



Government of **Western Australia**
Mental Health Commission



Aboriginal Cultural Protocols Policy



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Introduction

Understanding Aboriginal cultural protocols is integral in ensuring that all Mental Health Commission (MHC) employees respectfully acknowledge the importance of Aboriginal and Torres Strait Islander peoples' customs, beliefs and lores.

The Western Australian Mental Health Alcohol and Other Drug Services Plan 2015-2025: Better Choices, Better Lives (the Plan) as part of its system-wide reform, has recognised the importance of culturally secure service delivery for Aboriginal peoples. One of the key actions of the Plan is to 'incorporate culturally secure and respectful, non-discriminatory principles in the design of service models and associated practices, procedures, protocols and commissioning practices'.

The MHC is invested in maintaining culturally secure work practices and a culturally competent workforce.

Foreword

The Strong Spirit Strong Mind Aboriginal Programs team and the Mental Health Commission acknowledge Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of this land and waters.

We pay our respects to Aboriginal and Torres Strait Islander Elders, past, present and future, and acknowledge the diversity and strength of Aboriginal and Torres Strait Islander peoples and communities today.

The terms **Aboriginal**; **Aboriginal and Torres Strait Islander**; and **Indigenous**; in describing the First Australians, are used interchangeably to maintain accuracy with respect to other preceding documents and initiatives, and the term Aboriginal, more broadly used here, should be taken to mean Aboriginal; Aboriginal and Torres Strait Islander; and Indigenous peoples.

Purpose

The MHC is committed to ensuring that its values and practices continuously acknowledge and pay respect to Aboriginal and Torres Strait Islander peoples' customs, beliefs and lores. This policy has been developed to provide guidance to all MHC employees on how cultural protocols can support their daily work practices and engagement with Aboriginal and Torres Strait Islander peoples and communities.

Scope

This policy applies to all persons whether in paid employment, on contract or undertaking voluntary services for the MHC (hereinafter referred to as employees). It is the responsibility of all MHC employees to ensure that cultural protocols are respectfully practiced and observed at all times.

Policy Statement

This policy will ensure that the appropriate protocols for the recognition of Aboriginal people and culture are observed at all MHC meetings and events.

This policy aims to enhance cultural awareness and respect within the MHC and with stakeholders by providing an increased recognition of Western Australia's Aboriginal peoples' and cultures. The policy also seeks to build a culturally secure workforce through developing the cultural competence of non-Aboriginal employees.

Definitions

Aboriginal Elders (Traditional Custodians)

Aboriginal Elders are chosen and accepted by their own communities as the respected custodians of Aboriginal knowledge, lore and cultural practices. They are highly respected Aboriginal men and women who have cultural authority within their families and communities. It is their responsibility to give permission, advise others and pass on their knowledge and cultural practices to following generations.

Aboriginal Elders are often referred to as Aunty or Uncle, but you should only use these titles if given permission by them to do so. Simply asking politely is the best way to find out.

Note: It is important to note that in traditional Aboriginal culture, age alone doesn't mean someone is recognised as an 'Elder'. Young people may also be given permission to talk on behalf of an Aboriginal Elder as a Traditional Custodian.

MHC Aboriginal Elders in Residence Program (AEIR)

The Aboriginal Elders in Residence (AEIR) program is an initiative of the MHC's Conciliation Action Plan (CAP) and formally commenced in July 2018. The AEIR program provides the MHC with:

- Cultural expertise and guidance to all directorates, particularly the Commissioner and Corporate Executive;
- Mentoring opportunities for Aboriginal and non-Aboriginal employees;
- Providing training, yarning and advice, for the Certificate III and Certificate IV training and other days of cultural significance;
- Reviewing and informing suitable policies and procedures, particularly those relating to Aboriginal people and communities;
- Promotion of the MHC through their networking links with other Aboriginal Elders and community groups within the Perth metropolitan area.

The Elders are in Residence at the MHC for one day a month, if you'd like to schedule a meeting with them please contact [People and Development](#).

