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PURPOSE

Liverpool City Council (LCC) values cultural diversity and is committed to working in partnership with the local Aboriginal and Torres Strait Islander community. It is important that culture is acknowledged to show respect for and build strong equal partnerships with First Nations people and communities.

The aim of these Protocols is to assist Council staff and partners work, communicate and consult with our local First Nations community. It is hoped that these protocols will provide a better understanding of First Nations culture and traditions.



ACKNOWLEDGEMENTS

Liverpool City Council (LCC) would like to thank the members of the LCC Aboriginal Consultative Committee who guided and supported the development of this document.

LCC also acknowledge the guidance and support of Gandangara Local Aboriginal Land Council (GLALC) and Tharawal Local Aboriginal Land Council (TLALC) for their valuable input to this document.

We are grateful for the work of Council's Community Development Worker Norma Burrows, who led the development of the original version of this document and has now overseen this revised version. This document would not have been possible without her direction.

The views expressed by the authors do not necessarily reflect the views of Liverpool City Council.

First Nations people

The term First Nations people recognises Aboriginal and Torres Strait Islander people as the sovereign people of this land. It acknowledges the various language groups as separate and unique sovereign nations. This term is widely used to describe the sovereign people of various countries around the world.

Throughout this document, the terms First Nations people and Aboriginal are used interchangeably to refer to Aboriginal and Torres Strait Islander people.

Acronyms and terminology used in this policy

AECG

NSW Aboriginal Education Consultative Group Inc

ARTSLAW

The Arts Law Centre of Australia

DAA

(Department of) Aboriginal Affairs NSW

DET

NSW Department of Education and Training

GLALC

Gandangara Local Aboriginal Land Council

LCC

Liverpool City Council

TAFE

Technical and Further Education

TLALC

Tharawal Local Aboriginal Land Council

INTRODUCTION

Observing First Nations Cultural Protocols demonstrates respect for the culture, traditions, history and diversity of the First Nations peoples and communities living within the Liverpool Local Government Area (LGA).

These protocols have been developed with reference to the NSW Aboriginal Cultural Protocols and Practices Policy from the NSW Department of Premier and Cabinet (DPC), which provides guidance for incorporating Aboriginal cultural practices to:

- **Recognise and pay respects to First Nations people, culture and heritage;**
- **Communicate First Nations cultural practices to the broader community;**
- **To keep First Nations cultures and practices alive through ceremonies and protocols; and**
- **Recognise that First Nations people within Liverpool City Council can assist in building relationships and partnerships.**

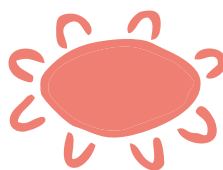
Council is committed to observe these protocols at official functions, events and ceremonies.



WOMAN



MAN



PEOPLE SITTING

LOCAL FIRST NATIONS PEOPLE

Liverpool City Council acknowledges the original inhabitants of the Liverpool LGA as the Darug and Dharawal Aboriginal People.

Council recognises the devastating impact of European invasion and the effects of forced assimilation by the removal and separation of Aboriginal people from their families and communities. The impact has created a loss of culture, language and identity. Liverpool City Council adopts the Council for Aboriginal Reconciliation's vision statement:

"A united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice, and equity for all".

For further information in relation to local First Nations people in NSW:



- Visit the NSW Aboriginal Land Council www.nswalc.org.au;
- Contact Liverpool City Council on **1300 36 2170**; or
- Visit www.liverpool.nsw.gov.au

TRADITIONAL PROTOCOLS

First Nations Australians

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

- Of Aboriginal or Torres Strait Islander descent;
- Identifies as being of Aboriginal or Torres Strait Islander descent; or
- Is accepted by the community in which he or she lives as being of Aboriginal or Torres Strait Islander descent.

According to Aboriginal Affairs NSW Guidelines, Aboriginal and Torres Strait Islander Australians is the full, official terminology. It should always be spelt out in full and not shortened to its acronym 'ATSI'. Always use a capital 'A' for Aboriginal and capitals 'T', 'S' and 'I' for Torres Strait Islander.

