



# Respectful engagement with Aboriginal people and community organisations

## Introduction

This factsheet has been developed to provide guidance for people who are seeking to invite **Aboriginal people and/or Aboriginal-led community organisations** to participate in consultation, advisory processes, and cultural activities.

**The cultural knowledge and community relationships that enable Aboriginal people to provide these services is a form of expertise that should be recognised and valued**, as would be the case if you were engaging other subject matter experts such as engineers, lawyers, or other consultants. This means **respecting Aboriginal people's time, paying for their expertise and intellectual property, and understanding that they are likely to be busy people with limited availability**.

This factsheet provides guidance on good practice, process design, and payment amounts and methods. There are some case studies at the end of the factsheet to illustrate how the guidance can be applied in practice.

## *Working with Aboriginal businesses*

In addition to recognised Aboriginal community leaders and Aboriginal community organisations, there are Aboriginal businesses that offer consultancy, cultural advisory, and/or cultural services (such as artwork or performances). Some of the guidance in this factsheet – such as the sections about how to work respectfully with Aboriginal people and provide them with a culturally safe and supportive working environment – is relevant to working with Aboriginal businesses and consultants. However, the guidance in this factsheet about pricing might not be directly applicable. Like all businesses, Aboriginal-led businesses' pricing may be affected by commercial considerations (such as the costs of wages and supplies), in addition to the cultural considerations outlined in this factsheet.

When working with Aboriginal-led businesses, you should refer to relevant codes of practice such as:

- The Indigenous Art Code: <https://indigenousartcode.org/>
- The National Association for the Visual Arts *Code of Practice for Visual Arts, Craft and Design*: <https://code.visualarts.net.au/>
- Creative Australia protocols for Indigenous cultural and intellectual property (ICIP) in the arts: <https://creative.gov.au/investment-and-development/protocols-and-resources/protocols-for-using-first-nations-cultural-and-intellectual-property-in-the-arts/>

## Context

Tasmanian Aboriginal people and community organisations frequently receive requests from non-Aboriginal people and organisations, such as:

- Asking to meet with Aboriginal community leaders or an Aboriginal community-controlled organisation (ACCO) in order to consult with them or to seek their advice;
- Requesting an Aboriginal Elder to perform a Welcome to Country;
- Requesting Aboriginal people to provide other cultural services such as:
  - Sharing knowledge about cultural burning, the use and sustainable management of land, water and sea Country;
  - Producing artworks;
  - Dance performances; and
  - Displays or teaching of cultural techniques.

Many Tasmanian Aboriginal community-controlled organisations have small teams and are grant-funded to provide specific services to Aboriginal communities. There may be limited spare time and/or budget to provide cultural services or advice to non-Aboriginal organisations.

By making it clear that you will pay Aboriginal community leaders and organisations appropriately for their time and expertise, this can assist them to respond to requests for advice or to participate in consultation processes.

## Guiding principles

Reconciliation Tasmania recommends that, when contacting an Aboriginal person or organisation to request a meeting or the provision of cultural services, you should:

- Provide a clear outline of what you are asking of them. It is important not to surprise people with unexpected tasks;
- If requesting a meeting, offer to travel to their premises or their preferred location;
- State that you are aware that you will need to pay for their time and expertise; and
- Invite them to provide a quote or to inform you of their standard rates. Alternatively, if you have a budget in mind, state the proposed rate of payment with an indication of whether or not it is negotiable.

When planning your event or consultation process, be sure to allow plenty of time between first contacting Aboriginal people and organisations, and when you are hoping to meet with them. There may be cultural protocols that need to be followed, such as consulting with Elders and/or community members about your request. This can mean that it may take several weeks to receive a response to your request.

### *Consultation processes – free, prior and informed consent*

The United Nations *Declaration on the Rights of Indigenous Peoples* (the Declaration), to which Australia is a signatory, emphasises the requirement for “free, prior and informed consent” of Aboriginal people:

- In relation to matters affecting *lands, territories and resources which they have traditionally owned or otherwise occupied or used* (Articles 10, 28 and 29);
- In relation to matters affecting *their cultural, intellectual, religious and spiritual property* (Article 11); and
- *Before adopting and implementing legislative or administrative measures that may affect them* (Article 19).

These rights inform both the timing of any consultation with Aboriginal people or community organisations – which should occur at an early stage of any decision-making process – and the level of detail that should be provided to them, which must be sufficient to enable Aboriginal people to make an informed decision about what is being proposed.

### *Doing your homework*

Some of the topics that organisations ask to consult Aboriginal people about – such as service delivery, progress (or lack thereof) against Closing the Gap targets, deaths in custody, and child removal – are topics that have personally affected many Aboriginal people.

