



# CONFERENCE REPORT:

## Right of Reply – Indigenous Rights in Data Collections Symposium

*By Amy Lawton, Social Research and Information Officer, WESTIR Limited*

October 2019



© WESTIR Limited A.B.N 65 003 487 965 A.C.N. 003 487 965

This work is Copyright. Apart from use permitted under the Copyright Act 1968, no part can be reproduced by any process without the written permission from the Executive Officer of WESTIR Ltd.

All possible care has been taken in the preparation of the information contained in this publication. However, WESTIR Ltd expressly disclaims any liability for the accuracy and sufficiency of the information and under no circumstances shall be liable in negligence or otherwise in or arising out of the preparation or supply of any of the information  
WESTIR Ltd is partly funded by the NSW Department of Family and Community Services.

**WESTIR LTD**

ABN: 65 003 487 965 | ACN: 003 487 965



mail@westir.org.au



(02) 9635 7764



Suite 7, Level 2  
154 Marsden Street  
Parramatta, NSW 2150  
PO Box 136 Parramatta 2124

## **RIGHT OF REPLY – INDIGENOUS RIGHTS IN DATA COLLECTIONS SYMPOSIUM**

**By Amy Lawton, Social Research and Information Officer, WESTIR Limited**

WESTIR Limited attended the 'Right of Reply – Indigenous Rights in Data Collections' Symposium at the [National Centre of Indigenous Excellence](#) in October 2019.

The one day Symposium, organised by the [Indigenous Archives Collective](#)<sup>1</sup>, focused on the importance of Indigenous rights in data and collections, and the importance of 'Right of Reply' in relation to Indigenous self-determination and national truth-telling efforts. Indigenous data and collections was a broad term used to encompass Indigenous objects, dance, song, oral storytelling, and other forms of knowledge and culture sharing.

The Right of Reply is becoming increasingly important for collecting institutions that hold Indigenous cultural materials and records. To engage with the Right of Reply is to recognise the issues and inherent biases associated with colonial collecting paradigms. These issues should also be addressed in relation to trends such as digitisation of colonial collections, artificial intelligence and automation.

The Symposium was opened by Distinguished Professor Larissa Behrendt, Director of Research at [UTS Jumbunna Institute of Indigenous Education and Research](#). Distinguished Professor Behrendt spoke about the importance of Right of Reply and it was being addressing the issue through the [UTS Human Rights and Technology Project](#). The university has also made a submission entitled '[Human Rights and Technology Issues Paper](#)' to the Australian Human Rights Commission to further explore and advocate on this issue.

The remainder of the Symposium brought together a range of speakers to discuss these issues with a focus on emerging trends in data and technology use. A summary of the presentations and discussions are provided below.

### **The Right to Know: Decolonising Native American Archives – Jennifer O'Neal, University of Oregon**

The first speaker for the Symposium was Acting Assistant Professor [Jennifer O'Neal](#) from the Department of Indigenous, Race and Ethnic Studies at the University of Oregon. Acting Assistant Professor O'Neal shared her personal story about being a member of the Confederated Tribes of Grand Ronde in Oregon. She emphasised the role of decolonising research methodologies which is described as:

*“Replacing Western ways of managing tribal collections with those rooted in the Indigenous epistemological traditional ways of knowing and stewarding data collections”.*

---

<sup>1</sup>The Indigenous Archives Collective aims to showcase and connect information on innovative projects that are working with Indigenous knowledge sources. The Collective focuses on areas such as decolonising practices, building dialogue and providing a voice for Indigenous people, self-determination and agency, cultural and intellectual property rights, and education and training.

Acting Assistant Professor O’Neal spoke about the historic trauma experienced by Native Americans due to the loss of ownership over their own data. She has been involved in several projects to remedy these injustices including:

- **Southwest Oregon Research Project**: the process of returning thousands of federal and ethnographic records back to Oregon’s tribes. The records are housed at the University of Oregon and with Oregon’s nine native tribes.
- **Protocols for Native American Archival Materials**: the protocols are guidance for archivists on best practice. The main goals of the protocols are to improve existing relationships, build new interactions, respect and recognise of tribal communities, reciprocity through collaborations, and share stewardship of traditional collections. There have been challenges when developing these protocols, including open access, giving data back to communities, and post-custodial management of data.

The presentation concluded with Acting Assistant Professor O’Neal providing practical advice on implementing a decolonising Indigenous research model:

1. Giving Indigenous communities control over their history and addressing their trauma.
2. Accepting different ways of knowing and managing collections. In the Indigenous context, it is necessary to centre Indigenous relationality, encompassing aspects such as families, languages, place, land, territory, sacred history, and ceremonial cycle.
3. Indigenous sovereignty and self-determination must be respected.
4. Each Indigenous community is different and unique – what may work for one community may not work for the other.
5. Indigenous communities should guide the project.

