



AIATSIS

Return of Nyamal artefacts to Country

**Return of Cultural Heritage Project:
Repatriation of Nyamal cultural heritage
material from the Manchester Museum**

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AIATSIS acknowledges and thanks the Nyamal Nation and the Manchester Museum.

Cover image: Nyamal feather body ornament returned from Manchester Museum, October 2019.
Photographs courtesy of Susan Standen, ABC Pilbara.

Warning: Aboriginal and Torres Strait Islander readers should be aware this document may contain sensitive information, images or names of people who have since passed away.

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Executive Summary

Between 2018 and 2020 the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) partnered with Njamal People’s Trust (NPT) to repatriate a collection of significant cultural heritage material from the Manchester Museum, The University of Manchester (MM). This partnership was part of the Return of Cultural Heritage (RoCH) project, where AIATSIS facilitated and secured the return of Aboriginal and Torres Strait Islander cultural heritage material to Country in order to support those Custodians to maintain their cultural practices. This report describes the partnership, collaborative research and ultimately the success of AIATSIS and Nyamal’s efforts to repatriate their material. It also demonstrates how the repatriation of cultural heritage material strengthens communities and culture, and promotes reconciliation and healing.

Acronyms

AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
COVID-19	Coronavirus Disease of 2019
FPIC	Free, Prior and Informed Consent
GERAIS	AIATSIS Guidelines for Ethical Research in Australian Indigenous Studies
ISM	Illinois State Museum
MM	Manchester Museum, The University of Manchester
NPT	Njamal People’s Trust
RoCH project	Return of Cultural Heritage project
UK	United Kingdom
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
USA	United States of America
WAM	Western Australian Museum

Key Terms and Definitions

Collecting institution	Museums, universities, libraries, galleries and archives – organisations or institutions which hold and care for all forms of cultural heritage material.
Country	For the purpose of this document, the term ‘Country’ means an area of land or body of water to which a community, organisation or individual has a cultural and/or spiritual connection, and in which they have rights or interests.
Cultural heritage material (material)	Things, or their remnants, which have been created or modified by the efforts of humans. In the case of the RoCH project, all forms of Aboriginal and Torres Strait Islander cultural heritage material, including but not limited to objects, audio visual, artwork and documentary cultural heritage material.
Custodian	An individual with cultural authority or knowledge which is recognised by the relevant Aboriginal or Torres Strait Islander community.
Elders	Knowledge holders within a community, some of whom are Loremen / Lorewomen.
Loreman / Lorewoman	A male / female knowledge holder within an Aboriginal or Torres Strait Islander community, who has responsibilities for culture, ceremonies and to make important decisions on behalf of the community.
Native Title Bodies, Aboriginal Corporations, Native Title Representative Bodies	Aboriginal and Torres Strait Islander owned corporations, peak bodies and organisations that represent or work with or for Aboriginal and Torres Strait Islander peoples. Please note that these terms have specific meanings but are used generally within this document.
Njamal People’s Trust	The Njamal People’s Trust was established in 2003 as a Charitable Trust for the Njamal People. The Trust considers the interests of all Njamal people and assists the community in priority areas including Native Title, heritage, health and well-being, community support and development, lore and culture, education and employment, economic development, and sport.
Senior Loreman / Lorewoman	The most senior among Loremen / Lorewomen and the most significant knowledge holders within a community. Senior generally implies a person is an Elder but not necessarily.
Traditional Owners	Members of an Aboriginal or Torres Strait Islander community. Within Aboriginal and Torres Strait Islander cultures, some cultural heritage material is owned by individuals, while other material is the responsibility of the community, who are stewards of that material to ensure it is looked after for future generations.

Acknowledgements

This report would not have been possible without the generous support and contributions of Tony Taylor, Willie Jumbo, Jo Taylor, Doris Taylor, Nathan Newland, Jamie Haynes and Sharleah Ramirez. Special mention should be made of the contributions of Jodie Neale and the NPT. The work of Ingrid Button of IAS Logistics was invaluable. We'd like to acknowledge the time, support and hard work of Esme Ward, Stephen Welsh, Gillian Smithson, Mark Furness and Alia Ullah of Manchester Museum. Finally, we'd like to thank all the AIATSIS and Western Australian Museum staff who supported the project.

All mistakes and errors are our own.

The AIATSIS-led RoCH project was funded by the Australian Government as part of the measures to mark the 250th anniversary of James Cook's first voyage to Australia.

Partners

To repatriate cultural heritage material is a large undertaking and AIATSIS could not have achieved this without the generous support and partnerships of:



1 The Australian Institute of Aboriginal and Torres Strait Islander Studies

The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) is Australia's only national institution focused exclusively on the diverse history, cultures and heritage of Aboriginal and Torres Strait Islander Australia. We conduct research to the highest ethical standards, directly benefiting the communities we work with. Our partnerships span the globe, including government, academic, corporate, cultural and community sectors. Our unique and dynamic convergence of knowledge, resources and expertise enables us to tell the nation's story and enhance the lives of all Australians. The functions of AIATSIS were established under the *Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989 (Cth)* (AIATSIS Act). They are:

- to develop, preserve and provide access to a national collection of Aboriginal and Torres Strait Islander culture and heritage;
- to use that national collection to strengthen and promote knowledge and understanding of Aboriginal and Torres Strait Islander culture and heritage;
- to provide leadership in the fields of:
 - Aboriginal and Torres Strait Islander research; and
 - ethics and protocols for research, and other activities relating to collections, related to Aboriginal and Torres Strait Islander peoples; and
 - use (including use for research) of that national collection and other collections containing Aboriginal and Torres Strait Islander culture and heritage;
- to lead and promote collaborations and partnerships among the academic, research, non-government, business and government sectors and Aboriginal and Torres Strait Islander peoples in support of the other functions of the Institute; and,
- to provide advice to the Commonwealth on the situation and status of Aboriginal and Torres Strait Islander culture and heritage.

