

**THE  
GREATER  
PERSPECTIVE**

Protocol and Guidelines  
for the Production  
of Film and Television on  
Aboriginal and Torres Strait Islander Communities







# The Greater Perspective

Protocol and Guidelines  
for the Production of Film and Television on  
Aboriginal and Torres Strait Islander Communities.

**Researched and compiled by  
Lester Bostock**

**Special Broadcasting Service**



Second Edition, Fully Revised

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## Foreword

This booklet has been developed to assist filmmakers, television programmers, and other media practitioners in the production of programs about Aboriginal and Torres Strait Islander issues, or programs made on lands of indigenous people. It is also intended to act as a guide for production crews and other media practitioners when they enter Aboriginal or Torres Strait Islander communities or travel within indigenous lands as part of their project.

Film, and especially television, has the potential to influence positively the attitudes of their audiences. As Gough Whitlam pointed out in 1973: 'Australia's treatment of her Aboriginal people will be the thing upon which the rest of the world will judge Australia and Australians not just now, but in the greater perspective of history.' These guidelines, therefore, have been written to assist in the achievement of that greater perspective.

This is the second edition of the guidelines, first published by the SBS in 1990. Since then the progress of history and the occurrence of a number of special events have provided us with the opportunity to update the work. These significant events include the following:

- The enactment of the **Council for Aboriginal Reconciliation**, 1991.
- The Report of the **Royal Commission of Inquiry into Aboriginal Deaths in Custody**, 1992 and in particular its recommendations in regard to the media.
- The establishment of the **National Indigenous Media Association of Australia (NIMAA)**, 1992.
- The 1993 enactment of the **Native Title Act** based on the 1991 *Mabo & others vs the State of Queensland* court case and subsequent 1992 High Court decision that overturned the legal doctrine of *Terra Nullius*.



Two of these events, the **Royal Commission into Aboriginal Deaths in Custody** and its recommendations on the media, and the **Native Title Act, 1993**, are fast becoming major watersheds in Australian history. Both have caused much debate in Australian society, fuelled by mixed but often diligent media reporting, creating an impact on the Australian social and political landscape.

Even so, media coverage has at times caused concern. In a small number of cases, media practitioners and television and radio broadcasters have failed to accept their responsibilities and have come under fire for the way in which they handled these issues.

The guidelines presented here are designed for day-to-day use by program makers. They provide a basic background, some of the protocol required when working with Aboriginal and Torres Strait Islander communities, some of the concerns about the media by Aboriginal groups, and checklists on various aspects of working on productions with and about indigenous people and while working on lands of indigenous people, and to ensure program makers will take all the appropriate steps at each stage of a production.

To our knowledge, this second edition of the guidelines still remains the first of its type produced in the English-speaking world. I commend its use by all who are involved in the presentation of Aboriginal and Torres Strait Islander people.

**MALCOLM LONG**  
Managing Director, SBS



## Acknowledgements

Many thanks are due to the various SBS staff, including the SBS Aboriginal Unit, with whom I have interacted during the preparation of this book, and to various members of the film and television industry who assisted me in its production. Their generously offered opinions and comments were much appreciated.

Similar thanks and appreciation is also due to many Aboriginal and Torres Strait Islander organisations and to the members of the National Indigenous Media Association of Australia, its executive council and secretariat staff members, for their valuable comments and assistance.

**Lester Bostock, 1997**



## Guidelines

These guidelines are concerned with the production of programs relating to indigenous Australians. They are based on the following six principles:

1. program makers should always be aware of and challenge their own prejudices, stereotyped beliefs and perceptions about indigenous people;
2. an Aboriginal view of indigenous issues may differ from a non-Aboriginal one;
3. where non-indigenous people produce programs on indigenous people they should do so in consultation with the indigenous people particularly with those who are the subject(s) of the program;
4. any dealings with indigenous people should be conducted openly and honestly. The indigenous people involved with the deal should be fully informed of the consequences of any proposed agreements, and they retain their right to seek independent legal advice as and when they see fit;
5. no damage of any kind should be done to the lands of indigenous people or cultural property, nor to the subject(s) of programs. Special consideration should be given to the applicability of non-indigenous notions of intellectual property rights, especially copyright, to the cultures of indigenous people; and
6. the collection and use of information for a project should be done in such a way that it will not be used against or be considered detrimental to the people from whom the information comes. One is aware of the need to maintain the independence and integrity of news and current affairs programs and it is accepted that, at times, there may be a need to file reports which could be detrimental to the subject(s) of the programs. Even so, when the use of such material may be unavoidable, the relevant program makers need



always to be aware of and to examine any preconceptions they might have about that matter, and attempt to provide a report that is balanced by an awareness of the cultural norms and practices of indigenous people. It is critical that program makers are sensitive to the cultures of indigenous people and that they undertake consultation and negotiation with the people concerned prior to and during the making of a program.



# Basic Background and Understanding

## The Cultural Diversity of Aboriginal and Torres Strait Islander Societies

Since the arrival of non-Aborigines into Australia there has been a failure to recognise the diversity of Aboriginal and Torres Strait Islander societies; a diversity which is as pronounced today as it was more than 200 years ago.

### One race, different cultures

When referring to indigenous Australians, therefore, all Aborigines and Torres Strait Islanders cannot be viewed as being 'all the same'. Each clan group or tribal group has cultural qualities which differ from each other. These are often linked, not only with individual members of those groups, but also with the particular geographical terrain, its location and its qualities. They assist in survival and identity (regardless of where within the country the individual may be), having different stories and myths, and with specific beliefs, religions and ritual practices.

It follows, therefore, that each region or homeland area from where a tribal or clan group of Aborigines and Torres Strait Islanders derives is regarded by members of that tribe or clan group as their country of origin. This is similar to the way in which immigrant Australians regard their country of origin.

### Many cultures, many lifestyles

The diversity of the Australian indigenous society is not restricted to such geographic living conditions as have been mentioned above, but extends to include all aspects of life.



The make-up of indigenous Australians is diverse with more than 100 tribal clan groups having as many languages and subgroups. The groupings may consist of indigenous people living in remote bush communities or on mission stations or resettlement areas within towns (e.g. in government housing projects). There are indigenous people who have purchased their own houses or who are renting them within a town, and Aborigines who live in make-shift dwellings on the periphery of the town. Lifestyles thus vary from those remote indigenous people living in traditional communities, to those living in rural communities, or those living in urbanised communities.