Cultural Awareness

Cultural awareness is being aware and respectful of cultural differences. Having an understanding of Aboriginal peoples' culture, traditions, languages, diversity and history; including the impact of colonisation will improve communication and engagement when working with Aboriginal peoples.

Other terms that you might hear are cultural sensitivity, cultural competency, cultural understanding.

Cultural Security

The term cultural security means to respect the legitimate cultural rights, values, beliefs and expectations of Aboriginal people and that this approach is central in the development of programs, services, policies and strategies.

There have been a variety of definitions to describe Cultural Security in various Government documents and strategies in recent years. They all essentially advocate the same thing and may vary from state to state. Ensuring what we do is culturally secure is another way that assists us to challenge oppression.

Acknowledgement of Country

An Acknowledgement of Country is a way that all people can show awareness and respect of Aboriginal cultures and heritage and the ongoing spiritual relationship the Traditional Custodians have with their lands or waters. It is a respectful practice incorporated into meetings and events. Acknowledgement of Country is a means of acknowledging that the meeting or event is taking place on the country of the Traditional Custodians. It promotes awareness that Aboriginal people are the Traditional Custodians and continue to have a strong connection to their lands or waters. All MHC events and formal meetings are required to begin with an Acknowledgement to Country.

Welcome to Country

Welcome to Country has been part of Aboriginal culture for thousands of years. It is an acknowledgement that pays respect to the Traditional Custodians past, present and future. It is performed to welcome visitors to their lands and/or waters. A Welcome to Country can include a speech in traditional language and/or English, a smoking ceremony, dancing, singing and didgeridoo playing. A Welcome to Country **must** be performed by an Aboriginal Elder (or Traditional Custodian) of the land or waters of where the event is being held. **(Please see ‘Fee for Service’)**

Smoking Ceremony

A Smoking Ceremony is a traditional Aboriginal custom that involves burning various native plants to produce smoke. These native plants may include eucalyptus leaves, peppermint leaves and grass tree (Balga). They produce a fragrant smoke that is used to cleanse places and people and ward off bad spirits. It is often performed as part of a traditional ceremony like a Welcome to Country and by an Elder. **(Please see ‘Fee for Service’)**

Other Traditional Ceremonies

There are a number of other Traditional Ceremonies and practices that can be used, these will vary depending on where you are located and may include:

- Traditional dancing and music (men’s & women’s)
- Didgeridoo playing (men only)
- Aboriginal art lesson
- Storytelling (Dreamtime stories) or yarning
- Cultural tours

You will need to consult with local Aboriginal community members to get an understanding of what ceremonies are appropriate and who can perform them for you. It’s important to note that some traditional ceremonies and practices are gender specific. For example, only men can play the didgeridoo.

Gender Protocols

Aboriginal culture has some customs, lores and cultural practices that are specific and sacred to either men or women. This sacred knowledge is recorded in a way that can only be accessed by either men or women. Agencies need to be aware that gender protocols exist and may need to seek further guidance from an Aboriginal person when an issue arises.

Cultural Awareness Training

Cultural Awareness Training aims to increase participant’s knowledge and skills to effectively communicate and work with Aboriginal people.

The MHC’s Strong Spirit Strong Mind Aboriginal (SSSM) Programs team delivers a two part whole day program, Ways of Working with Aboriginal People, that focuses on introducing participants to

working with Aboriginal people. Anyone within the Alcohol and Other Drug and Mental Health sectors working with Aboriginal people is encouraged to attend.

Part 1 of the training covers the exploration of Aboriginal peoples' lives before, during and after colonisation; developing cultural competencies, understanding oppression and how to challenge it; and building a stronger future for Aboriginal peoples.

Part 2 of the training is an expansion of the topics covered in Day 1 but with a more clinical focus. There is a review of part 1; Aboriginal ways of counselling; how to establish rapport (including skills rehearsal); using Aboriginal AOD models for culturally secure assessment; SSSM Story Telling Cards and skill building activities.

