



# Information for Victorian Museums with Aboriginal Collection Items

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## ACKNOWLEDGEMENTS

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*Many Nations exhibition at Bunjilaka Aboriginal Cultural Centre. Image: Celia Mallard*

**This information sheet has been created for Victorian museums who are caretakers of Aboriginal material culture. The information relates to items such as stone tools and wooden shields rather than artworks. The information is written with particular reference to Victorian Aboriginal objects.**

**Please note, this information sheet complements another AMaGA Victoria infosheets such as Resources for Victorian museums with Aboriginal collection items, which contains contact details for organisations listed below and sources of further information.**

## **What can non- Aboriginal collecting organisations offer Aboriginal communities?**

Some museums are caretakers of objects, archives, photographs or specialist knowledge that can help Aboriginal people find out more about their family history and the history of their communities. Museums can be a place for bridging cultures and presenting Aboriginal perspectives on the history of a district.

## **Who can help us identify our Aboriginal collection items?**

Some stone tools can be difficult to identify, but it is possible to obtain information on some objects e.g. whether objects are likely to be from Victoria or from other states, and what the objects were likely to be used for. First Peoples - State Relations may be able to provide information when they register your objects.

## **Who has legal ownership of Aboriginal collection items?**

In general, Aboriginal collection items in museums legally belong to the museum. Exceptions are:

- Aboriginal human remains, and secret and sacred objects. Under the Aboriginal Heritage Act 2006 and Aboriginal Heritage Amendment Act 2016, Aboriginal human remains' and secret and sacred objects belong to the relevant traditional owners. Very few Victorian museums will have items of this nature. When registering artefacts First Peoples - State Relations can assist with identifying any such items and advise on this issue.
- If another party can prove that they are the legal owners of an item – this is the same for any other item in your collection.

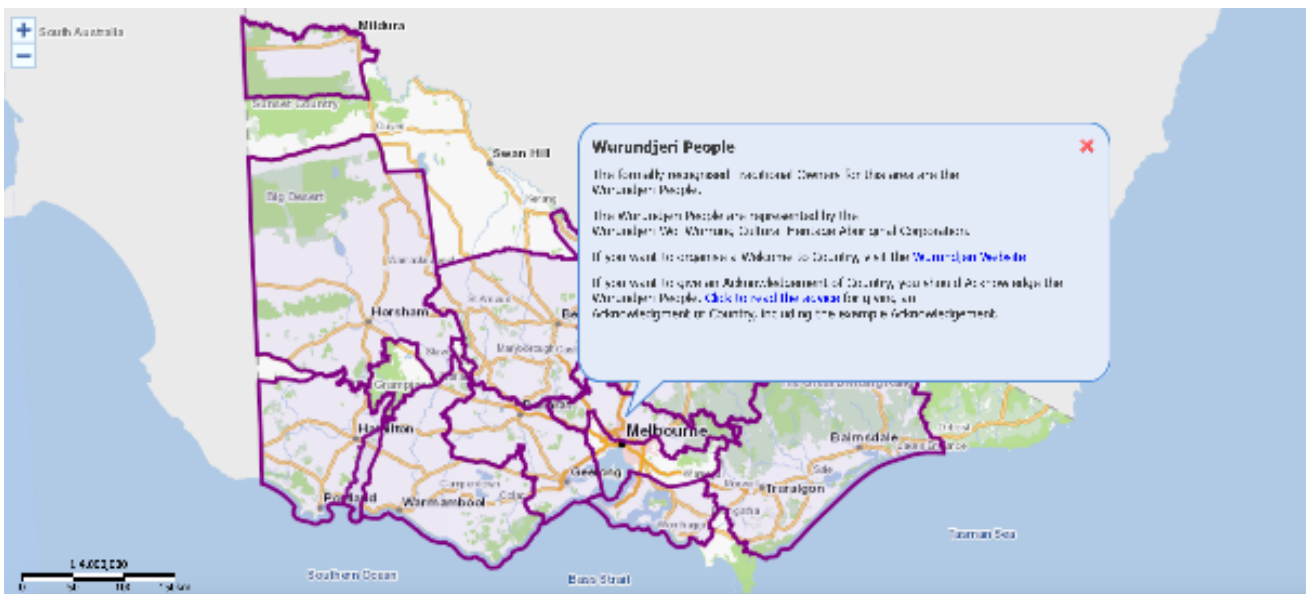
Some Victorian museums have donated their Aboriginal collection items to local Keeping Places. Aboriginal groups may not want custodianship of Aboriginal collection items held by museums, but may want to be involved with or have access to the collection.

## Should we be talking to relevant Aboriginal Groups about our Aboriginal collection items?

Yes, museums should be active in their efforts to consult with Aboriginal communities in relation to Aboriginal collection items.

## How do we find out who are the right people to talk to?

In terms of items with provenance to the local area, the Traditional Owners would be the first group to talk to. In Victoria, Registered Aboriginal Parties (RAPs) are the formally recognised Aboriginal groups to talk to about your collection. The First Peoples - State Relations website lists RAPs and the areas they cover. Note that there may be other groups with a link to the area who may be interested in the collection: it is best to try to consult with them all if possible. First Peoples - State Relations may also put you in touch with other relevant Aboriginal groups. Local council cultural development staff may also be able to put you in contact with local Aboriginal groups, and provide ideas for collaborative projects.