Many indigenous Australians also live within the bounds of their own special cultural structures and languages, with their own religious and political beliefs and history. Multiplied in various different ways throughout the country, all these differences contribute to making indigenous Australians a very complex and diverse multicultural people. This diversity is an integral part of indigenous society and needs to be given due recognition.

It is apparent therefore that any film making or recording projects undertaken by others need to be fully cognisant of the social and cultural integrity of the society of indigenous Australians. As well, they need to appreciate its pluralism and the consequent complexity of values, interests, concerns and demands that may be encountered.

While this might create complicated consultation and research, it is essential that this action be undertaken by the project makers. Ignoring this advice, could result in difficulties being encountered at various stages of the project.

## General Cultural Differences

Many indigenous people, even those removed from their traditional culture, still carry on some form of the cultural practices and beliefs specific to their particular group. In general, however, indigenous people as a whole display an



outlook on life with social values and cultural traits quite different from those of non-indigenous people. These are sometimes overlooked or misinterpreted. In some cases, these values are even discouraged, perhaps unintentionally, because they have been interpreted from the perspective of different cultures which might see them as negative.

Some of these general cultural and behavioural differences between indigenous people in general, and others, are provided below:

### Group Orientation

Traditionally, Aboriginal and Torres Strait Islander societies depended on group participation for moral, social and physical support. This has become part of the general culture of indigenous people, and is found still in today's indigenous societies. Many indigenous people therefore, are group rather than individually-oriented. This concept of 'group orientation' could be said to form the basis of the 'extended family' idea of indigenous Australians, as well as of the concept of 'shared ownership'. This can be specified as follows:

- **Extended Family** – Individual indigenous people have a much more extended concept of the family than the more limited extended nuclear family found in some western cultures. The extended family concept of indigenous people is much more embracing, and includes roles for family and clan members far more intricate and ritualistic than that found in most western cultures. Like any other civilisation, clan or tribal obligations establish many of the cultural norms a person operates by. The complex relationships and obligations found in the extended families of indigenous Australians mean that added responsibilities not normally expected in non-indigenous families, are imposed on indigenous group members. This can affect the way deals or agreements might be achieved.

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- **Sharing** – Because of this special extended family concept, indigenous people put a different value on the concept of ownership or personal property than non-indigenous people. They have a strong sense of their right to share all things owned in common. With such a strong communal value of ownership, taking and using communally owned property without needing to ask for permission to do so comes naturally. This ‘borrowing’ of communal property comes from a sense of sharing, and is seen and understood by indigenous people as a cultural norm: a very basic and widespread concept that any ‘personal’ property is communal property, and any communal property is ‘personal’ property.

These concepts may seem to be the same to an outsider, but they should be understood as separate concepts. They add a special ‘flavour’ to any dealings non-indigenous people might have with indigenous people. Situations or agreements with some indigenous groups which might not cause any particular problems for either party could become highly problematic in dealings with other indigenous groups.

### Concepts of Time

It is common and natural for indigenous people to base their lifestyle in the past and in the present (**Past and Present Orientation**), rather than in the future. To many non-indigenous people this may be seen as a debilitating philosophy; a ‘meeting-life-as-it-comes’ approach which does not provide for the future. This is an incorrect understanding.

The tradition expressed in the words ‘past and present orientation’ stems from Aboriginal and Torres Strait Islander history and legends from the time of creation, when the earth took on its physical form, and when Aboriginal and Torres Strait Islander societies were given their lore and philosophy. The emphasis contained in the concept is placed on the idea of ‘being’ rather than on the idea of ‘becoming’. It is the past which forms and infuses itself onto the



present, shaping the present, and making it what it is. It is the past which gives the present its direction towards the future. This is Aboriginal and Torres Strait Islander lore.

Due mainly to the cultural concept of past and present orientation, present conventional time-keeping methods are not always important to indigenous people. In some circumstances this is such an ingrained idea that some indigenous households do not even have a clock or any other time-keeping devices. They are not perceived as necessary.

In some cases, one would need to indicate the time of day by reference to the position of the sun or the amount of daylight (e.g. before sunrise, early morning, mid-morning, late evening, after sunset, etc.) rather than to a clock time, and to say, e.g. that one will meet someone 'in three days' time' (not by referring to the (western) name of a day).

## Body Language

Body language is a significant means of non-verbal communication for most people. Indigenous people are no exception. Body language common to indigenous people includes:

- lowering one's eyes to show respect to older people or persons in authority;
- not making eye contact with older people or persons in authority (i.e. not looking into their eyes or face);
- not pointing with one's hands when giving general directions (using the hand to point is seen as disrespectful); and
- engaging in body contact, such as friendly touching or jostling, or touching the upper torso and arm, when greeting people.



The point to be made about the above generic cultural traits is that their development and presentation within indigenous communities are due to a different cultural heritage. They are not to be interpreted by the values or perspectives of any other culture or heritage.

## Languages

There are four broad language types spoken by Aboriginal and Torres Strait Islander people today:

- Aboriginal or Torres Strait languages;
- Aboriginal or Torres Strait Creoles;
- Aboriginal English; and
- Standard Australian English.

### Aboriginal and Torres Strait Islander Languages

Local Aboriginal languages are spoken in wide areas of the Northern Territory, Western Australia, and in the northern rural and remote areas of South Australia and Queensland. Torres Strait Islanders speak their own language not only in the Torres Strait Islands, but also in areas of Queensland and other parts of Australia where they may have settled.

Aboriginal and Torres Strait Islanders speak languages that are developments of languages spoken since before 1788. While grammar and structure have largely remained constant, vocabulary has evolved to meet changing circumstances. This is either through the adoption of words from English or other languages, or by the extension of the meaning of existing Aboriginal or Torres Strait Islander words to cater for new concepts. For example, in Arnhem Land, the Aboriginal word for a dragonfly is used for a helicopter.



## Creoles

Pidgin languages are languages used to facilitate communication between two or more language groups. Pidgin languages in Australia developed early for communication between Aborigines and Europeans. They were little more than a form of jargon to facilitate trade, labour recruitment, or invasion. Later, they were used for communication among indigenous people themselves, as a means of communicating between different language groups which might have been settled together in particular missions or reserves.

