

3. Description and classification of materials and information

As a means of improving access to material and information of relevance to Aboriginal people and Torres Strait Islanders, culturally appropriate and effective indexing terminology, subject headings, classification and information processing systems are required.

The State Library will encourage improved access standards, through the following:

- liaise widely with other institutions, both state and national, regarding appropriate information description and documentation
- provide relevant input to the Library of Congress subject headings to ensure the effectiveness and cultural sensitivity of the subject headings used
- liaise widely with other institutions, both state and national, regarding the development of classification systems that take account of geographic, language and cultural aspects
- consult widely and on an ongoing basis with Aboriginal people and Torres Strait Islanders regarding the description, processing and classification of relevant material.

4. Secret or sacred material

Certain items, records, manuscripts or other material may be of a secret or sacred nature. The *Aboriginal Cultural Heritage Act 2003 (Qld)* and the *Torres Strait Islander Cultural Heritage Act 2003 (Qld)* define 'secret' as being secret according to Aboriginal tradition and/or Island custom and 'sacred' as being sacred according to Aboriginal tradition and/or Island custom. Secret material is generally understood to be material that, under customary law, is made available only to the initiated; or information that can only be seen by men or women or particular people within the cultural group. Sacred material is generally understood to be material which relates to spiritual, religious and/or ancestral beliefs and practices.

It is important that this category of material or information is identified as a means of planning for its appropriate and effective storage, cataloguing, provision of access, and/or repatriation.

Where guidance is required regarding material which may be sensitive, secret or sacred, the assistance of Indigenous Library Services staff should be sought.

Once material falling into the category of secret or sacred is identified, the State Library will:

- provide suitable storage for this material and facilitate access as negotiated on a case by case basis
- ensure that the negotiated and agreed storage and access conditions are widely disseminated amongst State Library staff and users
- seek to repatriate identified secret or sacred material to relevant Aboriginal and Torres Strait Islander communities, family groups, or individuals
- adhere to legislative requirements as outlined in the *Aboriginal Cultural Heritage Act 2003 (Qld)* and the *Torres Strait Islander Cultural Heritage Act 2003 (Qld)*.

5. Offensive materials and information

The State Library acknowledges that some material or information in its collections, particularly older material, may contain references to Aboriginal people and Torres Strait Islanders that are now considered culturally inappropriate or offensive.

In view of this, the State Library will:

- develop and promote an awareness of the extent to which its collections may contain material or information which could be considered culturally inappropriate or offensive
- consult and liaise with Aboriginal and Torres Strait Islander communities in relation to such material and information
- develop strategies to deal appropriately with such material and information.

6. Governance

To ensure the ongoing involvement and participation of Aboriginal people and Torres Strait Islanders in the planning and management of the State Library, the State Library will:

- ensure appropriate Aboriginal and Torres Strait Islander representation or membership on governing or advisory boards, councils and committees
- promote and facilitate organisational change to take account of Aboriginal and Torres Strait Islander perspectives.

7. Staffing

The State Library acknowledges the importance and benefit of including Aboriginal people and Torres Strait Islanders within its organisational structure as a means of promoting positive changes in its organisational culture. In order to achieve this, the State Library will:

- encourage Aboriginal people and Torres Strait Islanders to apply and compete for relevant State Library positions
- recognise the value of prior learning, life experience and qualifications in other fields when undertaking recruitment selection processes
- involve Aboriginal people and Torres Strait Islanders in the selection of staff within recruitment selection processes
- facilitate the entry of Aboriginal and/or Torres Strait Islander staff into supervisory and management positions through the use of appropriate support strategies, including training and/or mentoring
- recognise and respond to the cultural needs of Aboriginal and Torres Strait Islander staff members
- develop and implement cross-cultural awareness programs, ensuring that staff members are sensitive to cultural diversity.

8. Professional practice

As a means of encouraging the entry of Aboriginal people and Torres Strait Islanders into the information professions, particularly librarianship and archival science, the State Library will:

- liaise with relevant educational institutions in regard to encouraging the entry of Aboriginal people and Torres Strait Islanders to courses
- support Aboriginal and Torres Strait Islander students in library and archive education and training through encouragement, mentoring as well as through access to existing leave provision.