Terminology

Using appropriate terminology is an important practice that respectfully acknowledges Aboriginal peoples. Language and terminology need consideration at all levels of communication, whether sending an email, letter, briefing note, ministerial or using a PowerPoint presentation, it's important to show this respect in all aspects of communication. This can be done by ensuring that a capital letter is used at the start of the following words for all MHC communications:

- Aboriginal
- Indigenous
- Torres Strait Islander
- Stolen Generations
- Intergenerational Trauma
- Elder/s
- Language Groups/Clans/Tribes (e.g. Whadjuk People, Noongar Nation)

If there is a word that you are unsure of that's not listed, please contact any member of the MHC's Aboriginal Advisory Group for further advice.

Local knowledge (Sorry business/LORE)

When planning to visit communities it is important to consider local Aboriginal community customs and lore. Aboriginal lore refers to the customs and stories that Aboriginal people have learned from The Dreamtime, they are specific to a particular country or land and continue to be practiced today. Lore is intrinsic in the continuation of Aboriginal people's customs, traditional practices, Dreamtime stories, kinship systems and obligations, spirituality and connection to land and all living things.

Sorry business (also known as sorry time) for Aboriginal people is a period of mourning the loss of someone close to them. In some communities this mourning period can be quite lengthy and will affect the availability of not just an individual but in some instances the whole community. During this time you cannot mention the deceased person's name or use photographic or video images of them unless agreed to by their family.

Check with a local community contact when visiting a site/community or planning meetings to ensure that these protocols are understood, followed and respected.

Aboriginal Dates of Significance

Following is a list of significant Aboriginal dates that recognise, acknowledge and celebrate the strength and resilience of Aboriginal and Torres Strait Islander peoples today.

DATE	EVENT	BACKGROUND
26 January	Survival Day (Australia Day)	<p>The 26th January has over the years been given a number of names, these include:</p> <ul style="list-style-type: none"> • Survival Day • Day of Mourning • Invasion Day • Australia Day • Change the Date <p>Opinions of Indigenous and non-Indigenous peoples from Australia on what this day represents vary.</p> <p>The link below provides some background information:</p> <p>https://www.sbs.com.au/nitv/explainer/australia-day-invasion-day-survival-day-whats-name</p>
13 February	Anniversary of the National Apology (2008)	<p>The 2008 National Apology to the Stolen Generations by the then Prime Minister Kevin Rudd on behalf of the Australian Government was significant, as it acknowledged the Stolen Generations mistreatment by previous Governments.</p> <p>The link below provides some background information:</p> <p>https://www.sbs.com.au/nitv/article/2017/02/13/10-things-you-should-know-about-national-apology</p>
20 March	National Close the Gap Day	<p>National Close the Gap Day is an annual event that aims to close the health and life expectancy gap between the Indigenous and non-Indigenous populations in Australia.</p> <p>The link below provides some background information:</p> <p>https://www.oxfam.org.au/what-we-do/indigenous-australia/national-close-the-gap-day</p>
26 th May	National Sorry Day	<p>National Sorry Day is held on the 26th May each year to acknowledge and recognise members of the Stolen Generations.</p> <p>The link below provides some background information:</p> <p>https://www.timeanddate.com/holidays/australia/national-sorry-day</p>
27 th May – 3 June	National Reconciliation Week	<p>National Reconciliation Week commemorates two significant milestones in the reconciliation journey:</p> <ul style="list-style-type: none"> • the 1967 referendum and; • the High Court Mabo decision <p>The link below provides some background information:</p> <p>https://www.reconciliation.org.au/national-reconciliation-week/</p>
3 June	Mabo Day (1992)	<p>Mabo Day commemorates Eddie Koiki Mabo, a Torres Strait Islander man who was successful in campaigning for land rights for Aboriginal and Torres Strait Islander people. His successful High Court Mabo Decision on the 3rd June 1992 overturned the legal fiction of terra nullius in Australian law which has paved the way for successive land rights for Aboriginal and Torres Strait peoples across Australia.</p>

