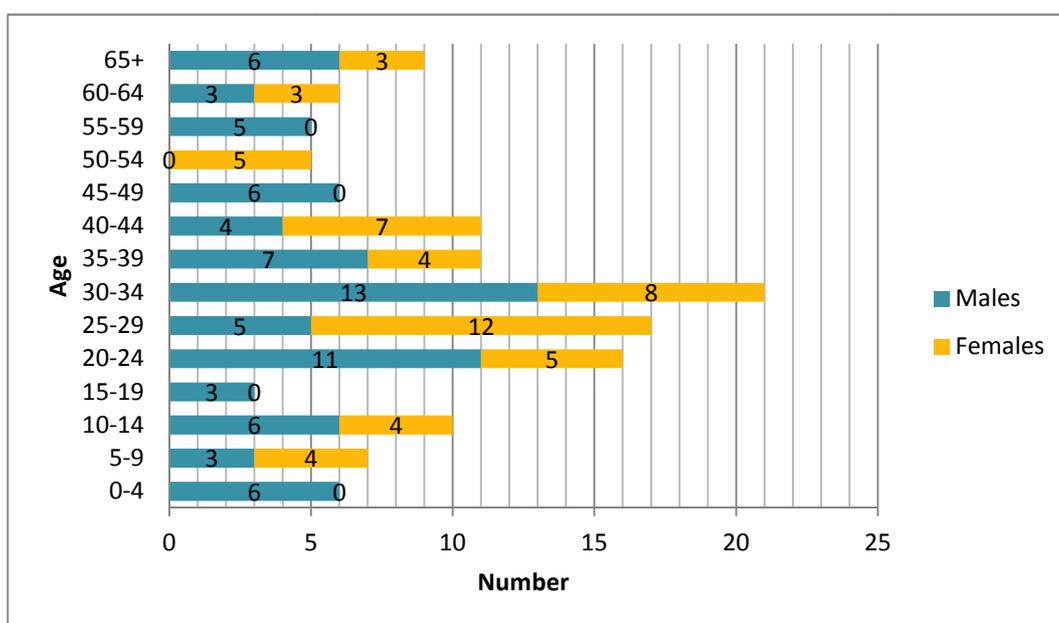
Source: Australian Bureau of Statistics, 2011 Census

Figure 4 Aboriginal and Torres Strait Islander Population



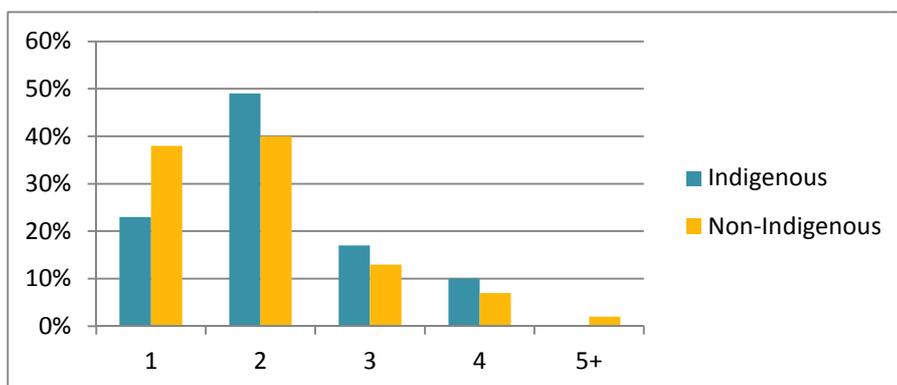
Source: Australian Bureau of Statistics, 2011 Census

Figure 5 Age Distribution (Indigenous Population)



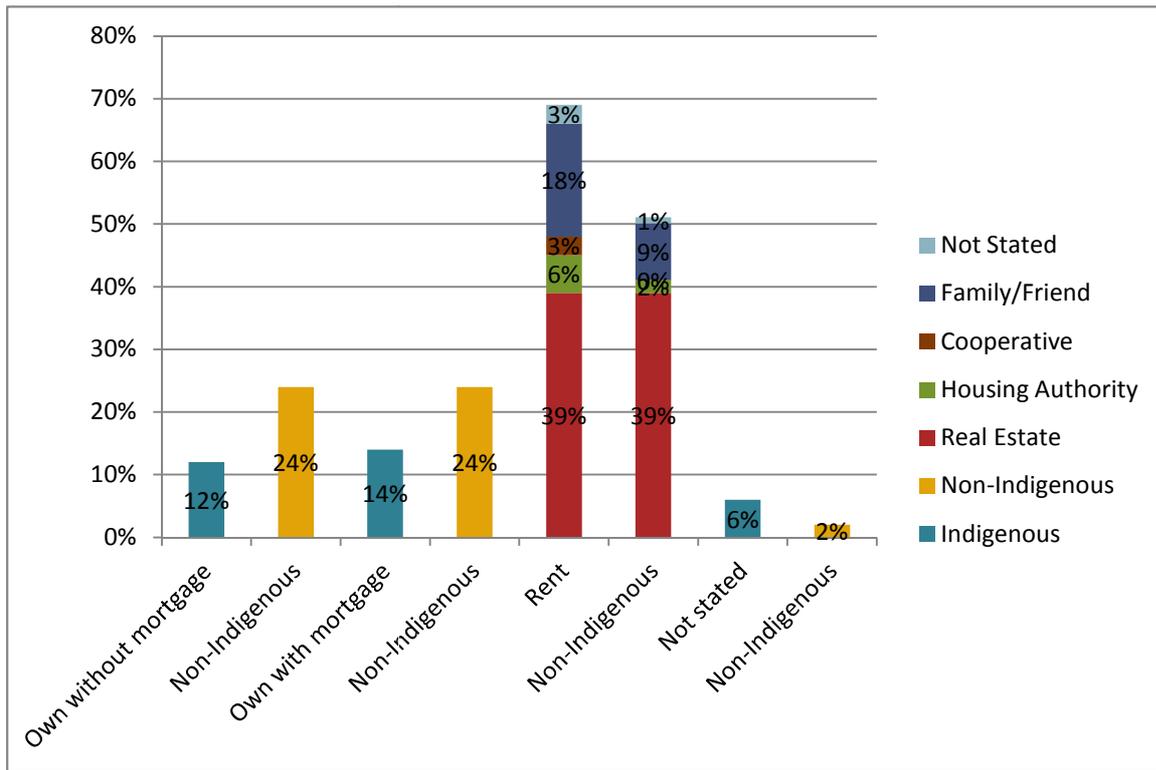
Source: Australian Bureau of Statistics, 2011 Census