Most Aboriginal people prefer not to be called an 'Aborigine'; the preferred term is 'Aboriginal person'.

Koori/Koorie, Murri, Goorie

These are terms used by Aboriginal people in NSW when referring to themselves.

They are generally not to be used by non-Aboriginal people unless permission has been sought. The exception is when using recognised industry names such as 'Koori Mail'.

TERMINOLOGIES

Terminologies

It is most important to check which term is preferred by a particular community, and when it is appropriate to use each term.

It is important to know that it is offensive to question the 'amount' of Aboriginal or Torres Strait Islander blood a person may possess. Rather, it is advisable to ask people how they would like to be described. This may include where they come from or which community or clan they identify with.

Elders

Elders are custodians of knowledge. They are chosen and accepted by their own communities and are highly respected.

Gender Protocols

Aboriginal society still regards some information as specific and sacred to either men or women. This knowledge is sacred and recorded in a way that only men or only women can access.

It may be difficult to distinguish between men's and women's business. We need to be aware that such issues exist and seek advice from First Nations people about when they are likely to arise and how to manage such issues.

Traditional Custodians

'Traditional Custodians' is the term used to describe the original First Nations people who inhabited an area. Traditional custodians today are descendants of the original inhabitants and have ongoing spiritual and cultural ties to the land and waterways where their ancestors lived.

It is important to find out the name of the particular group/s of local Aboriginal people that are the traditional custodians of land, particularly when an event is held on that land and a 'Welcome to Country' and/or 'Acknowledgement of Country' is planned.

Sources of information about traditional custodians include the local Council and the local Aboriginal Land Councils. In Liverpool, these are GLALC, TLALC and Deerubbin Local Aboriginal Land Council (DLALC).

Getting Permission

Getting permission is essential before starting work on any project that has an impact directly on Aboriginal communities.

Getting permission involves forming strong partnerships with Aboriginal organisations.

They can advise of the correct protocol for gaining consent. Permission will rarely be refused if the purpose of the work is clearly understood and the way of undertaking the work is properly negotiated. Where it is refused, the reason may relate to issues that are sacred or taboo, related to a death custom, or are specifically women's or men's business.

Naming the deceased

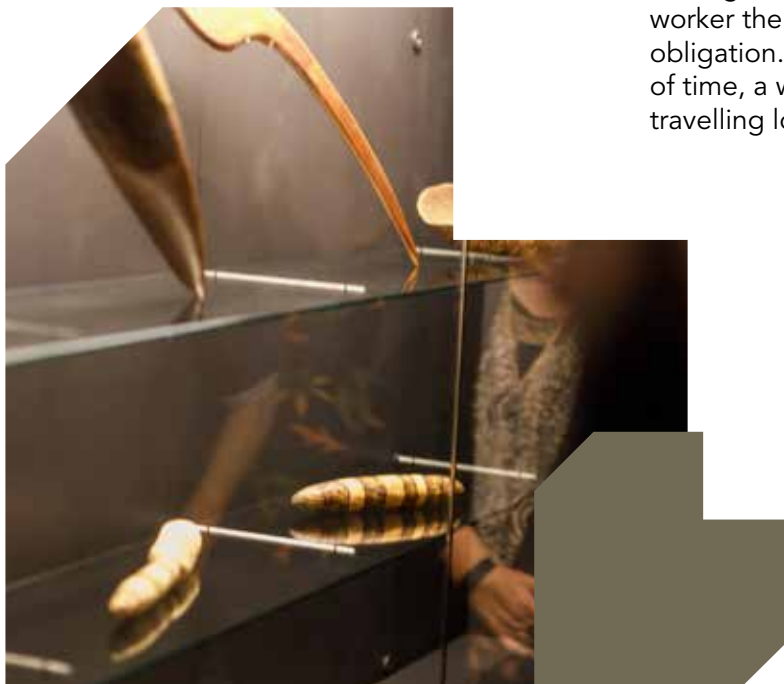
In many First Nations communities it is offensive to refer to a deceased person by name or show photographic images of the person during the mourning period, unless agreed to by the relevant family.