These are also topics on which many Aboriginal people and organisations have published detailed information which is readily available online from:

- Aboriginal and Torres Strait Islander-led peak bodies, such as the Tasmanian Aboriginal Centre (TAC), Tasmanian Aboriginal Heritage Council, Tasmanian Aboriginal Legal Service, National Aboriginal Community-Controlled Health Organisation (NACCHO), Secretariat of National Aboriginal and Islander Child Care (now known as SNAICC), and research organisations such as the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS);
- Public truth-telling processes, such as the national *Bringing Them Home* report and the Yoorrook Commission in Victoria;
- Reports of inquiries such as Royal Commissions and coronial inquests; and
- In published data, such as the Closing the Gap dashboard on the Productivity Commission website, or health outcomes data available from the Australian Institute of Health and Welfare.

Before approaching an Aboriginal leader or community organisation to seek their views or advice about a topic – particularly one that may involve their own personal experiences of trauma – it is important to research the topic to find out what is already known, and what recommendations have already been made by Aboriginal people about the issue.

‘Doing your homework’ will enable your organisation to:

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- conduct more meaningful consultation with Aboriginal people and organisations;
- demonstrate respect and genuine commitment to meaningful engagement, in that you have taken the time to inform yourself ahead of the meeting;
- reduce the need to ask questions that could re-traumatise the Aboriginal people who your organisation consults with; and
- reduce the time required to consult effectively with Aboriginal participants, thereby reducing the burden on their time and the resources of relevant organisations.

### *Foundations for good relationships*

*Allowing enough time:* Aboriginal cultures place a high value on family and community relationships. If requesting a meeting, ensure that you allow enough time in the meeting to build a personal connection between the people participating in the meeting, before moving on to discuss the meeting topics.

*Hospitality:* It is good practice to provide lunch (or morning or afternoon tea), tea and coffee to support Aboriginal people to feel welcomed and safe.

*Building connection:* It is good practice to work to develop an ongoing relationship with Aboriginal people and organisations that you engage with, rather than having only a 'transactional' relationship where you contact them only when your organisation is asking for something. A more meaningful relationship is one where your organisation has contact with the Aboriginal leader or community organisation for a range of reasons, such as:

- attending events hosted by the Aboriginal organisation during the year, and especially in NAIDOC Week;
- agreeing to meet with the Aboriginal leader or organisation at their request, about issues that are important to them;
- identifying opportunities to support their organisation through in-kind support, capacity-building and other collaborative processes.

You can find some helpful guidance about culturally appropriate communication styles on this website: <https://www.evolve.com.au/how-to-respect-aboriginal-culture-while-communicating/>

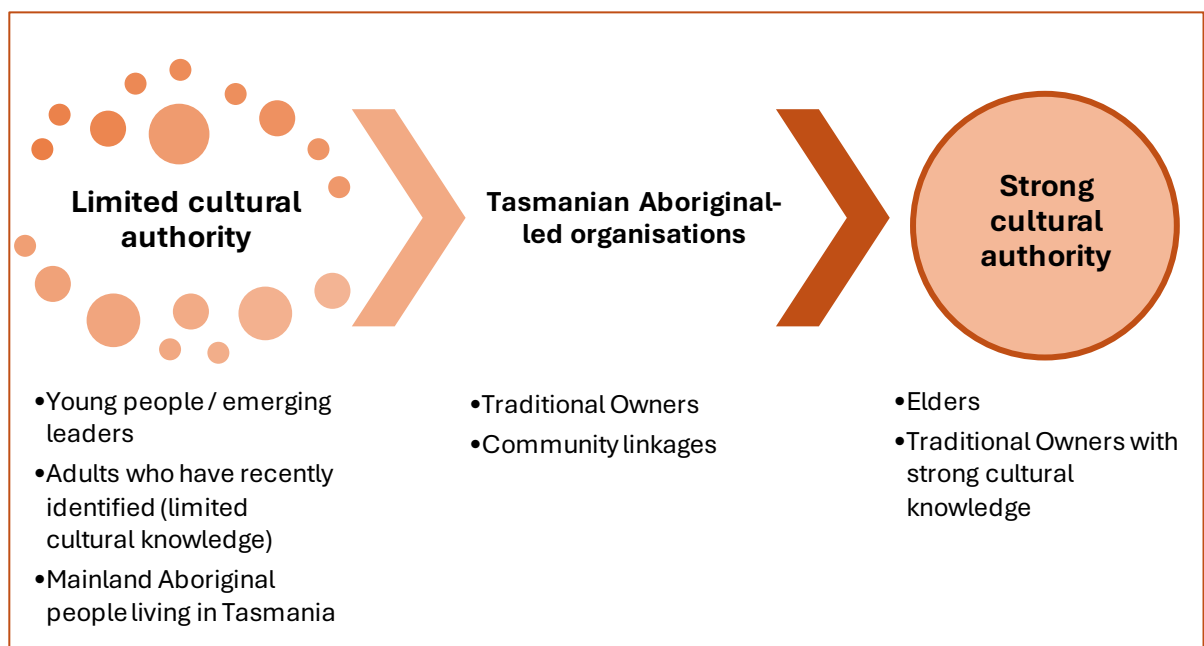
### *Developing a consultation remuneration policy*