Figure 6 People Per Household (Household Composition)



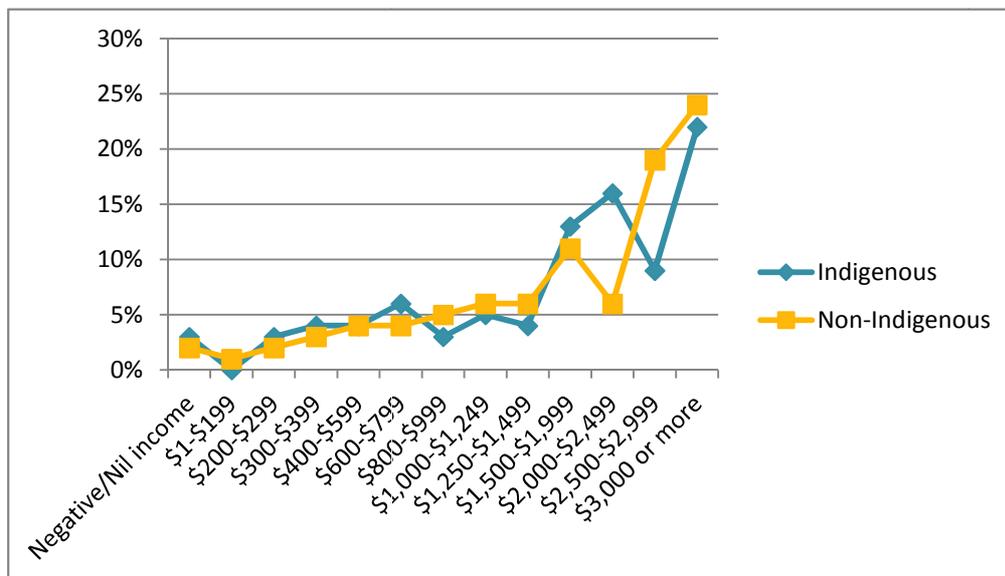
Source: Australian Bureau of Statistics, 2011 Census

Figure 7 Housing Tenure – Comparison of Indigenous Versus Non-Indigenous Population



Source: Australian Bureau of Statistics, 2011 Census

Figure 8 Household Weekly Income



Source: Australian Bureau of Statistics, 2011 Census

4.0 Using the Right Terminology

It is important to use the right terminology as using the wrong terminology can cause great offense. This section provides information on the do's and don't's of using the right words.

Australian – Ensure that the term 'Australian' does not infer exclusion of Aboriginal and Torres Strait Islander people. For example, do not compare Aboriginal and Torres Strait Islander people and 'Australians'.

Indigenous – Term referring to people originating in and characteristic of a particular region or country. This term is not area specific and many people feel it can diminish Aboriginal and Torres Strait Islander peoples' unique identity. Therefore, the use of the word is discouraged. Preference is to use 'Aboriginal and Torres Strait Islander people'. Where the term is used, the 'I' should be capitalised: Indigenous. Indigenous is a term primarily used by the Commonwealth.

Aboriginal & Torres Strait Islander people – Aboriginal and Torres Strait Islander people are Australia's original inhabitants. The term Aboriginal is generally not inclusive of Torres Strait Islander people and conversely the term Torres Strait Islander is not inclusive of Aboriginal people. Therefore, the preference is for them both to be referred to collectively as Australia's first peoples. To describe Aboriginal and Torres Strait Islander people as ATSI or A&TSI is offensive and not acceptable (this doesn't include entities such as organisations who have abbreviated their name). Similarly, use of the term '**the** Aboriginal people' or '**the** Torres Strait Islander people' should not be used as it incorrectly suggests that the people are all the same.

Identity - Aboriginal person – The following criteria are used by some organisations to determine identity:

1. Is a member of an Aboriginal language group of Australia
2. Identifies as an Aboriginal person
3. Is accepted by the Aboriginal community as an Aboriginal person

It can be deeply offensive to question a person about their Aboriginal or Torres Strait Islander status. Confirmation of Aboriginality is not intended to cause offence, rather it is to ensure that support is given to Aboriginal and Torres Strait Islander peoples.

The 'A' in Aboriginal must always be capitalised. The terms *Aborigine(s)* or *Aboriginals* should not be used.

Torres Strait Islander – A person/descendent from the Torres Strait Islands. The 'T, S and I' in Torres Strait Islander must always be capitalised.

Community – Country, (extended family ties) and shared experience that can be within a particular geographical region (although not always). Aboriginal and Torres Strait Islander people can belong to more than one community.

Traditional Owners / Traditional Custodians – The original Aboriginal or Torres Strait Islander inhabitants (and their descendents) of a culturally defined area of land or country, that have a cultural and spiritual association with that country that derives from the traditional observances,

customs, beliefs or history of the area. Aboriginal Custodians may also be members of the relevant Local Aboriginal Land Council.

Kinship – A term to capture the network of people who are related to a particular person. Kinship relates to an individual's extended family. Kinship ties are a multi-level system that can connect back 16 generations. Kinship can identify skin groups, totems, moities and language groups. Explaining behaviour and obligations towards food sharing, shelter, marriage and importantly spiritual protection and caring for sacred sites.

Elders – In traditional times, Elders were of that Country and were the custodians of culture and lore and were responsible for passing this knowledge down to the younger generations through teachings and practice. In today's society, Elders are those chosen and accepted by community who have permission to disclose cultural knowledge and beliefs and represent the community on their behalf. They may be a traditional custodian or a significant Aboriginal person of that community. Aboriginal people traditionally refer to elders as 'aunty' or 'uncle'.

Aunty / Uncle – Aboriginal terms used as a sign of respect and acceptance to a custodian of knowledge or lore. It is not a genetic relationship in the non-Aboriginal sense. Non-Aboriginal people should check before referring to Aboriginal people as aunty or uncle.

