

# Appendix 1c

Previous Possessions  
New Obligations

Museums Australia  
2000

**EXTRACT – *Museums Australia Inc. Previous Possessions, New Obligations***

***PREVIOUS POSSESSIONS,  
NEW OBLIGATIONS***

POLICIES FOR MUSEUMS IN AUSTRALIA

AND

ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES

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## **PREVIOUS POSSESSIONS, NEW OBLIGATIONS INTRODUCTION**

Museums in Australia (and overseas) have collected the cultural heritage of Australia's indigenous peoples since the earliest contacts between Europeans and indigenous peoples. Over the last 20 years, however, many museums have emerged as collaborators or partners with indigenous peoples rather than as portrayers of those people and their cultures as the other, as primitive and on the road to extinction. In moving to new attitudes and behaviours, museums initially focussed on return of human remains. Now museums focus on the people and their cultural heritage, on their relationship with the land, on the totality of the many peoples and societies.

With this in mind it is appropriate, especially in this International Year for the World's Indigenous Peoples, that a policy be developed to guide the further expansion of the relationships. This policy intends to help forge new partnerships in Australia between museums and the first peoples of Australia.

The basis of the approach by museums to the cultural heritage of Aboriginal and Torres Strait Islander peoples set out in this policy is the recognition that different and varying interests exist in it. Aboriginal and Torres Strait Islander peoples have special rights in respect of their cultural heritage: they have primary rights. They own their intangible cultural property, the meaning of the items expressed through the design, the dance, the song, the stories.

Australian Aboriginal and Torres Strait Islander cultures are living cultures: there are fundamental links between cultural heritage, traditional belief and land. Rights to self-determination and basic human rights, as set out in the United Nations Declaration of Human Rights, are of the greatest importance.

Museums in Australia, especially those established by government legislation, act on behalf of all communities in carrying out their responsibilities. Museums have tended to see their major role as collecting and maintaining objects. But they in fact have obligations to people, most particularly as to how they portray the people and societies whose cultural material and heritage they hold. Increasingly, museums need to strengthen their relationships with the peoples and communities whose material culture forms the basis of their collections. Museums in Australia wish to join with Aboriginal and Torres Strait Islander peoples in collaborative programs to increase understanding amongst all peoples.

Consultation between museums and Aboriginal and Torres Strait Islander peoples is an essential strategy for museums in collecting, holding, preserving, displaying and interpreting Aboriginal and Torres Strait Islander cultural heritage. It is the responsibility of museums to seek out the right people to consult: there are always right people who can speak to particular issues. In some cases, perhaps of poorly documented or provenanced material, the right people may be an advisory committee to the museum or a relevant Aboriginal and Torres Strait Islander body without particular local association. Negotiation is appropriate in some cases, whereas consultation - which must always be adequate in the view of both parties - is sufficient in other cases.

The framing of this policy has taken over two years of discussions and consultations. It is important to the future of museums. It is vitally important to the future of the indigenous and the non-indigenous peoples of Australia and our future.

The Museums Australia commends this Policy Document to all who are concerned with the future of Australia's cultural heritage.

## PREAMBLE

As cultural institutions and as custodians of our movable cultural heritage, museums must respond to contemporary concerns. Museums cannot be static and unchanging: no-one addressing the dynamics of contemporary society and cultural processes could support such a position. One of the most important issues facing museums in many countries is the material cultural heritage of indigenous people. This is no less true in Australia than elsewhere.

Whilst collections are held by museums in accordance with Australian law, the basis of the principles set out here is *the recognition of the inherent interests of Aboriginal and Torres Strait Islander peoples in the care and control, spiritual and practical, of their cultural property*. Museums today must address the fundamental issue of ownership of cultural heritage.

The Council of Australian Museum Associations (MUSEUMS AUSTRALIA) represents people working in and associated with museums throughout Australia. In 1991 it accepted responsibility for the development of policies relating to Aboriginal and Torres Strait Islander heritage issues relevant to museums. It has recognised that this can only be done through meaningful consultation with Aboriginal and Torres Strait Islander peoples including those who work in or are associated with museums. Such consultation has occurred and will continue.

The principles and detailed policies in this document are intended to guide museums in framing their own procedures for dealing with Aboriginal and Torres Strait Islander peoples and their cultural heritage.