If your organisation regularly engages with Aboriginal people and organisations, it is good practice to develop a Consultation Remuneration Policy to support a consistent approach and ensure that all Aboriginal people that your organisation engages with are fairly remunerated for their time, expertise, and cultural knowledge.

## Cultural expertise and cultural authority

Cultural authority is determined by and within the Aboriginal community, however some general guidance is:

- In general, **younger Aboriginal people who have grown up within their community will usually have less cultural knowledge and therefore less cultural authority than older people in that community**, because young people have had less time to acquire their knowledge. However, due to the history of children being removed from Aboriginal families, some people only discover their Aboriginal identity in later life. Such people may have less cultural knowledge and cultural authority than a younger Aboriginal person who has grown up in their Aboriginal culture.
- People who are **Traditional Owners** of the place (Country) have greater cultural authority to speak about their Country than Aboriginal and/or Torres Strait Islander people who are from a different place (eg the Australian mainland). In lutruwita / trouwunna / Tasmania, the Traditional Owners are the Tasmanian Aboriginal people – that is, people who trace their descent to a Tasmanian Aboriginal ancestor, who identify as a member of the Tasmanian Aboriginal community, and who are recognised by that community as being a member of it.
- **Leaders and staff of Aboriginal community organisations** may or may not be Traditional Owners, and may have varying degrees of cultural knowledge and cultural authority. They are however likely to have expertise about the services they deliver, knowledge about the needs of the community (or communities) that their organisation serves, and strong relationships within the community and with other relevant organisations. The value of this knowledge, expertise and connectedness should also be recognised.



## How much will it cost?

Just like non-Aboriginal experts, different levels of expertise will attract different fees.

- Fees charged by individual community members will be influenced by the person's age and cultural authority, and by the extent of other demands on their time.
- Payment should also be offered for meetings with Aboriginal community organisations, especially when seeking their advice about or assistance to connect with members of the Aboriginal community they serve.

The actual rates charged will need to be negotiated in each case by the Aboriginal person or organisation you are dealing with, and will depend on a range of factors including the person's level of cultural expertise and the other demands on their time.

You should also offer to cover travel and accommodation expenses.

## Method of payment

It is good practice to ask what method of payment is preferred, and to be ready to assist with practical matters such as:

- Being willing to receive invoices from and make payments through an Aboriginal community-controlled organisation nominated by the Aboriginal person;
- Offering to email or provide a printed Statement by Supplier form for individuals who do not have an ABN;
- Being willing to make payment through other means, such as through a voucher or through a donation to a nominated Aboriginal charity, if requested by the Aboriginal person to do so;
- Being willing to offer in-kind support, instead of or as part of payment, if requested by the Aboriginal person or organisation to do so, for example:
  - Assistance with transporting an Elder's artworks to a gallery;
  - Providing an agreed amount of time, expertise or other resources to an Aboriginal-led organisation;
  - Providing the use of a venue free of charge for the Aboriginal organisation to host an event; etc.

**Timeliness:** Whatever form of remuneration or in-kind support is agreed, your organisation should take care to ensure that the payment or other support is provided as soon as possible. This demonstrates respect for the time and contributions provided by the Aboriginal participant(s), and supports the development of a relationship founded in trust.

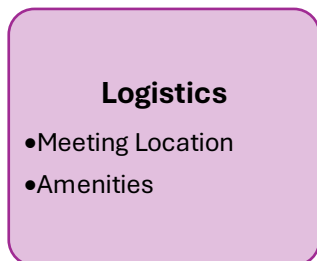
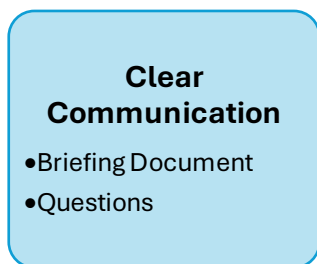
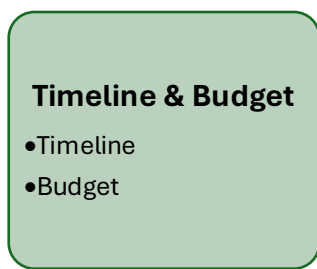
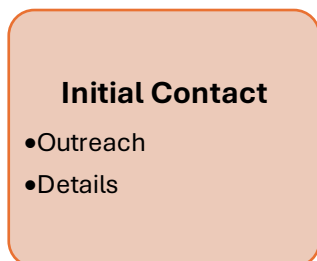
Reconciliation Tasmania thanks and acknowledges Alarna Page for providing the following case studies.

