Australian Aboriginal and Torres Strait Islander Ancestral Remains and Significant Cultural Objects Policy

Section 1 - Purpose and Scope

(1) The University of Queensland (the University) recognises the value and the importance of preserving, revitalising, and strengthening Aboriginal and Torres Strait Islander (hereafter, Indigenous) cultures, including the continued promotion and practice of cultural heritage matters. The University also acknowledges that Indigenous people are the Traditional Owners of their Ancestral Remains and cultural heritage and that the historic removal of remains and objects by universities, museums, and private collectors, particularly in instances of theft or coercion, was culturally inappropriate and part of a larger narrative of dispossession and injustice. As an act of restorative justice, repatriation of Indigenous Ancestral Remains and significant cultural objects contributes to healing and promotes more dignified relations between Indigenous communities and collecting/research institutions.

(2) This Policy articulates the University's ethical and legal responsibilities for managing Indigenous Ancestral Remains and significant cultural objects. Where applicable and possible, the University supports the repatriation of Indigenous Ancestral Remains and significant cultural objects to community/ies with traditional and familial links to that heritage.

(3) This Policy supports compliance with Australian legal requirements and ethical standards in relation to the care and repatriation of Indigenous Ancestral Remains and significant cultural objects, including adherence to the principles outlined in the:

a. Aboriginal Cultural Heritage Act 2003 (Qld) and the Torres Strait Islander Cultural Heritage Act 2003 (Qld) (hereafter, the Acts);
b. Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth);
c. Protection of Movable Cultural Heritage Act 1986 (Cth).

(4) Moreover, this Policy is informed by the conventions of the:

a. Australian Government Policy on Indigenous Repatriation (2016);
b. Dhawura Ngilan: A vision for Aboriginal and Torres Strait Islander heritage in Australia and the Best Practice Standards in Indigenous cultural heritage management and legislation (2020);
c. UN Declaration on the Rights of Indigenous Peoples (2007);
d. International Council of Museums Code of Ethics (2004);
e. UMAC Guidance for the Restitution and Return of Items from University Museums and Collections (2022).

(5) The materials included within the scope of this Policy are Indigenous Ancestral Remains and significant cultural objects as defined by the Acts (see also section 5 of this Policy). This Policy applies to all University of Queensland staff, students, and title holders.

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Section 2 - Principles and Key Requirements

(6) The University will adhere to all relevant legislation and conventions relating to the care, handling, and possible repatriation of Indigenous Ancestral Remains and significant cultural objects.

(7) The care, handling, and possible repatriation of Indigenous Ancestral Remains and significant cultural objects will be undertaken in ways that are compatible with relevant Aboriginal and/ or Torres Strait Islander traditions, customs, and ceremonies. This includes gender specific traditions, customs, and ceremonies where these traditions, customs and ceremonies are known, can be ascertained, or have been advised by the relevant Traditional Owners.

(8) The University will take reasonable steps to transfer applicable Indigenous Ancestral Remains and significant cultural objects as soon as practicable to Traditional Owners or the State as appropriate under sections 17(2) and 19(2) of the Aboriginal Cultural Heritage Act 2003 (Qld) and the Torres Strait Islander Cultural Heritage Act 2003 (Qld) and in consideration of any advice from the appropriate Australian government agency and relevant Indigenous communities

(9) Where repatriation of applicable Indigenous Ancestral Remains and significant cultural objects occurs between the University and Traditional Owners directly, the transfer of material and/or title will be done through consultation with the relevant Traditional Owners and be:

a. Undertaken in a way that is not unduly burdensome to the relevant Indigenous community.
b. Undertaken in a manner consistent with the preferences of the relevant community.

(10) The University will retain documentation of all repatriation decisions and associated processes in accordance with the University's recording keeping policies.

Section 3 - Roles, Responsibilities and Accountabilities

Provost

(11) The Provost is responsible for:

a. the promulgation, implementation, and review of this Policy; and
b. fostering a culture that values, respects, and protects the heritage of Australia's Indigenous communities.

Deputy Provost, Deputy Vice-Chancellor (Indigenous Engagement) and Pro-Vice-Chancellor (Research)

(12) The Deputy Provost, Deputy Vice-Chancellor (Indigenous Engagement) and Pro-Vice-Chancellor (Research) act as the University's champions of this Policy. These champions assist the Provost in developing and implementing strategies to support an institution-wide culture that values, respects and protects the heritage of Australia's Indigenous communities.

Section 4 - Monitoring, Review and Assurance

(13) The Deputy Provost is responsible for monitoring, reviewing, and providing assurance on the effectiveness of this Policy and for reporting to the Provost.

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Section 5 - Appendix

Definitions

Term	Definition
Aboriginal and Torres Strait Islander cultural heritage	As per the meaning within the Acts, is anything that is: (a) a significant Aboriginal and/or Torres Strait Islander area; or (b) a significant Aboriginal and/or Torres Strait Islander object; or (c) evidence, of archaeological or historical significance of Aboriginal and/or Torres Strait Islander occupation.
Aboriginal and Torres Strait Islander significant cultural objects	As per the meaning within the Acts, refers to significant cultural objects that: (a) relate to the Aboriginal and Torres Strait Islander occupation of any part of Australia whether or not the object existed prior to the occupation of that part of Australia by people of non-Aboriginal descent; and (b) is significant to Aboriginal and Torres Strait Islander people generally or of a particular community or group of Aboriginal and Torres Strait Islander people who consider the object/s to be of significance, but it does not include: (a) an object that has been donated with known provenance or made, or is likely to have been made, for the purpose of sale; or (b) Aboriginal and Torres Strait Islander Ancestral Remains.
Ancestral Remains	Means the whole or part of the bodily remains (including skeletal matter, human tissues, burial objects, and associated material) of an Aboriginal or Torres Strait Islander person but does not include a body, or the remains of a body, buried in a public cemetery that is still used for the interment of human remains.
Cultural heritage significance	Includes: (a) archaeological, anthropological, contemporary, historical, scientific, social, or spiritual significance; and (b) significance in accordance with Aboriginal and Torres Strait Islander tradition
Repatriation	Within the context of this Policy, means the return of Aboriginal and/or Torres Strait Islander Ancestral Remains and/ or significant cultural heritage objects to the relevant Aboriginal and/or Torres Strait Islander community/ies.
Staff	Refers to: (a) members of the University Senate, (b) all continuing, fixed term, and casual employees (c) academic title holders, visiting academics, Emeritus Professors, adjunct and honorary title holders, industry fellows and conjoint appointment holders, (d) other persons acting in an honorary or voluntary capacity for UQ, including work experience students.
Student	Means a person enrolled as a student in the University or undertaking courses or programs at the University.
Traditional Owners	In the context of this Policy refers to Aboriginal and/or Torres Strait Islander people who are entitled by relevant Aboriginal or Torres Strait Islander traditions to make decisions for, or have custody of, Ancestral Remains and significant cultural objects.

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Status and Details

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Policy Owner	Mark Blows Provost and Senior Vice-President
Enquiries Contact	Repatriation Management Steering Committee

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