

# acknowledgements

We wish to express our appreciation to the following people:

- To the Aboriginal Working Party members for input and discussions throughout the development of this document; and
- To officers from the Department of Aboriginal & Torres Strait Islander Policy and Development Regional Office in the Torres Strait who developed the Cultural Communication Cues; and
- Mr David Horton of the Institute of Aboriginal and Torres Strait Islander studies for use of the Aboriginal Australia Map; and
- Mr Bill Ivinson for providing graphics used in this document.

• For further assistance or information please contact:

• Department of Aboriginal & Torres Strait  
• Islander Policy and Development  
• PO Box 397  
• BRISBANE ALBERT STREET QLD 4002.

• Tel: (07) 3006-4107

• Fax: (07) 3224-2070

© Copyright Queensland Government

1st published May 1998.

Revised Edition December 1998.

This Edition October 1999.

# foreword

Protocols are an essential component when dealing with individuals and communities. No where is it clearer than in Aboriginal communities. For many years unfortunately these protocols were invisible to non-Aboriginal peoples who, for one reason or another, had no conception about what it might mean to treat and respect Aboriginal people as basic human beings.

This is a sad reflection on those times and the attitudes which were borne of those overwhelming aspects of colonisation. We now have an opportunity to address this issue and right those wrongs.

Over recent years numerous cross-cultural training awareness courses have been initiated throughout the country to service deliverers, institutions, government departments and so on. Their impact in the main has resulted in a greater appreciation of Aboriginal peoples. These protocols have the same effect.

Once upon a time, non-Aboriginal people assumed “everyone was the same” but we know “everyone” is not the same. We all come with a set of values, ideals and principles which have been shaped since birth according to our respective cultures.

It is vital to adhere to how one wishes to be addressed. There is, I believe, much more understanding of the politics of difference. However, while there is a long way to go for the respect it deserves, these protocols offer a good start.



*Jackie Huggins*  
*Council for Aboriginal Reconciliation (Qld)*

# introduction

This booklet has been developed by the Department of Aboriginal and Torres Strait Islander Policy and Development on the basis of advice from an Aboriginal Working Party. It is a guide to Queensland Government officers who at some time need to consult with Queensland Aboriginal individuals, groups and/or communities. The information provided is intended to be useful in a variety of settings - urban, rural and remote.

Although, some general principles are provided as guidelines to officers to apply in particular situations this document is not intended to be prescriptive and it is up to individual agencies to establish detailed consultative arrangements. You may find that you deal with one community in a certain way and with another community in a totally different way.

***Therefore, this booklet does not provide an answer to everything. There are some problems that have more than one answer. Other problems have no readily apparent answer.***

It is important to emphasise that there is no single Aboriginal culture (see History Sections 1-1.2). Government officers need to have some understanding and appreciation of Aboriginal history, culture, customs and their relationship with governments for effective communication and negotiation.

In many cases how officers deal with situations will depend on what they already know about

Aboriginal people and their cultures and what knowledge they can acquire. The section on *Significant Issues (2)* provides further insight into a variety of issues affecting Aboriginal people.

This booklet is intended to complement the experience and knowledge officers already have and cover basic information that officers dealing with Aboriginal people for the first time may not have.

It is important to be aware that Aboriginal people and communities have definite expectations of government officers. It is expected that government officers will know enough about their unit/branch and their department (including the government generally) to be able to assist Aboriginal people. There is an expectation that government officers have enough understanding about the situations and opinions of Aboriginal people to be able to represent their views in other, non-Aboriginal forums.

The section relating to *Aboriginality (3)* highlights a range of issues regarding who is an Aboriginal person and who is not in the "black" community.

The sections relating to *Consultation and Negotiation (4)* are arranged twofold. Firstly *Community Visits (4.1)* which identifies issues to think about prior to meetings and secondly the *Formal Meeting Section (4.2)* provide practical advice for the actual meeting.

Obviously, taking the initiative to involve Aboriginal people (as with any client) at the beginning of a project, program or the development of a policy will allow direct identification of their needs and increase the effectiveness, relevance and acceptance of policies or services. Creative solutions can be developed when the government and community work in partnership. Evaluation of policies and services requires consultation with affected and interested groups to receive feedback and this is dealt with in the *Providing Feedback (5) and Evaluation (6)* Sections.

It is crucial to the success of government programs if consultation *and* negotiation occurs. Too often in the past Aboriginal people have felt that only token consultation has been carried out by governments and that this “consultation” has occurred merely to “back up” a foregone Government decision. However, when consultation *and* negotiation occur a more equal relationship develops.

### Consultation:

- “Consultation is an essential component of the policy making process;
- Effective consultation should occur early and throughout the decision making process;
- Each consultation needs to be designed to meet the unique demands of the situation and to identify and define clearly the issues considered and allow for adequate time to conduct the consultation process;

- Effective consultation requires openness about why people are being consulted, how they will be consulted and how much influence they will have over decisions made;
- Those consulted need to be provided with comprehensive, balanced and accurate information;
- All interested parties should have access to the consultation process; and
- All participants should be treated with dignity and respect.”<sup>1</sup>

Naturally, it important to keep all these factors in mind when consulting with Aboriginal people. It is also important, however, to remember that Aboriginal people have often felt consultation left them powerless to affect government decision making and for this reason prefer the term “negotiation” to “consultation”. “Negotiation” suggests a more equal relationship where parties work through any conflict, finding areas of agreement and agreeing to disagree if areas of conflict cannot be resolved.

<sup>1</sup> Office of the Cabinet, Queensland, *Consultation: A Resource Document For The Queensland Public Sector*, (p.30), 1993, (P.1) GOPRINT, Brisbane.

# 1 | Aboriginal history

## 1.1 Pre-Contact 1788 History

Non-Aboriginal academics, namely anthropologists, archaeologists, and historians calculate that Aboriginal society has inhabited mainland Australia for over 40,000 years. However, Aboriginal concepts of their history regarding habitation of Australia are immeasurable and are linked to a variety of national Dreamtime creation lores. The most familiar of these concepts is the Rainbow Serpent.

The Aboriginal population prior to 1788 is estimated by academics to have been between 500,000 and a million people although recent estimates range from 300,000 to 3,000,000 (Commonwealth of Australia 1989). What is certain is that the impact of colonisation took a heavy toll.

During the 1940's Norman B Tindale (an American ethnographer), produced a historical map showing over 600 Aboriginal land and language owning groups before colonisation. The basic social unit within Aboriginal society was close knit, productive extended families, whose day to day living was defined by a set of complex social laws, customs and beliefs all of which differed from one group to another according to their creation ethic or Dreaming.

Within these parameters each member of the family had responsibilities and roles to others and themselves. Lines of communication and social activity were determined by an intricate set of kinship laws based on gender and age. Responsibility for education, child rearing and

discipline lay with all adults as a group, with some members having more significant roles than others. For example, there were specific teachers with skills in hunting, gathering, motherhood and manhood. The survival and strength of Aboriginal society lay in group dynamics rather than the dynamics of individualism as found in most western cultures. There were no kings, queens, presidents, prime ministers or chieftains in Aboriginal society.



Aboriginal creation or Dreamtime concepts signify that nature and culture were formed at

the same time by totemic

spirits or ancestors who, in the Dreaming, came from the sky, underground and sea and formed the earth, rivers, valleys, hills, rocks and inlets, and established their existence. These areas are classified by Aboriginal people as secret and sacred sites which are simultaneously linked to totems. The totemic spirits or ancestors were believed to have had animal and plant as well as human qualities and are prototypes of the various natural species.

Traditionally religion, culture, law, society, economy and the land are inextricably linked and Aboriginal people today see issues holistically. Land is often said to be the essence of Aboriginal spirituality.

Family groups or clans were either patriarchal or matriarchal and individual membership or “belonging to” were determined by these factors. Men and women could not marry into the same clan and each clan’s area contains a number of sites of spiritual and sacred significance. Clans and particular individuals had responsibility for these places. They had to care for these sites, keep unauthorised visitors away and perform a range of ceremonies. One such ritual brings back the ancestral beings or powers which, when released, renew the land and all life in it.