9. Copying and repatriation of records to Aboriginal and Torres Strait Islander communities

The State Library acknowledges that material, records and information of relevance to Aboriginal people and Torres Strait Islanders are critical to the cultural identity and history of relevant communities. Also, it is acknowledged that many Aboriginal and Torres Strait Islander communities are developing libraries, resource centres and similar places which may be suitable for the storage of, and provision of, access to this material and information. As this process evolves, the State Library will:

- respond cooperatively to requests from Aboriginal and Torres Strait Islander communities for copies of material and information of relevance
- respond cooperatively to requests for repatriation of original material to Aboriginal and Torres Strait Islander communities where it can be demonstrated that there is a clear historic or cultural connection to the material
- assist Aboriginal and Torres Strait Islander communities in planning, developing and managing keeping places for repatriated material.

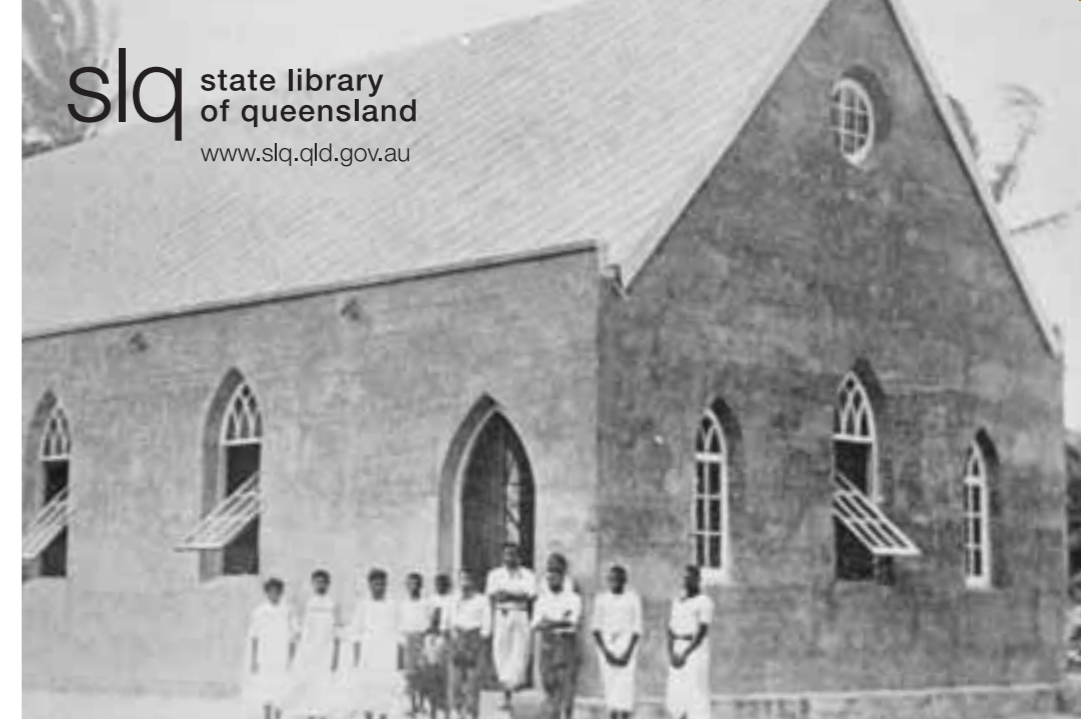
The State Library will also liaise closely with Aboriginal and Torres Strait Islander representatives regarding the use of digitisation as an interim means of repatriation, through facsimiles or surrogates of relevant cultural material to Aboriginal and Torres Strait Islander communities. Such digital content may be delivered via Aboriginal and Torres Strait Islander community websites.

Implementation

The State Library's *Protocols for Aboriginal and Torres Strait Islander Collections* will be implemented according to established procedures and guidelines. Implementation of the *Procedures and Guidelines: Protocols for Aboriginal and Torres Strait Islander Collections* (draft) will be guided mainly by Heritage Collections staff, and where needed in consultation with Indigenous Library Services. The Indigenous Advisory Committee may provide guidance and advice to assist in this process.

For more information

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Preamble

A particular challenge for the State Library of Queensland, when developing these protocols, was to balance the need to provide appropriate access to its collections whilst acknowledging the moral, intellectual and cultural rights of Aboriginal people and Torres Strait Islanders, as the owners of their cultural heritage.

Much of the material in the State Library's collections, with the exception of material which is now in the public domain, remains subject to relevant copyright laws. In many cases the State Library is the owner of copyright, in others copyright is owned by the individuals or entities which created the particular work or material. However, the cultural and intellectual ownership rights of Aboriginal people and Torres Strait Islanders are, at the time of the development of these protocols, not enshrined in legislation, whereas copyright is well covered. The State Library recognises the lack of a legal underpinning for Indigenous cultural and intellectual rights but acknowledges the importance of these rights for Aboriginal people and Torres Strait Islanders.