Land – The term used by Aboriginal people and Torres Strait Islanders to describe their ecosystems, a sum total of spiritual beliefs, including Dreamings, all living things, including totems, all physical factors (such as sacred sites, water, air and geographical features).

Koori – Self-identifying term used by Aboriginal people in Sydney and New South Wales and Victoria. Non-Indigenous people should not refer to Aboriginal or Torres Strait Islander people by this name without expressed permission and/or acceptance. Other terms of identification for Aboriginal people in NSW include: Murri (NW NSW and QLD); and Goori (Northern NSW).

Aboriginal people in other states also have self-identifying terms.

Aboriginal people will identify who they are.

Mob – Term identifying a group of Aboriginal and Torres Strait Islander people associated with a particular place or country. This term is usually used between Aboriginal and Torres Strait Islander people, therefore it is not appropriate for non-Aboriginal and Torres Strait Islander people to use this term unless it is known to be acceptable by the group.

(the) **The Dreamtime** – Is the time where creation spirits (Ancestors) shaped the world and every natural thing in it. It involves the intervention of supernatural events and beings to explain the origins of the world and beings in it

Dreaming – The Dreaming has different meanings to different Aboriginal and Torres Strait Islander groups. It establishes the rules of governing relationships between people, the land and all things for Aboriginal and Torres Strait Islander people. The Dreaming is linked to the past, the present and the future. Present generations of Aboriginal people connect directly with the dreaming through ritual song and dance and stories.

Reconciliation - The process of Reconciliation aims to improve relations between Aboriginal and Torres Strait Islander people and other Australians, through increasing understanding of Aboriginal and Torres Strait Islander history, cultures, past dispossession and present disadvantages. When used in this sense, the term should always begin with a capital.

Language Group - A language group is an Aboriginal or Torres Strait Islander group identified by the use of a common language (both verbal and non-verbal) and identified with a particular territory. Is used in preference to the term 'tribe'. In NSW over 70 Aboriginal languages and dialects were once spoken.

Clan - A local descent group larger than a family but based on family links through a common ancestry. A clan is a subset of a language group.

Country - Area of land, river and sea and everything within that Country that is the traditional land of each Aboriginal and Torres Strait Islander language group of community. It has a much broader meaning than its meaning in English incorporating an integral sense of belonging and a place of Dreaming.

Tribe – Like language group, a tribe refers to a culturally distinct group of people associated with a particular, culturally defined area of land and country. It is not a family descendant group. Be aware that 'tribe' has a specific meaning which derives from non-Indigenous societies, and may not be applicable to Aboriginal and Torres Strait Islander culture.

Sorry Business – The period of mourning for deceased Aboriginal or Torres Strait Islander people. In many Aboriginal communities there is a prohibition on naming someone who is deceased, which may last for months or even years. When this occurs, a different name is used to refer to the person who has passed away. Generally, the face of the person who has died should not be shown without warning, particularly to their own communities.

Welcome to Country – Is where Aboriginal and Torres Strait Islander people, who are traditional custodians, or a respected Aboriginal member of that community, welcome people to their land. The Welcome should occur in the opening ceremony of an event, preferably as the first item. Protocols in relation to performing a Welcome to Country of Traditional Owners/Custodians and Elders must be adhered to.

Welcome to Country was performed in tradition times by elders who 'welcomed' neighbouring clan groups onto country for trade and rituals. This practice is performed today to pay respects to the custome and to the traditional custodians of the land.

Acknowledgement of Country - is a statement of recognition of the traditional custodians of the land. An Acknowledgement of Country can be given by any person and should occur at the beginning of an occasion. Protocols in relation to performing an Acknowledgement of Traditional Owners/Custodians and Elders must be adhered to.

Totem – A particular animal or plant which is associated with each person and each clan. Clans are the smaller division of the main Nation and have management of an area of land set aside as a sanctuary for the spirit of their totem. People were never allowed to eat their totem which aided in the protection and conservation of plants and animals.

Native Title – Form of which recognises Aboriginal and Torres Strait Islander people as rightful owners of the land; Native Title (capitalised) refers to the legislation, whereas native title (lower case) refers to the concept. It may include the right to access an area of land or the right to participate in decisions concerning how the land or waters are used by other people. Native title may also vary according to the rights of other people and may exist alongside other rights (called ‘co-existence’).

Aboriginal Land Council - Represent the Aboriginal affairs at regional, state or territory level. They aim to protect the interests and further the aspirations of Aboriginal communities.

4.1 Filling A Void

The Aboriginal Heritage Office receives a large number of enquiries regarding the correct use of Aboriginal words, placenames, languages and clans. Enquirers often expect a definitive answer but it is important to recognise that this is not always possible. In order to assist our understanding of the origin, validity and use of certain words used to describe local Aboriginal languages and clans, in 2015, the Aboriginal Heritage Office published *“Filling A Void – A Review Of The Historical Context For The Use Of The Word ‘Guringai”*.

You can access “Filling A Void” on the Aboriginal Heritage Office’s website:

www.aboriginalheritage.org

5.0 Legislative & Policy Framework

Council's work with Aboriginal and Torres Strait Islander communities is based on a clear legislative and policy framework which is aimed at achieving social justice: equity; access; participation; and rights for Aboriginal and Torres Strait Islander people. There are a number of laws which protect the rights of Aboriginal and Torres Strait Islander people, such as: Aboriginal Housing Act; Aboriginal Land Rights Act; and Anti-Discrimination Act. This section focuses on the legislative and policy framework which applies to North Sydney Council.

5.1 Local Government Act

The Local Government Act (1993) requires councils to:

- Provide, after due consultation, adequate, equitable and appropriate services and facilities for the community;
- Exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights; and
- Facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government.

5.2 Integrated Planning and Reporting Framework

The Integrated Planning and Reporting Framework requires that particular consideration be given to the specific needs of of Aboriginal people and Torres Strait Islander people (amongst a number of other groups) to help ensure that all members of the community receive a fair go in planning future services or facilities and that Council meets the requirement to ensure the Community Strategic Plan is founded on social justice principles.