Elders, both men and women, who had been through the initiation process and learned the sacred knowledge were the ones who jointly made decisions for the welfare of the secret and sacred sites and the ceremonies linked to them and each clan. Those responsible for the ceremonies were accountable to the whole clan for their correct performance at the right place and time as negligence could cause great harm or bring “bad luck” to their people.

It might take 30 - 40 years for a man or woman to work through a full series of initiations, during which they would go through the bora ring a number of times. As women have their own ceremonies, there is distinctly men’s business and women’s business.

## 1.2 Contact History

The history of white contact with Aboriginals has been one of European invasion, genocide, theft of land, rape, torture, removal of children from parents, destruction of livelihood and severe impact on culture, law, religion, society and government.

The colonisation of Australia in 1788 and onwards was based on the false premise of *Terra Nullius or empty land*. Yet in Captain Cook’s and many other explorer’s records and diaries there are numerous confirmations of sightings of Aboriginal people and in fact Cook’s diaries record him actually stepping onto mainland Australia in North Queensland and bartering with Aboriginal people.

So, during a period of undeclared war, non-Aboriginal claims to land nearly always overrode the Aboriginals’ right to life.<sup>2</sup> Aboriginal people were seen as a “doomed” race, destined to disappear in the face of the superior white civilisation.<sup>3</sup> This “doomed” race concept was part of the “smooth the dying pillow” philosophy. Massacres, poisoning of flour and waterholes and the banishment of Aboriginal people from traditional sources of food and water were used by pastoralists and others to ‘disperse’ Aboriginal groups.

<sup>2</sup> Rowley C. D., *The Destruction of Aboriginal Society*, Vol. 1, (p.154) Aboriginal Policy and Practice, ANU Press, Canberra, 1970.

<sup>3</sup> Loos, N., *Aboriginal-European Relations in North Queensland 1861-1897*. (p.456) Ph.D. Thesis, James Cook University, Townsville, 1976.

Then followed a period of isolation and protection as the government realised that Aboriginal people were not going to die out as a race and decided that they needed to be both isolated and ‘protected’ from white society. This was the “out of sight out of mind” solution.

In the late 1890s, Aboriginal people were used as a cheap labour pool, being employed as station hands or crewmen for fishing and pearling boats. Child labour, sexual exploitation of Aboriginal women by non-Aboriginal men, disease, drunkenness and drug addiction led to the Queensland Government policy and practice of *forced relocation* of the majority of Aboriginal groups and families from their traditional lands onto foreign lands where government reserves and or church run missions were established. In addition, many Aboriginal family groups were split up and sent to different reserves. Fantome Island off Palm Island is infamous for being a place of punishment where Aboriginal people who dared to ‘defy’ government authority were sent.

The numerous government reserves were established under the *Aboriginals Protection and Restriction of the Sale of Opium Act 1897*, and the majority of Aboriginal people became wards of the State and had to have work permits to work outside the reserves. Their income was managed by the State. Mixing of the races was controlled and Aboriginal women or men who wished to marry required the permission of the Chief Protector. The *Aboriginals Preservation and Protection Act* replaced the former *Act* in 1939, the Chief Protector becoming the Director of the Department of Native Affairs (DNA).

The next policy era, during the 1950s, was assimilation which is based on a philosophy of making society and different cultural groups the ‘same’ as the dominant group, in this case Anglo-Saxon heritage. The core aim of assimilation is to have the same language, the same religious beliefs etcetera. It was not intended to integrate Aboriginal people nor for them to maintain their own distinct cultures, beliefs and values. <sup>4</sup>

The *Aboriginal and Torres Strait Islander Affairs Act 1965* replaced the *Aborigines Preservation and Protection Act 1939* and the Department of Aboriginal and Islander Affairs (DAIA) was established. It was intended to work itself out of a job with ‘reserves’ being temporary training camps which would serve as springboards for Aboriginal people to be assimilated into the wider community. <sup>5</sup>

<sup>4</sup> Queensland, Parliament, *Department of Native Affairs Annual Report*, 1963, Parliamentary Paper 1061, Brisbane 1963/64. .

<sup>5</sup> Miller, B., *The Aspirations of Aborigines Living at Yarrabah in Relations to Local Management and Human Rights*, 1986, (p.17), Human Rights Commission, Canberra.

It was planned to abolish the reserves eventually. They would become like any other township in Queensland.<sup>6</sup> In 1971, the first formal recognition that Aboriginal and Torres Strait Islander cultures are actually quite distinct and separate was reflected by the passing of the *Queensland Aborigines Act 1971* and *Queensland Torres Strait Islanders Act 1971* which replaced earlier legislation. Only minimal changes were made to these Acts in 1974, 1975 and 1979 despite human rights infringements and the passage of the federal *Racial Discrimination Act 1975*.

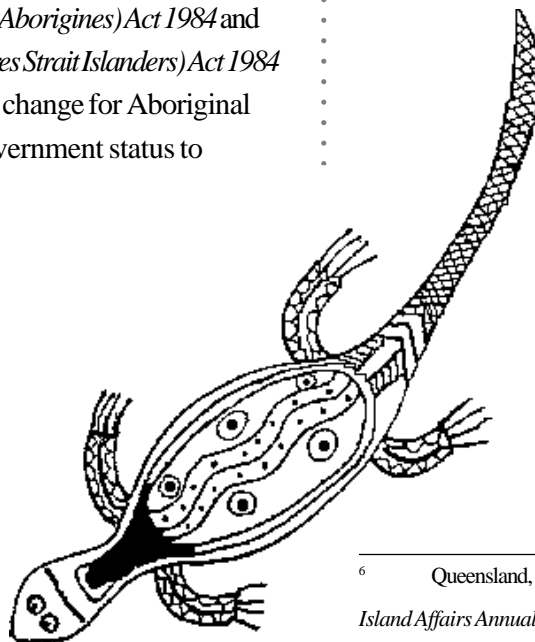
In 1978 the word ‘assimilation’ was dropped in favour of ‘integration’ which was based on a philosophy that it’s O.K. to be ‘*different*’ and it was a precursor for the acceptance of multiculturalism. However, the substance of Queensland Government Aboriginal affairs policy was unchanged.

The *Community Services (Aborigines) Act 1984* and *Community Services (Torres Strait Islanders) Act 1984* were the next legislative change for Aboriginal peoples giving local government status to

former reserves which had received deeds of grant in trust in 1982 under the *Land Act (Aboriginal and Islander Land Grants) Amendment Act 1982 (DOGIT)*

This Act enabled, for the first time, Aboriginal people to have some title to land and a degree of self-management. It is during the 1970s and 1980s that the philosophy of ‘*self management and self determination*’ became a political and economic goal for Aboriginal people to pursue.

Aurukun and Mornington Island had been Presbyterian missions and when the Queensland Government tried to take over control in 1978, they resisted strongly. The Queensland Government abolished their reserve status, made them mainstream local governments under the *Local Government (Aboriginal Lands) Act*, and gave them 50 year leases.



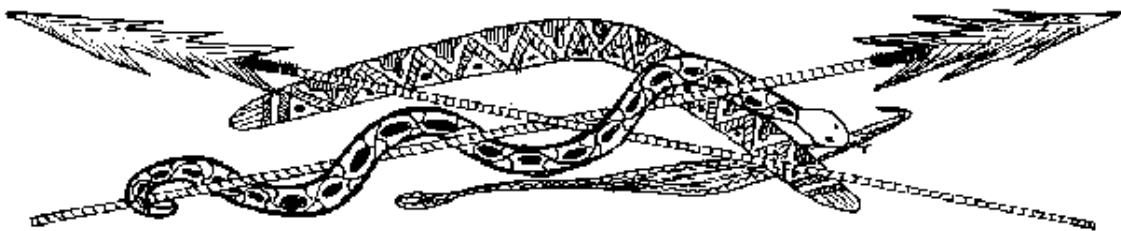
<sup>6</sup> Queensland, Parliament, *Department of Aboriginal and Island Affairs Annual Report*, 1968, Parliamentary Paper 1102, Brisbane.