The principles and policies cover the full range of museum activities. The responsibilities of museums range from return of human remains, the involvement of indigenous people in collection management and cultural presentations, through to employment and governance. Indigenous peoples can make a contribution to the wider understanding of heritage and cultures through their traditional knowledge of the country and its environment.

Museums have not always been sensitive to the cultures of indigenous peoples, to the people themselves or their wishes and aspirations. Since the first contacts between Aboriginal peoples and colonising people from England and other European countries, museums have been vigorously collecting Aboriginal and Torres Strait Islander heritage items, including human remains and secret/sacred items. At first this resulted in much material being sent to museums in England and Europe as well as being stored in Australia. The practice of collecting the heritage items of indigenous people was common among all countries when colonising others.

Museums in Australia, in their early years, played a major role in the colonising process and continued to do so well into the twentieth century. All museums did so! It is well-known that some museums indulged in practices that morally could never be condoned and today would certainly not be undertaken.

Attitudes and claims for recognition of the rights of indigenous people in respect of their cultural property have been the subject of discussion at numerous international meetings, including many held under the auspices of the United Nations, a body established to foster peace amongst nations and amongst peoples. Attitudes of indigenous people world-wide to control over their cultural heritage and the way that their history is portrayed have been expressed in a number of resolutions to international meetings in the last 20 years.

In North America, many of those states of the Pacific where the dominant society is not the indigenous one (Hawaii and New Zealand) and in Australia, museums have changed their approaches in the last 20 years, especially in the last five years. Many of them now actively involve indigenous people in their programs, have returned human remains and secret/sacred and ceremonial material, or have been authorised by the relevant community to retain it on their behalf as custodians.

In the USA, legislation now mandates the recording of all collections of the cultural material of Native Peoples and the provision of information to them. Human remains and ceremonial and grave goods are being returned. A new museum, the National Museum of the American Indian, headed by the distinguished Cheyenne lawyer, Dr Richard West, has been established as part of the Smithsonian Institution complex.

In Canada, a Task Force comprising representatives of the Assembly of First Nations and the Canadian Museums Association, published a report in 1992. That report, resulting from extensive consultation and co-operation, sought to create partnerships between First Peoples and museums, to have museums and First Peoples work together to correct the inequities of the past. Through that partnership, representatives of First Peoples are to be involved in all aspects of museum practice where cultural material is concerned. A commonality of interest is recognised.

In New Zealand spiritual ownership of *taonga* (treasures handed down) is recognised by all museums. The new Museum of New Zealand *Te Papa Tongarewa* is designed around the recognition of biculturalism and the right of Maori people to speak of their rich tradition and culture: a *marae*, a place where one has the right to stand, is the centrepiece of the design.

In Australia, the question of principles and ethics in relation to indigenous people's cultural heritage management was raised at the UNESCO Regional Seminar, entitled *Preserving Indigenous Cultures*, held in Adelaide in 1978.

The Seminar, recognising that UNESCO was the international body responsible for recommending standards in respect of the preservation of cultures, agreed on a large number of recommendations directed to the Australian National Commission for UNESCO for consideration and appropriate action.

Two pieces of legislation, the Aboriginal and Torres Strait Islander Heritage (Interim Protection) Act of 1984, as amended by the Aboriginal and Torres Strait Islander Heritage Protection Amendment Act of 1987, recognise

*"the need to make provision for the preservation of objects and places of religious, historical or cultural significance to the Aboriginal and Torres Strait Islander peoples and the need to accord appropriate status to Aboriginal and Torres Strait Islander elders and communities in their role of protecting the continuity of the culture and heritage of the Aboriginal and Torres Strait Islander people".*

Museums no longer wish to be regarded just as custodians of artefacts. They are moving to a position of increasing knowledge and encouraging broad access to the items in their collections by the community. This is demonstrated by the *National Inventory of Aboriginal Artefacts* (compiled by Betty Meehan with assistance from Joan Bonna) which was funded by the Council of Australian Museum Directors and published in 1986, Museums are concerned with providing access to the multiple meanings of those items.

In Australia, the principal focus in the recent debate between museums and Aboriginal and Torres Strait Islander peoples has been skeletal remains. Policies generally supporting the return of human remains and proscribing their public exhibition were adopted by the Council of Australian Museum Directors in 1983 and have been followed since.

Substantial media attention has focussed on efforts to achieve the return of material from overseas museums, especially those in the United Kingdom. The role of museums in this process has not always been clear and some views and actions have been attributed to museums in Australia in the last two years that do not accord with the facts. Some UK "National" museums, on the other hand, have claimed difficulty in returning material because of legislation which prevents disposal of their collections.