5.3 Principles of Co-operation Agreement

On 17 March 2006, North Sydney Council signed a Principles of Co-operation agreement with the Metropolitan Local Aboriginal Land Council. The two parties agreed to:

1. Actively work together to foster reconciliation between Aboriginal and non-Aboriginal people;
2. Actively work together to promote an increased understanding of Aboriginal culture;
3. Establish and maintain open and transparent two-way communications and consultation between the two organisations; and
4. Establish a framework for considering development proposals affecting Metro interests that is consistent with the North Sydney Council's duties and obligations under all relevant laws.

The development of these guidelines is further recognition of Council's commitment to the Principles of Co-operation Agreement.

The agreement is available at:

http://www.northsydney.nsw.gov.au/Council_Meetings/Policies_Plans/Management_Plans/Social_Cultural

5.4 Northern Sydney Aboriginal Social Plan & Evaluation Report

On 9 October 2006, North Sydney Council adopted the Northern Sydney Aboriginal Social Plan 2007-2011. This ground breaking Plan resulted from a collaborative partnership of the 11 northern Sydney councils who engaged the local Aboriginal and Torres Strait Islander communities to identify the most pressing social issues they faced. The following six areas were identified:

1. Collaboration and Cooperation
2. Health and Wellbeing
3. Education and Training
4. Housing
5. Employment
6. Culture and Heritage

The Plan is available for viewing at:

http://www.northsydney.nsw.gov.au/Council_Meetings/Policies_Plans/Management_Plans/Social_Cultural

On 9 July 2012, Council reaffirmed its commitment to work collaboratively across the region to address the social needs of local Aboriginal and Torres Strait Islander people when it considered the Evaluation Report of the Northern Sydney Aboriginal Social Plan 2007-2011, undertaken by Zakumi Consulting. The Report identified the following three areas as priorities:

1. Coordination of services
2. Increase awareness of Aboriginal presence, history and culture
3. Better access and engagement for Aboriginal and Torres Strait Islander people with existing services

6.0 Community Engagement

6.1 Why Engagement Is Important

Aboriginal and Torres Strait Islander people have a great deal to contribute to the development of the cultural, social, environmental and economic life of the North Sydney Community. To realise this potential, it is important that North Sydney Council and other community organisations develop mechanisms to involve Aboriginal and Torres Strait Islander people in their decision making. Aboriginal and Torres Strait Islander people, groups and organisations are best placed to determine their own needs and Council's role is to:

- Continuously engage these individuals, groups and organisations to comprehensively understand their needs and their strengths;
- Help ensure services are accessible, equitable and culturally appropriate in meeting those needs and harnessing those strengths; and
- Partner with these individuals, groups and organisations to support them to achieve their goals and objectives.

There are a broad range of issues which Council should seek to engage the Aboriginal and Torres Strait Islander communities on, including: Council services; community land management; land use planning; development control; cultural and economic development; and place names.

Following years of mistreatment, Aboriginal people may view attempts by governments to engage them in decision making with scepticism. The term negotiation is preferred to consultation as it suggests an equal relationship. The level of engagement should reflect the issue being considered. This may vary from simply asking a question through to arranging a yarn up (forum for local Aboriginal people to come together to meet and discuss relevant issues).

Engagement is most effective when Councils have an understanding of the particular issues that affect Aboriginal people and Torres Strait Islander people and can demonstrate genuine empathy. To facilitate this, officers should consider the following engagement principles:

- Acknowledging the hurt of the past as a result of the policies of government;
- Acknowledging the Aboriginal custodianship of the land as the traditional owners;
- Acknowledging ongoing Aboriginal spiritual relationship to the land;
- Acknowledging the existence and contribution of distinct Aboriginal and Torres Strait Islander communities, particularly those that appear to be small or silent.

The Principles of Co-operation agreement between North Sydney Council and the Metropolitan Local Aboriginal Land Council (Metro) is a commitment by Council to engage with Metro on *all significant matters relating to land, sites and landscapes*. The parties agree to inform and involve each other about development proposals on or affecting Aboriginal interests. The agreement establishes a Co-ordination Committee to consider issues associated with the agreement. The Committee comprises of: Metro's Chair and Chief Executive Officer; North Sydney Council's Mayor and General Manager; and up to two representatives from the local Aboriginal community. Other nominees can attend as agreed. The Committee meets as required.

6.2 How to Engage Aboriginal People and Torres Strait Islander People

Good engagement is a relationship between equal partners, based on mutual trust, respect and genuine concern for each other's situation, where each party's contribution is valued. Users should consider these guidelines and Council's Community Engagement Framework when working with Aboriginal and Torres Strait Islander people. The treatment of Aboriginal people in the past makes it important to treat them with dignity and respect in all your dealings. Learning about the history and culture of the Aboriginal and Torres Strait Islander people, such as by reading these guidelines, is an important first step to good engagement. Be aware and respectful of communication differences.

Hornsby Council is currently updating *A Directory of Aboriginal Services in the Northern Sydney Region*, a collection of organisations which provide services to the Aboriginal and Torres Strait Islander people in the northern Sydney region. Once complete, this resource will be a useful reference for identifying which organisations to consult with about your particular topic. The current directory can be viewed at:

http://www.northsydney.nsw.gov.au/Community_Services/About_North_Sydney/Community_Directory

For more guidelines on community engagement, read: "Engaging with local Aboriginal communities: A Resource Kit For Local Government In NSW 2007" prepared by the Department of Local Government (now the Division of Local Government) in partnership with the Local Government and Shires Associations of NSW (now Local Government NSW).

Available at:

<http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/AboriginalResourceKit.pdf>

6.2.1 Getting Permission

It is important to get permission before starting work on any Council project that directly and significantly impacts on Aboriginal communities. Aboriginal people have a strong sense of owning their history and knowledge and being in control of their future, something which has been ignored in the past. Getting permission involves forming strong partnerships with local Aboriginal organisations. They can advise you on the correct protocol for gaining consent. In the first instance, contact the Aboriginal Heritage Office and/or Metropolitan Local Aboriginal Land Council for advice.

6.2.2 Use Plain Language

Use plain language wherever possible. Avoid the use of acronyms and jargon.

