



## Protocols for Media on Aboriginal Land

The following is intended as a guide for journalists working on Aboriginal communities and land in the Top End of the Northern Territory.

There are special issues that affect media representatives who choose to cover issues in these remote locations and it is important that the following information is kept in mind when accessing Aboriginal land.

Lodging permit applications, observing cultural sensitivities, overcoming language barriers and a general acceptance that community life is vastly different to urban life are some of the factors that need to be considered when dealing with Aboriginal people and communities. What journalists may view as normal practice in an urban environment, doesn't necessarily transfer to a remote environment.

While they may be located in remote regions, it is worth noting that Aboriginal communities are aware of how they are being portrayed in mainstream media. Newspapers, radio and television broadcasts do reach many regions, and as such, allow communities to monitor media reports.

### **Accuracy**

It is important that all images/recording/writing make every effort to present the Aboriginal people, culture and environment in a manner that is accurate and true to life. The 'primitive nomad' image, for example, does not reflect Aboriginal lifestyle in the 21<sup>st</sup> Century. In Aboriginal communities, people are going to school, running community organisations, shopping at the store, watching TV, playing sport, etc.

All work must respect a person's privacy and obtain consent to take their image/recording/use of name. All work must sensitively respect Aboriginal culture and accurately present the culture in a way that does not exaggerate, demean, trivialise or distort.

This sentiment is mirrored in the Australian Journalists' Association's own "Code of Ethics", whose 12 core principles are founded on a stated commitment to "honesty, fairness, independence and a respect for the rights of others".

### **Stick to the permit conditions**

Once on Aboriginal land, it is necessary to stick to the conditions listed on your permit and access only those areas stipulated on the permit. Following these conditions not only ensures that you are acting within the legal boundaries of the Aboriginal Land Act 1980, but also ensures those living areas and areas of significance unknown to you remain safe from damage and destruction (be aware of restrictions placed on you or the region). If in doubt, or in need of further clarification, then contact the NLC Regional Office.

### **Revocation**

Bear in mind that once you have your permit, it is your responsibility to check before you visit that the area you wish to travel to remains open to visitors. Landowners have the right to revoke permits



at short notice.

The most common reasons for revoking a permit are when:

- A road or section of land is closed for ceremonial observance and related activities (e.g. funerals);
- A road is closed due to damage or potential damage from weather conditions (roads are regularly inaccessible for long periods during the Wet season).

Ensure you have identified a place to stay. There is limited commercial accommodation available to visitors for either short or long term stays in most communities.

### **On arrival**

Upon arrival it is good manners to visit the local council office or a person of prominence in the community to ensure that they are aware of your presence. Aboriginal people are largely accommodating and welcoming. Sharing cultural practices and traditions is not uncommon and is often regarded as an important aspect of greater education and reconciliation.

However, it is important to remember that when approaching individuals or groups, you do so with a degree of respect and understanding. Ask permission should you wish to speak to them, take a photograph, talk with them, or inspect an item or object.

### **Dealing with delays**

Be prepared in advance of your visit to an Aboriginal community that your itinerary may not proceed according to plan. The people you wish to interview may not be available for a variety of reasons, and there is nothing to be gained by allowing personal frustration to boil over into public displays of anger. For a visitor to behave in this manner on someone else's country is considered deeply offensive by Aboriginal people and could lead to the cancellation of your visit. Make sure you have sufficient flexibility in your travel schedule to adjust interview times or seek out other potential interviewees. Remember at all times that community life moves to a different rhythm than life in the cities and big towns, and that what is important to you as a journalist may not carry the same weight with community members.

### **Using a deceased person's name/image**

Journalists must be aware of and observe cultural protocols. In particular, the representation of a deceased Aboriginal person's name (including others by the same name) or use of that person's image is extremely sensitive. Each community deals with the death of an individual differently. In some cases they may authorise the use of a deceased person's name and image (usually when the deceased has had a high public profile and in others may offer an alternate name or avoid any reference to the deceased for many years.

Despite the best efforts of authors, filmmakers and archivists to edit out deceased people, it is inevitable that images and names of Aboriginal people will remain in the public arena after their death. It is therefore imperative that Aboriginal people are warned in advance that material they are about to read or view could cause distress.