There is a strongly held view amongst Aboriginal and Torres Strait Islander peoples as to the issue of ownership of cultural heritage. This has been expressed by one group consulted extensively in developing this policy in the statement, *"Aboriginal and Torres Strait Islander peoples have rights of control and ownership of their own cultural property both tangible and intangible"*,

The principles enunciated in this document are based on the recognition that different and varying interests exist in the cultural heritage of Aboriginal and Torres Strait Islander peoples, Aboriginal and Torres Strait Islander peoples have special rights in respect of their cultural heritage: they have primary rights, (See Introduction.)

To some people, claims of ownership of cultural property made by indigenous people have been interpreted as a claim for the removal of all items now held in museums. However, museums that have established meaningful relationships with indigenous communities have not experienced claims of that kind. Nor have museums participating in the return of cultural property under guidelines promulgated by UNESCO. Indeed some museums receive as many requests, from Aboriginal and Torres Strait Islander communities, to *acquire* items of indigenous cultural property as they do requests for *return* of items in their collections. Moreover, museums through purchase of contemporary art and craft, make substantial contributions to the economy of communities and to the recognition of the extraordinary vitality and aesthetic quality of the items. This is true of both traditional and non-traditional works.

Claims are recognised by museums in Australia (as in Canada and the United States) that human remains and items of a secret/sacred nature are to be treated specially and that requests for return will be automatically addressed. Clarification of the validity of the continuous relationships between the particular items and the community making the claim is undertaken and mutually satisfactory conclusions are often readily reached.

The wider issue concerns collections generally. Under Australian law, museums own those items that they have legally acquired and are entitled to do with them as they see fit in accordance with their enabling legislation. However, the views of indigenous people must be acknowledged by museums. In the case of Canada, for instance, the Task Force found "some agreement on the return to originating communities of a selection of other objects considered to be of special significance to cultural patrimony". The Report also stated, "*there is wide recognition that concepts of ownership vary; therefore, a case by case collaborative approach to resolving repatriation based on moral and ethical criteria is favoured rather than a strictly legalistic approach*". Guidelines for a collaborative approach were included in the Task Force's policy.

Museums cannot ignore the views of indigenous people on this matter. Whilst the forging of closer relations must go well beyond repatriation - as do the principles and policies set out here - museums must have practices based on clearly articulated policies that are capable of dealing with all claims for return of cultural material crucial to the ongoing life and self esteem of indigenous people.

Transfer of legal title to all items in collections held by museums to Aboriginal and Torres Strait Islander communities is not possible in law (although laws can be changed), would not be wanted by every community (so far as past experience can be a guide) and would require substantial further efforts in documentation and negotiation (which of course must be done anyway). The return of human remains is itself a long process involving the most sensitive discussions. Moreover, museums must continue to play a major role, as is said elsewhere in this document, in the increasing of understanding amongst non-indigenous and indigenous people alike. Collections, wherever they are held, play an important role in this.

Sensitivity to, and acknowledgment of, the totality of indigenous cultures is needed in the care and interpretation of heritage; objects should not be regarded in isolation, simply as

**artefacts.****Indigenous cultures are holistic.****Museums should recognise that and act accordingly.**

The most fundamental conclusion is that every single claim for return must be discussed openly and every effort made by the museum and the community to reach a mutually satisfactory outcome. The obligation on the museum to consult - an integral part of the foundation of the principles in this statement - recognises that. In doing so, museums are supporting the right of Aboriginal and Torres Strait Islander people to self-determination in respect of cultural heritage matters. The first of the principles in this document has been added since 18 May to emphasise this.

In those museums in Australia which are playing a sensitive and responsible role today, the dichotomy between the interests of Aboriginal and Torres Strait Islander peoples and museums is breaking down. New and productive partnerships are being formed, partnerships that lead to recognition of the richness of indigenous cultural heritage and its ongoing validity. But much still remains to be done.

In the preparation of this set of principles and more detailed policies, MUSEUMS AUSTRALIA has undertaken and encouraged discussion throughout Australia. Of course there will be always more people to talk to and further views to listen to. No policy is static: it must evolve and adapt to developments and changing understandings as they become apparent.

