6 January 2026

CULTURAL PROTOCOL ADVISORY NOTE
ECONOMIC JUSTICE, CULTURAL AUTHORITY AND STRUCTURAL BENEFIT

Table of Contents

CULTURAL PROTOCOL ADVISORY NOTE ECONOMIC JUSTICE, CULTURAL AUTHORITY AND STRUCTURAL BENEFIT ***1***

Context ***1***

1. Cultural Authority on Country ***2***

2. Foundational Legal and Policy Frameworks ***2***

3. Indigenous Cultural and Intellectual Property (ICIP) ***2***

4. Modern Slavery and Ethical Procurement Principles ***3***

5. Australian Labour and Anti-Exploitation Frameworks ***3***

6. Local Government and State Policy Alignment ***4***

7. Historical Context and Economic Justice ***4***

8. Our Position ***4***

9. Purpose of This Advisory ***5***

Context

This Advisory Note is provided to clarify the onus of institutions, local councils and other organisations and collaborators in ensuring economic justice in Indigenous partnerships on Country.

All cultural knowledges and perspectives contained in this submission remain the Indigenous Cultural and Intellectual Property of the Baramadagal Darug people. Any further use, reproduction, distribution, citation, or adaptation requires the free, prior and informed consent of the Baramadagal Darug Tribal Governing Council.

It is offered to support consistent, respectful practice and to assist staff, councillors, contractors and collaborators to distinguish Indigenous cultural laws / protocols from colonial imaginings.

1. Cultural Authority on Country

Identifying genuine Traditional Owners / Custodians based on verified family bloodlines and community connection and acceptances is the first step to building relational rapport with the right people.

Traditional Owners / Custodians hold cultural authority on their Country. This authority operates according to Indigenous law, custom, and relational obligation and exists independently of institutional, civic, or contractual hierarchies.

Cultural authority is derived through bloodline sovereignty and therefore identifying family groups who are relevant to a specific place is always the first step.

2. Foundational Legal and Policy Frameworks

Engagement with Traditional Owners / Custodians and First Nations cultural material by the City of Parramatta must be grounded in economic justice, in accordance with binding and guiding legal, policy, and governance instruments.

Australia endorsed the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2009, committing governments and public authorities to uphold its principles.

Relevant articles include:

- **Article 3** – Indigenous peoples have the right to self-determination, including control over their economic development.
- **Article 11(2)** – States shall provide redress, including restitution or compensation, for cultural, intellectual, and spiritual property taken without free, prior and informed consent.
- **Article 18** – Indigenous peoples have the right to participate in decision-making in matters affecting their rights.
- **Article 31** – Indigenous peoples have the right to maintain, control, protect, and develop their cultural heritage, traditional knowledge, and cultural expressions.

These provisions establish that Indigenous cultural authority is not voluntary participation, but a right that requires **resourcing, remuneration, and control**.

3. Indigenous Cultural and Intellectual Property (ICIP)

National ICIP protocols recognise that Indigenous knowledge, language, stories, and cultural expressions are collectively owned by Traditional Owners / Custodians and are protected forms of Indigenous Cultural and Intellectual Property.

All cultural knowledges and perspectives contained in this submission remain the Indigenous Cultural and Intellectual Property of the Baramadagal Darug people. Any further use, reproduction, distribution, citation, or adaptation requires the free, prior and informed consent of the Baramadagal Darug Tribal Governing Council.

Ethical engagement requires:

- Free, prior and informed consent
- Recognition of Traditional Owner authority
- Fair payment and benefit-sharing

Expecting Traditional Owners / Custodians to provide cultural guidance or governance without remuneration, while non-Indigenous staff or consultants are paid to manage, interpret, or administer that same cultural material, constitutes economic extraction and breaches ICIP principles.

4. Modern Slavery and Ethical Procurement Principles

The City of Parramatta has committed to modern slavery prevention and ethical procurement standards.

Under the Modern Slavery Act 2018 (NSW) and the Modern Slavery Act 2018 (Cth), organisations are required to address risks of labour exploitation, including those arising from structural vulnerability and historical disadvantage.

In this context:

- Expecting unpaid or underpaid cultural labour from families historically subjected to forced labour, child removal, and child exploitation
- While benefiting institutionally, reputationally, or operationally from that labour

creates a continuum of economic exploitation that is incompatible with modern slavery principles.

Economic justice is therefore a necessary safeguard against ongoing colonial violence through extraction.

5. Australian Labour and Anti-Exploitation Frameworks

Under the Fair Work Act 2009 (Cth), labour performed for the benefit of an organisation, particularly where that labour contributes to compliance, reputation, governance, or operational outcomes, **must be remunerated**.

Cultural engagement, consultation, governance advice, and knowledge-sharing are forms of professional labour and expertise, not informal goodwill.

Failure to remunerate Indigenous cultural labour while compensating settler professionals to manage Indigenous affairs risks exploitative practice and structural discrimination.

All cultural knowledges and perspectives contained in this submission remain the Indigenous Cultural and Intellectual Property of the Baramadagal Darug people. Any further use, reproduction, distribution, citation, or adaptation requires the free, prior and informed consent of the Baramadagal Darug Tribal Governing Council.

6. Local Government and State Policy Alignment

The Local Government Act 1993 (NSW) requires councils to act in a socially just, equitable, and responsible manner.

NSW Government commitments under Closing the Gap - Priority Reform One further require shared decision-making and **resourcing of Aboriginal-led governance**, not symbolic consultation.

Engagement without economic benefit to Traditional Owners / Custodians is inconsistent with these obligations.

7. Historical Context and Economic Justice

Our family group (the Baramadagal people of the Reid Goldspink bloodlines) were directly impacted by the earliest stolen generations and the early forms of enslaved child labour practices in this region. These were state-sanctioned systems of economic extraction and control.

That history is not incidental. It creates a **heightened obligation** to ensure that contemporary engagement:

- Does not reproduce unpaid or under-valued Indigenous labour
- Does not shift economic benefit to institutions while extracting cultural authority
- Actively embeds economic justice as a corrective to past and present harm

8. Our Position

We are not seeking preferential treatment, we are seeking just treatment, given our family group are Traditional Owners / Custodians, that complies with:

- UNDRIP
- ICIP standards
- Modern slavery and ethical procurement obligations
- Australian labour law
- NSW local government social justice requirements

Where the City of Parramatta benefits from Indigenous knowledge, authority, language, stories or relational trust - economic justice must be embedded structurally through fair remuneration, recognised authority, and appropriate structural resourcing.

Anything less constitutes colonial violence through ongoing economic extraction.

All cultural knowledges and perspectives contained in this submission remain the Indigenous Cultural and Intellectual Property of the Baramadagal Darug people. Any further use, reproduction, distribution, citation, or adaptation requires the free, prior and informed consent of the Baramadagal Darug Tribal Governing Council.

9. Purpose of This Advisory

This note is provided to strengthen consistency, reduce the risk of cultural law violations and breaches of colonial laws, and ensure that stated commitments to First Nations respect are embedded structurally, reflected in practice and derive real benefit-sharing for the Traditional Owner group relevant to this area.

Prepared by:
Julie Christian & Jayne Christian
Baramadagal Darug Tribal Governing Council

All cultural knowledges and perspectives contained in this submission remain the Indigenous Cultural and Intellectual Property of the Baramadagal Darug people. Any further use, reproduction, distribution, citation, or adaptation requires the free, prior and informed consent of the Baramadagal Darug Tribal Governing Council.