Finally, throughout this contact history, it is very important to emphasize the involvement of both Aboriginal men and women in the defence of Australia. Nationally, it is common knowledge within Aboriginal communities of the significant contribution Aboriginal people have made to all campaigns, that is, from World War One (1914-1918) to Vietnam (1959-1975) and including more recent international “incidents” such as the Gulf Wars.

Aboriginal contributions include virtually all levels of the military including commissioned and non-commissioned ranks. There have been Aboriginal pilots; POWs; Red Cross nurses/aides; etc. Many are recipients of a range of military honours and medals. Many died overseas in combat or from combat related injuries after arrival back in Australia.

• However, the knowledge of these war time  
• contributions are slowly being acknowledged by  
• the wider community. The Australian War  
• Memorial has a historical photographic  
• collection and display of Aboriginal service men  
• and women.

• It is hoped that future projects will reflect those  
• efforts of the Australian War Memorial and will  
• provide not only an educative avenue to non  
• Aboriginal society but more importantly an  
• acknowledgment of the contributions to the  
• defence of Australia that Aboriginal service men  
• and women had and continue to freely give.



## 1 Recent Legislative History

The Legislative Review Committee was set up in August 1990 to review the *Community Services Acts 1984 - 1986* and the *Local Government (Aboriginal Lands) Act 1978 - 1981* and to recommend a new legislative framework. The Aboriginal and Torres Strait Islander Committee developed self-government options for Aboriginal and Torres Strait Islander people regardless of land tenure, location, population, cohesiveness or resources. The government responded to these recommendations with the Alternative Governing Structures Program.

The Parliamentary Committee of Public Accounts (PCPA) began an inquiry in 1990 into the financial administration of Aboriginal and Torres Strait Islander Councils because of poor audits. The PCPA recommended more autonomy for councils, better procedures and more training and support for councils.

The Electoral and Administrative Review Commission's Local Authority Electoral Review which commenced in 1990 was asked by Aboriginal people to consider whether Aboriginal councils were local authorities, and what their relationship was to mainstream local authorities. Some of this discussion informed the *Local Government Act 1993* which allows for joint local government and joint action by local governments.

The Queensland Government granted a greater measure of land rights with the *Aboriginal Land Act 1991* and *Torres Strait Islander Land Act 1991*. The DOGIT communities are still working under the DOGIT legislation while claims to the Land Tribunal are being heard. It is now possible to claim land on areas outside DOGIT including national parks.

In *Mabo v State of Queensland (No. 2)*, delivered on 3 June 1992, the majority decision was that the Meriam people were entitled as against the whole world to the possession, occupation, use and enjoyment of the land of the Murray Islands in the Torres Strait. The majority of the High Court held that the common law of Australia recognises native title, and that this was applicable to mainland Australia as well as Murray Island. The Commonwealth Government then passed the *Native Title Act 1993* and the Queensland Government passed complementary legislation, the *Native Title (Queensland) Act 1993*, prior to the Commonwealth legislation.

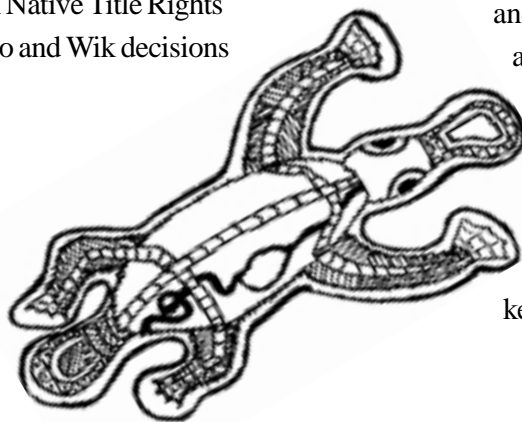
In the *Wik Peoples vs State of Queensland*, delivered on 23rd December 1996, the High Court of Australia held by a 4:3 majority that the grant of a pastoral lease did not necessarily extinguish native title. It was held that native title rights and interests may co-exist with the interests of a pastoral lessee, but in the event of a conflict, the pastoral lessee's rights would prevail.

The implications of this decision are far reaching for both State and Federal Governments. After the *Mabo (No. 2)* decision it was thought that native title might continue to

exist in only 15% of land in Queensland, as it was assumed by all Governments that native title was extinguished by the grant of a pastoral lease. For this reason the *Commonwealth Native Title Act 1993* provided important and substantial legal and procedural rights to native title holders. Since the Wik decision it is clear that native title may exist on a larger proportion of the State, and that the thousands of dealings in land before that decision, made on the assumption that native title was extinguished, may be invalid.

The Federal Government's response to the Wik decision, the 10 point plan, seeks to resolve the uncertainty created by that decision and provide clear guidance as to the current state of native title law in Australia. The *Native Title Amendment Bill of 1997* was heavily amended in the Senate. The House of Representatives rejected the Bill in that form and debate is soon expected to resume in the Senate.

Many Aboriginal community representatives have expressed concern that the Bill would effectively extinguish Native Title Rights conferred by the Mabo and Wik decisions of the High Court.



## 2.2 Royal Commission into Aboriginal Deaths in Custody

The Royal Commission into Aboriginal Deaths in Custody was established in 1989 following public concern over the deaths of 99 Aboriginal people in police custody and prisons between 1 January 1980 and 31 May 1989. Twenty-seven of these deaths occurred in Queensland.

The Commission looked at the circumstances of each death and the experience of Aboriginal people through 200 years of contact with non-Aboriginal society. This included close examination of the social and historical factors of colonisation and its range of impacts on the lives of Aboriginal people.

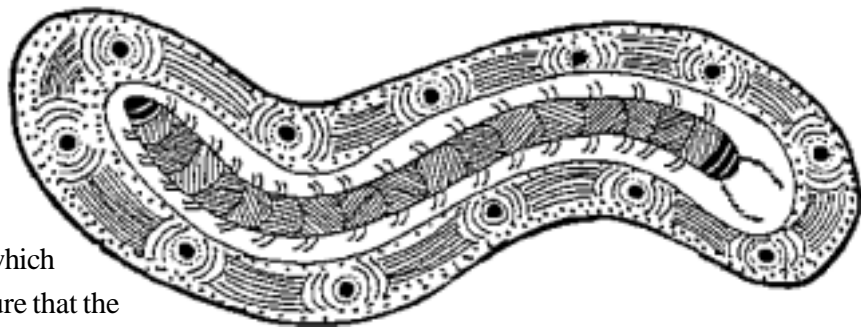
The Final Report of 1991 had many recommendations that refer broadly or specifically to how each government department or agency should consult or negotiate with Aboriginal people and communities and to the need to be aware of, and to apply, the relevant protocols when doing so.

All these references are too numerous to list. It is useful, however, to review the following key references:

- To ensure meaningful consultation is established and maintained, consistent with the Royal Commissioner’s recommendations, for each relevant Department or agency and at the “whole of Government” level.<sup>7</sup>
- To monitor the implementation of regional consultation and co-ordination arrangements ensuring that representatives of Aboriginal and Torres Strait Islander communities are able to meet regularly with regional executives of relevant Departments.<sup>8</sup>
- Recommendation 188 - that governments negotiate with appropriate Aboriginal and Torres Strait Islander organisations and communities to determine guidelines as to the procedures and processes which should be followed to ensure that the self-determination principle is applied in the design and implementation of any policy or program or the substantial modification of any policy or program which will particularly affect Aboriginal or Torres Strait Islander people.<sup>9</sup>

- Regional consultations take place in relation to funding priorities and the active participation of Aboriginal and Torres Strait Islander communities is sought in these processes. Where a service is funded, there is heavy emphasis on local design and development activities in relation to the new service.<sup>10</sup>

Also the *Legislative Standards Act (1992) Queensland* contains fundamental legislative principles requiring consultation with Aboriginal and Torres Strait Islander people on legislation that affects them.



<sup>7</sup> Australian Government (1991), *Royal Commission into Aboriginal Deaths in Custody* (Final Report), (p. 2 Vol 3), AGPS, Canberra.