AIATSIS has a growing collection of over 1 million items encompassing archives, films, photographs, audio recordings, art and artefacts, published and other resource materials. The Institute publishes award winning books, journals, CDs, DVDs and apps that engage people with the stories of Aboriginal and Torres Strait Islander Australia.

The vision of AIATSIS is a world in which Aboriginal and Torres Strait Islander knowledge and cultures are recognised, respected, celebrated and valued.

2 Introduction

The Return of Cultural Heritage (RoCH) project was part of a suite of initiatives funded by the Australian Government to mark the 250th anniversary of James Cook's voyage to the east coast of Australia, henceforth Cook 2020. The legacy of Cook's voyage continues to impact Aboriginal and Torres Strait Islander peoples and is generally regarded as being the catalyst for the widespread removal of Aboriginal and Torres Strait Islander cultural heritage material. These items were stolen, collected or purchased and then transported to overseas collecting institutions, thereby removing the material from the culture and lives of present day Custodians. Thus, Cook 2020 was a poignant time to intensify the effort to return cultural heritage material to its Custodians and Owners for the purpose of cultural maintenance and revitalisation.

In 2019 and 2020, AIATSIS scoped, facilitated and secured the return of Aboriginal and Torres Strait Islander cultural heritage material to Country in order to support those Custodians to maintain their cultural practices. In doing so, AIATSIS contributed to a global discussion about the repatriation of cultural heritage material, a discussion that many nations around the world have been involved in for decades. It is hoped AIATSIS' efforts will inform and intensify this discourse in the future.

Overview of the Return of Cultural Heritage Project

The RoCH project supports the Australian Government's commitment to Articles 11 and 12 of the United Nations *Declaration on the Rights of Indigenous Peoples* (UNDRIP) and the aspiration of Aboriginal and Torres Strait Islander peoples to have their cultural heritage material held in overseas institutions returned.

The RoCH project formed part of a larger *View from the Shore* narrative which AIATSIS fostered during the Cook 2020 anniversary to support the cultural resurgence of Australia's First Nations peoples and signal to the nation and globally that Aboriginal and Torres Strait Islander culture is respected, celebrated and valued.

The RoCH project goals were to:

- Facilitate and secure the return of cultural heritage material from overseas collecting institutions to Country or a nominated keeping place.
- Build relationships between overseas collecting institutions and Aboriginal and Torres Strait Islander communities.
- Develop an appropriately accessible database of Aboriginal and Torres Strait Islander cultural heritage material held in overseas collecting institutions.
- Prepare a business case for a future work program.

The RoCH project ran for 2 years (July 2018 to June 2020). The team comprised Lyndall Ley (Executive Director), Christopher Simpson (Director), Tamarind Meara (Research Manager), Jason Lyons (Research Manager), Alana Harris (Community Liaison Manager), Dr Iain G Johnston (Senior Researcher) Rose Rutherford (Research Officer) and Diana Quadri (Research Officer). Jasmine Tearle (Research Officer) and Jeffrey Paul (Research Officer) were also contracted for a short period to undertake research on collections and data entry.

The RoCH project team drew upon AIATSIS' unique and irreplaceable role within Australia's research framework and its reputation for rigorous and independent research across the breadth of Indigenous studies and affairs. Key to AIATSIS' work is cultural competency. For the RoCH project team this involved acting in ways which supported the diversity of Aboriginal and Torres Strait Islander cultures and acknowledging that colonisation still affects Aboriginal and Torres Strait Islander peoples. The RoCH project aimed for the community partnerships to help all Australians to feel proud of Aboriginal and Torres Strait Islander culture and promote each community's sovereignty.

The real powerful part of self-determination, indeed sovereignty, is the freedom to define ourselves and our context and our situation. So projects like this that build and rebuild and support our culture and give us, in a sense, access to our values, and give us the ability to exercise self-determination, the power to define and articulate our own identity are really, really important. I think that's an aspect of self-determination that we haven't really come to grips with as a country. And in many ways even as Indigenous Australians we're still fronting up to that and that's why institutions like AIATSIS are so important, because we help support and facilitate that process.

Craig Ritchie, AIATSIS CEO

Ethical Review of the Return of Cultural Heritage Project

AIATSIS recognises Aboriginal and Torres Strait Islander peoples have the right to be fully engaged in any processes, projects and activities that may impact them. Indigenous repatriation programs, whether involving cultural heritage material or data and knowledge, must proceed on this basis. The AIATSIS *Guidelines for Ethical Research in Australian Indigenous Studies* (GERAIS) establishes a frame work for designing and carrying out ethical research, including research involving collections. GERAIS is informed by the rights of Indigenous peoples as articulated in UNDRIP.