Indigenous people in many countries are increasingly forceful in insisting that their rights in all aspects of their cultural heritage be acknowledged. Museums can no longer function on the basis that they alone may determine what use is made of cultural material or what access is allowed to indigenous people. *The continuing responsibility of museums to respond to the concerns of indigenous people is a moral imperative.*

MUSEUMS AUSTRALIA believes that new partnerships must be forged, not only dealing with return of material collected in the past but also promoting the development of understanding, a richer sharing of meaning!

**PRINCIPLES**

## Self-Determination

- 1 Museums support the right of Aboriginal and Torres Strait Islander people to self-determination in respect of cultural heritage matters.

## Management and collections

- 2 Aboriginal and Torres Strait Islander involvement in management of collections and information, and their use in the public programs and communication of museums, including exhibitions, education and publications, is essential.
- 3 Objects of Aboriginal and Torres Strait Islander cultural property held by museums, and the information relevant to them, are of equal importance.
- 4 The special needs and interests of Aboriginal and Torres Strait Islander women must be recognised by museums so that all activities and operations are culturally appropriate.

## Access to collections and information

- 5 Museums must provide relevant Aboriginal and Torres Strait Islander communities with information, in accessible forms, as to what is in their collections.
- 6 Access to Aboriginal and Torres Strait Islander items and information must be appropriate as determined by Aboriginal and Torres Strait Islander peoples: access to some items must be restricted in accordance with tradition.

### Assistance to Aboriginal and Torres Strait Islander communities

- 7 Museums have a responsibility to assist Aboriginal and Torres Strait Islander communities in the management of cultural property and in providing training in research and documentation to people of those communities.
- 8 Museums must assist Aboriginal and Torres Strait Islander community groups in the care and preservation of objects. Conservation practice must adapt to cultural requirements, most particularly in respect of secret/sacred items.
- 9 It is appropriate for Aboriginal and Torres Strait Islander communities to obtain funds for special projects and in such cases they may then approach a museum to be involved in the project. Such an approach puts the major decisions as to what is important in the hands of the community. Museums should assist and be involved in the project if requested by Aboriginal and Torres Strait Islander peoples.

### Employment and training

- 10 The employment of Aboriginal and Torres Strait Islander peoples in museums must be dealt with by application of anti-discrimination and equal employment opportunity legislation relevant to the jurisdiction. Museums must encourage Aboriginal and Torres Strait Islander peoples to apply for employment.
- 11 Training in museums and employment by them of Aboriginal and Torres Strait Islander peoples must start at as high a level as possible: in all cases training should lead to actual employment in meaningful jobs.

### Policy formulation

- 12 There must be meaningful participation of Aboriginal and Torres Strait Islander peoples at the highest policy levels of museums through such mechanisms as are appropriate in the local situation.
- 13 All museums have the responsibility to strive to obtain adequate resources to fulfil their role in respect of collections and programs. Museums should play a role in helping to obtain adequate resources for Aboriginal and Torres Strait Islander peoples to fulfil their aspirations in respect of their material cultural heritage.

## DETAILED POLICIES

These detailed policies have been drafted to comply with the principles of the MUSEUMS AUSTRALIA Policy Statement as listed above and issued by MUSEUMS AUSTRALIA on 18 May 1993.

### 1. HUMAN REMAINS

Museums should not hold any items which are not of scientific or cultural importance. This most especially applies to human remains. Museums should adopt policies in respect of the human remains of all peoples irrespective of race. The utmost sensitivity must be observed in dealing with human remains. This policy applies to all human remains of Aboriginal and Torres Strait Islander people irrespective of age.

#### General

- 1.1 No conditions can be placed unilaterally by museums on the return of human remains.

#### Acquisition

- 1.2 Museums will not seek to acquire human remains and where Government legislation prescribes that museums have custodial responsibility for remains found in certain situations, then the museum will deal with them in accordance with the other policies in this section.

#### Return

- 1.3 The remains of individuals who have died since contact with European people in Australia will be dealt with in accordance with the wishes of the deceased or their descendants or the relevant community. In respect of human remains dating from before contact with Europeans the action taken will comply with the other clauses of this policy.
- 1.4 Aboriginal and Torres Strait Islander people from the community from which the person came must be involved in determining the future disposition of remains which are returned by museums.
- 1.5 All requests for return of Aboriginal and Torres Strait Islander remains will be promptly and sensitively dealt with by the museum.

#### Custodianship

- 1.6 Museums, acting in the role of custodian, may retain or hold human remains on behalf of the relevant community if requested to do so by them and shall abide by any reasonable conditions sought by the community .

