



Yamatji Marlpa
ABORIGINAL CORPORATION

country
culture
people
future

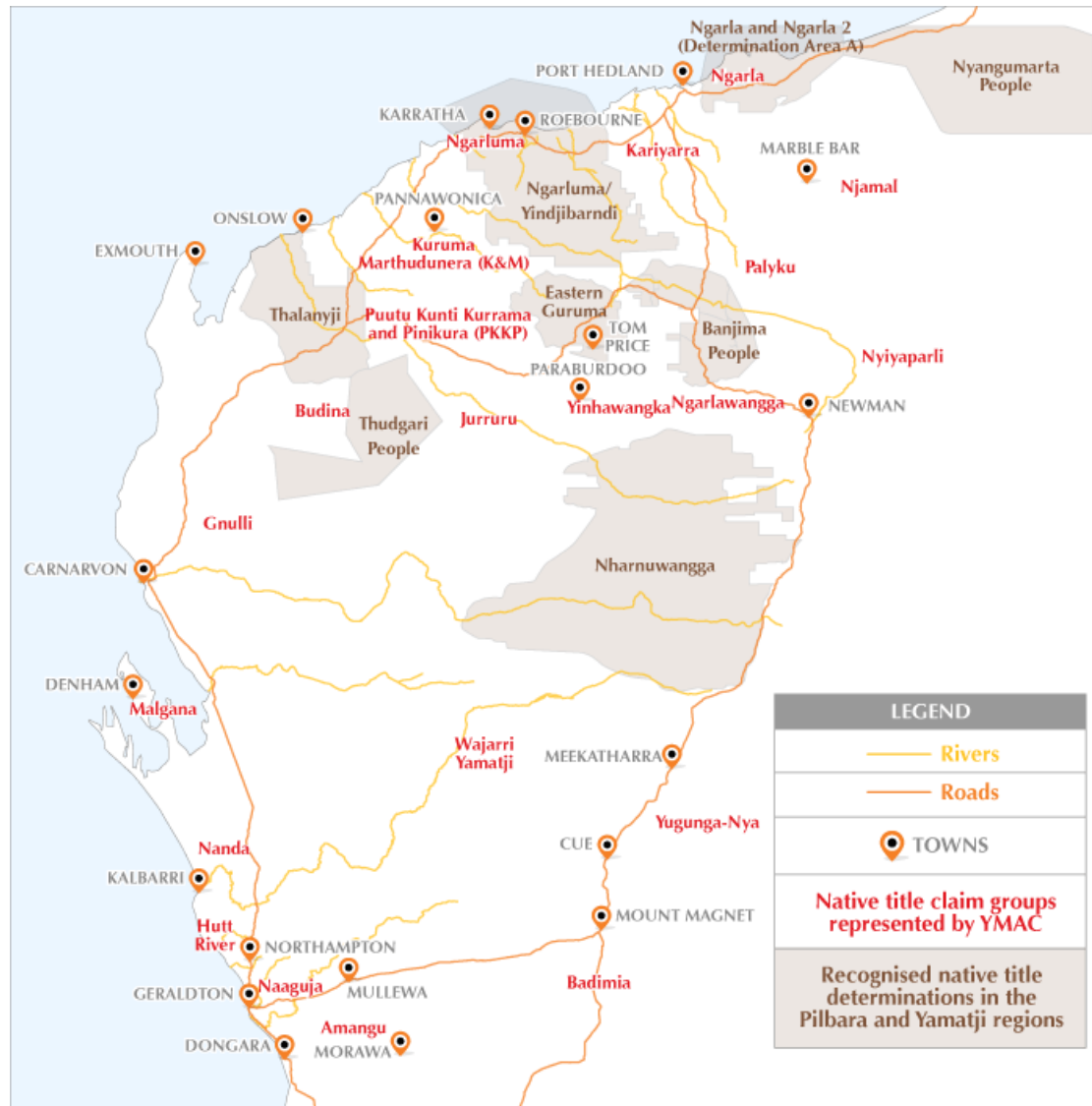
Return of Research Materials Process



- Background
- Policy
- Workshops
- Lessons learnt



Background





NTRB Research

- YMAC has acted as the representative body for native title claims in the Pilbara, Murchison and Gascoyne since 1999.
- Research conducted by anthropologists with respected community members creates a wealth of traditional knowledge about language, culture and significant places on country.