Many organisations are now using cultural warnings to avoid causing offence to the families of deceased persons.

Disclaimer

When using images of First Nations people in publications such as annual reports and operational plans, it is important to include the following statement at the front or end of the document:

Warning: First Nations people are advised that this document may contain images of deceased Aboriginal and / or Torres Strait Islander people.



Sorry Business

Sorry Business is a term used by First Nations people which refers to the passing of a family or community member. It is extremely important in First Nations cultures that people participate in Sorry Business. Sorry Business includes attending funerals and taking part in mourning activities with the community.

Due to the extended family make-up, Sorry Business can sadly be common for First Nations people and the workplace should be supportive and respectful of such commitments.

It is important to note that it is common practice not to mention the name of a deceased person or show pictures of them for some time after they have passed away.

Attending the funeral of a person they know and/or are related to (extended family may mean a person has three grannies) ensures that the spirit of the person that has passed away is put to rest properly. If they do not attend the funeral or the funeral is not carried out according to culture, it is believed that the spirit may cause the person problems.

Funerals are also important family times. If a person didn't attend a funeral and spend time with the family, he/she may be seen as not valuing family. Take the time to discuss with the worker the support he/she needs to fulfil his/her obligation. This can take an extended period of time, a week or more, and may also involve travelling long distances.

WELCOME TO COUNTRY

A 'Welcome to Country' is where an Aboriginal custodian welcomes people to their land at the beginning of a meeting, event, or ceremony. An appropriate person such as a recognised Elder within the local area needs to conduct this welcome. Welcome to Country enables Traditional Custodians to give their blessing for the event. It is an important mark of respect for Aboriginal people.

The relevant Local Aboriginal Land Council is the primary contact to recommend a local Elder to conduct a Welcome to Country.

Acknowledgement of Country

An 'Acknowledgement of Country' is where other people acknowledge and show respect for the traditional custodians of the land on which an event is taking place. It is a sign of respect. Council encourages the practice of Acknowledgement of Country at events including conferences, seminars, workshops, formal meetings and gatherings. Gatherings may include team meetings, forums, community and Civic events.

The Liverpool LGA encompasses the land of various First Nations groups. When conducting an Acknowledgement to Country, it is important to identify the correct Aboriginal nation and/or clan.

Appropriate wording for a written Acknowledgement of Country:

We acknowledge the traditional custodians of the land that now resides within Liverpool City Council's boundaries, the **Cabrogal clan of the Darug Nation**. We acknowledge that this land was also accessed by peoples of the **Dharawal and Darug Nations**.

Appropriate wording for Acknowledgement of Country in speeches at events on Cabrogal land:

"Before we begin proceedings (this morning/this afternoon/this evening), I would like to acknowledge and pay respect to the traditional owners of the land on which we meet; the **Cabrogal Clan of the Darug Nation**.

We acknowledge that this land was also accessed by peoples of the **Dharawal and Darug Nations**".

Appropriate wording for an Acknowledgement of Country in speeches at events on Tharawal land:

I/we would like to acknowledge the traditional custodians of the land on which we met, the people of the **Tharawal Nation**. I/we acknowledge that this land was also accessed by the **Cabrogal clan of the Dharug Nation**.

I/we would like to extend my/our respect to any First Nations people who are joining us here today.



Note: An acknowledgement is usually performed before the commencement of a meeting, event and or official ceremonies. Where practical, organisers of such events should consult with the relevant Local Aboriginal Land Council to ensure approval and to appoint an appropriate Elder and /or Local Aboriginal Community Representative to conduct Acknowledgements of Country prior to such events.

The Aboriginal Representative may feel comfortable to include a short speech that relates to the event. A service fee applies and should be discussed prior to the event.

