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NIACA Consultation
c/o Australia Council for the Arts

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Re: A proposed National Indigenous Arts and Cultural Authority (NIACA)

The Australian Museums and Galleries Association (AMaGA) welcomes the opportunity to respond to the discussion paper about the value, role, scope and form of a National Indigenous Arts and Cultural Authority (NIACA).

Before briefly responding to specific questions, we will outline who we are and what we do, and stress the importance of the cultural sector to Australia. Our main response is to bring to your attention and outline the two critical documents that underpin our brief comments:

FIRST PEOPLES: a roadmap for enhancing Indigenous engagement in museums and galleries
and

FIRST PEOPLES: CONNECTING CUSTODIANS: Principles and Guidelines for Australian museums and galleries working with First Peoples cultural material

Who we are

AMaGA is the national membership association and peak advocacy body representing museums and galleries. We encompass a wide and diverse range of national, state, regional and community museums, art galleries, historic sites, botanic and zoological gardens, research centres, Indigenous cultural centres, and Keeping Places across Australia.

All of our members are, however, linked by a shared dedication to culture and the communities they serve. They understand that Australian cultural life is a dynamic ecosystem that generates creativity and innovation and contributes to the social and economic wellbeing of the country.

AMaGA is an advocacy, research, service and professional development organisation. We seek to enhance the value of Australia's collections, public programs and stories by sharing knowledge, developing skills, inspiring innovation and providing leadership and the authoritative voice in protecting and promoting our arts, science and cultural heritage.

We advocate for museums and galleries, identify and undertake strategic research, inform policy, set ethical standards and run a broad range of essential training programs. More information on the organisation and our members can be found at <https://www.museumsaustralia.org.au/annual-reports-0>

We build on a history of museum professional association activity that extends back to the 1930s, have branches in every state and territory, and support professional national networks of expertise. This submission draws both on the lived experience of our galleries and museums, and state, national and international research, expertise and standards.

In June 2018, the association's membership adopted a *Resolution in support of the Uluru Statement from the Heart of May 2017*. See: [In Support of Uluru Statement as adopted 6 June 2018](#)

Key Research and Principles

Current research is revealing the deep value of arts, culture and heritage to society and the economy in increasing numbers of ways, including business innovation, creativity, and health and wellbeing. A foundational part of Australian culture and identity is Indigenous arts, cultures and traditional knowledge.

AMaGA is committed to leading the understanding of a greater and deeper level of Indigenous engagement in museums and galleries. This means respecting and connecting with and supporting the Aboriginal and Torres Strait Islander people – artists, knowledge holders, cultural workers, traditional owners, custodians, communities – the First Australians – and their Indigenous Cultural and Intellectual Property (ICIP), in all aspects of museum and gallery activities and projects.

The key foundations for our feedback in this submission are the following research and policies:

1. FIRST PEOPLES: A ROADMAP FOR ENHANCING INDIGENOUS ENGAGEMENT IN MUSEUMS AND GALLERIES

AMaGA has just completed the development of a 10-Year Indigenous Roadmap for Change in the cultural sector. Implementation of this will be crucial for breaking down barriers and improving the participation of Indigenous individuals and communities in our museums and galleries. Most importantly, the Roadmap sees a future where Indigenous communities have control of their cultural material.

The Roadmap was developed in 2017-2018 in conjunction with an Indigenous Advisory Group, and Terri Janke and Company. Terri Janke and Company ran extensive consultations in order to understand what the sector needed to change and how to effectively implement the Roadmap. This consultation involved surveys, an audit report, a literature review, 13 nationally run workshops, direct teleconferences, attendance at national and international conferences, and meetings with leaders throughout the sector.

Drawing on this range of research, five Key Elements for Change were crafted, with associated action options and critical pathways to success. These five elements are the backbone of the Roadmap. They highlight where the sector needs to improve and how it can do so. They are:

- Reimagining Representation
- Embedding Indigenous values in museum and gallery practices
- Increasing Indigenous opportunities
- Two Way caretaking of cultural material
- Connecting with Indigenous communities.

2. FIRST PEOPLES: CONNECTING CUSTODIANS

Principles and Guidelines for Australian museums and galleries working with First Peoples cultural material

Over the last 50 years there have been shifts towards changing the relationships between museums and galleries and Indigenous people. To assist in this, our organisation developed its 1993 policy, *Previous Possessions: New Obligations: Policies for Museums in Australia and Aboriginal and Torres Strait Islander Peoples* and then in 2005, the revised policy, *Continuous Cultures, Ongoing Responsibilities: Principles and guidelines for Australian museums working with Aboriginal and Torres Strait Islander cultural heritage*. These documents set standards of Indigenous employment, care of collections, repatriation and management of sacred and secret material.

Under the terms of reference for the 10-Year Indigenous Roadmap project, Terri Janke and Company were contracted to make recommendations for updates to the 2005 *Continuous Cultures, Ongoing Responsibilities* policy.

The recommendations were drawn from insights and information gained in the extensive consultations for the development of the Roadmap. In particular, the recommended updates incorporate some shifts in perspective from the needs of museums and galleries to those of Indigenous communities in their relationships with the sector.

There will be consultation on the proposed updates and the final policy will be endorsed in 2020.