As pidgin became the first language of its speakers, it developed into Creole. This was particularly so for the children born into communities where pidgin was used for more than just limited communication between speakers of other languages. As this happens, a vastly increased vocabulary and formal grammar develops.

There are two main Creole languages spoken in Australia: Aboriginal Kriol and Torres Strait Islander Creole.

Aboriginal Kriol is spoken in an area stretching across the north of Australia from north-western Queensland through the northern half of the Northern Territory, to Broome and the Kimberley region of Western Australia. It is spoken by more than 15,000 people. It originated as a combination of pidgin-English and some local Aboriginal languages, and includes some influences from the Malay and Indonesian languages.

Torres Strait Creole is spoken by about 10,000 people in the Torres Strait Islands and in the north-east coast of Queensland. It is based on Torres Strait languages, English and some Papuan languages.



## Aboriginal English

In contrast to Creoles, Aboriginal English is a variation of standard Australian English. It is spoken with its own grammatical form and uses a mixture of both English and Aboriginal vocabulary. Aboriginal words are used when there is no English translation available, or where the English words might be considered inappropriate. For example, Aboriginal words are used for regions, land features, people and relationships, and religious concepts.

When Aboriginal English is used in the home as a first language and passed from one generation to the next, it too becomes another language. While both Aboriginal Kriol and Torres Strait Islands Creole are spoken by some 25,000 people in northern Australia, many more people in other parts of Australia, speak Aboriginal English and Aboriginal Kriol in their homes as a first language.

As an example, Aboriginal English is spoken as a first language within the homes of Aboriginal people living in large cities or other major urban centres, in settlements and in reserves throughout Australia. Many children are now growing up in an environment in which Aboriginal English is the home language.

## Standard Australian English

Almost all Aborigines and Torres Strait Islanders speak Australian English either as a first or as a second language.

Aborigines and Torres Strait Islanders will adapt to any of the range of languages available to them according to circumstances, such as the language skill of the person being spoken to, the subject matter, and the person being spoken to.



# Basic Protocol When Working in and Among Aboriginal and Torres Strait Islander Communities

## Media Colonisation of Aboriginal and Torres Strait Islanders

Some academics (e.g. Nobles, Dudgeon and Oxham) have likened some studies in social sciences and psychology to colonialism. They argue that the subjects of these studies are relatively powerless compared to the researcher. The researcher seizes control over the information obtained, the 'raw material'. The benefit of the use of the information flows to the researcher rather than the subject, and the use of the information largely serves to maintain and institutionalise a dependency power relationship.

The same analogy can apply to the treatment of the relatively powerless by the media. Political colonisation results in the exploitation of raw material for export from the colonies and its processing into manufactured commodities. Media colonisation, however, results in raw material (data, stories, songs, dances, images, or any other information) being exploited for processing into books, newspaper articles, or television programs. In the same way that colonial powers believe they have right of access and use, for their own benefit, of anything belonging to the colonised people, media colonists believe that they have unlimited right of access to any information whatsoever on the subject people. In both cases, the central power and control over the colonised and their 'raw materials' is located outside them and their world.

This media colonisation has affected many groups. But it has been particularly prevalent in relation to Aborigines and Torres Strait Islanders. To avoid media colonisation, it is necessary for program makers to acknowledge that the so-called 'powerless' actually do have control over their information, their data and



images, their 'raw materials'. Consequently, it is essential to establish a process whereby they can negotiate with them for a share in the use of that information and the commodities it can bring.

### *Code of Ethics*

To this end, a code of ethics should exist to govern how media practitioners, production crew members and others are to conduct themselves in Aboriginal and Torres Strait Islander communities. This code should also take into account the performance and behaviour people should follow when travelling within these communities, covering issues such as the collection of information and how it can be used. It also must recognise that those who have the information needed are the sole owners of that information, and that they have the right to dispose of that information as they see fit.

It is hoped that the publication of these guidelines will assist in the development of such a code of ethics.

Furthermore, it is hoped that such a code will be used as a basis for dealing with Australian Aborigines and Torres Strait Islanders, and that it will raise the awareness of media organisations, to some of the major issues that they may confront in their dealings with indigenous groups throughout the world.

### *Media Recommendations of the Royal Commission into Aboriginal Deaths in Custody*

The Royal Commission into Aboriginal Deaths in Custody brought down 339 recommendations in 1991. Of these, four related specifically to the media:

205. That:

- (A) Aboriginal media organisations should receive adequate funding, where necessary, in recognition of the importance of their functions.



- (B) All media organisations should be encouraged to develop codes and policies relating to the presentation of Aboriginal issues, the establishment of monitoring bodies, and the putting into place of training and employment programs for Aboriginal employees in all classifications. (4:59)
- 206.** That the media industry and media unions be requested to consider the establishment of and support of an annual award for excellence in Aboriginal affairs reporting to be judged by a panel of media, unions and Aboriginal representatives. (4:59)
- 207.** That institutions providing journalism courses be requested to:
- (A) Ensure that courses contain a significant component relating to Aboriginal affairs thereby reflecting the social context in which journalists work.
  - (B) Consider, in consultation with media industry and media unions, the creation of special units of study dedicated to Aboriginal affairs and the report thereof. (4:59)
- 208.** That, in view of the fact that many Aboriginal people throughout Australia express disappointment in the portrayal of Aboriginal people by the media, the media industry and media unions should encourage formal and informal contact with Aboriginal organisations, including Aboriginal media organisations where available. The purpose of such contact should be the creation of a better understanding, on all sides, of issues relating to the media treatment of Aboriginal affairs. (4:59)



The reproduction of these recommendations here is to provide an insight into the Commission's intentions for a Code of Ethics, the establishment of Aboriginal media organisations, and the concerns the Commission noted in regard to the media's treatment of these issues.

## Responsibilities of the Production Crew

Whenever people (including film and television production crews, radio crews, print journalists, researchers, and others) travel into Aboriginal or Torres Strait Islander country or enter their communities, certain procedures should be followed so as to avoid any misunderstandings or conflicts with any indigenous communities with whom they may be dealing.

They must contact the local Aboriginal Community Council, Land Council or Aboriginal service organisation, informing them of their intention. This is done:

- as a courtesy to the community;
- as a way of informing the community that they are in their area;
- to seek permission to travel on Aboriginal land;
- to apply for a visitor's permit to travel in designated Aboriginal lands if necessary;
- to inquire as to the appropriate person or persons who should or could be interviewed; and
- to check any script consultancy that may be needed regarding the use of that community.