<sup>8</sup> *ibid.*, (p. 3 Vol 3)

<sup>9</sup> *ibid.*, (p. 199 Vol 3)

<sup>10</sup> *ibid.*, (p. 202 Vol 3)

## 2.3 Bringing Them Home - The National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families

The National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families was established by the Federal Attorney General in 1995. It was conducted by the Human Rights and Equal Opportunity Commission (HREOC). The Inquiry submitted its report to the Federal Attorney General in April 1997.

Briefly, the Inquiry and each State Commissioner had a mandate to validate the stories of generations of Aboriginal and Torres Strait Islander people who, until the Inquiry, had carried the burden of having become separated from their families. Virtually every Aboriginal and Torres Strait Islander family was affected either directly or indirectly.

There are fifty-four (54) core recommendations with forty-nine (49) sub recommendations. Of this total, twenty-nine (29) core and sub recommendations relate directly to consultation or negotiation strategies. They are too numerous to list and all are important. Some of the major consultation and negotiation strategies are as follows:

“That all Australian parliaments...state and territory police...churches and other non-government agencies...acknowledge the responsibility of their predecessors for the laws,

policies and practices of forcible removals...and having played a prominent role in the implementation and administration of the above and...negotiate with the Aboriginal and Torres Strait Islander Commission a form of words for official apologies with wide and culturally appropriate publicity.”

“That the Aboriginal and Torres Strait Islander Commission, in consultation with the Council for Aboriginal Reconciliation, arrange for a national Sorry Day to be celebrated each year to commemorate the history of forcible removals and its effects.”

“That churches and other non-government welfare agencies that provide counselling and support services to those affected by forcible removal review those services, in consultation with Aboriginal and Torres Strait Islander communities and organisations, to ensure they are culturally appropriate.”<sup>11</sup>

The other areas of consultation and negotiation considered in the Inquiry Report relate to: Compensation/Reparation; Minimum Access Standards to Aboriginal and Torres Strait Islander Family Information Services and Records; Indigenous Repositories; Research Programs; Health Professional Training; Access to Private Collections; a National Framework of Self-Determination; National Standards of Legislation for Aboriginal and Torres Strait Islander Children; and National

<sup>11</sup> Human Rights and Equal Opportunity Commission, *Bringing Them Home - The National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*, AGPS, Canberra 1997 (pp 36;44).

Standards for Aboriginal and Torres Strait Islander Children under State, Territory or Shared Jurisdiction.

The Queensland Government has acknowledged the significance of this report. On 3 June 1997, the Parliament of Queensland on behalf of the people of Queensland, expressed its sincere regret for the personal hurt suffered by those Aboriginal and Torres Strait Islander people who in the past were unjustifiably removed from their families.

It is important now that these past practices have been revealed to all Australians, and indeed, the world, for a genuine journey of reconciliation and healing to become the future focus and direction of all the nation.

## 2.4 Department of Aboriginal and Torres Strait Islander Policy and Development

The Department of Aboriginal and Torres Strait Islander Policy and Development (DATSIPD) is developing a lead agency role in providing a whole-of-government response to Aboriginal and Torres Strait Islander issues.

Queensland has a significant proportion of the population of Australia's Aboriginal and Torres Strait Islander peoples.

The Department recognises this and the inequitable relationship between Aboriginal people and the wider community which manifests itself in poor health, high unemployment, low educational achievement, low income, high imprisonment rates, family instability and overcrowded housing.

“Effective consultation, negotiation and collaborative action between Government and Aboriginal and Torres Strait Islander peoples could, in the future, focus on the following:

- Strengthening and rebuilding Aboriginal and Torres Strait Islander cultures (healing);
- Providing the means towards self-sufficiency;
- Building a new relationship (reconciliation); and
- Promoting self - determination and self - management.”<sup>12</sup>

The core to effective and successful consultation and negotiation could be summed up in the Department of Aboriginal and Torres Strait Islander Policy and Development's philosophy of:

**RESPECT CULTURES;  
RECOGNISE TRADITIONS;  
RECONCILE PAST AND PRESENT.**

<sup>12</sup> Office of Aboriginal and Torres Strait Islander Affairs, Department of Family and Community Services, *Negotiating Change* (Unpublished Working Paper), Brisbane, 1995

It is important to remember that **ONLY** Aboriginal people can determine who is Aboriginal and who is not.

The definition and identification of Aboriginality is sometimes a paradox to the uninitiated and even sometimes for Aboriginal people. That is, in most cases the confirmation of Aboriginality is a very easy and simple process. However, some attempts at confirmation of Aboriginality are difficult, complex and may lead to very heated debates, because, as in mainstream society, Aboriginal people at times, may agree to disagree about who is an Aboriginal person.

The official formal criteria used by the Australian Government and most State Governments developed in consultation with Aboriginal peoples are set out in the following formula:

An Aboriginal person must meet the following three criteria:

1. Must be of Aboriginal Descent
2. Must identify as an Aboriginal
3. Must be accepted as an Aboriginal by the community in which they live.

The following old fashioned, outdated terms should never be used as they are extremely offensive. They are:

“half caste” “quarter caste” “full blood” “he doesn’t look like a real Aboriginal” and so on. Also do not use

acronyms to refer to Aboriginal and Torres Strait Islander people e.g. “ATSI’s”; “TIs” or “Abs” etc. These terms must be written in full and not abbreviated as it shows respect to Aboriginal and Torres Strait Islander people. Also ensure that the word Aboriginal is always capitalised.

Aboriginal people both individually and collectively as a community, define themselves by their culture not the colour of their skin. For your information and cultural awareness rather than use, Aboriginal people have, nationally, terms of reference by which they broadly identify themselves, such as:

Area	Name
Queensland	Murries/Murri’s
South Australia	Nunga’s
New South Wales	Koories/Koori’s
Western Australia	Nyoongah’s
Victoria	Koories/Koori’s
Northern Territory	Yolngu (top end) Anangu (central)
Tasmania	Koories/Koori’s

Please do not refer to Aboriginal people by these names unless your credibility has been well established. Permission and/or acceptance for use of the names by non-Aboriginal people must be sought first from the relevant person, group or community.

However, Aboriginal people specifically relate to each other by tribal groupings and/or family names or groupings e.g. “I’m a Batjala” or “My mother was a Ross and she’s Darambal from Kepple Island” and so on.

The following section of this booklet highlights aspects of a range of protocols regarding consultation and negotiation with Aboriginal people. However, it needs to be emphasised that every negotiation and consultation is unique. You will find you may need to use a different strategy for each process.

- There is no blanket recipe, as Aboriginal society is too diverse. There are remote communities such as Doomadgee or Mornington Island, rural communities such as Innisfail or Boulia, provincial towns or cities such as Townsville or Rockhampton and major cities such as Brisbane, Sydney and so on.

- You may deal with one community in a certain style and another community 100 kms away you may deal with in a totally different way. Accordingly, this protocol document is intended purely as an aid and guide in whatever process you use.

- It is highly recommended that agencies incorporate this document into their existing cultural awareness training modules.



# 4 protocols regarding consultation and negotiation

There are a lot of different views about what protocol is when dealing with Aboriginal peoples and communities. Protocol simply means following the customs and lores of the people or community you are working with and communicating in a way that is relevant to them.

Every community will have some common ground and similarities which needs to be acknowledged for future reference. However, the more important point is to remember to be aware of the differences and that each community has their own protocols that should be followed.

The impact of past government policies is vivid in the minds and lives of many Aboriginal people. Therefore, it is always important to remember that to a large proportion of Aboriginal people public servants are often perceived as representatives of a large, powerful, unfriendly and uncaring bureaucracy due to the historical factors discussed earlier and are often viewed negatively, no matter how informal or friendly they appear. The sooner this all too common perception by Aboriginal people can be countered the sounder the base will be to begin to build rapport and establish credibility.

In order for government programs to be tailored to meet community needs, there should be community ownership, and problems dealt with before they develop rather than putting out fires afterwards. Creative solutions can be developed with the government and community working in partnership.

• There may be legal, financial or policy restraints on government officers which will limit the range of what is negotiable and their own powers of delegation may be limited or a problem. If ministerial approval is required, for example, this needs to be made known to the Aboriginal people and community.

• Community representatives may also have limits on their negotiating power.

