



AIATSIS

AIATSIS Submission
A new National Cultural Policy

5 September 2022

Introduction

The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) is Australia's premier national institute dedicated to telling the story of Aboriginal and Torres Strait Islander Peoples' knowledge, societies and cultures. We are the custodian of Australia's national collection of Aboriginal and Torres Strait Islander heritage materials and a publicly funded research agency. AIATSIS is also tasked with providing advice to government on Aboriginal and Torres Strait Islander cultures and heritage.

AIATSIS supports the continued recognition of Aboriginal and Torres Strait Islander people and cultures to the cultural and creative sectors of Australia. In looking towards a new National Cultural Policy for Australia, AIATSIS supports the ongoing emphasis and focus of a national policy which supports the cultural vitality and resurgence of Aboriginal and Torres Strait Islander communities across the nation.

AIATSIS welcomes this opportunity, and any further opportunities, to work with the Department of Infrastructure, Transport, Regional Development, Communications and the Arts in the development of a new National Cultural Policy.

First Nations

Culture as way of life – Moving beyond the Arts

Reflecting and respecting the extensive contributions of Aboriginal and Torres Strait Islander people and communities to the cultural life of the nation is crucial. Whether through the media, broadcasting, art centres or performances, Aboriginal and Torres Strait Islander peoples have come to represent Australia on a local and international stage.

A new National Cultural Policy should be built on a sound understanding of the idea of culture and therefore support the full spectrum of Aboriginal and Torres Strait Islander cultural expression and practice. In doing so Australia would be investing significantly in the strengthening and resurgence of the rich diversity of cultures around the nation. In considering *Creative Australia* there is a significant concentration on creative expression and the Arts as the sole identifier of culture. This conflation of the Arts and culture as one and the same, leads to a lack of clarity that privileges creative expression, ignoring the vast array of more nuanced contributors to culture and the Arts in Australia.

On this understanding, AIATSIS does not accept that the proposal to develop the National Cultural Policy, and the current policy *Creative Australia*, represents a true to purpose *cultural* policy. Instead, it is reflective of a national policy for supporting the Arts and creative sectors. In light of this AIATSIS recommends the renaming of the resulting policy to better reflect all forms of culture and cultural expression.

AIATSIS takes a considered approach to understanding culture and cultural expression, recognising that culture reflects the interactions that underpin a particular society and provides its members with a sense of continuity and identity. In fulfilling the legislative functions of the Institute, AIATSIS provides comprehensive advice to the Commonwealth on the situation and status of Aboriginal and Torres Strait Islander culture and heritage.¹ In doing so, AIATSIS has developed a holistic framework that looks to conceptualise and articulate the diverse and complex aspects of Aboriginal and Torres Strait Islander cultures. This framework is structured around six core pillars – Languages, Country, Family, The Arts, Governance and Values.² These distinct yet highly interconnected pillars shape how the Institute understands and works to support cultures, recognising them as not just the expressive forms and artistic styles of a society or community, but as the whole way of life for Aboriginal and Torres Strait Islander peoples and communities. These pillars representing cultural domains require significant consideration from Governments and policy to facilitate the full spectrum of cultural strengthening and resurgence needed around the nation. The continued support and growth of Aboriginal and Torres Strait Islander cultures will also facilitate greater understanding and engagement by non-Indigenous Australians.

A place for every story

The AIATSIS Mission

Central to the [AIATSIS Strategic Plan 2018–2023](#), is the four-part mission which asserts the place, histories and stories of Aboriginal and Torres Strait Islander people and cultures in the fabric of the nation. AIATSIS works towards this through various opportunities including the Institute’s publishing arm, Aboriginal Studies Press (ASP), our cultural capability online training ([‘Core’](#)) and through the development of ambitious educational resources to influence what children learn at school about Aboriginal and Torres Strait Islander Australia and support educators to teach with confidence.³ AIATSIS ensures that the public has access to the brilliance and stories of Aboriginal and Torres Strait Islander peoples and communities. In addition to this, AIATSIS continues to be instrumental in shaping international narratives around Indigenous culture and heritage, as demonstrated by the Institute’s ongoing role in the [UNESCO International Decade of Indigenous Languages 2022–2032](#).

In expanding this influence, [Ngurra: The National Aboriginal and Torres Strait Islander Cultural Precinct](#) provides a new and unique opportunity for the nation to engage meaningfully with the brilliance and diverse stories of Aboriginal and Torres Strait Islander peoples and communities. Composed of a National Indigenous Knowledge and

¹ Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989 (Cth), sec. 5(e).

² L Strelein, C Ritchie & L Barrett, ‘The Situation and Status of Indigenous Cultures and Heritage’, paper presented at AIATSIS Summit, Adelaide, 1 June 2021.

³ AIATSIS, *AIATSIS Education Strategy 2021-2025*, AIATSIS, Canberra, 2021.