Production crews, producers, researchers, journalists and others should do everything within their power to protect the physical, psychological and social welfare of the indigenous people they are dealing with, and to honour their dignity and privacy.

*Always obtain the right permission before going into the territories of indigenous people, or before imposing yourself on indigenous people.*

Film and television crews often go into indigenous communities without seeking their prior permission or once there, lack due regard for the community's feelings or cultural values. This often results in disruption and division within the community, which can last well after the television crews have left. In some cases it has taken many years to heal the subsequent community rifts.

*Do not assume that the use and understanding of the English language is the same as your own.*

Non-indigenous people often have the mistaken belief that all indigenous people use English as their first language. Many communities only use English as a second language, and the use and meanings attributed to words may not necessarily be the same as that understood by a production crew. For example, they may 'agree' to proposals put to them out of respect for a production crew's wishes, even though they may not in fact want to have anything at all to do with them. In a sense, the 'agreement' can best be understood as something like: 'I agree that I understand what it is you want to do.' To the indigenous person, however, an agreement may not in fact have been made.

Indeed, the indigenous person in question may not even have the authority to speak on behalf of the relevant community with whom the agreement will need to be established.



When undertaking consultation and research it is important to ensure that any obligations involved in maintaining the trust acquired among all the persons concerned are observed. The rights, interests and sensitivities of the indigenous people must always be safeguarded.

Also, the aim or purpose of any consultation, investigation, research or interview should be communicated to the people concerned as clearly as possible, to avoid the possibility of any misunderstanding.

Unfortunately, many television programs still tend to show indigenous people in a negative light. Very few present them from a positive point of view. Some popular misconceptions include the following:

- the only value of the landscape in Aboriginal lands is that it provides a colourful background for a television or film project;
- Aboriginal people are merely exotic extras;
- any group of Aborigines the crew may come across are there to be used as some kind of found object, as if they had been just sitting there, waiting to be 'discovered' by the cameras;
- any such 'found' Aborigines have no life of their own; their lifestyles, cultures, etc. should simply make way for the needs of the project, which assumes greater importance than the subjects themselves;
- all Aborigines are victims, whether they know it or not;
- all Aborigines are impoverished, miserable people, waiting for someone to deliver them from their misery, and lead them to a better life.

These misconceptions need to be eliminated.



## The Role of the Aboriginal Torres Strait Islander Land/Community Councils

To visit any designated Aboriginal lands in the Northern Territory, South Australia, Queensland and Western Australia, a visitor's permit, or an agreement to visit, must be obtained from the local Aboriginal Land and/or Community Council.

The Land Councils act on the instructions of, and provide advice and assistance to, the traditional Aboriginal owners and custodians.

The Aboriginal and Torres Strait Islander communities themselves, and the traditional owners or custodians of a location have a right to say 'No' to any proposals put to them by others for acceptance. Their decision should be respected. Producers, directors, researchers, journalists or any others should not set out to circumvent their decisions. They should not apply pressure on individuals and/or communities concerned or apply to any Aboriginal Land and/or Community Council to intervene on their behalf. Land and/or Community Councils are not agents for the media industry.

### The Community Councils As Third Party

The 'third party negotiation' role of the Land and/or Community Councils ensures privacy for indigenous communities and acts as a buffer against the more predatory style of journalistic practice.

The assessment procedure is designed to assist the community as well as the filmmaker. This type of monitoring ensures that disruption to any community is kept to a minimum, and that the relevant community has a say in how it is portrayed in the final editing.



## Editorial Control

Due to Aboriginal and Torres Strait Islander cultural protocol, some images, including archival footage, may not be permitted for use. Proper editorial control by the relevant indigenous people at all stages of the project will minimise this risk and facilitate the successful completion of a project.

For example, in some indigenous communities it is considered unacceptable for images of an indigenous person to be viewed once that person has died. This prohibition is very much a part of traditional Aboriginal cultural lore, especially in northern and central Australia.

Should a person originally filmed for a particular sequence in a film or television project subsequently die, the image of that person should be edited out or 'blurred' so as to remove any distinguishing or identifying aspects before it can be publicly viewed by the clan/tribal group from which the image originated. The extent of this prohibition will vary from clan group to clan group, and will depend on the particular group that the film or video is about.

Another requirement might be in relation to how landscape is presented. Certain landscapes might have a 'masculine' association which is linked to a 'feminine' part of the same landscape. As such, it may be required that, in any representation of that landscape, both these aspects always need to be shown together, or shown in such a way that the link between them is maintained. During editing of a film it is possible that some significant part of the landscape can be inadvertently edited out, and again this could prove to be unacceptable.

These two examples are provided to explain why it is essential that editorial control of images of Australian Aborigines and Torres Strait Islanders and their lands needs to be established and used at all stages of production.



## 'Copyright' and 'Hiring' Issues

Fifty years from the death of the author is usually accepted by western society as the life-time of copyright ownership of a work by its creator. After that the work enters into the public domain. The Aboriginal concept of ownership of artwork and of the land which might form part of that artwork, goes beyond this.

In Aboriginal society, ownership of artworks, such as certain paintings or other cultural images, is not limited to a number of years, but is handed down from generation to generation, in perpetuity. Each generation retains ownership of the work or cultural image, and indeed these may even become intimately associated with the clan or tribe or 'skin' type, who would then become 'guardians' of the work and be 'responsible' for its maintenance and safekeeping.

As explained earlier, indigenous concepts of private ownership do not exist; in a sense, any work of art by any Aborigine of a particular clan or tribe, is already part of the 'public domain' of that clan or group. This indigenous concept of copyright must always be kept in mind when making videos or films in Aboriginal or Torres Strait Islander communities.

An example of this is the complex system involved in the ownership of songs, dances and the country or land from which they originate. Should such songs and dances be filmed, the maker needs to be aware that there may exist a very complex web of 'ownership' levels. This may include the land itself, which may have one set of owners or custodians, the song element, and a possible associated dance 'ownership', which are quite separate from, say, the actual performers of the song/dance captured on film or video.