In the implementation of the RoCH project, AIATSIS employed a staged engagement approach based on the principles of GERAIS and Free, Prior and Informed Consent (FPIC). The five Aboriginal communities involved in the project (Aranda, Bardi Jawi, Gangalidda and Garawa, Nyamal and Yawuru) were engaged at the earliest possible stage process and at the centre of the all decision making processes.

The RoCH project's research methodology underwent review by the AIATSIS Research Ethics Committee to ensure it conformed to appropriate ethical standards for research involving Aboriginal and Torres Strait Islander peoples. The project was approved by the AIATSIS Research Ethics Committee on the 13th of March 2019.

3 Success of the Return of Cultural Heritage Project

Returning cultural heritage material to Country for purposes of cultural maintenance and revitalisation is a key aspiration of First Nation communities across the world and the RoCH project demonstrated how this aspiration can be achieved for Aboriginal and Torres Strait Islander peoples. Fundamentally, the project demonstrated how to successfully partner with Aboriginal and Torres Strait Islander communities to return their cultural heritage material.

In the course of the RoCH project, AIATSIS identified 199 overseas collecting institutions with Aboriginal and Torres Strait Islander cultural heritage collections (see also Cooper 1989; Kaepler & Stillman 1985). In the course of the RoCH project:

- Over 100,000 Aboriginal or Torres Strait Islander objects have been identified in overseas collecting institutions (this excludes private collections);
- 124 institutions expressed a willingness to share information regarding their collections (at the time of preparing this report we have received information from 108 institutions);
- 73 expressed an eagerness to establish a relationship with AIATSIS and/or First Nation communities in Australia; and
- 45 expressed a willingness to consider a repatriation request.

AIATSIS is continuing to work with 124 institutions to establish the preliminary geographical provenance and cultural origin of collections / objects. Information gathered will be documented in an appropriately accessible database of Aboriginal and Torres Strait Islander cultural heritage material held overseas (currently under construction).

Based upon this research, six case studies (returns) from two collecting institutions, Illinois State Museum (ISM) and the Manchester Museum, The University of Manchester (MM), were selected for further investigation. The case studies included cultural heritage material from five Nations. These comprised:

- Aranda³ (ISM and MM),
- Bardi Jawi (ISM),
- Gangalidda and Garawa (MM),
- Nyamal (MM), and,
- Yawuru (MM).

AIATSIS engaged with representatives of these First Nations to confirm custodianship of the material and to explore partnerships.

In collaboration with, and on the authority of Aranda, Bardi Jawi, Gangalidda and Garawa, Nyamal and Yawuru Nations, AIATSIS prepared formal requests for the unconditional repatriation of 85 culturally significant objects. Requested items were secret sacred, ceremonial and secular objects (including but not limited to: boomerangs, shields, spears, clap sticks, body ornaments and necklaces). The requests were assessed and approved by the ISM and MM on the 9th of September 2019 and 2nd of October 2019, respectively.

³ Aranda / Arrernte, the Senior Aranda Elders and men requested we use the former spelling throughout the RoCH project.

Infographics displaying some of the results of the RoCH project.



In October 2019, AIATSIS staff members, Christopher Simpson (Wakka Wakka Nation) and Jason Lyons (Wiradjuri Nation), along with representatives from the Aranda and Bardi Jawi Nations travelled to Springfield, Illinois in the United States of America (USA) to collect 42 objects. An official handover of the material was held at the ISM on the 22nd of October 2019.

I am extremely honoured and fortunate to have supported the Aranda and Bardi Jawi peoples to return their cultural heritage material to Country. The repatriation from Illinois State Museum was the first under the RoCH project and the official handover was one of the proudest moments of my career. As a Wiradjuri man, I think the repatriation of material is significant. It is essential to Indigenous peoples' wellbeing and cultural strength – it promotes truth telling, healing, reconciliation and the preservation of our enduring cultures.

Jason Lyons, RoCH project Research Manager

Following the return of the material to Australia, AIATSIS facilitated its return to Country. These events were marked with small on Country celebrations with Aranda at Mparntwe (Alice Springs) and with Bardi Jawi at Ardyaloon (One Arm Point, Cape Leveque).

In November 2019, AIATSIS along with representatives from the Gangalidda and Garawa Nations travelled to Manchester, United Kingdom (UK) to collect 18 objects. Nyamal representatives nominated AIATSIS to act on their behalf. An official handover of the material was held at Australia House, London. AIATSIS facilitated the direct return of materials to Country, and celebrations occurred with Nyamal at Marapikurrinya (Port Hedland) and with Gangalidda and Garawa at Mougibi (Burketown).

In March 2020, the third and final delegation with representatives from Aranda and Yawuru Nations was scheduled to collect the remaining 25 objects negotiated for unconditional return. Owing to the Coronavirus Disease of 2019 (COVID-19) global pandemic and following consultations with Aranda, Yawuru and MM, AIATSIS decided to cancel the delegation to Manchester. Because of the extenuating circumstances the material was collected by an IAS Logistics partner and returned to Australia without a delegation travelling to Manchester. This was a difficult decision for the Senior Aranda and Yawuru men but their trust in AIATSIS and partnership with the RoCH project team helped them to make the safest choice for their communities. Shortly after, the Yawuru material was returned to Country at a private ceremony near Rubibi (Broome). In contrast owing to border restrictions, the Aranda material, under the direction of the Senior Aranda Loremen, was placed in temporary storage at IAS' climate controlled secure facility in Mascot, New South Wales (NSW). The material will be collected by the Aranda men and returned to Mparntwe (Alice Springs) in late 2020.