#### Storage, access and display

- 1.7 Human remains, if retained by the museum, will be properly stored in an area separate from other parts of the collections and treated with respect at all times.
- 1.8 Access to human remains held by museums will be carefully controlled in accordance with the wishes of the relevant Aboriginal and Torres Strait Islander people.
- 1.9 Human remains will not be displayed to the public, except in special circumstances where parts of remains are an integral part of other items such as human teeth incorporated in an item of personal attire, the display of which is agreed to by the relevant community, their descendants or those authorised by them.

#### Scientific and cultural significance

- 1.10 Museums recognise the potential value that human remains may have to the scientific advance of knowledge. Where it is considered that there are valid scientific interests in some remains, claims to that effect must be established to the satisfaction of Aboriginal and Torres Strait Islander people. Age by itself does not establish scientific importance. Before scientific research of any kind is carried out on human remains the relevant community, having been able to consider all appropriate information available to the museum, must give permission for that research. The results of any scientific research must be communicated effectively to that community.

## 2. SECRET/SACRED MATERIAL

Museums have substantial collections of secret and sacred items. This policy also is intended to cover material that is deemed to be of a private nature, that is, material neither secret nor sacred but not of a general open nature either (carved trees for instance). There is clear recognition now that special measures must be taken because of the considerable religious and ceremonial significance such material has to Aboriginal and Torres Strait Islander peoples.

### Custodianship and access

- 2.1 Custodianship of secret/sacred material is vested in those people - the traditional custodians or their descendants - who have rights in and responsibilities for it under Aboriginal and Torres Strait Islander customary law.
- 2.2 Museums will not seek to acquire secret/sacred material.
- 2.3 Museums, with the assistance of appropriate persons from the relevant community, will seek to identify the items of a secret or sacred nature in its collections and their provenance.
- 2.4 Secret/sacred material may be retained by a museum as custodian if requested by the traditional custodians.
- 2.5 Secret/sacred material shall be kept in a manner consistent with its sensitive nature and separately from other collections.
- 2.6 Traditional custodians will be consulted on the method of storage and preservation of secret/sacred material.
- 2.7 Access to secret/sacred material shall be restricted to traditional custodians or their descendants, people authorised by them and by the museum's management.

### Display

- 2.8 Secret/sacred material shall not be displayed to the public except with the specific permission of the traditional custodians or their descendants.

### Return

- 2.9 Museums will take appropriate steps to seek out the traditional custodians of secret/sacred material for the purpose of consulting them on their wishes as to return or retention by the museum acting in a custodial role.
- 2.10 Secret/sacred material will be considered for return to the traditional custodians when requested by them in accordance with procedures which involve establishing that those requesting return are the rightful custodians according to Aboriginal and Torres Strait Islander custom and have regard to the highly sensitive nature of the material.

### 3. COLLECTIONS IN GENERAL

Material has been collected by museums in Australia (and overseas) over the more than 200 years of European settlement. Museums are still acquiring material including items of contemporary cultures. Items made specially for sale are being acquired more frequently by museums. The principal areas of debate relate to ownership of items and the context in which they are displayed (which is dealt with separately below). Specific policies are appropriate for collections of human remains and secret/sacred (and private) material: they are set out above and are not dealt with further here.

#### Acquisition, ownership, access and return

- 3.1 Acquisition, conservation, disposal and access to collections, including use in public programs, will take into account, or incorporate as appropriate, the views of the Aboriginal and Torres Strait Islander community of whose cultural traditions the items form part.
- 3.2 Museums will communicate information about their holdings of collections of Aboriginal and Torres Strait Islander cultural material to communities so that informed decisions can be made by those communities.
- 3.3 Museums will lend cultural material from their collections to museums and other appropriate venues, especially local Aboriginal and Torres Strait Islander keeping places, subject to appropriate conditions concerning conservation and security of the items.
- 3.4 Museums will make available all documentation including photographic images and literature held by them to relevant Aboriginal and Torres Strait Islander peoples and communities but in doing so will have regard to the provisions of clause 3.9.
- 3.5 In all cases, it is appropriate that museums give the utmost consideration to requests from Aboriginal and Torres Strait Islander communities for return to them of cultural material. The context of acquisition shall be taken into account in discussion of requests for return of items. Requests by museums for the manufacture of replicas, of material which is to be returned to the community, are inappropriate unless specifically offered by the community.