Program makers may feel that all they need to do is negotiate with the performers for the rights to a particular work. Extra payments may, however, also need to be negotiated, with the senior custodians or dance/song owners. These persons rehearse the song/dance routines, and ensure that all the



correct actions and nuances are achieved, but they do not necessarily perform on the set. They are perhaps best understood as the western equivalent of the choreographer/composer. Payment for their services needs to be negotiated accordingly.

Aborigines and Torres Strait Islanders used as crew on a shoot should always be paid under the same industrial awards and conditions as would be paid to other crew members doing similar work.

## **Environmental Issues**

Environmental issues should always be taken into consideration when working on location. Every effort must be made to ensure that the presence of equipment and crews at a location during a shoot have only a minimal environmental impact on the area. It is always useful in this regard to ensure that compensation and rehabilitation provisions are included in any insurance cover that might be taken.

This aspect also needs to be covered during negotiations with various indigenous groups, and it is very important that any agreement arrived at with them should include matters relating to the protection of sacred sites and sites of significance. Insurance cover should include a crew's accessing or leaving these important sites, as well as for the time they are actually on them.

## **Production Guidelines**

### **Relationships with Aboriginal and Torres Strait Islander People**

Media reporting on Aborigines and Torres Strait Islanders should reflect, to at least some extent, an Aboriginal or Torres Strait Islander perspective. Given the diversity of indigenous Australians, it is preferable that this perspective is that of the community who are the subject of the television program or media report.



In order to achieve this, the following principles should be followed in dealing with indigenous people who are involved in the program:

- everything must be done to **protect** the physical and social welfare, and to **honour** the dignity and privacy, of the subject(s) when carrying out any consultations, interviews, research or negotiations: the responsibility of the production team in the first instance is to those Aborigines or Torres Strait Islanders who are the subject(s) of such processes;
- where consultations, interviews or research are involved, a certain **trust** is established between the participants and the production team. The obligations of that trust need to be fully observed, particularly insofar as they relate to the rights, interests and sensitivities of the Aboriginal or Torres Strait Islander people;
- the **aims** of the research, investigations, negotiations or consultations being or to be undertaken, should be communicated as fully, as clearly, and as well as possible to the people concerned;
- the anticipated **consequences** of any research, interviews or negotiations should be communicated as fully, as clearly and as well as possible to the individuals and groups likely to be affected;
- no research, interviews or investigations should be carried out with Aboriginal or Torres Strait Islander people until the people who are or may be involved have given their **consent**;
- once the likely aims, procedures and consequences of any research, interview, etc. have been explained clearly, as pointed out above, the right of consent or refusal to be used or to participate in the research still remains with the subject(s) of the work, regardless of whether consent or refusal had been made before. That is, the subject(s) retain the **right**



**to alter** any earlier decision regarding the use or consequences of any research undertaken;

- the Aboriginal and Torres Strait Islander people have a right to **anonymity**. This right should be respected, both in those cases where that anonymity has been promised, and in those cases where no clear understanding to the contrary has been reached. This restriction also applies to the collection of any data by means of cameras, tape recorders or any other such devices, either by the actual data collectors themselves (e.g. as part of their interviews), or by any other member of the production team, whether they are participants in the interview, or merely observers to the events, or any other person who is part of, or has come along with, the production team; the capacities and capabilities of such recording devices as may be used by a production team need to be **explained and understood** by the potential Aboriginal or Torres Strait Islander subjects; they should feel free to reject the use of such devices should they so wish. Even if the subject(s) accept their use, any results obtained should be subject to **further consultation** with the people involved in the recording, with a particular emphasis on their rights to their own welfare, dignity and privacy;
- there should be **no exploitation** of individual Aboriginal or Torres Strait Islander persons for personal gain. Fair return should be given to them for all their contribution(s); and
- every effort should be made to ensure that the planning and execution of any research or interviews undertaken are done so only with the **full involvement** of, and under **direction** of, the Aboriginal or Torres Strait Islander people involved.



## Dramatic Productions

When developing any dramatic or other production that requires an Aborigine or Torres Strait Islander to be portrayed in it, the following principles should be taken into consideration.

### Actors

All Aboriginal parts should be played by Aboriginal actors. There are no acceptable circumstances in today's society which might justify using a non-Aboriginal actor to play a role in 'black-face'. To do so is not only seen as negative stereotyping, but is also degrading to indigenous people.

There are several casting agencies where Aboriginal and Torres Strait island actors are registered. The Australian Film Commission and the Aboriginal Torres Strait Islander Unit of the Australia Council can also advise on how to arrange casting. (See also the directory of indigenous organisations included in this book).

Aboriginal parts can be written and portrayed in a way that the Aboriginality of the character is not the main motivation of any action. For example, the actor Bob Maza played a solicitor who happened to be an Aborigine in the 1971 ABC television series *Bellbird*. From then, very little happened in the way of Aboriginal characters on television until the 1980s when *Women of the Sun* was broadcast on SBS television, boasting a large Aboriginal cast. More recently, Ernie Dingo appeared with a majority Aboriginal cast in the 1994 ABC series *Heartlands*. Ultimately, such parts written against type are the most effective way that dramatised television and film can counter stereotyping and racism.



## Scriptwriting

When writing film, television or radio scripts depicting an indigenous character, situation or issue, the scripts should be authenticated to ensure that the Aboriginal parts are realistic in terms of language, behaviour and motivation. Where possible, writers should arrange for Aboriginal collaboration on the project.

Producers and others writing scripts should seek the assistance of the indigenous Unit of the Australian Film Commission (AFC), The National Indigenous Media Association of Australia (NIMAA), the Aboriginal and Torres Strait Islander Units of the ABC and SBS, and other indigenous production people who can authenticate indigenous images, assess indigenous parts in scripts, and who can provide advice or arrange for the provision of script consultants.

## Stereotypes

Dramatic television and film programs can combat racism by helping to dispel stereotypes. They can also reinforce stereotypes and contribute to racism.

Stereotypes about Aborigines and Torres Strait Islanders include concepts that these people are: lazy; simple; petty criminals; dirty; unable to cope with demanding, intellectual jobs; and bludge off the Government.

Aborigines and Torres Strait Islanders, as indigenous Australians, are virtually never seen in dramatised television or film productions unless the theme of the production is concerned with a racial or social 'problem', and then they are depicted as the ones with the 'problem'.