Notwithstanding the legal obligations of copyright and other related legislation, the State Library accepts that Aboriginal people and Torres Strait Islanders are the rightful owners of their intellectual and cultural property and have the right to decide how relevant Aboriginal and Torres Strait Islander material, held by the State Library, should be accessed and used.

Accepting the rights of Aboriginal people and Torres Strait Islanders to their own cultural heritage, the State Library has developed these protocols as a means of guiding the State Library's staff and clients, in the appropriate access to and use of Aboriginal and Torres Strait Islander material.

Introduction

The State Library of Queensland holds a range of material and information in its collections relating to Aboriginal people and Torres Strait Islanders. A primary goal is to make this material and information as widely accessible as possible. The development of these protocols aims to ensure that the ongoing collection of, and provision of, access to this material and information, including through the medium of digitisation, is undertaken in a culturally sensitive, inclusive and appropriate manner.

As a means of providing a sound basis for these protocols, the State Library acknowledges or commits to the following:

- the recognition of the moral, intellectual and cultural rights of Aboriginal people and Torres Strait Islanders as the owners of their knowledge
- to be guided by these protocols in the State Library's interaction with Aboriginal people and Torres Strait Islanders, particularly with provision of information from its collections
- to encourage the involvement and participation of Aboriginal people and Torres Strait Islanders in the provision of relevant information by the State Library as well as in the ongoing development and exhibition of collections.



Above
Photo taken in Barambah, Queensland, c.1907.
John Oxley Library, State Library of Queensland, neg 108901.

Cover images
Photo of St Mary's Church on Mabuig Island, Torres Strait, 1916.
John Oxley Library, State Library of Queensland, neg 58157.
Detail from carvings in the Talking Circle, kuril dhagun,
by Laurie Nilsen and BOVACIA Aboriginal and Torres Strait Islander students, 2006.
Photo taken in Cherbourg, Queensland, 1907.
John Oxley Library, State Library of Queensland, neg 36595

Introduction (cont'd)

The State Library commits to the following strategies in the collection, preservation and provision of access to relevant Aboriginal and Torres Strait Islander material and information:

- to maintain and undertake ongoing liaison and consultation with Aboriginal people and Torres Strait Islanders, through the State Library's Indigenous Advisory Committee and the Torres Strait Islander Reference Group
- to develop its collections in an equitable manner, taking account of the importance and relevance of material and information by or about Aboriginal people and Torres Strait Islanders
- to facilitate the ongoing development of Indigenous Knowledge Centres.

Aboriginal and Torres Strait Islander community consultation

The State Library will seek the guidance of the Aboriginal and Torres Strait Islander representatives on the Indigenous Advisory Committee and the Torres Strait Islander Reference Group. Additionally, when considered appropriate, the State Library will seek the guidance and input of relevant Aboriginal and Torres Strait Islander representative groups or organisations. The input of Aboriginal people and Torres Strait Islanders in general will also be sought as part of the State Library's ongoing liaison and interaction with communities.

Sensitive records and material

Some records may contain material relating to Aboriginal people and Torres Strait Islanders that is now considered offensive. Many works also contain references to people now deceased and to incidents of a distressing nature. Included in the pictorial collections are photographs of deceased Aboriginal people and Torres Strait Islanders, the display of which may cause offence and distress. Such material may also exist in the manuscripts and archives collections. It is regretted that some subject headings captions, titles or other descriptions used in collection resources may be out of date and could give offence due to their subjective nature.

Policy and legislative framework

The State Library acknowledges and supports reconciliation through the implementation of the State Library's Reconciliation Strategy (2006) which is based on the principles of:

- understanding and accepting the history of our shared experience between Aboriginal people and Torres Strait Islanders and the wider community
- respecting Aboriginal and Torres Strait Islander cultures and identities
- recognising that past injustices continue to give rise to present injustices for Aboriginal people and Torres Strait Islanders.

The provision of services to Aboriginal people and Torres Strait Islanders in Queensland is outlined in the State Library's *Indigenous Library Services Strategy*, the goals of which are to:

1. Establish Indigenous Knowledge Centres in Cape York and Torres Strait regions.
2. Improve service delivery to Indigenous peoples through public libraries across Queensland.
3. Include services for Indigenous peoples in the Millennium Library Project.
4. Ensure that Indigenous collections and cultures are represented in public library spaces.
5. Increase employment and training opportunities in libraries for Indigenous peoples.

The strategic policy *Enriching the Lives of Queenslanders: Strategic Directions for the State Library of Queensland Towards 2012* provides the vision for the State Library's program and service delivery, including library and information services to diverse communities in Queensland. The State Library's Strategic Plan 2007-2011 and Operational Plan 2007-2008 provide the planning framework for delivering the *Enriching the Lives of Queenslanders* policy.