#### Research

- 3.6 Museums will encourage research by Aboriginal and Torres Strait Islander peoples on their collections of Aboriginal and Torres Strait Islander material culture and related items of cultural heritage.
- 3.7 The relevance of scientific research to Aboriginal and Torres Strait Islander people and the results of research on Aboriginal and Torres Strait Islander cultural heritage will be communicated to Aboriginal and Torres Strait Islander people.
- 3.8 In dealing with collections in general the principle that there is a diversity of interests will prevail: respect for the legitimacy of those diverse interests and at the same time the primacy of Aboriginal and Torres Strait Islander interests will guide decisions.

#### Documentation

- 3.9 The matter of documentation and photographic materials gathered during anthropological research, including the personal diaries of the anthropologists, is a complex one. This is especially so in respect of copyright of material and images. However, it is recognised that the author of the documentation has special rights of access to that material subsequently.
- 3.10 People from the relevant Aboriginal and Torres Strait Islander community should be involved in improving the documentation of the collections.

#### 4. PUBLIC AND OTHER PROGRAMS

Museums conduct a wide range of public programs and are under pressure to increase their attention to them. Through these programs, museums communicate with the wider public, especially those who are not Aboriginal and Torres Strait Islander peoples. Museums have substantial opportunities to fully explore the richness and variety of Aboriginal and Torres Strait Islander cultures and traditions, as it exists now and as it existed in the past. Public programs include exhibitions, education activities and publications in all media. Public programs also include co-operation by museums with Aboriginal and Torres Strait Islander peoples and communities and their cultural centres and keeping places.

##### Cultural tradition

- 4.1 Museums will actively promote understanding of Aboriginal and Torres Strait Islander cultural tradition amongst all Australians.

##### Involvement of Aboriginal and Torres Strait Islander people

- 4.2 Museums will actively involve Aboriginal and Torres Strait Islander people in their public programs and will consult them on the manner in which items from the collections are used in those programs.

##### Contemporary culture

- 4.3 Museums will actively promote recognition of contemporary Aboriginal and Torres Strait Islander cultures in their varied forms and recognise the full range of cultural activities in programs regarding Aboriginal and Torres Strait Islander people: Aboriginal and Torres Strait Islander cultures must be presented as vital, living, diverse and changing.

##### Community museums

- 4.4 Museums should actively support the establishment and ongoing funding of Aboriginal and Torres Strait Islander community museums and keeping places.

#### 5. STAFFING, TRAINING AND FINANCIAL SUPPORT

It is self-evident that unless resources in terms of staff and funding are provided, no progress will be made in implementing the agreed policies. As funding for museums declines as governments shrink, museums face genuine problems in setting priorities and allocating appropriate resources.

Legislation exists throughout Australia forbidding discrimination against Aboriginal and Torres Strait Islander people and practices which are less than equal in respect of employment and training. Consideration of employment and training across all areas of museum activity is appropriate. Museums have a substantial role in training: it cannot be left simply to the education and training industry such as schools and universities.

##### Employment

- 5.1 Museums will actively promote the employment of Aboriginal and Torres Strait Islander people in activities concerning Aboriginal and Torres Strait Islander cultures and heritage including collections management, research and conservation, public programs and administration.

##### Training

- 5.2 Museums will take an active role in training Aboriginal and Torres Strait Islander people in all aspects of museum practice.

## 6. GOVERNANCE AND MANAGEMENT

Inasmuch as the board of a museum has responsibility for the conduct of the museum's affairs the representation of Aboriginal and Torres Strait Islander peoples on the board is an important issue for consideration. Alternatively or as well, it might be considered appropriate for the board to establish an advisory committee of Aboriginal and Torres Strait Islander people to advise it on this area. In any event actions taken will depend on what is considered appropriate locally.

- 6.1 Museums must conduct ongoing consultations with Aboriginal and Torres Strait Islander people concerning all aspects of their activities as they concern the cultural heritage of these peoples.
- 6.2 There should be meaningful participation of Aboriginal and Torres Strait Islander people at the highest policy levels of museums through such mechanisms as are appropriate in the local situation.

## 7. CO-OPERATION

Museums will co-operate with Aboriginal and Torres Strait Islander communities and organisations as well as with each other and with others in the community to advance these policies. Co-ordinated and integrated policies and actions are likely to achieve results where individual action, no matter the level of commitment, will not.