6.2.3 Consult Widely

Aboriginal communities do not elect representatives in the same way as Councils do. No one person or group can represent the diverse and complex views of the local Aboriginal people or the Torres Strait Islander people. It is therefore necessary to speak to as many stakeholders as possible as this will provide a fuller picture of the matter being discussed and allow flexibility for different people to contribute at different times. For a list of possible stakeholders, refer to *A Directory of Aboriginal Services in the Northern Sydney Region* at:

http://www.northsydney.nsw.gov.au/Community_Services/About_North_Sydney/Community_Directory

6.2.4 Be Transparent

It is important to be open, upfront and honest with the Aboriginal and Torres Strait Islander communities. Be careful of creating false expectations.

7.0 Significant Ceremonies

7.1 Welcome to Country

A 'Welcome to Country' is where an Aboriginal custodian of that Country gives a Welcome to people to their land at the beginning of a meeting, event or ceremony. An appropriate person such as a traditional Elder within the local area or an Elder that has the respect of the local community needs to conduct this welcome. A Welcome to Country is an important mark of respect for Aboriginal people.

The Metropolitan Local Aboriginal Land Council can help arrange a Welcome to Country. Fees may apply for this service.

Consideration should be given to arranging a Welcome to Country at significant or large-scale community events, ceremonies or meetings.

7.2 Acknowledgement of Country

An 'Acknowledgement of Country' is where an Aboriginal person who is not a traditional custodian of the land where the event is being held or a non-Aboriginal person acknowledges and shows respect to the Traditional Custodians of the land on which the event is taking place as a sign of respect. It is important, when given, that an Acknowledgement of Country is genuine and said with meaning and belief. When weighing up whether it is appropriate to give an Acknowledgement of Country or not, consideration should be given to the subject matter being discussed, the venue where the gathering is being held and who will be attending. There is no requirement to give an Acknowledgement at every meeting.

The wording for an Acknowledgement of Country is not prescriptive and can take many different forms at the discretion of the speaker. However, for those looking for guidance, the following wording is considered appropriate:

"I would like to Acknowledge the Aboriginal traditional custodians of this land. I would also like to pay respect to Elders both past and present, the spirits and ancestors, and extend that respect to other Aboriginal people present."

7.3 Smoking Ceremonies

Smoking ceremonies are a purification ritual undertaken in order to cleanse a space. Only an Aboriginal person with specialised cultural knowledge can undertake a smoking ceremony. Aboriginal people may request a smoking ceremony in a workplace where a death or other traumatic event has occurred. This request should be respected as failure to do so may cause significant distress.

8.0 Flags

Flying the Aboriginal or Torres Strait Island flag acknowledges the important role they have to play in our community.

8.1 Aboriginal Flag

The Aboriginal flag was designed by Mr Harold Thomas, a Lurtija man born in Mparntwe, Alice Springs who designed the flag in the 1970 whilst working as a survey artist at the South Australian Museum. It was created as a symbol of unity and national identity for Aboriginal people during the rights movement of the early 1970s.

The flag was first flown on 12 July 1971 in Adelaide. It became the official flag of the Aboriginal Tent Embassy in 1972 and was proclaimed by the Australian Government as an official 'Flag of Australia' in 1995.

Symbolic Meaning:

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.

Use of the Aboriginal Flag is protected under the Copyright Act 1968. Mr Harold Thomas holds the copyright for the flag.

8.2 Torres Strait Islander Flag

The Torres Strait Islander Flag was designed by the late Mr Bernard Namok from Thursday Island in 1992. It too was proclaimed by the Australian Government as an official 'Flag of Australia' in 1995.

Symbolic Meaning:

Green: Represents the land.

Blue: Represents the sea.

White: Represents the peace

Black: Represents the Indigenous peoples.

The dhari (headdress) represents the 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.

Use of the Torres Strait Islander Flag is protected under the Copyright Act 1968. The Torres Strait Island Regional Council holds the copyright for the flag.

8.3 Flying the Flags

Permission is not required to fly the Aboriginal or Torres Strait Islander flags. The order in which the flags should be flown (from the left) is: Australian; State; Aboriginal or Torres Strait Island; and then Council.

For a more comprehensive explanation of flag flying protocols, readers should familiarise themselves with the Australian Governments flag flying protocols which can be found at:

<http://www.itsanhonour.gov.au/symbols/flag.cfm>

9.0 Respecting Arts & Cultural Heritage

The use of Aboriginal and Torres Strait Islander people's cultural heritage material is governed by complex legal, ethical and moral considerations. Music, writing, visual arts, and performing arts are just some of the mediums used for displaying Aboriginal and Torres Strait Islander cultural heritage. The Australia Council for the Arts has produced 5 guides to help people understand this area: http://www.australiacouncil.gov.au/about_us/strategies-policies.

Aboriginal and Torres Strait Islander art practice mean many different things to Aboriginal and Torres Strait Islander artists.

It is important when promoting Aboriginal and Torres Strait Islander art and culture to recognise that:

- There are many different Aboriginal and Torres Strait Islander cultures throughout Australia;
- Aboriginal and Torres Strait Islander artists use both traditional and contemporary forms;
- Aboriginal and Torres Strait Islander cultures are dynamic;
- Aboriginal artists live and work in remote, rural and urban communities.

The diversity of Aboriginal and Torres Strait Islander art and culture should be respected at all stages of the process: creation; buying; selling; marketing; interpretation; and promotion. This means appropriate acknowledgement and representation of the particular Aboriginal and Torres Strait Islander culture, tradition, history and aspirations of the artwork and the artist.

Acknowledgement of diversity requires understanding of the particular cultural environment in which the artworks are produced including through consultation with artists, local governments, land and community councils and local Aboriginal and Torres Strait Islander organisations.