To some extent this echoes the public perception Aborigines and Torres Strait Islanders gained from many news and current affairs programs. Here one tends to see only two basic types: either as failing to cope with a white-dominated society (riots, deaths in custody, etc.) or as actively and vociferously working only for the



benefit of their people or to change society in their favour. This perception belies the fact that the majority of Aborigines and Torres Strait Islanders work effectively within current society, manage successful careers, pursue study and self-improvement courses, and provide effectively for their families.

Stereotypes develop for a number of reasons. They are a way of justifying discrimination against a group by blaming the victim. They also arise from limited contact with the group being stereotyped. If one has never met an Aboriginal or Torres Strait Islander person, it is easy to believe myths about them.

It is important to remember the extensive diversity of the Aboriginal and Torres Strait Islander people, as detailed above. The Aboriginal race consisted of 300 nations at the time of the British occupation in 1788. There were more than 250 different languages spoken, as well as significant variations in religion and customs.

Many of these variations remain. Today, however, they are overlaid by other differences caused by social status and education. There has also been the impact of varying types of social contacts with other mainstream Australian cultures and by the very real differences existing between tribal, rural and urban dwelling Aborigines and Torres Strait Islanders. In short, all Aborigines and Torres Strait Islanders share common characteristics of race and suffer in varying ways from the dispossession of their traditional lands by white Australians. But they are still individuals, with individual differences resulting from their personalities and their circumstances.

Depiction of indigenous people should, therefore, recognise these differences, and producers should be particularly aware of the danger of perpetuating stereotypes. This is not to say that issues relating to Aboriginal and Torres Strait Islander 'problems' cannot be dealt with. However, care should be taken to treat issues in a balanced way and to avoid caricatures.



## Production Checklist

Following is a checklist for those working on a production using an Aboriginal or Torres Strait Islander subject or filming on Aboriginal or Torres Strait Islander lands. Some of the items presented may not be relevant to all productions. It is advisable, however, to be aware of all the issues raised.

### Research and Development

During this early stage of production development, the following action should be undertaken as part of your planning:

- **apply** to the relevant indigenous Community Council for **permission** to visit and discuss the proposed production. In remote Aboriginal communities you will need **visitors' permits**. (The relevant regional Aboriginal Land Council or media association would be of help. See directory of indigenous organisations included in this guide);
- **seek the approval and cooperation** of the relevant community leaders, council elders and/or community service organisations for your proposal. **Check** with the relevant regional Aboriginal Land Council or media association. When seeking approval, **clearly communicate** your intentions. **Check** any indigenous community **conditions** relating to your status as visitors, and become aware of the **protocol** to be followed while in the community;
- provide a clear and adequate outline of any financial and contractual arrangements that may be involved in the project. **Obtain agreements in principle** with the community or individuals concerned. **Be open** about all financial matters with indigenous communities, especially how and when people will be paid. If working in remote communities, remember that banks are in most cases some distance away, so payment



may need to be in cash. **Negotiate** arrangements for any payment and pay conditions. **Estimate** how much cash in hand will be needed to pay indigenous talent or crew from a community group. All crew and consultants should be paid award rates. **Advise clearly** when payment will be made to avoid placing people under financial stress. Always check and confirm when and if indigenous talent or actors will be available at the time you need them. Identify how and in what capacity indigenous people are to be used in crews;

- **seek nomination of and confirm** the use of indigenous **consultants** by the appropriate community leaders or organisations. Confirm any arrangements for the consultants and yourself to provide feedback to the community and to ensure continued communication and cooperation;
- **make arrangements** with the community about **catering and accommodation facilities** while on indigenous lands or within indigenous communities, especially in remote communities;
- arrange for **permission** to enter **parklands** from the local National Parks and Wildlife Services. Check whether there are any flora or fauna of sacred significance, and make arrangements for their protection. Plan your production shoot to leave the area and/or land you use in a clean and tidy state and ensure you and your crew's presence does not damage the **environment** in any way. Make arrangements for **insurance** to cover any potential damage to property, fauna or flora while on indigenous lands.



Check:

- **script development** with indigenous consultants and/or community group/s (for authenticity on and of indigenous topics);
- whether **language interpreters and translators** are needed on your production. (You may find yourself in areas where languages other than English are spoken);
- **climatic conditions** in remote and tropical areas (to ensure that filming will not be disrupted by the weather at the time you will want to be in the area). This is especially important if travelling in northern Australia during the wet season;
- where and how **film or video stock, supplies or equipment** can be picked up from and/or delivered to you should you need it. This is especially important when going to or working in remote areas;
- whether there are any **funeral and/or cultural ceremonies** planned by the indigenous communities for the time you intend your production shooting, and whether this will disrupt your schedule. Where possible, negotiate your draft schedule with the relevant community/ies;
- prohibitions on **the use of landscape**. Always check on this, because of possible religious significance for a particular clan, family group or community;
- ownership and copyright of **dances, song cycles and landscapes** that may be depicted in your project, and whether you need to negotiate extra payment for their use.



## Site Check and Production Shoot

When doing site checks or production shoots in indigenous communities, follow the protocol and codes of conduct as required by the particular indigenous groups while in indigenous communities.

During this period:

- **advise** your crew and staff of their responsibilities while in indigenous communities;
- **instruct** your crew and staff on the prohibition of alcohol in indigenous communities, where appropriate;
- ensure you do not encroach upon, or violate **restricted territory**. Adhere to any restriction on the recording, including the tape recording, or the taking of still photography, of secret ceremonies or landscapes;
- **do not**, in any circumstance, use images that sexually, or in any other way exploit indigenous community members;
- confirm with the indigenous community/ies your understanding of any details on the cultural code of **gender division**, including the role of the male and the female in social and religious ceremonies, and their sacred sites. Some indigenous sites are gender-specific; consequently, depending on their gender, some crew members may not be able to attend some shoots at such sites;
- check with indigenous consultants and/or community leaders if it is proposed to film or tape scenes **additional** to those previously agreed to;
- on wrapping up your shoot, leave indigenous lands and the environment in a **clean and tidy** condition.