Council Events

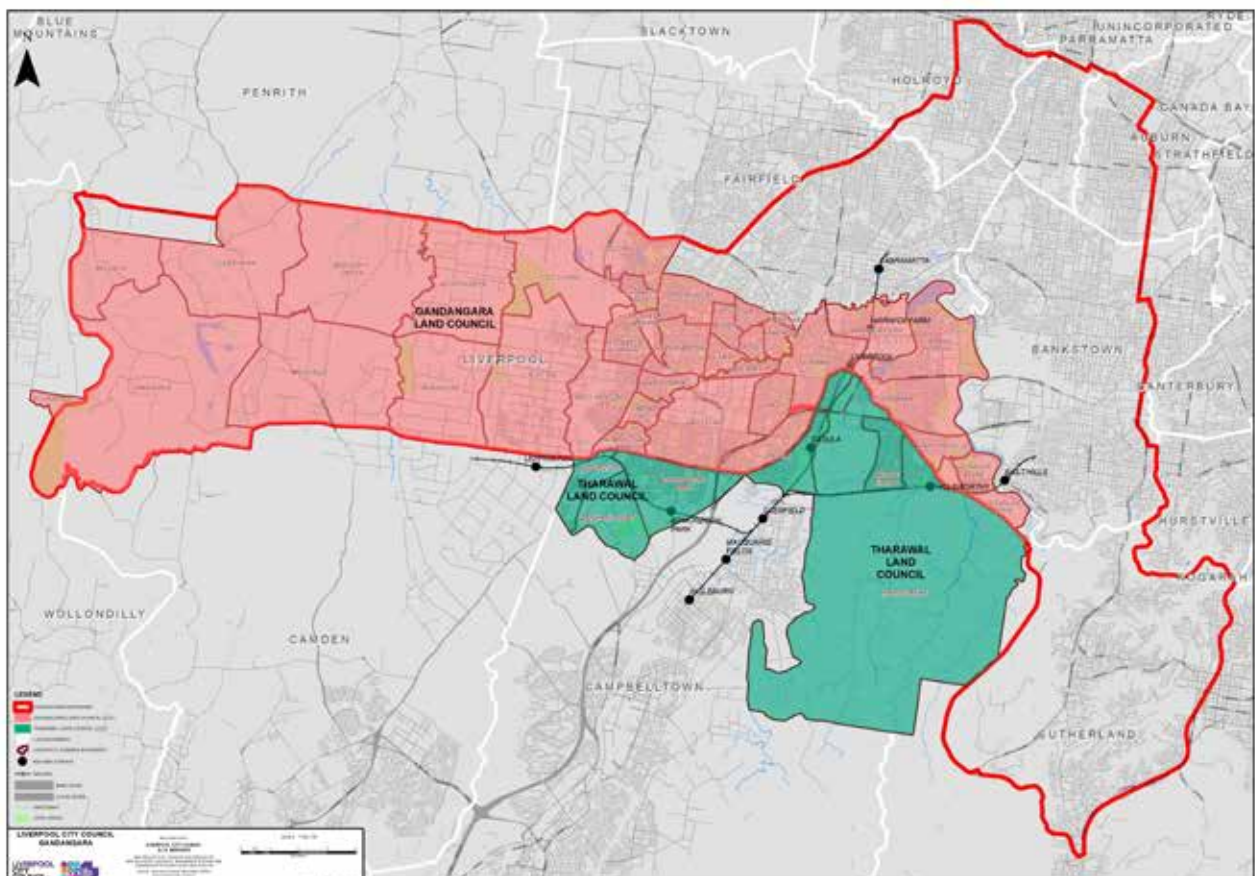
For prominent major events where the Mayor is speaking, Council will engage an Elder to deliver a Welcome to Country at the beginning of an event.

The process is as follows:

- Determine whether the event is located within the Gandangara or Tharawal Land Council (map below). Previously, most Council events have been held within Gandangara Land Council;

- Contact relevant Land Council to receive their request form;
- Complete request form outlining the event and what is required from the Land Council; and
- Land Council to assign an Elder to deliver the Welcome to Country.