### Australia-wide Strategies

- 7.1 Specific strategies need to be established by museums through discussion with Aboriginal and Torres Strait Islander communities and groups representing the latter's interests, State, Territory and Federal Governments, museum organisations and other organisations active in the areas dealt with in this policy.

### Outcomes

- 7.2 In these discussions, the outcomes should be in accordance with the principles in the Policy Statement of 18 May 1993. Whilst local conditions may lead to differences in some details, a commitment to the overarching principles of satisfying varying interests and recognition of the special interests of the culturally diverse Aboriginal and Torres Strait Islander peoples and communities, whose living cultural heritage we are dealing with, should guide all decision-making.

## BACKGROUND TO THIS DOCUMENT

The need for a uniform statement of policy has emerged as an increasingly significant issue over the last 15 years. A policy formulated in 1984 by the Council of Australian Museum Directors which is made up of directors of major museums (other than art museums) has been in place but deals only with the matter of human remains. There is a clearly perceived need for policies which address the entire range of issues concerning relations between museums and indigenous people.

To those most closely involved in framing this present policy the need for urgent attention became evident over the last five years. By 1991, it was clear that some museums, especially but not only the South Australian Museum, had policies in place and because of their experience were being consulted by museums and by indigenous people from around Australia. The view was taken that every major museum in each State ought to be able to serve the needs of the people in its own State and Territory.

At a meeting between Des Griffin, Lester Russell (then Director of the South Australian Museum) and Chris Anderson (then Head of the Department of Anthropology at the South Australian Museum) in June 1991, it was agreed that MUSEUMS AUSTRALIA, as the Australia-wide body concerned with museums of all kinds, should be approached to develop such a policy.

In August 1991, Phil Gordon (Heritage Liaison Officer at the Australian Museum), Des Griffin and Andrew Reeves (then MUSEUMS AUSTRALIA Vice President and Director of Human Studies at the Museum of Victoria) met to examine the kinds of principles that should be included in a document and reach a preliminary appreciation as to where there were differences of opinion between museums and between museums and Aboriginal and Torres Strait Islander peoples.

A draft statement was drawn up as a result of that meeting and circulated in September 1991 in the first instance to Aboriginal and Torres Strait Islander staff of museums for their comment. Some of those staff took the document to the November 1991 meeting of the Conference of Australian Museum Anthropologists.

Simultaneously the Board of MUSEUMS AUSTRALIA agreed that a Committee be established to draw up an appropriate policy. The committee included Aboriginal people known to have a special interest in museums and their dealings with Aboriginal and Torres Strait Islander cultural property. The names of the Committee are listed elsewhere in this document.

In November 1991, Griffin, Karen Coote and Chris Anderson (who had attended the COMA Conference), all members of the MUSEUMS AUSTRALIA Committee, discussed the reactions received from the conference and from Aboriginal and Torres Strait Islander staff of museums and agreed on amendments to the document in order for a second draft to be distributed more widely.

In November 1991, the revised draft was circulated to all major museums holding significant collections of Aboriginal and Torres Strait Islander cultural property seeking their comments as well as to interested associations and individuals. The draft was discussed also at the meeting of the Council of Australian Museums and a preliminary position on the various views was reached by them.

Through June 1992, various responses were received from those to whom the policy draft had been sent. It became apparent at a very early stage that discussions would have to take place at a State and Territory level in the first instance. Accordingly people from each of the state museums who were members of the Committee were asked to co-ordinate the consultations.

On 25 July 1992, the full MUSEUMS AUSTRALIA Committee, together with representatives of the Museum of Victoria's Aboriginal Cultural Heritage Advisory Council met at the Museum of Victoria to discuss the draft document circulated November 1991 and the comments received to date. At that meeting an important decision was reached that a set of principles be established from which the detailed policies would flow.

A revised policy was formulated and distributed to the Committee and the Board of MUSEUMS AUSTRALIA. CAMD also considered the revised draft Policy Statement including the Principles in October 1992 in New Zealand and endorsed them.

In November 1992 Aboriginal and Torres Strait Islander people working in and associated with museums and those who were members of the MUSEUMS AUSTRALIA Committee met. Chris Anderson was also present. That group developed a set of principles which they felt should guide the policies of museums. A group entitled the interim Aboriginal and Torres Strait People and Policies Action Committee (ATSIPPAC) was established with Ms Lori Richardson (Aboriginal Adviser to the National Museum of Australia) as convenor.