## Post Production

During this period:

- always keep in mind that, in respect of indigenous customs, images of any **deceased person**, or any person who has died subsequent to the shoot, but whose image has been recorded during the shoot, may need to be edited out or electronically altered so as to eliminate identification, during mourning periods. The latter periods will vary from clan group to clan group. The respective indigenous communities will advise you of the requirements;
- adhere to arrangements made about **payment** to indigenous crew, consultants, talent, owners and custodians;
- **ensure** sacred lands, fauna, flora and objects are protected;
- **involve** indigenous consultants and other key community members in the post-production process to check and advise on the authenticity of the images and of the soundtrack. This could be particularly significant during the editing process, to ensure that specific culturally or ritually important images and sounds are not inadvertently left out, or incorrectly mixed;
- when inserting final **credits** include the appropriate indigenous crew, community members and consultants in the production credits;
- provide a **complimentary copy** of the completed production to the community as a courtesy gesture.



## Aboriginal and Torres Strait Islander Terminology, Glossary, Acronyms

**Abo** (non-acceptable term) – a derogatory word which should never be used when describing Aborigines. See *Aborigine*.

**Aboriginal** – an adjective used to describe something associated with Aborigines.

**Aboriginal Affairs Department** – See *DAA*. Superseded by *ATSIC*.

**Aboriginal community** – An Aboriginal community is a community with which an Aboriginal person identifies. Also referred to as a *Black community*.

**Aboriginal culture** – The state and stage which Aboriginal civilisation lives by; an Aboriginal way of life.

**Aboriginal English** – A language which uses a mixture of Aborigine language and English. A *lingua franca* for many Aboriginal persons.

**Aboriginality** – The qualities inherent in being an Aborigine, relating to Aboriginal heritage and culture.

**Aboriginal Protection Act** – Legislative Act for the control of Aborigines. See also *Exemption Certificate*.

**Aborigine** – An indigenous person of a country. In Australia they are the first inhabitants descendant of the ancient people living in Australia for 40,000 years or more.

An *Aborigine* is a person of Aboriginal descent who identifies as an Aborigine, and is accepted by the Aboriginal Community to which he or she associates as an Aboriginal person. The word Aborigine is a noun that refers to an indigenous person. It should always be spelt with capital 'A'. Sometimes Aborigines are referred to as *blacks* or *First Australians*. Non-acceptable terms, either in



themselves, or because of the way they have been used in the past, include: abo; boong; gin; half-caste; lubra; native; noble savage; primitive; and quarter-caste.

A *Torres Strait Islander* is a person of Torres Strait descent whose ancestors come from that group of islands between the north Australian coastline of Cape York Peninsula and the New Guinea coastline.

The term *remote Aboriginal community* refers to Aboriginal society and culture living in remote areas. This includes indigenous groups still living within the bounds of their cultural and traditional practices, clans and language groups.

An *indigenous Australian* is an Aborigine or a Torres Strait Islander. In this paper, references to Aborigines also includes Torres Strait Islanders. Together, they are recognised as indigenous Australians. Since the 1993 United Nations International Year for Indigenous People, many Aborigines and Torres Strait Islanders are beginning to identify themselves as indigenous Australians.

**ADC** – The Aboriginal Development Commission, a statutory authority responsible for funding home loans and small business enterprises for Aborigines.

**AECG** – Aboriginal Education Consultative Group.

**ALS** – Aboriginal Legal Service.

**AMS** – Aboriginal Medical Service.

**Assimilation** – See *Integration Policy*.

**ATSIC** – Aboriginal and Torres Strait Islander Commission.

**Bark painting** – An Aboriginal artform in which traditional stories are painted onto the specially prepared bark of a tree.



**Bark petition** – A petition of demands for land rights sent to Federal Government, telling a traditional story using the method associated with bark paintings.

**Black** – Generally refers to Aborigines, or to any dark skinned race.

**Blackbird** – A Melanesian or Polynesian person kidnapped and transported to Australia for use as slave labour.

**Black community** – See *Aboriginal community*.

**Boong** (non-acceptable term) – A derogatory term for a black person.

**CAAMA** – Central Australia Aboriginal Media Association. Has taken over the role of indigenous production formerly undertaken by Imparja Television.

**Clan** – A group of people of common descent. See also *tribe*.

**CLC** – The Central-Australian Land Council.

**DAA** – The former Department of Aboriginal Affairs. A Federal Government Department, and major funding body for Aboriginal community services. Superseded by ATSIC.

**Dialect** – A variation of an Aboriginal language differing from the standard language used within a tribal group.

**Dreamtime** – The time in which the earth received its present form and in which the patterns and cycles of life and nature were initiated. The beginning of time. An equivalent for the phrase 'in the beginning'.

**Exemption Certificate** – A certificate of exemption from the prescriptions of the Aboriginal Protection Act. It declared that the Aboriginal person who



possessed such an Exemption Certificate was 'civilised' enough to be accepted into the dominant society. See *Aboriginal Protection Act*.

**FCAATSI** – Federal Council for the Advancement of Aborigines and Torres Strait Islanders. Now defunct.

**First Australian** – See *Aborigine*.

**Full blood** – An Aborigine whose heritage and tradition is not contaminated with non-Aboriginal ones. See also *Aborigine, Half caste, Part Aboriginal, Quarter caste*.

**Genocide** – The planned extermination of a national or racial group.

**Gin** – (non-acceptable term) A derogatory term used by non-Aborigines for an Aboriginal woman.

**Gubba** – A term for a non-Aborigine used by Aborigines in NSW and Victoria. A general term for a white skinned person. It is derived from the word 'government' when most indigenous communities associated white people with the government welfare officials with whom they had contact.

**Half-caste** (non-acceptable term) – An Aboriginal person of mixed heritage, having one parent of Aboriginal descent and the other parent of non-Aboriginal descent. See also *Quarter caste, Part Aboriginal, Full blood, Aborigine*.

**Imparja Television** – The first Aboriginal commercial television station in Australia, in operation since 1988. Lost the Aboriginal aspect of its charter in 1994. This work now done by CAAMA.

**Indigenous** – See *Aborigine*.

**Integration policy** – A policy to mix the Aborigines into the major society through intermarriage and 'social training' so as to become fully assimilated with the dominant culture, thus losing all strains of Aboriginal identity and culture.



**Koorie** – An Aboriginal person from NSW, Victoria or Tasmania.

**Kriol** – A language, arising from contact between Australian Aboriginal speakers and speakers of English, which has become the first language of a large number of Aborigines in northern Australia. The name is a re-spelling of the word Creole.

**Legend** – A non-historical or unverifiable story handed down by tradition from earlier times and popularly accepted as historical.