For smaller events in which the Mayor does not have a formal speaking role, or there is a smaller audience, an Acknowledgement to Country is delivered by the MC.





SMOKE, LIGHTNING
OR WATER FLOW



SMOKING CEREMONIES

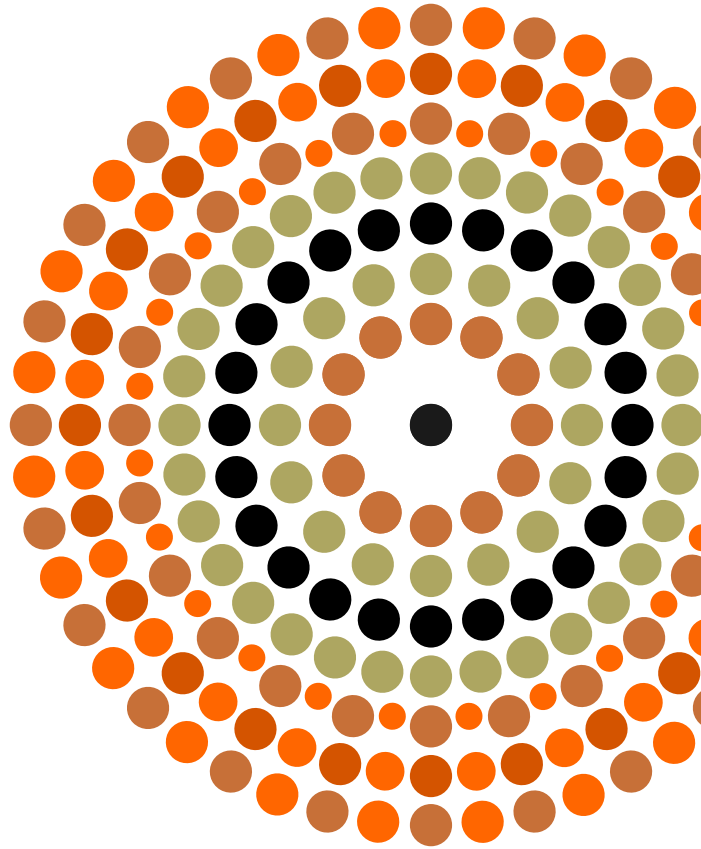
Smoking Ceremonies are undertaken in Aboriginal communities in order to cleanse a space. The Smoking Ceremony is a purification ritual and is always undertaken by an Aboriginal person with specialised cultural knowledge.

Aboriginal people may request a Smoking Ceremony in a workplace where a death or other traumatic event has occurred.

This request is of tremendous significance to them and should be respected. Failure to do so may cause significant distress.

Council engages local Aboriginal Elders and specialists to conduct Smoking Ceremonies on a regular basis. This can be arranged through the relevant Local Aboriginal Land Council.

If you are planning to have a Smoking Ceremony conducted at your event you will need to plan ahead. It is considered disrespectful to ask a local Aboriginal Elder / specialist at short notice. There is a lot of preparation required to conduct a Smoking Ceremony and it should be treated with respect.



Fee for service

Aboriginal knowledge is complex, specialised and owned by Aboriginal people. As in Western culture, specialised knowledge is not something that is usually given away for free.

First Nations people, groups and/or Aboriginal organisations that provide a cultural service (i.e. a Smoking Ceremony and/or perform a traditional dance, give a speech or a traditional welcome, provide artwork or participate in a project) are entitled to be paid for their time and expertise.

In providing cultural services such as Welcome to Country, artistic performances and ceremonies, Aboriginal people are using their intellectual property. Appropriate remuneration should be discussed and arranged prior to their engagement.

The fee for service can vary, so consultation and negotiation must be conducted and agreed upon before the event in writing and should include:

- The date of the event;
- The performance time;
- The venue location;
- The agreed service fee; and
- The event program and list of VIP guests and other performers.