• Consultation and negotiation processes may proceed more smoothly with a facilitator or chairperson who is impartial and able to obtain the agreement of those participating in a meeting to some basic behavioural, procedural and substantive ground rules. Behavioural rules such as not interrupting, taking turns, not abusing other parties and respecting others views even if you disagree are basic but important rules to gain agreement on before starting.

• Procedural rules such as clarifying to the satisfaction of the meeting the roles of the facilitator or chairperson, the role of experts and sponsors, the presence and speaking rights of observers and the role of absent parties are important.

Substantive rules that need agreement before negotiations get underway relate to issues such as - what are *the givens, the non-negotiables*, what can the meeting discuss and decide, what is not negotiable, do all participants have the authority to negotiate, what use will be made of the outcomes, are discussions confidential, will participants agree not to withhold vital information, will participants commit to a mutually acceptable agreement they may make and will all agreements be seen as a package or can participants agree on certain points but have the right to hold back from a final agreement until all other matters are decided?

One crucial agreement partners need to agree on is who has permission to speak to any media organisations?

Where key groups have strongly held adversarial positions on a issue, mediation or facilitation will be useful. The Alternative Dispute Resolution Service of the Department of Attorney General and Justice provides either a direct service or training of staff from other government departments in negotiation, mediation, facilitation and general conflict resolution. This service has recruited and trained Aboriginal staff throughout the State.

It is also important, as part of the community profile, to be aware of community politics. That is, know or get to know through networking what issues are priorities and which people are the community power brokers associated with a particular issue.

The term “elders” does not always mean men or women over fifty or sixty years of age. A relatively young (30s to 40s) man or woman may be given the status of an elder because of their highly respected position in the community. They may possess specific skills and knowledge in an area which endorses their position of high esteem. The term “Community” applies to Deeds of Grant in Trust (DOGIT) Communities and small and large Aboriginal Communities in cities, suburbs of cities, country towns or on the fringes of cities and towns.

Confidentiality and privacy are major issues with Aboriginal communities. Use of information obtained should be negotiated. Information that is “women’s business” should be stored in such a way that only women have access to it and information that is “men’s business” stored in such a way that only men have access to it. Media releases or comments to media should only be made with the prior agreement of the community concerned.

Traditional decision making and discussion in Aboriginal societies involved maximum participation and representation because family responsibilities and authority go beyond the nuclear family unit. This may mean individuals (particularly elders), nuclear families, extended families, communities and community organisations may all need to be included in the processes of consultation and negotiation.

The need for maximum participation and representation is heightened by the diversity in lifestyles between Aboriginal groups, and between Aboriginal people and Torres Strait Islander peoples. In addition, consideration must be given to whether clients live in urban, rural or remote settings.

The practical steps to take in preparing for, and undertaking consultation and negotiation, will be discussed under the following headings for ease of discussion:

- Community visits: this covers talking with individual people, community groups, and formal community organisations.
- Community meetings: this covers formal meetings.

## 4.1 Community Visits

When planning a visit to a community or group consider the following points:

- Staff must have a clear understanding of their role and the purpose of the consultation.
- Who are the Aboriginal people you wish to consult?
- Whose business is it, according to local culture? Who are the appropriate people/ organisations to contact? What is the appropriate way to contact them?
- What positions do the people hold?
- Are they a part of the formal elected

representatives (Council), or another community group, or individual?

- What is the relationship between those you wish to consult and other members of the community (eg the Community Council, or community elders)?
- Are all the major leadership groups going to be represented or consulted (eg Councillor, Elders, or Church leaders).
- Do you know the nature and origin of the issue or problem - is there a history or background to why you need to consult/ negotiate?
- Try to second and third guess possible questions or contentious issues beforehand, and work through possible solutions or options for handling those issues;
- Does the topic cover one or more agencies' jurisdiction (eg is ATSIC Regional Council involved, or another government department)?
- If other agencies are involved ensure that they are aware of any visit and what you will be consulting on. Perhaps a representative from that agency might wish to attend the meeting as well;
- What information can you share as a part of the consultation process?
- Remember those being consulted may not

have the same background information as you, so prepare beforehand the information needed to make the consultation valuable and productive to both sides.

- Be prepared to concede or give ground in the consultation/negotiation process. Think through, prior to the visit, what potential barriers to specific strategies might be, so that these can be shared in the negotiation process (eg fixed budgets, government policy, practical environmental matters, legislative constraints and potential areas of conflict with other groups).

Remember cultural responses to time concepts are different and sometimes more value is placed on other priorities. So an “in by 9 out by 5” process is rarely possible. Therefore, have a flexible timetable, because arrangements could be changed completely with little or no notice due to a range of community issues you may not be aware of and have no control over (e.g. “Sorry business” a death; a funeral; a mourning period).

When visiting a DOGIT or Shire community, prior to organising travel arrangements seek permission from the Council to visit the community. However, in urban situations the process is more likely to be:

- Inviting the President and/or Administrators of key organisations relevant to the consultation issues (eg Aboriginal & Islander Community Health Services - AICHS; Elders; Councils etc) to a central meeting place; and/or

- Requesting a meeting at their organisation to discuss the key issues relevant to specific organisations.

This should be done initially by telephone.

Explain the following when discussing the visits:

- Expected arrival date - for remote communities visits should be at the Council’s convenience. If meeting with the Council itself it would be preferable to arrange the visit to coincide with the Councils normal monthly meeting. Councils have considerable demands upon their time, particularly from outside agencies wanting time. Consideration of this fact will greatly enhance the relationship with Councillors;
- Expected departure date;
- How long you will be needing to talk; depending on the issues - it may require a series of visits over a period of time;
- Where you will be staying (finding accommodation is not always easy);
- Why you need to visit;
- Who else you might like to talk to while in the community, or at the organisation you are visiting;
- Who is travelling with you;
- Ask permission to advertise your visit (if appropriate);

- Advise any Department of Aboriginal and Torres Strait Islander Policy and Development and Aboriginal and Torres Strait Islander Commission or other relevant Regional or Area Office of your visit; and
- Confirm all of the above in writing.

### Establishing a common purpose

There are powerful images of past paternalistic and harsh treatment and attitudes associated with the Department of Families, Youth and Community Care and the government generally. With this being the case, it is important for you to consider Aboriginal business as being the most important in any discussion. Important because of real and perceived “hurdles” coming out of past dealings.

You may need to emphasise the common purpose or interests between Aboriginal people and yourself and that you are not out to hinder or interfere, but to assist. It is important to emphasise this attitude and you can do this by:

- Respecting the ways the community has for organising discussions and formal meetings;
- Demonstrating to the community an interest in their way of seeing the world, and accepting their culture;
- Respecting the political structures in the community;
- Demonstrating that you understand and are sensitive to the different communication styles used, particularly the use of non-verbal communication;

- Show that you are patient, as consultation and negotiation in an Aboriginal manner takes much longer than in the non-Aboriginal world;
- Demonstrate that you have their interests at heart, by listening, and then repeating to them the outcomes of the consultation/ negotiation process for them to acknowledge that you got it right; and
- Ensure confidentiality if requested. Ensure it only if you have the delegation to do so. For example, some officers may work in a law enforcement/judicial capacity and it may be mandatory under an Act to disclose information to a relevant authority to investigate any serious allegations that may arise from consultation/negotiation meetings.

Overall, if a sense of identity, commitment and honesty is not achieved then the community may not continue discussions, or do so out of courtesy but with no real interest.

### Language

Some important points to remember!

- Don’t assume that your meaning will be clear to everyone you talk to. People may not understand you because:
- They don’t understand the words you use. Ensure jargon or technical words are minimised and if used they should be fully explained;
- They have different meanings for the words

you use. Check that you understand their meaning and they understand what you are saying. Don't use common language words because they may not mean the same thing to the people you are talking to (e.g. bunji can mean friend or fiancée depending whether you are speaking to Murrie's or Nyoongah's);

- You may speak too quickly. For each community you visit and consult with, identify how to speak at a rate they can understand. The level of English understood will vary from community to community; individual to individual; and
- Use your own style of speech. Do not mimic Aboriginal patterns of talk, speech or accents.