**Lubra** (non-acceptable term) – An Aboriginal woman.

**Migloo** – A term used by Aborigines and Torres Strait Islanders to describe any non-Aborigines or non-Torres Strait Islanders in Queensland. (North Queensland Term).

**Mission stations** – A tract of land set aside for Aborigines and administered by a church or religious order. See also *Reservations*.

**Murri** – An Aboriginal person from Queensland.

**Myth** – A traditional story, usually concerning some super-human being, or some alleged person or event, and which attempts to explain natural phenomena, particularly used by Aborigines to explain the existence and meaning of a sacred site or of a site of significance.

**NAEC** – National Aboriginal Education Council.

**Native** (non-acceptable term). – A person who is native to a country or the original inhabitant. See *Aborigine*.

**Native police** – Aboriginal policemen or trackers in remote areas, often with no formal police training.

**NIMAA** – The National Indigenous Media Association of Australia.



**NLC** – The Northern Land Council.

**Noble Savage** (non-acceptable term) – Aborigines or members of a Melanesian or Polynesian race who, despite the (patronising) first term, have been regarded by Europeans as inferior primitive persons, with the emphasis on the 'savage'.

**Nungar** – An Aboriginal person from South Australia.

**Nyungar** – An Aboriginal person from Western Australia.

**Out station movement** – A movement referring to Aboriginal clan groups in the Northern Territory leaving the town settlements where they were currently living, going back to their traditional lands, sitting on the land, and claiming it as traditionally belonging to them.

**Part-Aborigine** – A person of a mixture of Aboriginal and non-Aboriginal heritage. See also *Quarter caste, Half caste, Full blood, Aborigine*.

**Pidgin English** – Mixture of Aboriginal and English language. A variation of English language.

**Primitive** (non-acceptable term) – The first or earliest human on earth covering the earliest period in the history of human existence. See *Aborigine*.

**Protection Act** – See *Aboriginal Protection Act*.

**Quarter-caste** (non-acceptable term) – A person having one grandparent being Aboriginal. See also *Aborigine, Full blood, Half-caste, Part Aborigine*.

**Racism** – The belief that human races have distinctive characteristics which determine their specific cultures, usually involving the idea that one's own race is superior, and has the right to rule or dominate others. Offensive or aggressive behaviour to members of another race stemming from such a belief. A policy or system of government and society based on this.



**Racist** – One who practices racism. A reference to words, actions, laws, ideas, objects, etc. which promote racism.

**Remote area Aborigine** – An Aboriginal person who lives outside cities and towns in small community group in remote areas. See *Aborigine*.

**Reservations** – Tracts of public or crown lands especially set apart for use particularly by Aborigines. Also known as *reserves*. See also *Mission stations*.

**Rural Aborigines** – An Aboriginal person who lives in a country town or in the bush on the edge of a town. Aborigines who live on their land.

**Sacred site** – Tracts of lands which have a very strong religious, cultural or ritualistic significance for Aboriginal groups.

**Site of significance** – Can refer either to a sacred site, or to other sites having considerable significance for Aboriginal groups, but not as strongly as those identified as sacred sites.

**Tent embassy** – A tent erected as an 'Aboriginal embassy' on the lawn outside Parliament House, Canberra in 1972 as a protest about Aboriginal rights. The term now can refer to any tent erected as a protest about Aboriginal rights.

**Torres Strait Islander** – A person of Torres Strait Island descent whose ancestors are of Melanesian stock. They come from the group of islands situated between the north Australian coastline of Cape York Peninsula and the coastline of New Guinea. They are indigenous to this area of Australia. See also *Aborigine*.

**Trachoma** – An eye disease prevalent among Aborigines in the more arid regions of Australia. If not treated it will eventually cause blindness.

**Tribe** – Any group of people united by ties of descent from a common ancestor, community of customs and traditions, adherence to the same leaders, etc. A local division of Aboriginal people (an Aboriginal tribe). An Aboriginal social group



which claims hunting rights and religious sanctions for its occupation of an area (e.g. an Aboriginal tribal group). Use of the word 'tribe' in conversation could be considered offensive to indigenous persons.

**Urban Aborigines** – Aboriginal persons who live in the major cities of Australia. City-dwelling Aborigines.

**Visitor's permit** – A permit to visit designated Aboriginal areas. Obtained from Aboriginal Community Councils or from Aboriginal Land Councils.

**Wahgin** – An Aboriginal term in NSW for white or non-Aboriginal women.

**Walkabout** – To travel from one camp-site to the next.

**WCIP** – World Council of Indigenous People. An international indigenous people's organisation.

**Welfare Act** – See *Aboriginal Protection Act*.

**Welfare Board** – A Board of Management set up to administer the Aboriginal Welfare Act.

**White man/White woman** – Any non-Aboriginal person of European (caucasian) descent; generally Australians of Anglo-Celtic heritage.



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## Researcher/Writer

Lester Bostock has long involvement in the visual and performing arts as well as with Aboriginal community organisations. He had been a member of various government and non-government committees and working groups. In his travels he has visited the United Kingdom, U.S.A, Canada, Norway, Sweden, Finland, Central America (Panama City), New Zealand and the South Pacific region where he met with many indigenous television and film makers, sharing with them the experiences of indigenous media. He is a council member of the National Indigenous Media Association of Australia (NIMAA), representing the independent film and television producers on that body, and a member of the Australian National Commission of the United Nations Educational Scientific and Cultural Organisation (UNESCO).

His credits include:

### Theatre

Theatre Manager/Producer *National Aboriginal Black Theatre*, 1971-73.

Producer/Company Manager *Torres Strait Dancers on Tour*, 1973-76.

Producer *Here Comes the Nigger*, 1976-77.

*Where to Now*, 1991.

### Radio

Producer *Aboriginal radio show*, SBS radio 2EA, 1979-90.

*Koori program*, 2RSR Skid Row radio, 1983-84.

### Film & Television

Co-Executive Producer *First in Line*, Aboriginal magazine (SBS TV), 1988-89.

Associate Producer Lousy *Little Sixpence* (Film) 1983.



## Writer

Researcher/Writer *The Greater Perspective*, protocol manual (SBS), 1990.

*The Meares Oration*, paper, Disabilities and minority, 1991.

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## Education

Director of Training The Koori Television Training Course, 1993-94.

**NOTE:** A historical section is available on request from SBS Policy.