		The link below provides further background information: http://www.aboriginalheritage.org/news/2013/mabo-day/
Commencing on the 1st Sunday in July	NAIDOC Week	NAIDOC (National Aboriginal and Islanders Day Observance Committee) Week celebrations and events are held across Australia each year to positively celebrate the history of Aboriginal and Torres Strait Islander peoples. The link below provides further background information: https://www.naidoc.org.au/about/history
4 August	National Aboriginal and Torres Strait Islander Children's Day	National Aboriginal and Torres Strait Islander Children's Day (Children's Day) is a time for Aboriginal and Torres Strait Islander families to celebrate their children. The link below provides further background information: http://aboriginalchildrensday.com.au/
5 September	Indigenous Literacy Day	Indigenous Literacy Day is a national celebration of Indigenous culture, stories, language and literacy. The link below provides further background information: https://www.indigenousliteracyfoundation.org.au/indigenous-literacy-day-2017
13 September	Anniversary of the UN Declaration on the Rights of Indigenous Peoples (2007)	The United Nations Declaration on the Rights of Indigenous Peoples is the most comprehensive tool we have to advance and protect the rights of Aboriginal and Torres Strait Islander peoples (<i>Quote by June Oscar AO</i>). The link below provides further background information: https://declaration.humanrights.gov.au/
10 December	Human Right's Day	Human Right's Day acknowledges the day in 1948 the United Nations General Assembly adopted the 'Universal Declaration of Human Rights'. The link below provides further background information: http://www.un.org/en/events/humanrightsday/

Guidelines

Acknowledgement of Country

When to use an Acknowledgement of Country

MHC encourages all employees to demonstrate appropriate Acknowledgement when presenting at, or opening formal events including forums or conferences, training, formal gatherings/functions or ceremonies.

"Acknowledgement of Country" can be performed by both Aboriginal and non-Aboriginal peoples.

How to do an Acknowledgement of Country

At the beginning of a meeting or function, a Chair or Speaker begins by acknowledging that the meeting is taking place in the Country of the Traditional Custodians. Where the name of the

Traditional Custodians is known, it should be used. Where it is not known, a general Acknowledgement is given.

Following are examples of Acknowledgement of Country statements:

Example 1

I would like to show my respect and acknowledge the Traditional Custodians of the land on which we meet today and pay my respect to their Elders past, present and emerging.

Note: You would use this example of an Acknowledgement to Country if you are unaware of the local Traditional Custodians. This is still paying respect to the Traditional Custodians without being specific and is still considered respectful.

Example 2

I acknowledge that we are on Nyoongar country and I also acknowledge the Traditional Custodians, the Wadjuk people their Elders past, present and emerging and extend that respect to other Aboriginal people present.

Note: These examples are the preferred examples of an Acknowledgement to Country, but there is actually no set wording for an Acknowledgement to Country. It is important that the choice of words be meaningful to the person making the Acknowledgement and that it is always done respectfully.

If you'd like to find the Traditional Custodians of the country on which you are meeting, you can contact the Local Aboriginal Land Council or the Strong Spirit Strong Mind Aboriginal Programs team to ensure that you have the correct Traditional Custodians.

Welcome to Country

Protocols in relation to the performing of a *Welcome to Country* ceremony are wide and diverse and can vary according to region and locality.

A *Welcome to Country* may consist of a single speech by the Aboriginal Elder of the local Aboriginal community; it can also include a performance of some description.

A *Welcome to Country* should always occur in the opening ceremony of the event in question; preferably as the first item.

When to use a Welcome to Country

At all major MHC official and public events.

Who can perform a Welcome to Country?

A Welcome to Country is conducted by an Aboriginal Elder of the local Aboriginal language group; they will welcome the delegates, those in attendance, invited guests, employees and students to their Country. Negotiations may include costs, location, dates, refreshments, who is greeting them, timeframes and travel arrangements.