These details will assist the performer in preparing speech notes.

See Appendix A for Welcome to Country Performance Letter template.



OWNERSHIP, COPYRIGHT, CULTURAL AND INTELLECTUAL PROPERTY

In the past, non-Aboriginal people have appropriated Aboriginal stories, language, songs, dance, and knowledge.

Not unlike other artists, Aboriginal people should be recognised as the owners of this specialised knowledge. An acknowledgement statement on or near the cultural item should always be present, as is acknowledging the performance, for example, after an event.

Any access to and use of Aboriginal cultural information requires permission from relevant individuals or organisations.

Council should seek written permission and should reach formal agreement with the owner/s of knowledge before commencing a project that uses Aboriginal Cultural information. Copyright and moral rights are complex issues and not always clear in relation to Aboriginal culture. First Nations people and Council should seek specific legal advice when these issues arise. The Arts Law Centre of Australia can provide further advice on these issues (www.artslaw.com.au).

Media Release:

Organisers must ensure that the First Nations representative's full name, title, and group (clan) is acknowledged.

Note: Some First Nations people do not like their photo taken. Approval for public use must be gained before publication.

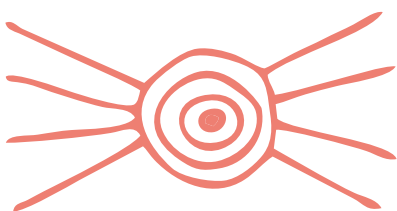
Consultation with Aboriginal people:

Consultation with Aboriginal people is an important component of working with the local community. Observing appropriate protocols when working with Aboriginal people and communities is critical to establishing positive and respectful relationships.

Council has developed a factsheet that provides tips and resources to assist with consulting and communicating with Aboriginal community members.



See **Appendix B** or download the factsheet from Council's website: www.liverpool.nsw.gov.au/community/your-community/aboriginal-people



MEETING PLACE



FLAG FLYING PROTOCOL

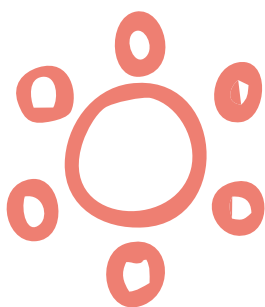
The Australian National Flag should always take precedence. It should be flown on the far left of the person/s facing the flags.

After the Australian National Flag, the order of precedence of flags is other nation's national flags, state and territory flags, other Australian flags prescribed by the Flags Act (1953) (including Indigenous flags), ensigns and pennants.

Always make sure that Aboriginal or Torres Strait Islander flags are reproduced, hung and depicted in the correct way.

Permission needs to be sought if either First Nations flag is being reproduced for commercial use.

Further Information is available from the Department of Prime Minister and Cabinet website www.pmc.gov.au/government/its-honour



STAR

Indigenous Flags

The Aboriginal Flag and the Torres Strait Islander Flag were proclaimed as flags of Australia under Section 5 of the Flags Act (1953) in July 1995.

The Aboriginal flag

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

Torres Strait Islander Flag

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

Flying Indigenous Flags

The Australian Aboriginal Flag is displayed at Aboriginal centres and is well recognised as the flag of Aboriginal peoples of Australia.

The State Government encourages all agencies to fly the Aboriginal flag during NAIDOC Week held in July each year and during National Reconciliation Week from 26 May – 3 June each year. There may also be other occasions and events for which it is appropriate to fly the Australian Aboriginal Flag. For further information, please contact Council.



SIGNIFICANT CALENDAR EVENTS

National Reconciliation Week (26 May – 3 June)

National Reconciliation Week offers people across Australia the opportunity to focus on reconciliation, to hear about the culture and history of Australia's First Nations people, and to explore new and better ways of meeting challenges in First Nations communities.

National Reconciliation Week is a time to renew commitment to reconciliation and to think about how to help turn around the continuing disadvantage experienced by First Nations Australians.