The policy provides a framework for Indigenous engagement in museums and galleries. It aims to:

- Recognise and respect Aboriginal and Torres Strait Islander people's rights to access, maintain, control and benefit from their cultural heritage in line with the United Nations' Declaration on the Rights of Indigenous People;
- Enshrine best practices for engagement and relationship building with Indigenous peoples, culturally appropriate two-way interaction and knowledge sharing;
- Promote respectful use of Indigenous Cultural and Intellectual Property (ICIP), as well as establish best practices for ICIP management;
- Advise and guide museum and gallery staff, partners and collaborators concerning standards that must be met in relation to Indigenous engagement and ICIP rights;
- Publicly acknowledge and encourage the wider recognition and respect for Indigenous people and their cultural heritage in museums and galleries; and
- Enhance trust of Indigenous individuals, communities and groups by showing appropriate respect or acknowledgement of cultural rights.

This policy promotes best practice for engagement with Indigenous people by reference to the following standard setting, national and international documents:

- United Nations Declaration on the Rights of Indigenous Peoples, 2007;
- UNESCO, Convention for Safeguarding of the Intangible Cultural Heritage, 2003;
- Our Culture: Our Future, Report on Australian Indigenous Cultural and Intellectual Property Rights, 1999;
- Protocols for producing Indigenous Australian visual arts (Australia Council for the Arts, 2007 and the forthcoming 2019 update);
- Pathways and Protocols: a filmmaker's guide to working with Indigenous people, culture and concepts (Screen Australia, 2009; to be updated in 2019);
- Indigenous Art Code, 2009; and
- Indigenous Australian Art Charter of Principles for Publicly Funded Collecting Institutions, 2009.

It is recommended that the NIACA consultation process draws on the relevant data, critical pathways, and action options in the Roadmap, and the Guidelines for Policy and Procedure in the Principles document, in considering the establishment, scope, activities and potential collaborations of a NIACA.

Specific Questions

Q 1: Do you think a NIACA should exist? Why or why not?

This is essentially a matter for Indigenous artists, cultural custodians and communities to advise on and propose, however there is a gap in that there is no national Indigenous-led peak body specifically focused on Indigenous arts and culture, and it appears that there have been longstanding discussions around creating such an organisation.

A national collective voice focused on Indigenous arts and cultural matters could be a powerful agent for positive change.

Keeping in mind that the current landscape has a number of Indigenous arts organisations and cultural peak bodies focused on specific art forms, priorities and regions, we would suggest that if a new organisation such as a NIACA is established, it be a nimble connector, facilitator and partner as much as the national advocate for and monitor over such matters as rights, standards and intellectual property law.

While the scope, role and priorities would need to be carefully thought through, the museum and gallery sector would welcome working with such a body on the implementation of the 10-Year Indigenous Roadmap, and fulfilling the spirit and intent of the revised Principles and Guidelines for working with First Peoples and their cultural material.

Q 2: What do you think are the most important needs and priorities a NIACA should address?

- Informed national leadership on arts and culture issues
- Joint research and co-development of policies
- Foregrounding the fundamental importance of Indigenous arts and culture for Australia
- Improving Indigenous cultural intellectual property protection both through working with IP Australia and in promotion, information management and advocacy

Q 3: What activities are the most relevant to you, your community, your region or your organisation?

AMaGA is a national body with branches in each state and territory and members ranging from large national collecting institutions to small volunteer-run community museums and galleries.

At the national level, joint research, advocacy and strategic projects would be most relevant.

At state and local levels, NIACA support to help all museums and galleries to implement the critical pathways set out in the Indigenous Roadmap would help both NIACA and the museum and gallery sector to achieve early and real results in protecting and nurturing Indigenous arts, culture and knowledge, and developing collaborative relationships with cultural custodians and communities.

Example - Digital Access: AMaGA is co-convenor of the GLAM Peak network (peak bodies in the galleries, libraries, archives and museums sector), which focuses on digital access to collections. The network advocates to strengthen the relationship between Indigenous peoples and the cultural sector through Indigenous representation in sector policy and decision-making and ensuring culturally appropriate management of Indigenous collections.

The work of GLAM Peak has revealed the power of digital discoverability and access to collections for increasing participation and connection by people in all walks of life and regions in Australia, and in enabling the creation of new artworks and forms of knowledge. Digital access is a key action option in the Roadmap and in supporting many of the intellectual property initiatives being considered by IP Australia. GLAM Peak would be a valuable partner with NIACA in digital access initiatives and education programs.

Q 4: What cultural material should be covered by the NIACA model?

We would recommend exploring the broadest definitions of cultural material - to include languages, all art forms including historic and contemporary art works, oral and written stories, traditional ecological knowledge and knowledge systems, and collections. Cultural practice should be recognised as being interconnected with the cultural object. Repatriation is also a critical concern.

Q 5 -10: Covering governance, legal models and funding sources

Clearly, there are a range of models and options and deep questions around sustainable funding. We would emphasize the importance of building relationships with existing bodies and developing shared agendas with partners.

Reading/References

Indigenous Roadmap: see Attachment A

Policy Guidelines: *(A PDF of this document will be available online in early March)*

Protection of Indigenous Knowledge in the Intellectual Property System – submission to IP Australia 1 February 2019: [here](#)

GLAM Peak and Digital Access frameworks: <http://www.digitalcollections.org.au/framework>

Six case studies in developing digital access to collections in 2016:
<http://www.digitalcollections.org.au/case-studies>



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