She also encouraged attendees to remember their humanity through the following quote:

*“What is required then is to wrench ourselves out of our passivity and to integrate our professional lives with our humanity” (Zinn 2011)*

### **Panel: Creating Space for our Stories and Speaking Back to Collections**

The next session was a panel exploring how spaces can be created for stories and collections. The panel consisted of Pauline Clague from UTS, Nathan Sentance from the Australian Museum, and Kirsten Thorpe from UTS and Monash University. The discussion was guided by the following questions:

- How do we engage with the digitising of works held within institutions?
- What are good methods and protocols for digital collections?
- How do we make sure the content is given an Indigenous lens?
- How does story and communal knowledge versus sacred knowledge get treated in the digital space?

Some of the major points that were shared included:

- The digital space offers great opportunities to tell stories and cause disruption, but they should not replace the physical.
- The digital space could provide opportunities to link dispersed collections.
- Data collections, whether physical or digital, need to consider how it will impact the people that are accessing the records:
  - Should we determine how people access and respond to their own histories?
  - What impact does information have on people and their families when it is incorrect and untrue?
  - How do we look back and not repeat history?
  - Are we working with privileged structures and how do we fracture that?
- Archives are living and a connection to ancestral beings, hence cultural and intellectual property rights, are an important part of Indigenous people.
- There is a need for good leadership, resourcing and adopting a rights-based approach to invest in progressive ideas.
- Indigenous agency and control need to be central in record keeping. Indigenous communities need to be active participants rather than data captives of the colonial model. Data collections need to acknowledge principles such as non-linear storytelling and communality.

### **New Indigenous Artificial Intelligence: Data and the role of Indigenous Knowledges, Systems and Governance**

The next presentation was by Angie Abdilla and Keir Winesmith from social enterprise [Old Ways New](#). They spoke about how Indigenous knowledge systems and governance can inform new and emerging technologies. They defined Indigenous Knowledge Systems as:

*“...the recognition of Indigenous spirituality, Aboriginal science, philosophy, cosmology, kinship, country, culture and the Dreaming, known as lore (otherwise akin to ‘law’). Essentially, Indigenous Knowledge Systems is a term to make sense of all the components that Western systems historically have segregated”.*

Indigenous Knowledge Systems can create better digital and artificial intelligence systems as they embrace complexity theory, systems thinking and network theory. There is a need for more discussion in this space, with many issues covered in an Old Ways New publication called [‘Decolonising the Digital: Technology as Cultural Practice’](#).

## Who's right?

The next talk was from Marcus Hughes, Head of Indigenous Engagement and Strategy from the [Museum of Applied Arts and Sciences](#). Marcus explored the questions, Who has permission? Who is correct? Who has authority? and Who is okay? He spoke about the importance of Indigenous representation at museums but that these staff members cannot always represent the diverse views of the many Indigenous communities and cultures in Australia. He also updated the group on the relocation of the Powerhouse Museum and the logistical challenge of moving half a million objects to a new site. It has been important for museum staff to advocate the NSW Government for relocation funds to ensure this process is done properly and respectfully.

## Truth Telling: Indigenous Collections – Who has the authority to represent our cultures and stories

The next presentation was from Tasha James, Indigenous Connections Manager at the [National Film and Sounds Archives of Australia](#). Tasha reminded attendees that colonisation has dismantled Indigenous knowledge systems but this was changing as Indigenous people wanted to know their culture and language. Collecting institutions are often the holders of data, not the communities themselves, and often depict a stereotypical representation of Indigenous people and their cultures. Tasha spoke about two recent documentaries, First Australians and First Footprints, which are being used to change the narrative about Indigenous communities. The role of archivists and curators are changing, transitioning from experts to facilitators, so that Indigenous communities are engaged and have ownership over the whole storytelling process.

## Community Rights in Intangible and Tangible Cultural Heritage Materials

The final speaker of the Symposium was Dr Shannon Faulkhead from the First Peoples Department of [Museums Victoria](#). Dr Faulkhead spoke about her own personal story and reminded us that archives are owned by the community, not by institutions. There is a need to place First Peoples at the centre of everything we do, and we cannot separate tangible and intangible records.

## Roundtable Discussion: Right of Reply in FAIR Principles

The final afternoon session focused on table discussions on where the 'Right of Reply' fits into the [FAIR data principles](#). The FAIR (Findable, Accessible, Interoperable, Reusable) data principles are used nationally and internationally as a framework for thinking about data sharing in a way that will enable maximum use and reuse.

## Other useful resources

- **Indigenous Archives Collective:** [www.indigenousarchives.net](http://www.indigenousarchives.net)
- **Right of Reply Symposium Issues Paper:** <https://bit.ly/2pEpWrC>
- **UTS Aboriginal and Torres Strait Islander Data Archive:** [www.atsida.edu.au](http://www.atsida.edu.au)
- **Australian Society of Archivists eLearning courses:** [www.bit.ly/newelearning](http://www.bit.ly/newelearning)