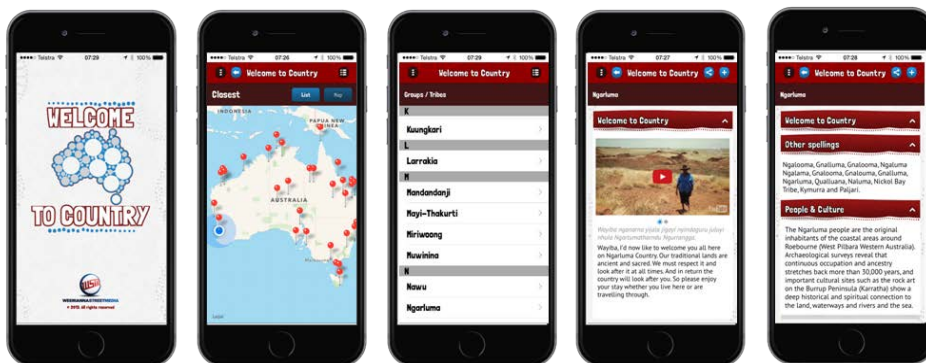
Negotiating a Welcome to Country

It is important that the Aboriginal Elder is comfortable with the arrangements and these should be mutually negotiated. Initial confirmation of a Welcome to Country should be done at least 4 weeks (preferably 6 weeks) prior to an event with regular contact maintained leading up to the event.

MHC endorses the notion that the performing of a Welcome to Country ceremony is a right of the local Aboriginal Custodians and not a privilege.

NB: A Welcome to Country and Acknowledgement to Country are not mutually exclusive. It will often be appropriate for both protocols to be used.

Welcome to Country App: If you have an iPhone or iPad, there is a **free** 'Welcome to Country' App available through the Apple App Store. The App is easy to use and provides a video-demonstration of a Welcome to Country and an introduction to cultural protocols specific to the selected region. This can assist you in finding the local language group of the area you may be visiting.



Please note: Although the App is useful, it has some limitations as it does not cover **all** traditional language groups across Australia.

When to use a Smoking Ceremony

Smoking Ceremonies are often performed as part of a traditional ceremony like a Welcome to Country and done by an Aboriginal Elder.

Fee for Service

In providing cultural services, such as a Welcome to Country or smoking ceremony, artistic performances and other ceremonies Aboriginal people are using their intellectual property. As such providers of these services should be appropriately remunerated.

Appropriate remuneration and/or assistance should be negotiated between the cultural service provider and the agency, considering:

- travel to and from the event

- public profile of the event

Other considerations may include the arrangement of transport for the Elder/s and ensuring that refreshments are provided.

As a guide the MHC's Consumer, Family, Carer and Community Paid Partnership suggests that Aboriginal Elders are paid as consultants. This needs to be respectfully negotiated and confirmed with Elders prior to the event. These figures are a guide only.

The starting rate for a Welcome to Country is usually \$500 and can go up to \$1,200 (occasionally higher). There are a number of things that can affect the price which can include; the Aboriginal Elder's standing in the community, the time that they are asked to perform and if there are any additional ceremonies being performed during the Welcome to Country eg. smoking ceremony, storytelling, didgeridoo playing and/or traditional dancers. These rates are often fixed and not paid per hour.

Prices and payments should always be negotiated with the Aboriginal Elders and/or performers, and confirmed prior to the event.

Payment Methods

Payment for performers of Aboriginal cultural protocols by the MHC will be largely determined by government procedures. Professional performers are to be asked to provide a tax invoice quoting an ABN number before payment can be made.

When an ABN cannot be provided, the service providers are to complete a Statement by a Supplier form. This will ensure the earnings are not taxed at the highest margin of 48%.

The Statement of a Supplier Forms can be obtained by accessing the Australian Taxation Office [website](#).

It is best if payments can coincide with the actual event. When making a booking ensure that a tax invoice is provided to MHC as soon as possible so that payment for the performance can be made without delay.

It's important to note that the Elder/performers need to be provided with the MHC's payment process and timeframes when negotiating the booking.