The successful returns by the RoCH project are evidence that overseas collecting institutions, irrespective of the complexity and difficulties associated with repatriation, are willing and able to unconditionally repatriate cultural heritage material (including secular material). The returns are a major step forward for overseas collecting institutions in at least two respects: because they extend the process of return from ancestral remains to cultural heritage material and because the returns were repatriations, instead of a loan, which has been the primary method for returning cultural heritage material previously.

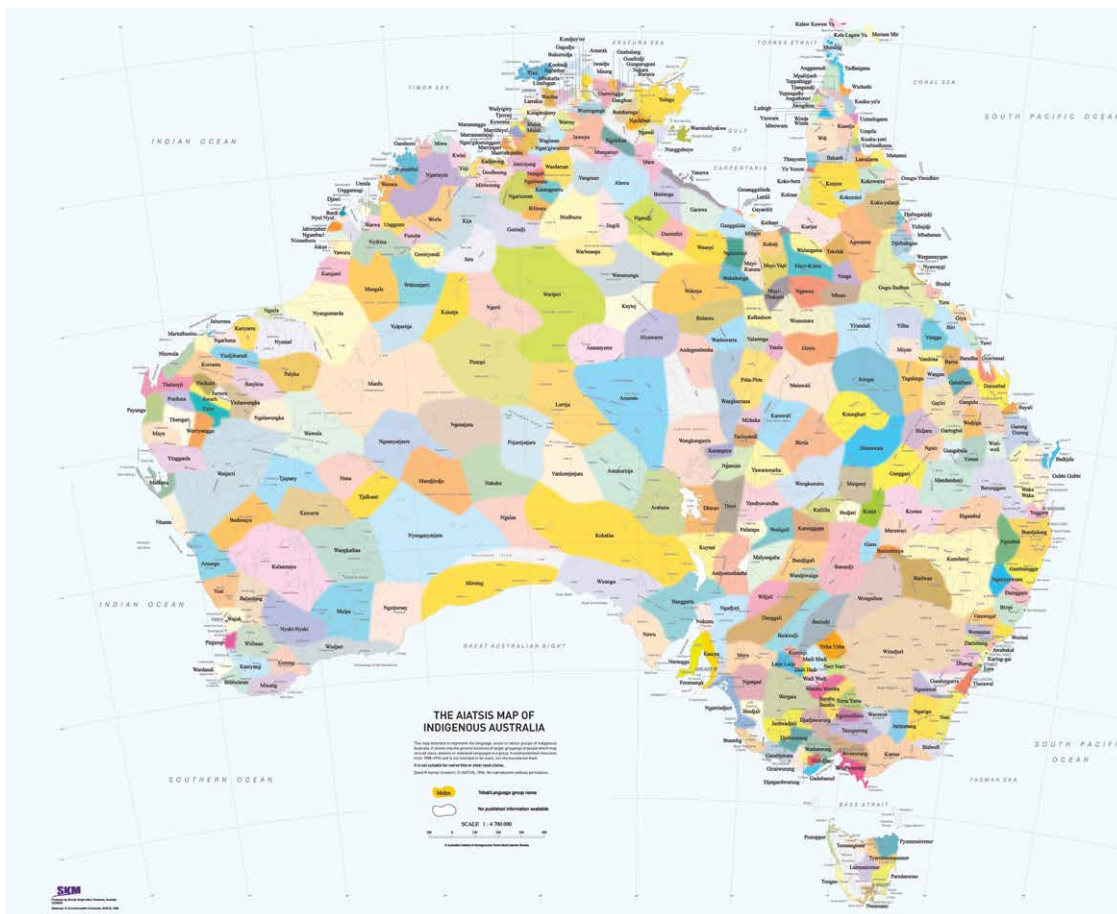
4 Nyamal and AIATSIS Repatriation Partnership

Njamal is a strong Group from the heart of the Pilbara region and plays a significant part in our Lore and Culture. We currently practise our Lore and Culture today passing down knowledge, stories, dancing, song, hunting and much more.

Nathan Newland, Njamal People's Trust

The Nyamal people are the Traditional Owners and Custodians of a large section of land in the north-west of Australia. Their Country includes the areas and surrounding lands of "...the Coongan and Shaw rivers to their headwaters and on the lower reaches of the de Grey River west of Barramine almost to Mulyie and Wodgina; at Marble Bar, Nullagine, Hillside, Bamboo Springs, and Warrawoona. They claim access to the sea on a narrow strip following the Tabba Creek through Strelley and Pippingarra; Njamal also inhabit the headwaters of the Yule and Turner rivers east of Wodgina" (Tindale 1974).

The Nyamal people are represented by the Njamal People's Trust (NPT) with heritage related matters managed by Nyamal Heritage.