When considering the use of an image of a deceased individual or, in the case of an artist, an item created by them, seek permission prior to publishing/televising.



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The Northern Land Council therefore advises that films, documentaries and books containing images of Aboriginal people should bear a warning along the following lines:

"Aboriginal people should be aware that it is possible that some people depicted (in this book/documentary) may have since passed away."

## **Language barriers**

For many Aboriginal people in the Northern Territory, English is often not their first language. When communicating, be patient, try to speak clearly and at times, slowly. Allow people time to respond before asking your next question. Having an interpreter is often a wise decision, as many people, particularly the elderly, prefer to talk in their native language. If you are not trained to converse using Kriol language, it's best not to try to do so as it may only lead to a confused conversation.

## **Right people, right topic**

In most Aboriginal communities certain people have the authority to talk about certain issues. Be aware that there are issues men can discuss, but women cannot, and vice versa. Make sure you are talking to the correct person should the conversation turn towards such matters as the identity of a certain tract of land or the significance of a story line related to the Dreaming.

## **Know your topic**

It is advisable to research ahead of arriving in an Aboriginal community. Remember living areas can, and do, contain a variety of language groups and therefore a range of cultural practices or stories. Wherever possible, establishing prior contact is advised. Know who you need to talk to or take pictures of before you arrive. Maningrida and Wadeye (Port Keats) are just two examples of merged communities. While they now share the same residential area, the population of these large communities come from more than 16 different traditional lands and hence have different stories, rights and responsibilities.

## **Honesty is the best policy**

Venturing onto an Aboriginal community under the guise of pursuing one story/project while actually pursuing another is not advisable, as there can be repercussions such as exclusion from future visits. It is Aboriginal land and Aboriginal homes you have been permitted to visit and remain upon. Jeopardising this invitation by adopting deceptive tactics will work against an individual or organisation, and will make life harder for fellow participants in the media industry.

## **Provide detail**

When applying for a media permit be as specific as possible in providing information about your news story or media project as this will facilitate consultation with Traditional Owners.

With regard to commercial media projects, if the subject matter is of a sensitive nature, the proposal is lengthy or there are concerns regarding the proposal, Traditional Owners may require the submission of a script or storyboard to assess the application. The NLC may also decide to obtain professional referee reports. : Journalist must be aware of and observe cultural protocols. In particular, the representation of a deceased Aboriginal person's name (including others by the same name) or use of that person's image is extremely sensitive.



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While the NLC makes every effort to expedite your permit applications, please allow sufficient processing time. The final decision rests with Traditional Owners.

## **Assistance and support**

While the NLC may be able to assist with contacts, it is your responsibility to undertake the necessary preliminary research to clarify the issues you wish to cover and/or to identify a community which you think will best suit your needs.

You should gain support for your research or media project from the relevant individuals and/or organisations before applying for a permit.

## **Commercial projects**

Traditional owners may wish to view material prepared for commercial gain before public release. Copies of the final product must be provided to the participants and also to the NLC. Footage and photographs must not be used for advertising purposes, unless otherwise agreed, other than promoting the film, documentary or publication for which the permit has been granted.

## **Overseas applicants**

If you intend working as a journalist, news photographer or carry out filming or photography for commercial purposes while in Australia, it is a requirement under the Australian Migration Act 1958 that you obtain the correct visa prior to arrival.

## **Overall**

Aboriginal people in the NLC's region are willing to share their culture with the global community and are not opposed to visits from outsiders. However, free, prior and informed consent about the proposed activities and future use of material is required.

In some instances, media interest and coverage has led to greater recognition and understanding of traditional law and practices and positively impacted upon raising awareness in the broader community about social and economic issues affecting the lives of Aboriginal people in the 21st Century.

If you are not unreasonably intrusive and represent community issues fairly, you are likely to be welcomed more warmly in succeeding visits.

## **More questions?**

For more information on media permits and media access to Aboriginal land, please contact:

- NLC Permits Team, [permits@nlc.org.au](mailto:permits@nlc.org.au)
- NLC Media Officer, [media@nlc.org.au](mailto:media@nlc.org.au)
- Head Office on: (08) 8920 5100