# Case Study: One-Time Consultation for a Welcome to Country Ceremony

## Background

A primary school is planning a Welcome to Country ceremony for a new school year and wants to invite an Aboriginal knowledge holder to perform the ceremony and provide cultural insights to students and staff.

## Preparation Steps



### 1. Initial Contact:

*Outreach:* The school principal contacts an Aboriginal knowledge holder, introducing themselves and explaining the purpose of the Welcome to Country ceremony.

*Details:* They outline the event's date, time, location, and the role the knowledge holder will play.

### 2. Timeline and Budget:

*Timeline:* The principal provides a detailed timeline, including the date of the ceremony and any preliminary meetings.

*Budget:* The school acknowledges the need for compensation and offers a budget price for the knowledge holder's time. They request a quote from the knowledge holder.

### 3. Clear communication:

*Briefing Document:* The school sends a document outlining the event schedule, the audience (students and staff), and specific aspects they wish the knowledge holder to address during the ceremony.

*Questions:* The principal includes questions about any specific cultural protocols or preferences the knowledge holder may have for the ceremony.

### 4. Logistics:

**Meeting Location:** The ceremony is scheduled to take place at the school's assembly hall or another suitable venue on the school grounds.

**Amenities:** The school arranges for refreshments, including tea, coffee, and light snacks, to be provided during the event. They also ensure that the space is set up comfortably and respectfully.



## Provision of cultural services

### 1. Arrival and Welcome:

*Reception:* The school staff greets the knowledge holder upon arrival, offering them a tour of the venue and ensuring they have everything they need.

*Setting Up:* The school sets up the space for the Welcome to Country, ensuring it is respectful and suitable for the ceremony.

### 2. Conducting the Ceremony:

*Welcome to Country:* The knowledge holder performs the Welcome to Country, sharing cultural stories and traditions with the students and staff.

*Engagement:* The knowledge holder is given an opportunity to speak with students and staff, answering questions and providing additional cultural context as needed.

## Follow-Up

### 1. Feedback:

After the ceremony, the principal thanks the knowledge holder and asks for feedback on the event.

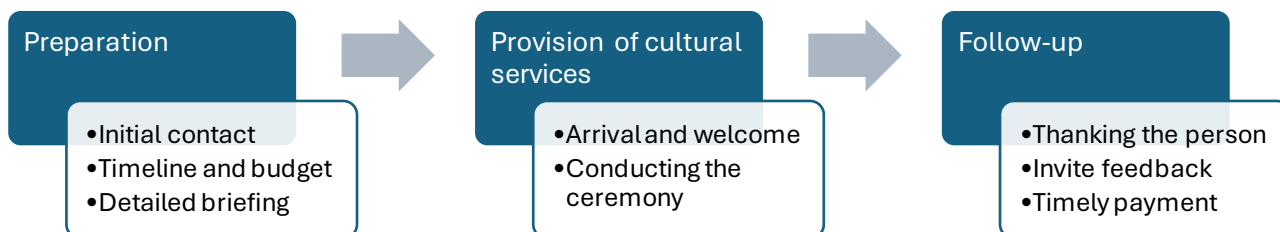
### 2. Compensation:

The school ensures timely payment for the knowledge holder's time and expertise, according to the agreed-upon rate.

## Outcome

The Welcome to Country ceremony is conducted respectfully, with the knowledge holder's contributions enhancing the cultural awareness of the school community. The students and staff gain a deeper understanding of Aboriginal culture, and the knowledge holder feels valued and appreciated for their involvement.

