

CHAMBER MADE

CM FIRST PEOPLES CULTURAL SAFETY PROTOCOLS

Introduction

Chamber Made's purpose is to interrogate the intersections of music, sound and performance with risk-taking artists and adventurous audiences to discover new forms of expression that reflect and articulate the themes of our time. We are committed to increasing our engagement with First Peoples artists and audiences across our programs, and do so responsibly and respectfully.

Chamber Made (CM) acknowledges the history, legacy and ongoing contribution of Aboriginal and Torres Strait Islander peoples within Australia. We recognise the value of Aboriginal and Torres Strait Islander artistic practice to Australia's cultural identity. We understand the importance for Aboriginal and Torres Strait Islander peoples to have control over how their stories are told and how their cultural practices are shared. We recognise that a vibrant and self-determined First Peoples artistic community is critical to the health and depth of Victoria's creative sector.

New work is Chamber Made's primary remit. Artist-led and ideas-led, the form and content of each new work is determined by the key artists and emerges out of a process of collaboration. All intellectual property belongs to the artists, in all instances. CM will seek out collaborations for new work with Indigenous artists, and will ensure that these artists lead any and all engagement with First Peoples stories, traditions or cultural heritage that the work may involve. CM will consult and ensure that all appropriate cultural protocols are followed and relevant consents obtained.

Purpose

These cultural protocols provide guidance for CM staff, board, artists, and collaborators to ensure our work respects First Peoples cultural beliefs and practices.

PRINCIPLES FOR RESPECTING INDIGENOUS CULTURAL AND INTELLECTUAL PROPERTY

These protocols give practical expression to a fundamental human rights principle that: “Indigenous peoples have a right to own and control their Indigenous cultural and intellectual property”¹ that is, they have a right to protect their Indigenous heritage.

The following values and principles provide a framework for implementing CM’s First Peoples cultural protocols:

1. Respect

The rights of Indigenous people and communities to own, protect, maintain, control and benefit from their cultural heritage should be respected.

CM demonstrates respect through: opening every event with either a Welcome to Country or an Acknowledgement of Country; embracing diversity in Indigenous cultures and acknowledging the different communities throughout Australia; ensuring that any representation of Indigenous culture in our work is appropriate with current terminology through meaningful consultation with relevant Indigenous people; acknowledging that Indigenous cultures are living and evolving.

CM is committed to engaging at least two First Peoples artists or arts workers each year and ensuring that they feel culturally safe and empowered in our workplace. We want all collaborative relationships to be founded on mutual respect and trust.

2. Self-determination

Indigenous peoples have the right to self-determination and to be empowered in decisions that affect their arts and cultural affairs.

CM is committed to having continued First Peoples representation on our board. Furthermore, any CM project that involves or includes Indigenous culture and intellectual property will include Aboriginal and Torres Strait artists in key decision making and leadership roles.

CM follows the three-part definition of ‘Aboriginal and Torres Strait Islander’ adopted by the Australian Government as a guide: must be of Aboriginal or Torres Strait Islander descent; must identify as an Aboriginal or Torres Strait Islander person, and; must be accepted by the community in which they live or formerly lived.

3. Communication, consultation and consent

Indigenous people have the right to be consulted and give their free prior informed consent for the use of their cultural heritage.

CM will identify relevant Indigenous people with authority to meaningfully consult about any proposed use of Indigenous cultural heritage. This consultation will be sought at the beginning of a project and will be ongoing. All

¹ Article 31, United Nations Declaration on The Rights Of Indigenous Peoples, 2007

communication will be clear and interpreters and translators will be used to remove language barriers. CM understands that some content is sensitive, and will respect the ongoing secrecy of any secret and sacred material and gender divisions of responsibility and cultural knowledge.

CM will only proceed with a project utilising Indigenous cultural heritage once free and informed consent is given from relevant Indigenous people with authority. The consent will be recorded honestly in a formal written agreement. Any modifications or repurposing of material will be discussed openly with the person/people who originally gave consent, and consent will be sought again. No cultural heritage will be used without express and current permission.

4. Interpretation

Indigenous people have the right to be recognised and represented as the primary guardians and interpreters of their cultural heritage.

CM will critically consider the context and use of Indigenous cultural heritage in our work. Considerations will include: the story being told by the project, the different perspectives involved, the potential impact of the project on the Indigenous language group or community it is based on, if any stereotypes are being reinforced, if it exposes confidential, personal or sensitive information. If, after these considerations, CM proceeds with the proposed project, consultation with relevant Indigenous people with authority will occur.

5. Cultural integrity and authenticity

Maintaining the integrity of cultural heritage is vital to the continued practice of culture.

CM will use current and empowering terminology. Source communities will be consulted about their preferred terminology and any proposed reproductions or alterations to Indigenous works. CM will be careful not to make any assumptions, and instead ask questions and consult with Indigenous people.

6. Secrecy and confidentiality

Indigenous people have the right to keep secret and sacred their cultural heritage. Confidentiality concerning aspects of Indigenous peoples' personal and cultural affairs should also be respected.

CM will consult relevant Indigenous communities about the proposed use of any sacred and confidential sites, image, or knowledge and will observe all restrictions. This includes the consultation of family and community about death protocols and the use of a CM work if an Indigenous artist/collaborator has deceased.

7. Attribution

Indigenous peoples have the right to be respectfully acknowledged and attributed as the traditional owners and custodians of their cultural heritage.

CM will attribute in our works and marketing collateral all Indigenous communities, language groups, custodians, contributors, artists, and collaborators involved. For Aboriginal and Torres Strait Islander artist-led works, we will provide the artist an opportunity to write an accompanying story from their own perspective to sit alongside and further contextualise the work.

8. Benefit sharing

Indigenous people and communities have the right to benefit from their contribution and for the sharing of their cultural heritage, particularly if commercially applied.

One of CM's four key values is Equity - we champion fairness. Accordingly, CM will ensure that all Indigenous artists and arts workers receive fair pay, work conditions, royalties, and residuals. We will discuss copyright ownership at the outset of each project and record the details in the contract. Moreover, CM will consider if there are any other payment and condition issues, such as childcare or travel reimbursement. Where there are no financial benefits to be gained, CM will find ways to give back to the Indigenous community who have shared the stories, knowledge, or material, such as providing footage or material for them to keep. Everyone involved in collaborative works will equally share the benefits.

9. Continuing cultures

Indigenous cultures are dynamic and evolving, and the protocols within each group and community will also change. Consultation and free prior informed consent are ongoing processes.

CM will acquire new free and informed consent for every new use of Indigenous cultural and intellectual property. CM will also consider how best to make the resulting work available to the relevant First Peoples communities. We acknowledge that our rights and responsibilities to protect Indigenous cultural and intellectual property is ongoing and that we should ask First Peoples artists and arts workers to nominate a representative to give consent on their behalf in the event that they are incapacitated or have passed away.

10. Recognition and protection

Indigenous people have the right to protection of their cultural heritage and intellectual property rights in that cultural heritage. Laws, policies and contracts should be developed and implemented to respect these rights.

CM is actively developing and implementing policies, led by this Cultural Safety Protocol document, to protect and respect Indigenous cultural heritage and intellectual property rights. We are committed to strengthening the cultural competence of all staff and ensuring that our workplace is culturally safe.