

## Working with Indigenous People, Content and Country

### Top 10 things to know

1. **All land in Australia is Indigenous land.**
2. When working in Australia, filmmakers need to understand and respect that Aboriginal, Torres Strait Islander and Indigenous peoples are the traditional owners of the land. They have been connected to and caring for the land for over 60,000 years.
3. Indigenous peoples have cultural responsibilities and rights in relation to the land of which they are the traditional owners. This knowledge becomes critical for filmmakers who wish to film in Western Australia, particularly in regional or remote areas.
4. There are hundreds of different Aboriginal groups within Australia, each with their own distinctive language, customs and lore.
5. Establishing who the local traditional owners are prior to filming and creating a working relationship with them, will assist greatly in knowing what areas are sacred and what the appropriate protocols are for access or filming.
6. **“No stories about us, without us.”**
7. If your project contains Indigenous content, concepts or cultural elements, it is absolutely essential that you have Indigenous filmmakers or consultants on your team. If you don't, are you the right person to be telling this story?
8. You should identify Indigenous elements as early as possible to ensure you implement the correct filmmaking protocols throughout the life of your project.
9. If you are filming on Indigenous lands controlled by the Aboriginal Lands Trust (ALT) or vested in the Aboriginal Affairs Planning Authority (AAPA), you will need to obtain a permit through the Department of Planning, Lands and Heritage.
10. Screenwest requires that all funding applicants comply with protocols related to the treatment of Indigenous Cultural and Intellectual Property Rights (ICIP), which refers to the rights that Indigenous people have to protect their traditional arts and culture.

### What is Indigenous Content?

Projects can be classed as containing Indigenous content if they are based on and inspired by Aboriginal or Torres Strait Islander stories, including:

- Indigenous characters (minor or lead).
- Contain themes surrounding contemporary Indigenous life.

- Include representations of Indigenous culture or heritage in any form such as music, dance, artwork, on sacred Country or language.

## **When is Indigenous participation required?**

### **“No stories about us without us” - are you the right person to tell this story?**

If you have a project with Indigenous main themes, characters and content, you need to have an Indigenous key creative, consultation and collaboration accounted and budgeted for. These roles can be separate and is generally taken on by more than one person depending on the amount of Indigenous content and size of the project.

Where there is Indigenous content or community participation involved in any project, written confirmation of the willingness of both the subject(s) and the community to be involved in the project is essential depending on the project requirements.

Where the content is based on a true story or real-life subject, you will need to provide a signed clearance or participation acknowledgement release for any individual or community depicted. A voice and permission from the subject matter or relevant community, or Elder is essential and will only make your application stronger, transparent and genuine.

Where the content involves culturally-specific material, you need written consent to use Aboriginal and/or Torres Strait Islander cultural heritage. It may also be necessary for you to acquire the subject's life rights. You should contact Arts Law and seek legal advice to ensure you follow the correct protocols.

Where the content involved is not specific to a particular community or does not involve a real-life story or depictions of culturally specific material, the team will still need to provide a written statement of how they will deal with the material and where they are filming on Country.

### **This must include, at a minimum:**

- What research has been done and have they approached the relevant community.
- What action has been taken to date.
- What further future consultation and collaboration is proposed.
- Evidence of a concrete plan is required in order to meet the minimum eligibility criteria for Screenwest project development and production funding.

# Working with Indigenous People

## Consultation, Consent and Collaboration

Consultation, consent and collaboration in Indigenous communities are interrelated.

Through consultation a filmmaker can come to understand what requires consent and the correct Elders and community to give it, and the people or community giving consent can more fully understand what they are consenting to and lead to collaboration.

### Consultation

Consultation refers to the process whereby people exchange views and information. Consultation is not just a one-way process, but a process of sharing knowledge and opinions. Consultation means working together, listening to what the other party has to say and acting upon it.

### Consent

Consent is a process whereby permission is given. Consent should be informed, and this means filmmakers need to provide a clear explanation of the filmmaking process, timeframes, contract details, possible benefits, impacts and future uses of footage at the time of seeking consent, to avoid misunderstandings at a later time. The consent process should be transparent for all parties, genuine and information should be explained in English or with the help of an interpreter.

### Collaboration

If your project includes significant Indigenous content, you should be collaborating with Indigenous creatives. Collaboration refers to partnering with Indigenous creatives, engaging an Indigenous practitioner as a key creative (e.g. writer, director or producer) or working with an Indigenous-led production company.

Keep in mind that if you engage a practitioner as an Indigenous consultant in addition to another role, if they have the time to take on both roles, such as a key creative, script editor or casting, they should be credited and budgeted for each role accordingly.

An Indigenous Consultation and Collaboration Plan is an additional plan that filmmakers put in place to ensure that proper respect for Indigenous cultural beliefs, heritage, intellectual property rights, individuals, communities and Country is upheld in every stage of the production process.

## Connecting with Traditional Land Owners

- There are hundreds of different Aboriginal groups within Australia, each with their own distinctive language, customs and lore.
- If you know the general area in Western Australia you want to film, you can start by contacting one of the Land and Sea Councils.
- There are six Land and Sea Councils in Western Australia representing the interests in land held by the traditional owners and native title holders.
- If you have a specific location in mind, reach out to the relevant Local Government Authorities and Cultural and Language Centres in the area.
- You can learn more about the language, social or nation groups of Aboriginal Australia through the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) Map of Indigenous Australia and Austlang Languages Database.

## Location Permits

If you are filming on Indigenous lands controlled by the Aboriginal Lands Trust (ALT) or vested in the Aboriginal Affairs Planning Authority (AAPA), you will need to obtain a permit through the Department of Planning, Lands and Heritage.

## Useful Links

- [Screenwest Indigenous Screen Strategy 2022 - 2025](#)
- [Screen Australia Tools & Insights for First Nations Program Makers](#)
- [Indigenous Cultural and Intellectual Property \(ICIP\) Information Sheet](#)
- [AIATSIS - Map of Indigenous Australia](#)
- [Austlang - Information about Aboriginal and Torres Strait Islander languages](#)
- [Aboriginal Lands Trust | Department of Planning, Lands and Heritage](#)
- [Land and Sea Councils in Western Australia](#)
- [Arts Law](#)
- [Filming in WA Resources](#)
- [Indigenous Crew & Creatives](#)