This map attempts to represent the language, social or nation groups of Aboriginal Australia. It shows only the general locations of larger groupings of people which may include clans, dialects or individual languages in a group. It used published resources from 1988–1994 and is not intended to be exact, nor the boundaries fixed. It is not suitable for native title or other land claims. David R Horton (creator), © AIATSIS, 1996. No reproduction without permission. To purchase a print version visit: <https://shop.aiatsis.gov.au/>

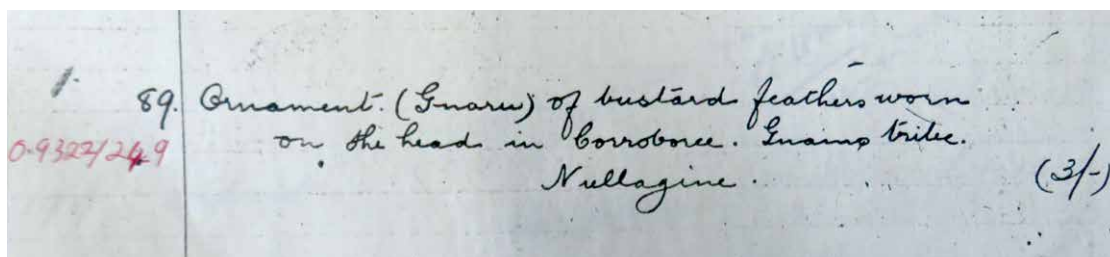
Nyamal Material Repatriated From Manchester Museum

The Nyamal material repatriated from MM was transferred to the museum in 1969 as part of the Salford Collection. Owing to the nature of the transfer, there is limited information pertaining to the original donor of the material. However, based on the timing of the original donation (circa 1901), the material was most likely collected by A.E. Clement during his travels through Nyamal country in the late 1800s.

Clement was an archaeologist, teacher, naturalist, mining engineer, ethnographer, children's book author, and ethnographic dealer from Prussia. He made three trips to Western Australia: 1895; 1896–1898; and 1899–1900. Owing to Clement's personal interest in Aboriginal culture and traditions, authorities from British museums asked Clement "to secure as many native weapons as possible" (see *Inquirer and Commercial News* – Perth, December 1896).

This determination is further supported by Clement's published work (Clement 1903; see also Royal Scottish Museum 1977), which noted where he acquired / collected material (geographical provenance) along with a brief description and on occasion an illustration of the acquired item. In reviewing these published records along with MM's early accession records, it became evident that the unique terms and description used by Clement corresponded with the MM's record for the returned items (see below). Importantly, these terms are not commonly used to describe these particular objects, but rather are specific language terms distinctive to the Ngarluma people (a neighbouring Nation to Nyamal). Clement is known to have used Ngarluma language for objects he acquired throughout his travels across the Northwest of Australia as he had a keen interest in, and knowledge of, the language.

Manchester Museum accession record for a similar item. Note the use of Indigenous language terms provided in brackets and unique spelling used for Nyamal tribe (Gnamo), both of which are consistent with Clement's record.



Developing the Repatriation Request With Nyamal

AIATSIS first met to discuss the material held at MM with the Nyamal on the 13th and 14th of June 2019 at Marapikurrinya (Port Hedland); this occurred after an initial consultation with Jamie Haynes, Nyamal Heritage Manager, and Jodie Neale, senior anthropologist with Nyamal Heritage. Christopher and Tamarind Meara, AIATSIS representatives, met with Jamie Haynes, Jo Taylor (Senior Nyamal Loreman), Tony Taylor (Senior Nyamal Loreman) and Doris Taylor (Senior Nyamal Lorewoman). The meeting focused on establishing custodianship of the identified Nyamal material and obtaining consent to facilitate return negotiations on their behalf.

Based on the available supporting documents (Clement's records) the six Nyamal items were understood to be potentially restricted to initiated men. Jo and Tony, the two Senior Nyamal Loremen, along with Christopher reviewed images of the material first to confirm any cultural restrictions and cultural affiliation. Upon reviewing all of the images, the Senior Loremen advised that the six objects were Nyamal but were not restricted secret sacred men's material. From the photographs, the Nyamal Loremen explained that all six objects were significant ceremonial items worn and used by men, but could be seen by women although not handled. Following Nyamal cultural protocols, Doris then reviewed the images and confirmed the six items to be Nyamal.

During the meetings, the Senior Loremen examined images of the material to provide invaluable information about their significance to the Nyamal people as well as the past and current use of the items in order to develop the repatriation request. Jo explained all but one item are still made and used in Nyamal ceremonies today and that he continues to make body ornaments similar to many of the items held by the MM for Nyamal men's ceremonies. However, owing to a decline in native bird populations, particularly emus, some items are now made from the feathers of black and white cockatoos, while others are made from a range of alternative materials, such as leaves.



Christopher Simpson, Jo Taylor, Tony Taylor and Jamie Haynes examining photographs of the Nyamal material. Photographer Tamarind Meara.

Bringing these sacred cultural heritage items back to country is important and necessary for the purpose of cultural revitalisation, because within these items is our lore – our histories, our traditions and our stories.

Nathan Newland, Njamal People's Trust

Both Senior Loremen reminisced that neither of them had seen an emu on Nyamal Country for some time and the return of the emu feather body ornament would be of incredible significance to the Senior Nyamal men. As a young man, Jo remembers wearing head and body ornaments very similar to the repatriated material during ceremonies at places like Warralong, Nyamal's current ceremonial Lore ground.

The culmination of the meeting was when the Senior Loremen both noted the items were of incredible significance to Nyamal people as they represented a tangible link to their ancestors and demonstrated the continued practice of Nyamal customs and cultural knowledge.