Key Points to Consider:

1. **Respect** – Respectful use of the Aboriginal and Torres Strait Islander cultural material and information about life experience is a basic principle.
2. **Indigenous control** – Aboriginal and Torres Strait Islander people have the right to self-determination in their cultural affairs and the expression of their cultural material.
3. **Communication, consultation and consent** – Communicate and consult with the relevant Aboriginal and Torres Strait Islander people in authority, and seek their consent for each project and inform them of the implications of their consent.
4. **Interpretation, integrity and authenticity** – During collaborative projects it is important to recognise, remunerate and acknowledge Aboriginal and Torres Strait Islander participants who contribute to the cultural authenticity, interpretation and integrity of a work.
5. **Secrecy and confidentiality** - Some cultural material is not suitable for wide dissemination on the grounds of secrecy and confidentiality and this must be respected.
6. **Attribution and copyright** - Aboriginal and Torres Strait Islander people should be attributed for the use of their cultural heritage material and consulted on the form of attribution people may want. Patents, trademark, breach of confidence (or trade secrets law), copyright and design laws may be relevant.
7. **Proper returns and royalties** – Aboriginal and Torres Strait Islander people have the right to be paid for their contribution and for use of their cultural heritage materials.
8. **Continuing cultures** – Cultures are dynamic and evolving and the protocols within each group and community may change. Consultation is an ongoing process, and thought should be given to ways of maintaining relationships for future consulting.
9. **Recognition and protection** – Aboriginal and Torres Strait Islander people have the right of protection of their cultural and intellectual property.

10.0 Significant Dates & Events

Date		Event	Description	Website
Month	Date			
January	26	Australia Day Day of Mourning Survival Day Invasion Day Yabun Festival	On the Australia Day public holiday, the Aboriginal community celebrates the survival of Indigenous cultures.	Yabun Festival: www.gadigal.org.au
February	13	Anniversary of the Apology to the Stolen Generation	Marks the anniversary of Prime Minister Kevin Rudd's 2008 Apology to Australia's Indigenous peoples.	http://australia.gov.au/about-australia/our-country/our-people/apology-to-australias-indigenous-peoples
March	21	Harmony Day	A day that encourages tolerance between all Australians, regardless of heritage or cultural background.	www.harmony.gov.au
	Held in March / April	National Close the Gap Day	A day which highlights Aboriginal and Torres Strait Islander peoples health inequality and calls on governments to take action.	www.oxfam.org.au/explore/indigenous-australia/close-the-gap/
April	25	Coloured Diggers ANZAC Day March	Honouring and recognising the contribution of Aboriginal and Torres Strait Island war veterans.	www.creativespirits.info/aboriginalculture/history/anzac-day-coloured-digger-march
May	26	National Sorry Day National Day of Healing for all Australians (also called Journey of Healing Day)	Marks 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.	www.nsd.org.au
	26 – 3 June	National Reconciliation Week	Beginning with National Sorry Day, this week is celebrated with activities across Australia, the week ends with Mabo Day.	www.reconciliation.org.au/nrw
	27	Amendments to the	Celebrates the 1967 referendum which fully acknowledged	

	May	Constitution regarding Aboriginal people (1967)	Aboriginal and Torres Strait Islander people as citizens of Australia.	
	May – July	Guringai Festival	Founded in 2001, the Guringai Festival aims to raise awareness of Aboriginal and Torres Strait Islander people living in the Northern Sydney region. The festival usually starts on Sorry Day 26 May and goes through to the end of NAIDOC Week, the second week in July each year. The festival involves 11 councils and numerous reconciliation and community groups. Events include workshops, art exhibitions, performances, films and talks.	www.guringaifestival.com.au
June	3	Mabo Day	Commemorates the 1992 High Court decision that recognised the existence of native title rights in Australia.	http://maboday.com.au/
July	1	Coming of the Light Festival	The day Torres Strait Island people both in the Torres Strait and on mainland Australia commemorate, with religious and cultural ceremonies, the day in 1871 when the London Missionary Society first arrived in the Torres Strait.	www.tsra.gov.au/the-torres-strait/regional-events-calendar
	1 st full week	NAIDOC Week	NAIDOC stands for National Aboriginal and Islander Day Observance Committee; this is a week that celebrates Aboriginal and Islander people and culture. It was established as National Aborigines Day but has since grown to a week-long event. The week is marked with different activities, with each year having a different theme.	www.naidoc.org.au
August	4	National Aboriginal and Islander Children's Day	National Aboriginal and Islander Children's Day is a celebration of Aboriginal and Islander children which highlights a significant issue, concern or hope for the year.	www.snaicc.org.au
	9	International Day of the World's Indigenous Peoples	A day marked to recognise indigenous history, culture, languages, rights and aspirations throughout the world. It is celebrated with activities highlighting indigenous peoples and their culture.	www.un.org/en/events/indigenousday

11.0 Where to go for more information

Australian Government Resources		
1. Australian Government Indigenous portal	A portal to help access Australian Government websites and a place to share information, news, stories and events of interest to Aboriginal and Torres Strait Islander Australians or those working in Indigenous affairs.	www.indigenous.gov.au
Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA)		
1. FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs has primary responsibility for Indigenous affairs within the Australian Government.	www.fahcsia.gov.au
2. Minister	The Honorable Jenny Macklin MP Minister for Families, Community Services and Indigenous Affairs	www.jennymacklin.fahcsia.gov.au
3. Programs & Services	Read about the programs and services FaHCSIA provides for Indigenous Australians.	www.fahcsia.gov.au/our-responsibilities/indigenous-australians/programs-services
4. Grants & Funding	Read about FaHCSIA's grants and funding.	www.fahcsia.gov.au/grants-funding
5. Publications	Links to various FaHCSIA publications and articles.	www.fahcsia.gov.au/our-responsibilities/indigenous-australians/publications-articles
6. Links to other resources	Over 45 links to further resources.	www.fahcsia.gov.au/our-responsibilities/indigenous-australians/related-agencies-sites
7. Apology to Australia's Indigenous Peoples	Read about: <ul style="list-style-type: none"> ▪ the Prime Minister's apology to Indigenous Australians made on 13 February 2008 	www.fahcsia.gov.au/our-responsibilities/indigenous-australians/programs-services/recognition-respect/apology-to-australias-indigenous-peoples