National Sorry Day

National Sorry Day is an annual event that has been held in Australia on 26 May since 1998, to remember and acknowledge the mistreatment of the continent's indigenous population. During the 20th century, the Australian Government's policies resulted in what is known as the Stolen Generations – where Aboriginal children were separated, often forcibly, from their families in the interest of turning them into white Australians.

The date of 26 May carries great significance for the Stolen Generations, as well as for First Nations communities, and non-Indigenous Australians. On 26 May 1997, the "Bringing Them Home" report was tabled in Parliament. This was the report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander children from their families.

Further, 3 June 1992, is the anniversary of the High Court decision which recognised Native Title for the first time, also known as the Eddie Mabo case of 1992.

For more information visit
www.reconciliation.org.au



NAIDOC Week

NAIDOC celebrations are held around Australia in the first full week in July to celebrate the history, culture and achievements of First Nations people. NAIDOC originally stood for 'National Aborigines and Islanders Day Observance Committee'. This committee was once responsible for organising national activities during NAIDOC Week (see History of NAIDOC), and its acronym has become the name of the week itself.

NAIDOC Week is celebrated not just in First Nations communities but also by increasing numbers of government agencies, schools, local councils and workplaces.

For more information visit
www.naidoc.org.au



Other significant dates include:

26 January

Australia Day/Survival Day (Yabun Festival)

21 March

Harmony Day (Elimination of Racial Discrimination Day)

April

NSW Seniors Festival

April

National Youth Week

4 August

National Aboriginal and Islander Children's Day

9 August

International Day of the World's Indigenous People

October long weekend

NSW Annual Aboriginal Rugby League Knockout

10 December

Human Rights Day

31 December

New Year's Eve (NYE)

Check Council's website for other Civic functions including Citizenship Ceremonies and Order of Liverpool Awards.

Relevant Government Organisations

NSW Department of Aboriginal Affairs (DAA)
www.aboriginalaffairs.nsw.gov.au

Reconciliation NSW
reconciliationnsw.org.au

References:

NSW Aboriginal Cultural Protocols and Practices Policy
<https://www.dpc.nsw.gov.au/assets/memos-circulars/9c019010f0/Indigenous-Ceremony.pdf>

For more information on Council events and activities visit
www.liverpool.nsw.gov.au/whats-on



RAIN



SANDHILL
OR CLOUD

APPENDIX A: WELCOME TO COUNTRY PERFORMANCE LETTER TEMPLATE

Welcome to Country Performance Letter Template

Our Ref:
Contact:
Email:

Add date

Add Name
Contact Details

Dear (add name)

RE: CONFIRMATION OF PERFORMANCE AT(name of event) .

Thank you for agreeing to do a Welcome to Country at

Listed below are the details for your performance:

Date: #####
Event Time: #####
Performance time: #####
Contribution: Example: \$100

Venue:

Transport / Parking:

Media Equipment: Video recording and photos will be taken at the event (Add).

Please find attached a copy of the programme for your convenience.(add copy)

I can be contacted on if you require further information, otherwise I look forward to seeing you at the event.

Yours faithfully,

YOUR NAME

APPENDIX B: CONSULTING WITH THE ABORIGINAL COMMUNITY

Consultation with First Nations people is an important component of working with the local community. Observing appropriate protocols when working with First Nations people and agencies is critical to establishing positive and respectful relationships.

This factsheet provides staff with tips and resources to assist with consulting and communicating with Aboriginal community members.

About First Nations people in Liverpool

The traditional custodians of the land in Liverpool are the Cabrogal Clan of the Darug Nation. It is also acknowledged that the land was accessed by peoples of the Tharawal and Darug Nations. There are many sites across Liverpool today, such as the Georges River, which are recognised as sites of Aboriginal historical significance.