First Peoples - State Relations online map to find the Registered Aboriginal Party for your local area. Available at <https://achris.vic.gov.au/weave/wca.html>

## How might we be working with Aboriginal communities?

Small informal projects/meetings may be the most practical way to engage with local Aboriginal communities, for example working with Elders and craftspeople to discuss appropriate items for display, and developing text for exhibits. Some suggestions are contacting local Koorie art and design courses, speaking to local Elders and artists, inviting the local Aboriginal Co-operative to see the collection etc. Be aware that Aboriginal people that you are trying to consult with may have many demands on their time, and may have other priorities. Building relationships takes time, so take small steps and keep trying.

Some museums and Aboriginal communities have prepared Memorandums of Understanding (MOUs) to create a formal structure how they work together. Under the Aboriginal Heritage Act 2006 it is possible to make a Cultural Heritage Agreement (a kind of MOU) with Victorian Registered Aboriginal Parties. Unlike registering artefacts, this is not mandatory. It may be an option worth considering if there is a desire on both sides to formalise a relationship. First Peoples - State Relations may be able to help facilitate the preparation of an agreement.

## What are our legal obligations?

Collecting organisations need to register Victorian Aboriginal collection items with First Peoples - State Relations; it is a mandatory requirement of the Aboriginal Heritage Act 2006.

First Peoples - State Relations registers collections of 'Aboriginal objects' which relate to the Aboriginal occupation of any part of Australia, whether or not the object existed prior to the occupation of that part of Australia by people of non-Aboriginal descent; and is of cultural heritage significance to the Aboriginal people of Victoria; but does not include an object that has been made for the purpose of sale. In practice this is usually a Victorian object. It would have to have a special connection to Victorian Aboriginal communities if it was from interstate.

Aboriginal objects include shields, clubs, stone tools, axes etc., but does not include items originally made for sale. Some Keeping Places have registered their items, but this is not a legal requirement as they are complying with the Act in keeping them in 'accordance with Aboriginal tradition'.

## **What do we have to do to register our Aboriginal collection items?**

Ring, write or email the First Peoples - State Relations head office or your closest regional office. A First Peoples - State Relations field officer will then come out and register the items with you, although this may take some time depending on current resources. You will need to arrange a time for a visit and get the items out for them to examine. If you have any information about the items it would be useful to provide access to this.

## **Is there any benefit for the museum in registering our Aboriginal collection items?**

First Peoples - State Relations staff that assist with registering collections are qualified archaeologists. They may be able to provide you with technical information about the objects that you may not otherwise be able to obtain. They may also be able to assist with information about where the objects originated and what they were used for. This information can be useful if you wish to provide interpretive displays. First Peoples - State Relations will provide you with copies of the information they compile on your collection items. First Peoples - State Relations staff will also be able to put you in contact with relevant Aboriginal groups.

## **Are there other legal requirements we should know about?**

- Buying and selling of traditional Aboriginal objects is illegal without a cultural heritage permit
- Harming Aboriginal objects is illegal without a cultural heritage permit
- Removing Aboriginal objects from Victoria is illegal without a cultural heritage permit, however loans are allowed between interstate museums

## **How do I obtain a Cultural Heritage Permit?**

You can obtain a cultural heritage permit from First Peoples - State Relations office. Information about this is available on the [First Peoples - State Relations](#) website.

## Other things to keep in mind

- Provide opportunities for Aboriginal people to be included in decisions affecting how their artefacts are displayed, stored and presented.
- Understand that Aboriginal people have the right to self determination especially on matters involving their cultural heritage.
- In determining who has access to cultural artefacts, that should be decided by the relevant Aboriginal people/community/Traditional Owners.
- Any programs and exhibitions regarding Aboriginal cultures must be done in a respectful manner reflecting the diverse and fluid nature of the cultures. It should be done with consultation from relevant Aboriginal people/artists/Traditional Owners/community.
- Developing relationships and partnerships with Aboriginal communities can be assisted by informing them of what collections you hold. Share with them the cultural material and any relevant documentation.
- Support and co-operate with Aboriginal people, communities, Traditional Owners in their access to your collections - take into consideration factors that may be hindering them from this access physically, socially, mentally and culturally.
- Ensure that information regarding artefacts is correct. For example that the cultural identification of objects has been verified.

## Further information

Resource	Source	Link
<i>First Peoples: A Roadmap for Enhancing Indigenous Engagement in Museums and Galleries</i>	Written by Terri Janke and Company for the Australian Museums and Galleries Association, 2018	<a href="https://www.amaga-indigenous.org.au/">https://www.amaga-indigenous.org.au/</a>
<i>First Peoples: Connecting Custodians</i>	Australian Museums and Galleries Association, 2018	<a href="https://www.amaga-indigenous.org.au/continuous-cultures-policy-update">https://www.amaga-indigenous.org.au/continuous-cultures-policy-update</a>

AMaGA Victoria can provide assistance with the location of further information. Please contact: 03 9270 5063 or [info@amagavic.org.au](mailto:info@amagavic.org.au)

# AMaGA Victoria

## Contact Us

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*AMaGA Victoria respectfully acknowledge the Traditional Owners of the land on which we work, the Boon Wurrung and Woi Wurrung peoples and honour their Ancestors, Elders and next generations of community and pays respect to the Elders of all the Nations of Victoria, past, present and emerging.*