If English is not their first language:

- When you facilitate meetings, workshops or training sessions, be aware that there may be a need for an interpreter which will assist the process; and
- Consult with the interpreter and the relevant community interest groups before devising the agenda;

If you are learning a local language remember:

- Aboriginal communities welcome attempts to understand their language. Even if you learn a few words you will get on better;

- Learning a language is a form of identification. However, ensure it doesn't identify you too closely with one community and exclude you from another; and
- Use any language you learn only where it belongs (e.g. the home community). External use could see the language misinterpreted and it may also be inappropriate.

### Communication Generally

Try to be open, honest, and sincere. Always go into a community and a discussion with an open mind. Never be boastful about your ideas. In many situations Aboriginal people will use others to put their ideas forward. You may be expected to do the same.

Off - duty relaxation with Aboriginal people can help in the development of relationships which make work easier. Remote communities are likely to frown on mixing with the opposite gender outside work hours. Mixed groups are not a problem, but it is to be frowned on to join a group of the opposite gender rather than a group of your own gender.

### Indirect Communication

In the exchange of information, a natural part of Aboriginal communication patterns is the less direct approach. Aboriginal people tend to find the direct non-Aboriginal style of communication confrontational and maybe even rude.

## Leading Questions

Avoid leading questions. In many interactions Aboriginal people may not express a firm opinion, even though they may hold one. They may discuss a topic generally while gauging others views, before stating their own. If Aboriginal people find their views on a topic at odds with others they often will tend to understate their own. In minimising confrontation and argument, the speaker leaves open the possibility for further comfortable discussion.

Important aspects of Aboriginal communication relate to non-verbal exchange of information. Three key styles of non-verbal communication are:

- the positive, non-awkward use of silence which must not be interpreted as “they do not understand” (e.g People are remaining non-committal; waiting for consensus; community support; listening.)
- often considerable time delays (frequently several days) between the initiation of information and the imparting of such information; and
- use of indirect eye contact which implies respect in Aboriginal culture but disrespect and possibly a “shifty” type of person in non-Aboriginal cultures. However, the advisability of using direct eye contact differs from community to community and individual to individual. The applicability of this protocol will need to be determined in particular cases. For instance in some

communities, direct eye contact may be expected and accepted because you are government employees.

## The Intrusive “why?”

One of the most striking features of language used by Aboriginal people is the virtual absence of the reason seeking question “why?”.

However, this may occur more in remote areas rather than in urban situations. Non-verbal actions, such as observation, are important for finding out reasons for the actions of others.

When communicating with Aboriginal people, ensure you as the listener infer links between statements.

## Go-betweeners or Mediators

The consultative process chosen in any location will reflect the particular cultural context and will, itself, be decided upon in consultation with the Aboriginal community. The role of both formal and informal representatives of the Aboriginal communities must be recognised.

An option sometimes used by agencies is consultants and/or independent mediators. Normally, an Aboriginal individual or organisational consultancy may be available. However, this process, and more importantly, the successful consultant (whether Aboriginal or not) will be most effective if the endorsement of the community is obtained.

At some time you will have to use a go-between. This is if:

- You are relatively unknown by the community;
- You are unsure of the language; and
- You are unsure of the customs of the community.

Sometimes a client or community will send a go-between to see you on their behalf. This can be a very sensitive situation and can indicate a number of things - including:

- The person or community have sent someone to see you so that they can avoid embarrassment or disagreement or refusal; and
- The business that the go-between is sent to discuss is so sensitive that the Aboriginal client cannot discuss it.

Families who have suffered where a family member has died in custody will often use go-betweens to discuss matters relating to this situation.

When using a go-between with the client present, it is ideal if you can have at least a basic understanding of the conversation between the go-between and the client.

Where possible have a number of go-betweens you can use regularly. They will get a better understanding of you and what your words mean as they become familiar with you.

• When a client suggests a go-between they want to use then it is usually wise to stick with the client's choice.

• Regional staff of the Department of Aboriginal and Torres Strait Islander Policy and Development may be available to accompany you on a community visit.

### **Deciding who to speak to**

• If you are new to a community, it will be vital that you approach the leaders of the community before seeking out anyone else.

• Leaders will give you authority in the community.

• You will need to avoid becoming dependent on those people who are easiest to communicate with.

• Avoid dependence on those who seem too ready to reject old ways and accept the new. These people are rarely the leaders.

• The powerful people in the community will generally:

- Not reveal their opinion until they have seen what the position of others are;
- Make a final speech stating what they are prepared to accept and when appropriate make a call for action;
- Remain silent if they think their views are unlikely to be accepted. Their silence will be noted by others in the community;

- Remain silent if they don't like an idea; and
- There are exceptions to every rule and you may find that in fact, some powerful people in the community will challenge you immediately and expect immediate responses to their requests.

Women in some communities have become vocal and visibly important people in the political structure of the community. They will tend to be open with either a male or a female.

However male staff will need to remember that it can be very embarrassing to ask questions that are strictly women's business (eg child birth and child rearing issues). He may need a go-between or have a female Departmental representative consult instead.

Female staff will need to be careful of the reverse situation and avoid embarrassing men in the community by asking questions on sensitive issues such as family violence.

### **Approaching people**

If you are new, and therefore a stranger to the community, then you need to:

- Work towards building relationships and don't expect people to accept you straight away (if ever!);
- Be open minded and flexible in your practice; and

- Observe courtesies when visiting someone's house:

- Wait at the fence or front door; and
- The people inside will decide who should go and see you and whether to invite you in.

Be careful where you walk when you are on DOGIT communities. It is safer to stick to the roads. Community people may take shortcuts but people would be offended if you did unless you are with them and they take you.

### **Getting down to business**

When visiting or talking to someone, you need to decide when it is appropriate to talk about the purpose of the visit or discussion.

Sometimes matters of importance cannot be approached too quickly or directly.

Proceed at the pace set by the client, and check that the message you wish to give or the one you receive is understood, both by yourself, and by the client. Try to relate the business to practical realities that the client can relate to, such as community landmarks, happenings, or people.

People will relate to what you do, more than what you say or who you are. Therefore be down-to-earth, honest (never promise something that you know might be difficult to deliver), and relate to actual, practical things.

### Identifying needs in the community

Community profiles are one way of documenting the needs of a community. They should be dynamic, active documents, built over time. These profiles could be developed with the assistance of community members, but only after you have been accepted by that community, and only after getting the permission to do so by the leadership of the community. It is not good protocol to develop a profile of a community without involving them in it, for it may be open to dispute, and lose its credibility.

When identifying the needs of a community, you need to take a lot of care with the methods you use.

You need to:

- Pay attention to the needs that the community leaders identify as important;
- Accept the solutions that a group or community have in mind and not propose bigger, better and grander solutions; and
- Accept that there are biases in the way you carry out your enquiries, and also in the way that clients interpret information. These biases shape the value they put on things they are told and what they'll consider as reasonable.

You will need also to make sure that your attention is not given solely towards:

- A single issue/topic as often there are other related community concerns.
- Meeting people who are better off and more powerful;
- Meeting men, rather than a mixture of men and women (unless it's strictly men's business);
- Meeting women, rather than a mixture of men and women; (unless it's strictly women's business)
- Meeting only users of services rather than non-users as well; and
- Seeing exclusively whatever is modern as good, rather than taking account of and incorporating traditional values.

### Leave taking

It is expected that you will excuse yourself from a group and let them know where you are going and why, rather than leaving without explanation.

## 4.2 Formal Meetings

It is unwise to organise a formal meeting if you are not known by anyone in the community.

It is vital you establish and then maintain credibility in the community, or you must have contacts in the community who can give you guidance on how to go about organising the meeting without offending important people and community leaders.

Find out whether other government agencies have established networks (e.g. Department of Aboriginal and Torres Strait Islander Policy and Development, Aboriginal and Torres Strait Islander Commission, Centrelink; Department of Education Training and Youth Affairs or other state agencies). You may be able to tap into existing processes.

You will need to identify those groups in the community who are spreading information and whose suggested solutions are generally accepted. Meeting agendas are more profitably discussed with these groups.

### Planning the meeting

When you plan a formal meeting, consider the following:

- Introduce yourself prior to setting up a meeting by:
  - Telephone;
  - Letter; and/or
  - Personal introduction.