Invaluable material

- The resulting collection of oral history, cultural information and personal and traditional stories is an impressive, one-of-a-kind record of Aboriginal history.
- A valuable resource to Aboriginal families and communities as well as to future researchers.
- A rich source of linguistic, archaeological, anthropological, historical and traditional information and knowledge.



Possible future uses

- Present: Access is limited.
- Possible future uses are:
 - cultural centres.
 - interactive databases.
 - heritage projects.
 - oral history projects.
 - publications.
 - multi-media projects.
 - language projects.



Requests for return

- Steady increase in the amount of requests for returning native title research material by PBCs.
- Success =

Determine an appropriate methodology that is:

- Organised,
- Culturally appropriate
- In consultation with the native title group.



YMAC RoRM Policy

- A policy was drafted in 2013, which outlines YMAC's return of research and litigation material process.
- Returning materials to:
 - Individuals
 - PBCs and Legal Representatives.



YMAC RoRM Policy

- The policy describes:
 - The stages of the return process
 - Types of research materials
 - Associated restrictions
- Gives an *estimated* timeframe for the process to completed.



Individuals

- Entitled access to the material and information they themselves have provided.
- Initiated by filling out and signing the appropriate form.
- Processed only when the request is legitimate.



Individuals

- Requests can be made by the person in question, or, by his/her close relative only.
- Each application is assessed on a case-by-case basis.
- Can access:
 - The originals
 - Copies of the originals
 - A transcript of the information and material they have provided to YMAC.



PBCs and Legal Representatives

- Litigation material and general native title research material can be requested by an authorised PBC or a Legal Representative.
- Proof of authority can be requested by YMAC prior to processing the request.



Personal research

The material provided will not include research material that falls under the *'Personal research material'* category, unless otherwise agreed.

Personal research material includes items such as:

- Personal photographs
- Personal video material
- Personal written material
- Fieldnotes from interviews
- Recorded audio material
- Official personal documents, such as Native Affairs files; Birth, Death and Marriage Certificates
- Witness statements
- Claimant profiles



Cultural sensitivities

The best methodology is developed in unison with YMAC, the PBC and the group.

- Meetings
- Workshops
- Informed consent



Acknowledgement

- Procedure developed, material collated and delivered according to the instructions.
- *Acknowledgement of the Receipt of Research and Litigation Material* signed by a PBC or legal representative upon receipt.
- This will identify the material returned, restrictions and procedures agreed on.



Workshops

- Assistance with two Return of Research Materials Workshops to trial the policy in practice.
- Two determined claims:
 - Ngarla (2010)
 - Nyangumarta (2009)
- YMAC representatives and the anthropologist who conducted the connection research met with claim group representatives Oct 2013 and Mar 2014.



Workshops

- Anthropological and legal advice was sought ahead the workshops.
- This advice addressed:
 - Cultural sensitivities, particularly in the connection report and genealogies.
 - Suggestions for the redacted version of the connection report to be provided to the PBC.
- Aim → to create acceptable protocol and procedure that could be applied to the different types of research materials.



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Workshop presentation

- Aims of the workshop and overview of policy
- Types of research materials held
- Limitations of research materials
- Restrictions (cultural or legal) regarding research material
- The priority materials to be returned
- Whom the material will be returned to
- Format the material will be returned in
- Who will have access to material and who will manage access
- Where material will be stored (short term/long term)
- Managing requests from external researchers
- Special protocols for particular items to be returned



- Material created for specific purposes (native title)
- The connection reports reflect the ‘native title story’ of the group.
- Historical documents are open to interpretation.
- Language in old documents.
- Site locations in site maps and registers may be estimations only.
- Genealogies are never complete.



Long term plans

- Material often held at YMAC.
- YMAC will keep a copy of the research materials.
- Opportunities for YMAC and PBCs to work hand in hand.



Outcomes

- A tailored procedure and guidelines document was created.
- Signed by participants and YMAC.
- Actual return process commenced.
- Feedback from the workshops has been positive.



Lessons learnt

- A rewarding process.
- Many possibilities for future use of the material in the communities, not forgetting the personal value for family members.
- Organising workshops and return of research material process takes considerable effort – (time, funding, staff).
- Challenge to maintain high standard and within reasonable timeframes.



Lessons learnt

- Processing AV material is highly time-consuming and costly.
- Identifying priority items to be returned makes the process more satisfying for all parties.



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Discussion & Questions?