Some of the old people wore these, in the hair and on the back...In the early days human hair was cut with a stone and used to tie the emu feathers...[the cultural items would be put back on country at Warralong and] woken up [to be used again in future Nyamal men's ceremonies]

Tony Taylor, Senior Nyamal Loreman



Nyamal body ornament: arm band made of emu feathers worn during lore ceremonies and corroborees. Photographer Gillian Smithson.

The Nyamal Senior Loremen endorsed AIATSIS to submit a repatriation request to MM on behalf of the Nyamal community. The repatriation request was assessed by The University of Manchester's Board of Governors on the 2nd of October 2019 and was unanimously accepted. The external repatriation request reviewer, a requirement of MM's repatriation policy, Dr Emma Martin, Senior Curator of Ethnology, National Museums Liverpool, wrote:

Reviewing the repatriation claim and the research provenance documents it is clear that the claim to ownership has been proven and that there are no competing claims against the items selected for return. With this in mind, I fully endorse the request for the return of these items to the originating communities in Australia.

Preparations for Collecting the Material From the Manchester Museum

The repatriation planning meeting occurred on the 20th and 21st of August 2019. In this meeting, the Nyamal discussed whether they should travel to Manchester to collect their material, where and how the material would be cared for at their Keeping Place at Warralong and what assistance AIATSIS could provide to ensure the material could be best incorporated into Nyamal cultural practices.

The Nyamal Elders decided that AIATSIS would collect the material on their behalf and they would meet Christopher in Perth on his return to collect their material and take it to Country. In reference to the decision not to travel overseas, Tony commented of MM:

They took it, they can bring it back.

AIATSIS' Work With the Manchester Museum

AIATSIS began working with MM in late 2018 when the Institute wrote to the Museum to inform them of the RoCH project. In February 2019, AIATSIS followed up on this correspondence to confirm if the MM would be willing to consider a request to repatriate material to Aboriginal and Torres Strait Islander peoples in Australia. Over the first half of 2019, AIATSIS corresponded with MM to better understand the material held in their collection, its collection / acquisition history, geographical provenance and who may be the Custodians of it. At this stage, MM also confirmed they were legally able to repatriate the six Nyamal objects in their collection, a crucial step in returning the material to Nyamal.

5 Freight and Logistics

While collaborating with overseas collecting institutions and relevant Aboriginal and Torres Strait Islander communities, AIATSIS organised the required import / export permits in accordance with the Biosecurity Act 2015 and all relevant letters of exemption to transport the material home. This included permits and permissions issued by the:

- Department of Agriculture for the import of Australian native plant material back into Australia;
- Department of Health for the import of human material (hair) into Australia;
- Department of Immigration and Border protection for the import of sensitive material, including weapons (spears) into Australia; and,
- United Kingdom Border Force Pre-Convention on International Trade in Endangered Species of Wild Fauna And Flora (CITES) certification for the export of feathers of an endangered species.

In addition to the above, while not required under the *Protection of Moveable Cultural Heritage Act 1986* (Cwth), a letter of exemption was also sought from the then Department of Communications and the Arts.

AIATSIS submitted an Import Permit Application to the Department of Agriculture in August 2019. The application was approved shortly thereafter.

To administer and manage the logistics and freight for the return of the repatriated cultural heritage material from overseas, AIATSIS engaged IAS Logistics.⁴ IAS had extensive experience in handling sensitive and fragile freight, an understanding of the complex nature of repatriation the process and had demonstrated cultural competency through past experience. Kingsley Munday AM, an Aboriginal man and Managing Director of IAS Logistics, explained their role in the process:

IAS Logistics is a family business but more importantly we are an Indigenous family. The work we do in our daily lives involves moving valuable, delicate and secure objects across the country and around the world but there are times when we have the privilege to do things which have a higher meaning.

The removal of Indigenous cultural objects from their land to be taken thousands of kilometres around the world into foreign land places them in a state of unrest. No matter whether we are black or white, the reuniting of these objects with their community and with their land, with their place of origin, is to bring them to their natural resting place and to their ultimate place of peace.

To return them to Country is of immense significance to the communities, but it also gives to us and our people a tremendous sense of accomplishment and satisfaction. Once each task is completed we too feel a sense of calm and peace – it was meant to be.

⁴ International Art Services (IAS) Logistics is a Supply Nation certified business.

6 Collection of the Nyamal Material From the Manchester Museum

On the 17th of November 2019, Christopher Simpson and Tamarind Meara of AIATSIS travelled to Manchester, UK to collect the Nyamal material on their behalf. The delegation also included Donald Bob and Mangubadijarri Yanner of the Gangalidda and Garawa peoples who were travelling to Manchester to collect their material on behalf of their community.

On Monday the 18th of November, the delegation was welcomed to MM by Esme Ward, Director of the Museum, and met with Stephen Welsh, Curator of Living Cultures and Honorary Research Fellow in Social Anthropology at the MM, and other MM staff. On behalf of Nyamal, and in accordance with agreed cultural protocols, Christopher Simpson along with male staff from MM and IAS' UK logistics partner packed the Nyamal material for its safe transportation home.



Above left: Nyamal material packed safely in an archive box. Above right: (left to right) Stephen Welsh, the Martinspeed team, Christopher Simpson, Mangubadijarri Yanner, Donald Bob and Tamarind Meara in the freight truck.