Risk Management

Timeframe

There are number of considerations when organising cultural events and activities. It is always respectful to allow reasonable timeframes when planning an event and engaging Aboriginal Elders, Traditional Custodians or Aboriginal performers. This is particularly important when planning events around 'Aboriginal dates of significance' (**see previous table**) as their availability during these dates can be limited.

Regular contact needs to be made with the Aboriginal Elder, Traditional Custodian or Aboriginal performers leading up to the event and a gentle reminder should be made at least 1 or 2 days prior to the event to confirm their attendance. Contact should be made by phone or face-to-face (don't rely on email for confirmation as they aren't checked daily). This is especially important when engaging with Aboriginal Elders as family and community commitments will often take priority over professional commitments; reasons may include sorry business (see aforementioned information) and health concerns.

Costs and payment methods

When booking an Aboriginal Elder or Aboriginal performer, there are a number of factors that need to be considered in relation to negotiating costs and payment methods. These may include:

- Up front explanation of payment timeframes (up to 6 weeks);
- Negotiating the costs of services and confirming it prior to the event;
- Elders may not have the resources to provide an invoice (eg. no computer or access to the internet);
- Elders may not have ABN's;
- Cash payments may be requested and are often preferred;
- Bank details need to be confirmed prior to each payment being made (bank details can often change without the MHC being notified).

Costs and payments can often be uncomfortable to discuss. If you'd like some assistance with this please consult with the MHC Aboriginal Advisory Group.

Up to date contact details

The SSSM Aboriginal Programs team has a contact list of local Aboriginal Elders; through their vast networks they keep this list up-to-date as much as possible.

Further Information

For any queries regarding this policy and associated guidelines, please contact the MHC Aboriginal Advisory Group Members (Terms of Reference - MHC15/24529).

Roles and Responsibilities

Employees

All employees are responsible for:

- It is the responsibility of all MHC employees to ensure that cultural protocols are respectfully practiced and observed at all times.
- All MHC employees to demonstrate appropriate Acknowledgement when presenting at, or opening formal events including forums or conferences, training, formal gatherings/functions or ceremonies. It is best practice to do an Acknowledgement of Country at the beginning of all MHC meetings both formal and informal.
- Consultation with the MHC Aboriginal Advisory Group members may help you to identify people who can perform a Welcome to Country and assist with other relevant information for a Welcome to Country, Acknowledgement of Country, Smoking Ceremony or other cultural activities.

Managers

Managers are responsible for:

- Supporting and contributing to the implementation of this policy, its mission statement and objectives;
- Providing new employees with an understanding of this policy during their induction to MHC;
- Ensuring team events are conducted in line with this policy and promoting an awareness of this policy amongst employees; and
- Promoting a culture that supports wellness of MHC employees and identifying areas of focus for wellness initiatives.

Related Policies / Guidelines and Standards

- ['Looking Forward, Moving Forward' Systems Change Project \(2017-2022\)](#)
- [Western Australian Mental Health, Alcohol and Other Drug Services Plan 2015-2025: Better Choices. Better Lives](#)
- [MHC Consumer, Family, Carer and Community Paid Partnership Policy](#)
- [MHC Equal Opportunity and Diversity Policy](#)
- [MHC Conciliation Action Plan 2018-2020](#)
- [MHC Strong Spirit Strong Mind Aboriginal Programs - Ways of Working with Aboriginal People Part 1 & 2](#)
- MHC Strong Spirit Strong Mind Framework for Western Australia 2019-2023 (DRAFT)
- [National Aboriginal and Torres Strait Islander Leadership in Mental Health \(NATSILMH\) - Gayaa Dhuwi \(Proud Spirit\) Declaration \(2015\)](#)
- [WA Aboriginal Health and Wellbeing Framework 2015-2030](#)
- [Mental Health Commission \(2018\) Western Australian Alcohol and Drug Interagency Strategy 2018-2022](#)
- [Working Together: Aboriginal and Torres Strait Islander Mental Health and Wellbeing Principles and Practice \(2014\)](#)