	<ul style="list-style-type: none"> ▪ commemorations to mark the anniversary ▪ the Stolen Generations 	
8. Engagement with Indigenous Australians	6 information sheets for improving engagement with Indigenous Australians.	www.fahcsia.gov.au/our-responsibilities/indigenous-australians/programs-services/recognition-respect/engagement-with-indigenous-australians
9. The Indigenous Reform Agenda (Closing the Gap)	A commitment by all Australian governments to improve the lives of Indigenous Australians, and in particular provide a better future for Indigenous children	www.fahcsia.gov.au/our-responsibilities/indigenous-australians/programs-services/closing-the-gap
10. Closing the Gap Targets	<ul style="list-style-type: none"> • To close the life-expectancy gap within a generation • To halve the gap in mortality rates for Indigenous children under five within a decade • To ensure access to early childhood education for all Indigenous four years olds in remote communities within five years • To halve the gap in reading, writing and numeracy achievements for children within a decade • To halve the gap in Indigenous Year 12 achievement by 2020 • To halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade. 	www.fahcsia.gov.au/our-responsibilities/indigenous-australians/programs-services/closing-the-gap/closing-the-gap-targets-and-building-blocks
11. Toolkit for Indigenous Service Provision	<p>A toolkit designed to help increase the capacity of staff and organisations funded by the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) to provide a high standard of service delivery, including:</p> <ul style="list-style-type: none"> • Reflect on their organisation’s current position • Learn more about Indigenous history and culture and the potential barriers Indigenous people may experience accessing their service • Engage Indigenous people, organisations and expertise at all levels of their organisation • Plan strategies to address a range of symbolic, operational, 	www.fahcsia.gov.au/our-responsibilities/indigenous-australians/programs-services/recognition-respect/toolkit-for-indigenous-service-provision

	<p>administrative and physical changes, and</p> <ul style="list-style-type: none"> Implement strategies to create and sustain changes in their organisation to enhance the social inclusiveness of their services. 	
Human Rights Commission		
1. Australian Human Rights Commission	Independent statutory organisation leading the protection and promotion of human rights in Australia.	www.humanrights.gov.au
Arts		
1. Office for the Arts (OFTA)	The Office for the Arts (OFTA) administers a range of Australian Government funding that supports Indigenous culture, languages and visual arts.	www.arts.gov.au/indigenous
2. Australia Council for the Arts	Information on Aboriginal and Torres Strait Islander Arts from the Australian Government's arts funding and advisory body.	www.australiacouncil.gov.au/artforms/aboriginal-and-torres-strait-islander-arts
3. IP Australia	Nanga Mai Arung (Dream Shield). A guide to protecting designs, brands and inventions for Aboriginal and Torres Strait Islanders.	www.ipaustralia.gov.au/about-us/publications-listing/?doc=130524&view=Detail
3. New Tracks	Indigenous knowledge and cultural expression and the Australian intellectual property system.	www.australiacouncil.gov.au/_data/assets/pdf_file/0003/144831/New_Tracks_Janke_Dawson_FINAL_.pdf
4. Solid Arts	Solid Arts is an online resource for respecting and protecting Indigenous intellectual property. It is hosted by the Arts Law Centre of Australia with free legal tools, practical advice and links to other sites.	www.solidarts.com.au
Health		

1. Department of Health & Ageing	The Department of Health and Ageing's Aboriginal and Torres Strait Islander health site.	www.health.gov.au/internet/main/publishing.nsf/Content/Aboriginal+and+Torres+Strait+Islander+Health-1lp
2. Australian Institute of Health and Welfare	Authoritative information and statistics to promote better health and wellbeing for Indigenous Australians.	www.aihw.gov.au/indigenous-australians
3. Indigenous Observatory	A repository of information on the health and welfare of Aboriginal and Torres Strait Islander people.	www.aihw.gov.au/indigenous-observatory
4. Australian Indigenous HealthInfoNet	A resource that aims to inform practice and policy in Indigenous health by making research and other knowledge readily accessible	www.healthinfonet.ecu.edu.au
Statistics		
1. Australian Bureau of Statistics	Informs people about the social and economic outcomes of Aboriginal and Torres Strait Islander peoples.	www.abs.gov.au/websitedbs/c311215.nsf/web/Aboriginal+and+Torres+Strait+Islander+Peoples
Employment & Education		
1. Department of Education, Employment and Workplace Relations	Assists Aboriginal and Torres Strait Islander peoples in the areas of early childhood, schooling, employment, and economic independence.	www.deewr.gov.au/indigenous
Grants		
1. Grant Link	Find government grants and assistance for individuals, businesses and communities.	www.grants.myregion.gov.au
Torres Strait Islanders		
1. Torres Strait Regional Authority	Has the responsibility to formulate, coordinate and implement programs for Torres Strait Islander and Aboriginal people living within the region.	www.tsra.gov.au
2. Torres Strait Island Regional Council	The Torres Strait Island Regional Council (TSIRC) is one of two local councils found in the Torres Strait. The TSIRC represents the fifteen 'outer' island communities.	http://www.tsirc.qld.gov.au/

3. Torres Shire Council	The Shire of Torres is the northernmost Queensland local authority, and it comprises all of the State lying north of latitude 11 degrees south.	http://www.torres.qld.gov.au/about-the-shire
4. Map	Map of the Torres Strait Islands.	www.tsra.gov.au/the-torres-strait/regional-map
5. TSRA Cultural Protocols Guide	To aid engagement with Torres Strait Islanders.	www.tsra.gov.au/the-tsra/tsra-cultural-policy
Land		
1. Indigenous Land Corporation	The ILC is an independent statutory authority established to assist Indigenous people to acquire and manage land to achieve economic, environmental, social and cultural benefits.	www.ilc.gov.au/site/page.cfm
Law & Justice		
1. Indigenous Law and Justice (Attorney-General's Department)	Advice on law and justice programs that benefit Indigenous Australians.	www.ag.gov.au/LegalSystem/IndigenousLaw/Pages/default.aspx
ABC		
1. ABC Indigenous	The ABC's portal to Indigenous information.	www.abc.net.au/indigenous
NSW Government Resources		
1. Office of Communities Aboriginal Affairs	The NSW government agency with primary responsibility for providing advice to government on matters effecting Aboriginal people and communities in NSW.	www.aboriginalaffairs.nsw.gov.au
2. Minister	The Honorable Victor Dominello MP Minister for Aboriginal Affairs	www.aboriginalaffairs.nsw.gov.au/minister
3. Family & Community Services	Provide services to Aboriginal and Torres Strait Islander people including: Aboriginal Housing Office; Aboriginal Child, Youth and Family Strategy;	www.facs.nsw.gov.au
4. Aboriginal Affairs Plan	OCHRE – Aboriginal Affairs Plan. OCHRE stands for opportunity, choice, healing, responsibility and empowerment.	www.aboriginalaffairs.nsw.gov.au/nsw-government-aboriginal-affairs-strategy