Map of Western Sydney Local Aboriginal Land Councils
Source: Gandangara Local Aboriginal Land Council

In 2016, 3012 people in Liverpool identified as Aboriginal or Torres Strait Islander, making up 1.5 per cent of the population. The proportion is slightly higher than Greater Sydney (1.2 per cent). Most of Liverpool lies within Gandangara Local Aboriginal Land Council boundaries, with some parts in the south within Tharawal Local Aboriginal Land Council.

These days the local Aboriginal community is made up of different groups and clans from across Australia. Many Aboriginal people can be easily approached when it comes to Aboriginal cultural matters.

Consulting Aboriginal Communities

Community consultation encompasses the ways we interact with the community and the processes and practices we use to listen to the community about their concerns and aspirations. Consulting with Aboriginal communities is important as it ensures the community is aware of Council policies and activities, and that they provide input on these policies and activities.

Consultation with the Aboriginal community should be seen as a two-way process with both parties learning together and from each other. Consultations should occur regularly throughout a project, particularly during the decision-making process. This requires openness about how, why and when the community will be consulted and clear understanding of the purpose of the consultations and level of input required.

If you intend to consult with a particular First Nations group, it is useful to do some initial research and to invite targeted engagement relevant to the consultation. For example, if you are consulting with the community about a development, it is appropriate to invite the local Aboriginal land council and other Aboriginal groups to participate.

Tips for effective consultation include:

- Seeking advice from Council's Community Development Worker (ATSI);
- Do your research about the community;
- Be respectful and use appropriate language;
- Work with local Aboriginal organisations;
- Build a rapport with the community;
- Tailor your consultation for the target group;
- Keep the community updated on outcomes; and
- Provide follow up information on how their input has been used.

CONSULTING WITH THE ABORIGINAL COMMUNITY

Local Aboriginal Organisations and Groups

Liverpool Aboriginal Consultative Committee
 Contact: Community Development Worker (ATSI) Phone: 8711 7477

Gandangara Local Aboriginal Land Council
 64 Macquarie St Liverpool
 Phone: 9602 5280
www.glalc.org.au

Tharawal Local Aboriginal Land Council
 220 West Parade, Couridjah
 Phone: 4681 0059
www.tharawal.com.au

KARI Aboriginal Resources Inc
 Level 3, 131-135 George Street, Liverpool
 Phone: 8782 0300
www.kari.com.au

YARPA NSW Indigenous Business and Employment Hub
 203 Northumberland St, Liverpool
 Phone: 1300 017 177
www.yarpa.com.au

Aboriginal Community Health Services
 Woodward Crescent, Miller
 Phone: 8781 8200

Tharawal Aboriginal Corporation (Medical Centre)
 187 Riverside Drive, Airds
 Phone: 4682 4837
www.tacams.com.au



The Rainbow Serpent, Miller Square
 Artwork by Uncle Stephen Williams

Useful resources

Liverpool City Council has an Aboriginal Consultative Committee made up of local Aboriginal and non-Aboriginal residents who are interested in First Nations affairs within the area.

Staff are encouraged to consult with the committee in relation to their projects and initiatives. Contact the Community Development Worker on 8711 7477.

NSW Families and Community Services 2009, *Working with Aboriginal People and Communities, A Practice Resource*.

NSW Board of Studies 2008, *Working with Aboriginal Communities: A Guide to Consultation and Protocols*.

Significant dates

Keep the below dates in mind when you plan to consult with the Aboriginal community to avoid clashes with significant events. Alternatively, there may be some event dates which provide opportunities for consultation and dialogue.

Yabun (Survival Day)	26 January
National Sorry Day	26 May
Reconciliation Week	27 May – 3 June
Mabo Day	3 June
Coming of the Light Festival	1 July
NAIDOC Week	First week of July
National Aboriginal and Islander Children's Day	4 August
International Day of the World's Indigenous People	9 August



For further information



Visit Us

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Ground Floor, 33 Moore Street, Liverpool, NSW 2170
Open Monday - Friday, 8.30am - 5pm



Phone

1300 36 2170
Calling from interstate: (02) 8711 7000
National Relay Service (NRS): 133 677
(for hearing and speech impaired customers)



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