Following discussions between the MUSEUMS AUSTRALIA Committee and ATSIPPAC convenor Lori Richardson a meeting of representatives of both groups (from the MUSEUMS AUSTRALIA Committee Karen Coote, Des Griffin and Richard Robins and from ATSIPPAC Phil Gordon and Lori Richardson) and Dr Jim Specht of the Australian Museum was held in early February 1993. Refinements to the principles formulated by the two groups were made and development commenced of a final draft policy statement for release on 18 May 1993, International Museums Day in the International Year for the World's Indigenous People. That meeting agreed that, having regard to the need for as full consultation as possible, attempts to get all the detailed policies discussed and agreed to before 18 May would be not sensible. Further comments continued to be received, notably from a number of Aboriginal Land Councils.

The Commonwealth Government Minister for Aboriginal and Torres Strait Islander Affairs, the Hon Robert Tickner, MP, was sent copies of the draft statement late 1992 and of the final Policy Statement in May 1993.

Discussions with officers of the Aboriginal and Torres Strait Islander Commission (ATSIC) were held from late 1992 through May 1993.

A draft of the Policy Statement was sent to major State Museums holding collections of Aboriginal and Torres Strait Islander cultural material in April 1993.

The final Policy Statement was placed before the MUSEUMS AUSTRALIA Board on 1 May and, following discussion, adopted subject to any necessary minor amendment. Endorsement was received from a number of organisations including both the Council of Australian Museum Directors and its art counterpart, the Council of Australian Art Museum Directors (CAAMD); CAAMD had considered the draft Policy Statement at its meeting in late April 1993.

The final version of the Policy Statement was determined in discussions between Des Griffin, Chris Anderson, Phil Gordon, Bernice Murphy (Chief Curator, Museum of Contemporary Art and President of the Australian National Committee of ICOM), Lori Richardson, Lester Russell, Jim Specht and other members of the MUSEUMS AUSTRALIA Committee on 6 May 1993. The launch of the Statement took place at 9:00am 18 May outside Sydney's Museum of Contemporary Art at Circular Quay West, a place of significance to the history of Australia for both indigenous and non-indigenous people.

In June and July 1993, the detailed policies together with the Policy Statement were circulated to University museums and regional and local museums of all kinds. Further responses were received.

A meeting of representatives of the MUSEUMS AUSTRALIA Committee (Chris Anderson, Karen Coote, Des Griffin and Gaye Sculthorpe) and ATSIPPAC (Phil Gordon) together with Jim Specht was held October 13 to consider final wording of the detailed policies and necessary amendments to the full document. It was noted that a number of groups had not responded to the invitation to comment. But the view was taken that a policy should be launched and submitted for comment to all communities and interested parties with a review date of October 1995. Policy is evolutionary.

The semi-final draft was circulated 25 October to all members of the MUSEUMS AUSTRALIA Committee, Lori Richardson and Phil Gordon of ATSIPPAC and Jim Specht; museums and organisations which had not responded were also asked if they wished to have comments included in the list of responses.

The present document has been developed from the October 13 meeting and has been considered by all members of the MUSEUMS AUSTRALIA Committee.

The members of the Committee established by the MUSEUMS AUSTRALIA Board to formulate this policy comprises:

Christopher Anderson, previously Head of the Division of Anthropology and now Director, South Australian Museum, Adelaide

Wally Caruana, Curator, Aboriginal and Torres Strait Islander Art, Australian National Gallery (nominated by the Art Museums Association of Australia)

Julia Clarke, Head, Exhibition & Design, Western Australian Museum, Perth (formerly Tasmanian Museum and Art Gallery, Hobart; nominated by the Museums Association of Australia Inc)

Karen Coote, Conservator, Division of Materials Conservation, Australian Museum, Sydney

Des Griffin, President of MUSEUMS AUSTRALIA and Director, Australian Museum, Sydney (Chair)

Bill Jonas, Principal, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra

Andrew Reeves, Vice President, MUSEUMS AUSTRALIA and Director, Western Australian Museum, Perth (formerly Director of Human Studies, Museum of Victoria, Melbourne)

Richard Robins, Curator of Anthropology, Queensland Museum, Brisbane

Gaye Sculthorpe, Senior Curator, Indigenous Studies, Museum of Victoria, Melbourne (nominated by the Museums Association of Australia)

Ted Wilkes, Trustee, Western Australian Museum, Perth