*(NB With remote communities, telephone contacts are preferred to letter, and personal visits are preferred to telephone.)*

- Decide whether the meeting needs to be formal or informal (be guided by advice from the community; community contact; or go-between as to which is best);
- Explain why the meeting was initiated:
- Agenda;
- Date and time;
- Who will be attending; and
- Send any information out beforehand.
- Venue - if indoors (and if applicable) be aware of the different levels of comfort zones for participants e.g. ventilation; heating; room layout; atmosphere etc.;
- If possible use the local community hall or resource centre; or
- If outside - possibly under a tree or near a river; be guided by your networks and/or Aboriginal contacts.

*(NB Be aware of possible costs e.g. paying for the hire of the hall; refreshments etc.)*

- Be punctual; and
- Take minutes, which should include:
  - purpose of meeting;
  - time and place of meeting;
  - who attended; and
  - what was decided.

Don't run a public meeting yourself. Leave this to the Aboriginal leaders. They will indicate when you are to speak. Don't interrupt or correct the speaker when they are introducing you. If there is a vital need to correct something, do it without embarrassing the other person when your turn comes.<sup>13</sup>

### When to hold a public meeting

Meetings are not the usual way communities reach agreements. Meetings are used to confirm that agreement has been reached. Actual decisions occur outside the meeting process. Therefore, you should treat the meeting as an information giving exercise.

However, be aware of exceptions, where some communities or agencies may use the meetings not only as an information gathering forum but will use the meeting to make decisions and advise you of outcomes as such.

Timing for holding the meeting must be convenient for those who attend. You cannot expect people to assemble when it is convenient for you. People in the community have their own tasks to do, and these are important to them. Also consider the following:

- When visiting a wet community (has a canteen), morning visits are usually more productive;
- Pension pay days, or wages pay days are usually shopping days and are therefore not convenient;

- There is also a cultural practice called "Murrie time". In non-Aboriginal culture this is seen as tardiness or lateness. In Aboriginal culture it is related to a different concept of time and values where there is much less pressure to be "on time"; and
- The number of meetings is determined by the outcomes your organisation and the community desire. That is, meetings could be a one off event; incremental or ongoing.

### When speaking at public meetings

You should not use public meetings to extract information or make final decisions on issues, so you will therefore need to:

- Avoid cross examining any person about their opinions;
- Avoid asking a person about the source of information;
- Avoid being too blunt with any situation where there is need to correct what another person has said;

<sup>13</sup> Fuary, M. (1985), *Communicating with Torres Strait Island People* (Modelled loosely on John Von Sturmer's 1981 article *Talking with Aborigines*, [A.I.A.S. Newsletter # 15 New Series, May], (p. 2) Paper presented at the Cross-Cultural Communication Seminar, organised by the Department of Children's Services, Cairns, May, 1985.

- Avoid personal names and references (eg “Well John over there reckons this is a good idea.” or “I heard people in the community say this is a good idea”);
- Avoid direct criticism;
- Avoid causing anyone to suffer the loss of personal dignity; and
- Practice being indirect and develop the art of distancing yourself from an idea.

### How people pay attention at meetings

Generally speaking an Aboriginal audience contains more people talking and more people moving about, than would a non-Aboriginal audience. A new non-Aboriginal teacher at Milingimbi was surprised to discover while

• talking to the students later that restlessness in the audience while he was telling a story did not necessarily mean that they were not listening.

### Asking questions at meetings

• You should not expect too many questions from people at public meetings. The reason for this is that in Aboriginal society, it is bad manners to be too curious or inquisitive. Aboriginal people resist answering too many questions because it goes against their idea of independence and privacy.

• Don’t make assumptions - and clarify throughout the process.

• Do not pose hypothetical questions. Aboriginal people deal in practical real issues.



# 5 providing feedback

Aboriginal clients have the right (as any client) to receive feedback during consultation and after decision making processes.

The types of feedback include:

- A verbal summary at the end of the consultation exercise;
- A written summary of the input received; and
- The final decision/outcome.

Feedback should generally include:

- A report on the proceedings of the consultation (e.g. the main points made at the meeting or workshop);
- Information about the scope of the consultation and diversity of opinions obtained;
- An analysis of how that information relates to input from other consultation processes, government agendas and other relevant factors;

- Opportunity for further input, if possible;
- The impact of the consultation on the decisions (where possible); and
- The recommendations provided and/or the final decision.

This will depend on the resources available and agreement should be reached with clients during the consultation. A range of methods are:

- Mail-out of a written report to all participants;
- Telephone or personal contact with participants (if applicable);
- To provide feedback through a community newsletter (all involved clients would need access to this newsletter);
- Mail-out of a written report only to those who request feedback; and
- Publication of feedback in local media (if applicable)



# 6 | evaluation

---

Evaluation of what has occurred is critical. Evaluation should be proactive and occur throughout the consultation, as well as at the end. It is a necessary measure for checking the success or failure of the consultation/ negotiation process and provides a means to ensure all relative outcomes have been recorded and followed through. The aims of evaluating a consultation program are to:

- Look at or judge performance;
- Receive feedback to further improve efficiency, effectiveness and performance;
- Assist with future planning of consultations: for example; identify the most appropriate techniques or effective means of information sharing and gathering; help to determine the best way to use financial, human and time resources and further investigate and solve identified problems;
- Identify and improve strengths and weaknesses in methods and processes used;
- Improve communication between you (your department) and the community or organisation
- When developing an evaluation process consider the following:
- How should success be defined and measured? By whom should success be defined and measured? Do the outcomes correspond with the objectives?;
- How do the outcomes compare to the agency's previous consultations or similar consultations conducted by other agencies;
- What worked well? How could those features be enhanced?;
- What factors inhibited the consultation? Can they be overcome in the future?;
- What are the unavoidable constraints and how do they affect outcomes?
- Was the time available adequate? Would additional time have improved results?;
- Were there unnecessary delays during the consultation? How could they be avoided in the future? ;
- Has the consultation been of benefit to participants? Did participants gain skills or knowledge that will assist them and/or future consultations? You will need to further consult participants to find out;
- How will the outcomes of consultation/ negotiation be conveyed to participants?;
- How will the outcomes of consultation be conveyed to staff, other agencies and or the community?;
- Notify participants if problems in relation to what has been agreed arise;
- How will the information gained be used?;
- How will decisions reached be



# 7 further information

Staff of the Department of Aboriginal and Torres Strait Islander Policy and Development are available and willing to facilitate any consultation/negotiation process including offering help in identifying the appropriate people/groups to consult. Important agencies to be aware of are:

*Aboriginal Co-ordinating Council*

PO Box 6512  
CAIRNS NQ 4870  
Ph: (07) 4031 2623  
Fax: (07) 4031 2534

*Ministerial Advisory Council on Aboriginal and Torres Strait Islander Education (MACATSIE)*

PO Box 33  
BRISBANE ALBERT STREET Q 4001  
Ph: (07)323 70807  
Fax: (07)323 70289  
EMAIL: alison.bell@qed.qld.gov.au

*Joint Ministerial Advisory Council on Housing and Infrastructure (JMAC-HI)*

Executive Officer  
GPO Box 70  
BRISBANE Q 4001  
Ph: (07)322 51929  
Fax: (07)322 76736

*Nagi Binanga (Aboriginal and Torres Strait Islander Advisory Committee on Employment, Training and Industrial Relations)*

C/- Executive Officer  
Locked Mail Bag 527  
GPO BRISBANE Q 4001  
Ph: (07)3247 5451  
Fax: (07)3247 5433

*Queensland Aboriginal and Islander Health Forum*

Chairperson  
4 Quirk Street  
THE GAP Q 4067  
Ph: (07)3300 6502

*Foundation for Aboriginal and Islander Research Action (FAIRA)*

37 Balaclava Street  
WOOLLOONGABBA Q 4102  
Ph: (07)3391 4677  
Fax: (07)3391 4551  
EMAIL: letterbox@faira.org.au  
INTERNET: www.faira.org.au