Cultural Centre – a new home for AIATSIS with expanded engagement facilities – and a National Resting Place, Ngurra will speak to the centrality of these stories to Australia. Additionally, this will reduce the widely acknowledged gap within Canberra’s national institutions by better reflecting Aboriginal and Torres Strait Islander stories, cultures and heritage.⁴

The centrality of the artist

Indigenous Knowledges and Indigenous Cultural and Intellectual Property

The importance of community and the collective as creating and maintaining culture is of immense significance when responding to the centrality of the artist. Current policy and legislation continues to reinforce ideals of the artist as an individual, distinct from that of culture and community, disregarding community control and collective ownership of Indigenous knowledges and culture. This issue is reflected within current Intellectual Property (IP) law.^{5,6} In responding, it is crucial to refer to article 31 of United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which asserts the right of Indigenous peoples to “maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions”.⁷ As a national institution that holds cultural materials, AIATSIS manages Indigenous Cultural Intellectual Property (ICIP) through various frameworks including the Access and Use Policy: AIATSIS Collection and the AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research (the AIATSIS Code). The AIATSIS Code sets national standards for the ethical and responsible conduct of all Aboriginal and Torres Strait Islander research, across all disciplines, and includes guidance on the management of ICIP.⁸

Exemplified by the recommendations released in the Productivity Commission’s July 2022 draft report into Aboriginal and Torres Strait Islander Visual Arts and Crafts,⁹ ICIP remains a unique opportunity for Governments to better engage with Aboriginal and

⁴ Joint Standing Committee on the National Capital and External Territories, *Telling Australia’s story and why it’s important: report on the inquiry into Canberra’s national institutions*, 2019, p. ix.

⁵ AIATSIS, *A Guide to applying The AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research*, AIATSIS, Canberra, 2020, p. 8.

⁶ International Council on Archives Expert Group on Indigenous Matters, *Tandanya - Adelaide Declaration*, 2019, sec. 2(c).

⁷ United Nations, *United Nations Declaration of the Rights of Indigenous peoples*, United Nations, 2008, article 31.

⁸ AIATSIS, *AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research*, AIATSIS, Canberra, 2020, p. 2.

⁹ Productivity Commission, *Aboriginal and Torres Strait Islander Visual Arts and Crafts*, Draft Report, Canberra, July 2022.

Torres Strait Islander communities and artists in the resurgence and strengthening of their cultures.

Strong institutions

Indigenous scholarship and leadership

In looking to the next decade of cultural policy, there is a distinct opportunity for this policy to support the next generation of the Aboriginal and Torres Strait Islander cultural workforce and researchers. Investing in, and enabling, Indigenous leadership within the sector works to affirm the principles of the Tandanya – Adelaide Declaration (Tandanya Declaration). Drafted by the International Council on Archives, the Tandanya Declaration recognises the responsibility of archives to re-imagine their purpose and engage as a model of social memory which requires embracing Indigenous worldviews and epistemologies.¹⁰ Further to this, a commitment to Indigenous leadership in the sector enshrines the cultural sovereignty and authority of Aboriginal and Torres Strait Islander peoples in the appropriate curation and care of stories and materials within the nation's cultural institutions.

Deadline 2025 and securing at-risk materials

AIATSIS, as a significant national collection, continues work towards the internationally significant deadline of 2025 for securing at-risk materials, as identified in the National Film and Sound Archive's (NFSA) campaign, *Deadline 2025*.¹¹

With the Institute's significant progress toward this deadline, concern as to the unknown scale of still at-risk audio-visual materials held by Aboriginal and Torres Strait Islander organisations and communities is now arising. With these materials having great potential to supporting the strengthening and transmission of cultural knowledge within communities, they are of enormous cultural, historical, and economic value for communities, now and into the future. The identification and critical care of these at-risk materials, alongside the development of appropriate digitisation pathways, is a unique and practical opportunity for collecting institutions to support communities in the management of and access to their cultural heritage.

¹⁰ International Council on Archives Expert Group on Indigenous Matters, *Tandanya - Adelaide Declaration*, 2019, p. 2.

¹¹ National Film and Sound Archive, *Deadline 2025: Collections at Risk*, National Film and Sound Archive, Canberra, August 2017.

Reaching the audience

Keeping Places and repatriation, and regional access to collections

Ensuring that Aboriginal and Torres Strait Islander communities have access to their records, recordings and materials is essential to the work of the Institute in supporting the revitalisation and strengthening of languages and cultures. Through partnership with First Nations Media Australia (FNMA), AIATSIS is constructing its first regional presence, the Alice Springs engagement and digitisation centre. This extension of the Institute's presence beyond Canberra greatly increases the accessibility of the AIATSIS collection and digitisation operations. Additionally, the regional centre model of collections access assists in the preservation and digitisation of at-risk materials held locally, whilst also providing AIATSIS a space to promote a better understanding of Aboriginal and Torres Strait Islander living cultures and heritage to the broader public.

The safekeeping of significant and sensitive materials on Country is a constant priority in Aboriginal and Torres Strait Islander communities. Through the Return of Cultural Heritage (RoCH) initiative, funded via the National Indigenous Australians Agency, AIATSIS has led the return of materials to communities around Australia. The increasing rate in which institutions, domestically and abroad, are expressing interest in the unconditional repatriation or long-term loans of secular and sensitive materials back to Country and community has placed stress on the current resourcing of community keeping places. The construction and maintaining of these spaces provides an important opportunity for community reconnection and healing.

Conclusion

AIATSIS welcomes continued discussion in the development of a new National Cultural Policy that centres Aboriginal and Torres Strait Islander peoples' ways of knowing and living culture. It is imperative to the sustainability and development of the cultural sector that a new National Cultural Policy consider and support Aboriginal and Torres Strait Islander cultures in the broadest sense.

Further, it is necessary to reiterate concern at the persistent construct of culture as exclusively the Arts. In challenging the nation's understanding of culture, and in particular Aboriginal and Torres Strait Islander cultures, AIATSIS recommends the renaming of the national policy to one more closely aligned with that of supporting culture, and cultural expression, in all their diverse forms.

AIATSIS looks forward to working with the Department of Infrastructure, Transport, Regional Development, Communications and the Arts in supporting Aboriginal and Torres Strait Islander cultural resurgence and vitality.

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