## Summary of the overall process



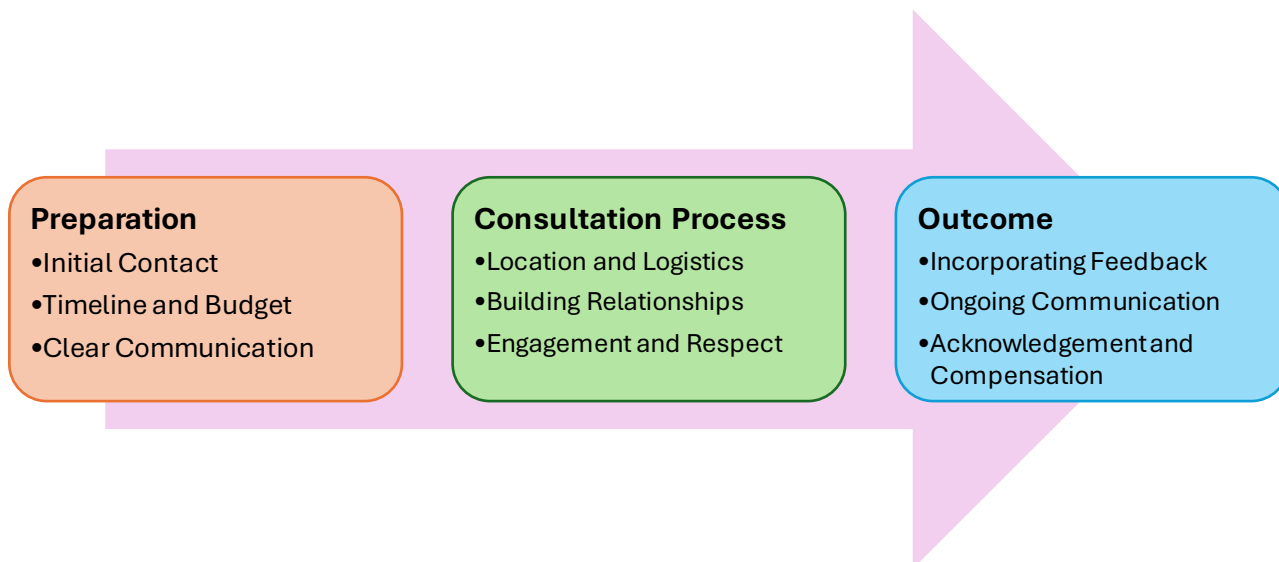


# Case Study: Successful Consultation for a large Cultural Heritage Project

## Background

A government agency was planning a new development project in an area with significant Aboriginal cultural heritage. The agency recognised the importance of consulting with Aboriginal community leaders to ensure that the project respected and preserved cultural sites and practices.

## Summary of overall process



## Preparation

1. *Initial Contact:* The agency contacted a local Aboriginal community-controlled organisation (ACCO) to request a consultation. They clearly outlined the purpose of the meeting, the scope of the project, and the specific areas where cultural input was needed. In person meetings, phone calls are preferred, or a detailed email.
2. *Timeline and Budget:* The agency provided a detailed timeline for the project and acknowledged that they would need to compensate the Aboriginal community for their time and expertise. They invited the ACCO to provide a quote.
3. *Clear Communication:* The agency sent a comprehensive briefing document to the ACCO before the meeting, detailing the project's objectives, potential impacts, and specific questions they wanted to address.



## Consultation Process

1. *Location and Logistics*: The agency arranged for the consultation to take place at a location convenient for the Aboriginal community. They provided lunch, tea, and coffee to create a welcoming environment.
2. *Building Relationships*: Before diving into the project discussion, the agency took time to build a personal connection with the Aboriginal representatives. This included acknowledging their cultural significance and discussing mutual interests.
3. *Engagement and Respect*: During the consultation, the agency actively listened to the cultural experts' insights and respected their knowledge. They took detailed notes and asked clarifying questions to ensure they understood the cultural implications.

### Consultation Process

- Location and Logistics
- Building Relationships
- Engagement and Respect

## Outcome

1. *Incorporating Feedback*: The feedback provided by the Aboriginal experts was integrated into the project plan. This included adjustments to the development design to avoid impacting culturally sensitive areas and incorporating cultural practices into the project's community engagement strategy.
2. *Ongoing Communication*: The agency established a plan for ongoing communication with the Aboriginal community to provide updates on the project and address any further concerns.
3. *Acknowledgement and Compensation*: The agency honoured their commitment to compensate the Aboriginal community for their time and expertise. They also publicly acknowledged the community's contributions to the project's success.

### Outcome

- Incorporating Feedback
- Ongoing Communication
- Acknowledgement and Compensation

## Result

The consultation led to a more culturally sensitive and respectful project outcome. The Aboriginal community felt valued and heard, and the project was able to proceed with a stronger foundation of cultural understanding and cooperation.

## Need help?

If you need further assistance or advice with identifying which Aboriginal community organisations or leaders to contact, please contact Reconciliation Tasmania on 0425 163 440 or email [info@rectas.com.au](mailto:info@rectas.com.au)