On Friday the 22nd of November, His Excellency the Hon. George Brandis QC, the Australian High Commissioner to the United Kingdom hosted an official handover ceremony at Australia House, the High Commission of Australia in London. In attendance were His Excellency the Hon. Paul de Jersey AC Governor of Queensland, and Mrs de Jersey, the Agents General of Victoria, Queensland and Western Australia, Mr Craig Ritchie CEO of AIATSIS, Professor Ian Anderson Deputy CEO of the National Indigenous Australians Agency, Professor Nalin Thakkar Vice-President for Social Responsibility at The University of Manchester and Ms Esme Ward, Director of MM. The handover was live-streamed on Periscope by the MM and has subsequently been viewed over 2,500 times.

His Excellency, the Hon. George Brandis QC said on the day:

The return of cultural material to their traditional Country is a profoundly important issue for Aboriginal and Torres Strait Islander people in Australia, as it not only helps to promote healing and reconciliation but more importantly the revitalisation and maintenance of the world's oldest continuing culture. The repatriation of cultural heritage and ancestral remains provides the opportunity to right the wrongs of the past and build positive relationships between collecting institutions and Indigenous communities and governments. The Australian Government is proud to actively support and assist Australia's First Nations peoples to seek and secure the repatriation of cultural heritage material from overseas and I'd like to commend AIATSIS for their stewardship in this area.

The significance of repatriating material culture from a UK museum to an Aboriginal community in Australia was palpable at the handover ceremony, especially in the lead up to Cook 2020. Media outlets across Australia and the UK ran stories, including the BBC, The Australian, The Guardian UK, ABC, NITV, Channel 9 and Channel 7, about the landmark decision for the two countries.

The profound significance of what we have done and witnessed this morning is lost upon none of us. It has been a privilege to host this morning's event and it's been a privilege for all of us to witness history being made.

His Excellency, the Hon. George Brandis QC the Australian High Commissioner
to the United Kingdom

Of the importance of MM participating in the repatriation with Nyamal, Esme said:

By taking this action, Manchester Museum will become more inclusive, caring, and relevant to the communities it serves both locally and globally. Our work with AIATSIS to promote understanding between cultures, learn together and build new relationships for the future has never been more important or timely.

7 Collecting the Material Back in Australia

The Nyamal material landed safely in Perth on the 25th of November 2019. A welcome was held at the Western Australian Museum (WAM), at the event Tony Taylor, Nathan Newland (Njmal Project Consultant), Evelyn Mitchell (NPT representative) and Cheryl Geary (Community Liaison Office, NPT) represented the Nyamal people. Also, in attendance was Craig Ritchie, CEO of AIATSIS, Alex Coles, CEO of WAM, and Ross Chadwick, Curator, Anthropology and Archaeology Department, and Christopher Simpson, Director of the RoCH project. Tony and Craig spoke about the importance of the occasion.

Before the welcome event, Tony was able to see and hold the Nyamal material for the first time in the Museum's secret sacred store, where it had been temporarily held overnight for the event. He was able to sit down with the items and analyse them firsthand. After consideration, Tony thought it would be best for certain items not to be publically displayed at the welcome event as they were completely restricted to men's ceremony. He also thought he'd need to consult with the Nyamal Loremen and Elders further about some of the items.



(Left to right) Craig Ritchie, Nathan Newland, Cheryl Geary and Tony Taylor at the welcome home event held at the West Australian Museum. Photographer Christopher Simpson.

From Perth, the Nyamal material was flown to Marapikurrinya in the care of Christopher and Tony. The material arrived on Country on Wednesday the 26th of November 2019.

Celebrating the Nyamal Material's Return

Nyamal celebrated the return of their material at the NPT's office at Marapikurrinya on the 27th of November 2019. Tony and the Nyamal Elders spent some time talking with Susan Standen and Rebecca Parish of ABC Pilbara.

The history is the past. We cannot fix the past only the future so this is the start of closing those small gaps of what has been taken from us. So we as Aboriginal people can heal and build that trust to work together to educate our selves to build a better future as one.

Nathan Newland, Nyamal People's Trust



Tony Taylor signs the official handover certificate. Photographs courtesy of Susan Standen, ABC Pilbara.

Before the public event at the NPT's office with the ABC Pilbara, Tony together with the Nyamal Loremen and Elders, further analysed the material returned from MM. For the men gathered in that room, being able to see and touch the items allowed them to properly investigate their material. Collectively, they decided all but two of the items should be restricted to men only.



Top: Nathan Newland and a reporter from ABC Perth interviewing Tony Taylor. Below: Nyamal Elders examining the returned artefacts. Photographer Christopher Simpson.

The Impact of COVID-19 on the RoCH Project

A ramification of the COVID-19 global pandemic on the RoCH project was the cancellation of the final 'follow up' research phase with each community partner. In this phase, AIATSIS intended to meet with key individuals involved in the repatriation, particularly Elders and other knowledge holders, to discuss the material and the impact of its return for their community. This research phase was intended to inform the next section of this report and provide an opportunity to document and record each community's perspective on the significance of repatriating cultural heritage material to First Nations people for the purposes of cultural revitalisation and maintenance.



Nyamal feather body ornament repatriated from Manchester Museum.