*Aboriginal and Torres Strait Islander Advisory Board (ATSIB)*

Chairperson  
PO Box 397  
BRISBANE ALBERT STREET QLD 4002  
Ph: (07)322 48551  
Fax: (07)322 47329  
1 800 812 409

*Aboriginal and Torres Strait Islander Commission (ATSIC) - State Office*

GPO Box 2472  
BRISBANE Q 4000  
Ph: (07)3234 4222  
Fax: (07)3221 6008  
INTERNET: www.atsic.gov.au

*Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)*

GPO Box 553  
CANBERRA ACT 2601  
Ph: (02)6246 1111  
Fax: (02)6249 7310  
EMAIL: EMAIL:@elc.aiatsis.gov.au  
INTERNET: www.aiatsis.gov.au

<b>Accept</b>	you are in another cultural world and on another person's property.	<b>Build</b>	enduring relationships with community groups.
<b>Acquire</b>	a sound knowledge of the diversity of Aboriginal culture.	<b>Develop</b>	healthy working relationships with councils, communities, organisations and individuals - promote goodwill and understanding between all parties.
<b>Adopt</b>	a participatory role rather than a controlling role.	<b>Disseminate</b>	information or ideas broadly across all stakeholders in a fair and equitable manner - ensure no one is disadvantaged.
<b>Allow</b>	time for people to think about ideas and proposals and to discuss them informally amongst themselves.	<b>Encourage</b>	participation in discussions, meetings and forums.
<b>Analyse</b>	situations or problems carefully and in detail to provide an appropriate solution or outcome.	<b>Endeavour</b>	to be open, honest and sincere.
<b>Anticipate</b>	barriers in cross-cultural communication because of the opposing conceptual systems.	<b>Expect</b>	resistance to ideas and proposals that are incompatible with Aboriginal views.
<b>Appraise</b>	each meeting or contact situationally - no two visits or meetings are alike.	<b>Familiarise</b>	yourself with the socio-political profile of the community you are working in.
		<b>Identify</b>	key stakeholders in the community including chairpersons, council members, Elders, - both men and women and respected



- BAIN, M. S.* (1992). *The Aboriginal -White Encounter: Towards Better Communication.* Occasional Paper No. 2. Darwin: Australian Aborigines and Islanders Branch, Summer Institute of Linguistics.
- COMMONWEALTH OF AUSTRALIA.* *Aboriginal and Torres Strait Islander Commission Act 1989.*
- COMMONWEALTH OF AUSTRALIA.* (1987) *Aboriginal Employment Development Policy, Private and Public Employment Strategies.* Policy Paper No. 2. Canberra: AGPS.
- COMMONWEALTH OF AUSTRALIA.* (1987a) *Aboriginal Employment Development Policy, Community-based Employment and Enterprise Strategies.* Policy Paper No. 3. Canberra: AGPS.
- COUNCIL OF ABORIGINAL RECONCILIATION* (1995) *Going Forward: Social Justice for the First Australians.* A submission to the Commonwealth Government. Canberra: AGPS.
- COUNCIL FOR ABORIGINAL RECONCILIATION* (1994) *Improving Relationships: Better Relationships Between Indigenous Australians and the Wider Community.* Key Issue Paper No. 2. Canberra: AGPS.
- CRAWFORD, F.* (1989). *Jalindi Ways: Whitefellas Working in Aboriginal Communities.* Centre for Aboriginal Studies and the School of Social Work, Curtin University of Technology.
- DODSON, M.* (1993). *Aboriginal and Torres Strait Islander Social Justice Commissioner, First Report 1993.* Canberra: AGPS.
- DODSON, M.* (1994). *Aboriginal and Torres Strait Islander Social Justice Commissioner, Second Report 1994.* Canberra: AGPS.
- EVANS, R; SAUNDERS, K; CRONIN, K;* (1975) *Race Relations in Colonial Queensland: A History of Exclusion, Exploitation and Extermination.* St. Lucia, Qld: UQP.
- FORREST, S and J. SHERWOOD,* (1988). *Working with Aboriginals in Remote Areas.* Perth: Western Australian College of Advanced Education.
- HAZLEHURST, K.* (1994). *A Healing Place: Indigenous Visions for Personal Empowerment and Community Recovery.* Rockhampton: Central Queensland University.
- HECATE - The Counter-Bicentenary Issue, Volume 13, No 2, 1987/8* Brisbane. Hecate Press.
- HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION,* *Bringing Them Home, Separation of Aboriginal and Torres Strait Islander Children from their Families,* AGPS. (Canberra) 1997.
- JOHNSTON, W. ROSS.* (1988). *A Documentary History of Queensland (from reminiscences, diaries, parliamentary papers, newspapers, letters and photographs).* St. Lucia Qld. UQP.
- KIDD, R.* (1997). *The Way we Civilise Aboriginal Affairs - the untold story.* Brisbane: University of Queensland Press.
- KRESS, G.* (Ed) (1988). *Communication and Culture: An Introduction.* Sydney: University of New South Wales Press.
- LOOS, N.* (1993) *Aborigines and Torres Strait Islanders in Australian Society: An Historical Perspective.*
- LOOS, N.* *Aboriginal - European Relations in North Queensland 1861-1897.* Ph. D. Thesis James Cook University Townsville 1976.
- McCONNOCHIE, K; HOLLINGSWORTH, D; PETTMAN, J;* (1988). *Race and Racism in Australia.* Wentworth Falls, NSW: Social Science Press.
- MARKUS, A.* (1994). *Australian Race Relations 1788-1993.* Sydney: Allen & Unwin.
- MILLER, B.* *The Aspirations of Aborigines Living at Yarrabah in Relation to Local Management and Human Rights.* Human Rights Commission. Canberra 1986.

MILLER, M. (1985). Report of the Committee of Review of Aboriginal Employment and Training Programs. Canberra: AGPS.

OFFICE OF ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS, Department of Families, Youth and Community Care. Community Services (Aborigines) Act 1984.

OFFICE OF CABINET, Queensland. (1993). Consultation: A Resource Document for the Queensland Public Sector.

PRIDE, J.B. (Ed). (1985) Cross-cultural Encounters: Communication and Miscommunication. Melbourne: River Seine Publications.

Old Parliament, Department of Native Affairs Annual Reports.

Old Parliament, Department of Aboriginal and Island Affairs Annual Reports.

REYNOLDS, H. (Ed). (1978). Race Relations in North Queensland. Townsville: James Cook University.

REYNOLDS, H. (1981) The Other Side of the Frontier (An interpretation of the Aboriginal response to the invasion and settlement of Australia). James Cook University. JCU Printers.

REYNOLDS, H. (1987) Frontier. Sydney: Allen & Unwin.

REYNOLDS, H. (1990) With the White People: The crucial role of Aborigines in the exploration and development of Australia. Penguin.

ROWLEY C..D., The Destruction of Aboriginal Society. ANU Press. Canberra.

ROYAL COMMISSION INTO ABORIGINAL DEATHS IN CUSTODY - Queensland Government Response to the Royal Commission. December 1992. Published by Queensland Government.

ROYAL COMMISSION INTO ABORIGINAL DEATHS IN CUSTODY - Queensland Government Progress Report on Implementation. December 1993. Published by Queensland Government.

ROYAL COMMISSION INTO ABORIGINAL DEATHS IN CUSTODY - Queensland Government Progress Report on Implementation. December 1994. Published by Queensland Government.

THE ENCYCLOPEDIA OF ABORIGINAL AUSTRALIA (vol 1&2) General Editor, David Horton. Aboriginal Studies Press Australian Institute of Aboriginal and Torres Strait Islander Studies, 1994, Canberra.

VON STURMER, J. (1981) Talking with Aborigines. Darwin: The Occasional Bulletin No. 27 of Nungalinga College including Wontulp-Bi-Buya in Queensland.

## VIDEOS

Untold Story - TAIMA - (Townsville Aboriginal & Islander Media Assoc)

Lousey Little Sixpence - ABC

The Secret Country - John Pilger - ABC

Babakiueria - ABC

Bringing Them Home - "Stolen Children" - HREOC ABC Shops

The Australia Today Series - "Aboriginal Australians" - Visual Media Pty Ltd 1992