The *Protocols for Aboriginal and Torres Strait Islander Collections* is appropriately positioned within the State Library's policy framework to strategically underline its commitment to Aboriginal people and Torres Strait Islanders, specifically in relation to its collections. Fundamental to the management of collections in accordance with cultural protocols, are also supportive mechanisms of governance, staffing, and professional practice that reinforce the expertise of Aboriginal people and Torres Strait Islanders in the care of their cultural heritage. The State Library's *Our Place is Your Place: Aboriginal and Torres Strait Islander Employment and Training Strategy 2006-2010* gives provision for employing and skilling Aboriginal people and Torres Strait Islanders in libraries and raising awareness of Aboriginal and Torres Strait Islander cultures and experiences amongst library workers.

The *Aboriginal Cultural Heritage Act (Qld)* (2003) and the *Torres Strait Islander Cultural Heritage Act (Qld)* (2003) provide recognition that Aboriginal people and Torres Strait Islanders are the primary guardians, keepers, and knowledge holders of their cultural heritage. The State Library's Protocols for Aboriginal and Torres Strait Islander Collections is in accordance with Queensland's legislative requirements and provides for the recognition of Aboriginal and Torres Strait Islander cultural and intellectual property rights in relation to the State Library's collections.

1. Moral, cultural, and intellectual property rights

The State Library acknowledges the rights of Aboriginal people and Torres Strait Islanders to their cultural heritage and knowledge, including:

- literary, performing or artistic works
- scientific, technical or ecological knowledge
- cultural heritage objects
- documentation of Aboriginal people and Torres Strait Islanders in all forms (eg unpublished reports, manuscripts, photographs, film, sound recordings etc).

The State Library also acknowledges the importance of seeking appropriate cultural clearances from Aboriginal and Torres Strait Islander communities, families, individuals or organisations in regard to Aboriginal and Torres Strait Islander material or information being accessed, published or reproduced.

In regard to Aboriginal and Torres Strait Islander material and information being made accessible by the State Library on its own behalf, from its own collections and for its own operational purposes, the State Library will seek appropriate cultural clearances. In regard to requests from library clients, researchers and others to access and reproduce or publish Aboriginal and Torres Strait Islander material and information from the State Library's collections, the requestor will be expected to seek appropriate cultural clearances. The State Library will assist requestors to understand the process involved in meeting their obligations to consult with Aboriginal people and Torres Strait Islanders.

The State Library also acknowledges the interests of authors and publishers of works and the importance of relevant copyright legislation.

2. Access and use of Aboriginal and Torres Strait Islander material and information

It is important that Aboriginal people and Torres Strait Islanders, as the owners of their cultural heritage and knowledge, are able to interact with the State Library and to make maximum use of the State Library's collections and services.

As a means of facilitating this, the State Library will:

- promote and raise awareness of the State Library's collections and services with Aboriginal and Torres Strait Islander communities
- develop and strengthen positive partnerships between the State Library and Aboriginal and Torres Strait Islander communities
- encourage the use of State Library premises and facilities as meeting places and resources for Aboriginal people and Torres Strait Islanders
- undertake appropriate consultation in regard to the planning and design of library spaces, collections and services
- facilitate effective access to State Library facilities, collections and services through appropriate cross-cultural training programs.

The State Library is committed to providing equitable access to material and information contained within its collections. This material and information falls into two broad categories:

- published material;
- unpublished or original materials and information sources, including archival and manuscript material, photographic images, film and sound recordings.

When considering access requests, the following issues will be considered:

- the nature of the material or information to be accessed, in particular its cultural sensitivity
- the nature of proposed usage
- the need to seek the agreement of the relevant Aboriginal or Torres Strait Islander community, family or individual.

The State Library commits to seek cultural clearances in regard to the reproduction, display or publication of Aboriginal and Torres Strait Islander photographic images and other cultural material held in its collections, for the State Library's own operational purposes. This usage includes:

- dissemination of Aboriginal and Torres Strait Islander photographic images and other cultural material via the State Library's website
- display of Aboriginal and Torres Strait Islander photographic images and other cultural material within the State Library, or State Library partnered exhibitions
- publication of Aboriginal and Torres Strait Islander photographic images and other cultural material within resource material supporting the State Library's public or educational programs
- publication of Aboriginal and Torres Strait Islander photographic images or other cultural material within the State Library's marketing and promotional material, with the material being used to raise public awareness of the State Library's role, collections, and services.