8 The Significance of the Nyamal Material Coming Home

It was taken away and we've got to sit down and show the rest of the Elders this was brought back to Nyamal Country...it's good to see all this stuff coming back to our Country, back to its homeland.

Willie Jumbo, Nyamal Man

The Nyamal men involved in the MM repatriation explained the material is most significant as a tangible manifestation of past cultural practices, and although those practices have been adapted over time they are still performed by Nyamal today. They explained the material will assist with the intergenerational transfer of knowledge from Elders to younger generations in the Nyamal community. While each of the communities involved in the RoCH project described the importance of how their material will assist with intergeneration transfer, for the Nyamal this was amplified by the specific types of ornaments returned. As noted, the Senior Loremen reminisced that neither of them had seen an emu on Nyamal Country for a long time and as a consequence, today similar ornaments are made from black and white cockatoo feathers.

The significance of senior knowledge holders having material in their possession to conduct their own research was highlighted during the Nyamal return journey. In the initial consultation phase with the Senior Loremen, they made decisions regarding the cultural protocols of the material from collection records, secondary documentation and photographs. This produced a particular outcome, where the material should be handled by men but could be viewed by women. Upon viewing the material in person for the first time, Tony was able to properly investigate the material and make a fully informed decision about their cultural protocols. At this time, he decided certain items needed to be restricted just to Nyamal men, and he would need to consult with the fellow Loremen about two other items. When Tony arrived in Marapikurrinya with the material, the collected Senior Loremen decided that all but two of the Nyamal items have restricted cultural protocols. Tony displays the two open items on the next page. This episode demonstrates the importance of custodians having access to their material in order to investigate and provide advice about how it is best looked after. For the project team, this process demonstrates how the returning material stimulates learning and intergenerational knowledge transfer.

The material returned to Nyamal will help their Elders teach younger generations about their ceremonies, how they made these ornaments in the past and ultimately the resilience of Nyamal culture. While some of the raw materials may change overtime, their culture stays strong. In this way, the repatriated material will help maintain Nyamal culture now and in the future.

When we have a lore and culture meeting, we wear this one on the back of the head, same as this, but this one here is emu feather. The old people they wear it in here [places emu bushel in the back of his belt] when the lore time come and that thing on here and that's what we call 'karlaya' [emu].

Tony Taylor, Senior Nyamal Elder



Tony Taylor demonstrating the use of Nyamal feather ornaments (the two open items repatriated from MM). Photographs courtesy of Susan Standen, ABC Pilbara.

AIATSIS' research supports and facilitates Aboriginal and Torres Strait Islander cultural resurgence in ways which shape the national narrative for all Australians for the better. For those directly involved in the RoCH project it was also very significant as explained by Christopher Simpson:

Delivering the RoCH project is an extremely culturally grounding and humbling experience. Witnessing senior men sharing stories, holding these items, listening and singing to these items and seeing their spirit being revitalised by having these items home is something I will never forget. Returning items not only brings hope to Aboriginal and Torres Strait Islander peoples but it also brings hope to First Nations people all over the world to have these items returned home to where they belong, to keep the stories going and to keep culture strong.

Christopher Simpson, RoCH project Director

The Significance of the Return for Manchester Museum

This section was contributed by Ms Esme Ward, Director of MM, and Stephen Welsh, Curator of Living Cultures and Honorary Research Fellow in Social Anthropology at the MM.

Like many museums we have been active in returning ancestral human remains to their communities of origin since 2003, but this marked the first return of secret sacred and ceremonial material to Australia's First Nations peoples. The other distinguishing factor was the unconditional nature of the repatriation (without conditions or limitations). It did not move the objects from one institution to another, but instead fully acknowledged that Aboriginal people have the primary and sole right to the ownership and control of all forms of their heritage. I believe that repatriation shifts the processes, language and thinking of the past towards a context of possibility and action for the future.

Esme Ward, Director of MM

The unconditional repatriation allowed us to further challenge, disrupt and transform western colonial modes of curation, which were established to analyse, catalogue, display and preserve Aboriginal and Torres Strait Islander cultural heritage in isolation and without consent from Australia's First Nations peoples. It facilitated a deeper understanding of how such practices continue to inflict loss, trauma and exclusion on those Traditional Owners and places most intimately connected with secret sacred and ceremonial objects. The trust that has been built will only encourage a deepening commitment to healing, reconciliation and inclusion.

Stephen Welsh, Curator of Living Cultures and Honorary Research Fellow
in Social Anthropology at the MM

9 Conclusion

The return of these objects is part of unlocking the rich history of this Country stretching back beyond the 18th century and for the Country that's got to be a valuable thing. It's got to add richness to our sense of who we are as Australians. It's got to add something, a different ways of looking at things.

Craig Ritchie, AIATSIS CEO

The vision of AIATSIS is to create a world in which all Indigenous peoples' knowledge and cultures are recognised, valued and respected. By returning the Nyamal material to Country AIATSIS achieved this vision and also created opportunities for people around the world to encounter, engage with and be transformed by the Nyamal story. At the same time the return supported and facilitated Nyamal's cultural resurgence and maintenance.

We are very proud to have got them back.

Tony Taylor, Senior Nyamal Elder



Christopher Simpson (AIATSIS) presents Tony Taylor with the official handover certificate. Photographs courtesy of Susan Standen, ABC Pilbara.

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