5. Grants & Funding	NSW Government Grants Portal.	www.communitybuilders.nsw.gov.au
6. Aboriginal Land Rights Act	The Act is a compensatory regime which recognises that land is of spiritual, social, cultural and economic importance to Aboriginal people.	www.aboriginalaffairs.nsw.gov.au/alra
7. Links to other resources	Over 90 links to further resources.	www.aboriginalaffairs.nsw.gov.au/links
8. Engaging with local Aboriginal communities	A resource kit for local government in NSW prepared by the Division of Local Government.	http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/AboriginalResourceKit.pdf
9. Aboriginal Protocols (draft)	NSW Department of Local Government	http://www.dlg.nsw.gov.au/dlg/dlghome/documents/GIPA/Aboriginal%20Protocols%20for%20DLG.pdf
10. Anti-Discrimination Board	The Anti-Discrimination Board of NSW administers the anti-discrimination laws of New South Wales and promotes anti-discrimination and equal opportunity principles and policies throughout NSW.	www.lawlink.nsw.gov.au/ADB
11. Aboriginal Unit – NSW Ombudsman	A multidisciplinary team responsible for reviewing whole-of-government service delivery.	www.ombo.nsw.gov.au/what-we-do/indigenous/our-aboriginal-unit
Local Government Resources		
1. Local Government NSW	Local Government NSW represents the councils in NSW. Has a longstanding interest in Aboriginal Affairs and support initiatives that bring about reconciliation between Aboriginal and Torres Strait Islander People and the wider community. Has a designated Aboriginal Liaison Officer (02 9242 4085).	www.lgnsw.org.au/policy/aboriginal-affairs
2. Aboriginal Heritage Office	The <i>Aboriginal Heritage Office</i> is a partnership of seven local councils in northern Sydney working to protect Aboriginal sites and promote Aboriginal history and heritage. It hosts the only Aboriginal Museum and Keeping Place in northern Sydney. The <i>Aboriginal Heritage Office</i> provides training and employment	www.aboriginalheritage.org

	opportunities for Aboriginal people, showcases Aboriginal ingenuity, and provides the wider community with opportunities to learn about the Aboriginal perspective in the region's history and landscape.	
3. City of Sydney	The Council for Sydney city.	www.cityofsydney.nsw.gov.au/community/community-support/aboriginal-and-torres-strait-islander-communities
Other Resources		
1. Healing Foundation	A non-profit organisation supporting and promoting Indigenous healing throughout Australia.	www.healingfoundation.org.au
2. Reconciliation Australia	A national organisation promoting reconciliation between Aboriginal and Torres Strait Islander peoples and the broader Australian community.	www.reconciliation.org.au
3. Recognise Australia	RECOGNISE is the people's movement to recognise Aboriginal and Torres Strait Islander peoples in our Constitution.	www.recognise.org.au
4. Stolen Generations Testimonies Website	An initiative to record on film the personal testimonies of Australia's Stolen Generations Survivors and share them online.	www.stolengenerationstestimonies.com
5. First Australians -SBS TV Series	Over 7 episodes, First Australians chronicles the birth of contemporary Australia from the perspective of its first people.	www.sbs.com.au/firstaustralians
6. Australian Human Rights Commission	The Commission keeps social justice issues before the Australian Government and promotes community understanding and respect for the rights of Aboriginal and Torres Strait Islander peoples.	www.humanrights.gov.au/our-work/aboriginal-and-torres-strait-islander-social-justice
7. Bringing Them Home Report (1997)	Read about the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families. Conducted by the Human Rights and Equal Opportunity Commission and other related resources.	www.humanrights.gov.au/publications/bringing-them-home-stolen-children-report-1997
8. NAIDOC Week	NAIDOC stands for the National Aborigines and Islanders Day	www.naidoc.org.au

	Observance Committee. NAIDOC is a celebration of Aboriginal and Torres Strait Islander cultures and an opportunity to recognise the contributions of Indigenous Australians in various fields. Activities take place across Australia during the first full week of July.	
9. Australian Indigenous Languages Database	The AUSTRALIAN LANGUAGES system assembles information about Aboriginal and Torres Strait Islander languages from various sources. The core of AUSTRALIAN LANGUAGES is the AUSTRALIAN LANGUAGES database (online Aboriginal and Torres Strait Islander languages database) which is linked to Google Maps.	www.austlang.aiatsis.gov.au/disclaimer.php
10. Australian Indigenous Language Map	An interactive map.	www.abc.net.au/indigenous/map
11. National Congress of Australia's First Peoples	A national voice for Aboriginal and Torres Strait Islander Peoples.	www.nationalcongress.com.au
12. NSW Aboriginal Land Council	The State's peak representative body in Aboriginal affairs.	www.alc.org.au
13. Metropolitan Local Aboriginal Land Council (Sydney)	Works to improve, protect and foster the best interests of all Aboriginal persons within the Council's area and other persons who are members of the Council.	www.metrolalc.org.au
14. Protocols for Welcome To Country and Acknowledgement	From the Metropolitan Local Aboriginal Land Council.	http://metrolalc.org.au/services-resources/welcome-to-country/
15. Koori Mail	The Koori Mail is a fortnightly national newspaper reporting on the issues that matter to Aboriginal and Torres Strait Islander people.	www.koorimail.com
16. Indigenous Art Code	A voluntary code designed to ensure fair trade with Aboriginal and Torres Strait Islander artists.	www.indigenousartcode.org/
17. Flag Flying Protocols	Australian Government	http://www.itsanhonour.gov.au/symbols/flag.cfm
18. National Indigenous Television	National Indigenous Television (NITV) is part of the SBS family of free-to-air channels broadcasting across Australia providing a nationwide Indigenous television service via cable, satellite and terrestrial transmission means and selected online audio visual content. The content for these services is primarily commissioned or acquired from the Indigenous production sector.	www.nitv.org.au

19. Kinship Module Teaching and Learning Framework	The Kinship Module project is a pilot online education program that promotes Aboriginal cultural education at a university level.	http://sydney.edu.au/kinship-module/about/index.shtml
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