

# Collaborative Science on Kimberley Saltwater Country - A Guide for Researchers -



YAWURU



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Gina Lincoln<sup>1,2</sup>, Beau Austin<sup>3,4</sup>, Rebecca Dobbs<sup>5</sup>, Dean Mathews<sup>6</sup>, Daniel Oades<sup>2</sup>, Albert Wiggan<sup>2</sup>, Sam Bayley<sup>2</sup>, Joe Edgar<sup>7</sup>, Thomas King<sup>7</sup>, Kevin George<sup>8</sup>, James Mansfield<sup>9</sup>, Julie Melbourne<sup>6</sup> & Tom Vigilante<sup>10</sup>

<sup>1</sup> Mosaic Environmental Consulting.

<sup>2</sup> Kimberley Land Council.

<sup>3</sup> Research Institute for the Environment and Livelihoods, Charles Darwin University.

<sup>4</sup> Commonwealth Scientific & Industrial Research Organisation (CSIRO).

<sup>5</sup> Centre of Excellence for Natural Resource Management, University of Western Australia.

<sup>6</sup> Nyamba Buru Yawuru.

<sup>7</sup> Karajarri Traditional Land Association.

<sup>8</sup> Bardi Jawi Niimidiman Aboriginal Corporation.

<sup>9</sup> Dambimangari Aboriginal Corporation.

<sup>10</sup> Bush Heritage Australia.

Author contact:

Gina Lincoln

Principal Consultant, Mosaic Environmental

[gina@mosaicenvironmental.com.au](mailto:gina@mosaicenvironmental.com.au)

[www.mosaicenvironmental.com.au](http://www.mosaicenvironmental.com.au)

PO Box 122 Broome, Western Australia 6725

0427 655 434

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This document should be used only for the purpose specified herein. Information is provided in good faith as a basis for moving forward into a more collaborative research space. No part of it is legally binding on Indigenous Rangers, Traditional Owners or their representatives.

This Guide should not be applied to other research types or to research in areas belonging to Indigenous groups not specified herein without the specific direction of the relevant Prescribed Body Corporate for the area of interest.

At the discretion of individual Indigenous Groups and their Prescribed Body Corporate, it may be applied to proposed cinematography or other filming projects.

## Contents

|  |    |
|--|----|
| Introduction to this Guide.....                                    | 5  |
| Essential Concepts .....   | 9  |
| Collaborative Research .....                                       | 9  |
| What if my research project isn't collaborative?.....              | 12 |
| Fee for Service work .....   | 13 |
| Multidisciplinary research programs .....                          | 14 |
| Emergency research.....  | 15 |
| Understanding local governance structures.....                     | 16 |
| Getting Started.....   | 19 |
| Stage 1 - Preparing for Research.....                              | 20 |
| Stage 2 – Developing the project plan together & application ..... | 24 |
| Stage 3 - Assessment & Consultation .....                          | 29 |
| Stage 4 - Agreement Brokerage .....                                | 32 |
| Stage 5 - Working on Country .....                                 | 36 |
| Stage 6 - Communicating Results.....                               | 41 |
| Summary of work required by stages .....                           | 46 |
| Indigenous research partners & their Country .....                 | 47 |
| Kimberley-wide resources & information.....                        | 48 |
| Balangarra people .....  | 49 |
| Wunambal Gaambera (Unguu) people.....                              | 50 |
| Dambimangari people.....   | 51 |
| Bardi Jawi people .....  | 52 |
| Nyul Nyul people.....  | 53 |
| Yawuru people .....  | 54 |
| Karajarri people.....  | 55 |
| Key terms .....  | 56 |
| Forms .....  | 85 |
| List of figures.....   | 86 |
| References .....   | 87 |

## Key terms

|   |    |
|---|----|
| Accompaniment by the right people.....                      | 56 |
| Alcohol-free research environment.....                      | 57 |
| Camping and accommodation.....                              | 57 |
| Communication aids.....                                     | 57 |
| Conduct.....  | 58 |
| Consultation with Traditional Owners.....                   | 58 |
| Country.....  | 59 |
| Critical Agreement Terms.....                               | 59 |
| Intellectual Property.....                                  | 61 |
| Publishing the Research.....                                | 62 |
| Acknowledgement.....  | 63 |
| Confidential Information.....                               | 64 |
| Liability and Insurance.....                                | 65 |
| Accompaniment.....  | 66 |
| Cultural Advisor.....                                       | 67 |
| Ethics approvals.....                                       | 67 |
| First Point of Contact (FPOC).....                          | 67 |
| Free, prior informed consent (FPIC).....                    | 68 |
| Importance of spending time with people.....                | 70 |
| Indigenous Protected Areas (IPAs).....                      | 70 |
| Indigenous Rangers.....                                     | 70 |
| Joint Management.....                                       | 71 |
| Kimberley Indigenous Saltwater Science Project (KISSP)..... | 73 |
| Kimberley Land Council (KLC).....                           | 75 |
| KLC Land & Sea Management Unit (LMSU).....                  | 75 |
| KLC Research Ethics and Access Committee (REAC).....        | 76 |
| Non-compliance.....   | 76 |
| Payment and in-kind contributions.....                      | 77 |
| In-kind contributions by Indigenous research partners.....  | 77 |
| Compensation for work done from Stages 2 - 4.....           | 77 |
| Compensation for work done during stage 5 (field work)..... | 79 |
| Risk management.....  | 80 |
| Saltwater Country.....                                      | 80 |
| Timeframes and timelines.....                               | 80 |

## Introduction to this Guide

The Kimberley region is unique due to its natural wealth and the rich culture of its Indigenous people. The region an amazing place to work and visit, with research opportunities not experienced in other parts of the country.

Indigenous Kimberley land & sea managers value the contribution of western science to management of their [saltwater County](#) in contemporary Australia, just as researchers with Kimberley experience value the contributions of Indigenous knowledge to scientific research.

Over time researchers have found that the western science they bring to their research projects is only one side of the equation, with Indigenous knowledge providing the balance. Experienced researchers place high value the input of Traditional Owners, Indigenous Rangers and other traditional knowledge holders to research projects. They also make good use of the network of Indigenous people with skills, knowledge, expertise, resources and interest in land and sea management and research. In essence, they do [collaborative research](#) on Kimberley Country.

Collaborative research (working 'two-ways') is the best-practice approach supported by Indigenous people in this region. It works because it respect both types of knowledge and culture, meets the research needs of all research partners and makes best use of available resources.

However, achieving good collaborative research has not always been easy for Kimberley researchers, particularly those new to working with Indigenous land and sea managers. While there have been numerous success stories and positive outcomes for all research partners, there have also been significant challenges to overcome.

This Guide has been developed to address shortfalls in the existing processes and to provide some consistency to researchers embarking on Kimberley coastal or marine research projects.

This Guide steps land and sea researchers through the process of doing research projects with Indigenous Kimberley saltwater people, providing access to an established network of Indigenous land & sea management professionals, deeply knowledgeable elders and Indigenous Rangers with research & monitoring experience

It explains the requirements of researchers planning natural & cultural resource management on Kimberley traditional land and is linked to a new online [research proposal form](#). It also acts a database of information, helping researchers to learn about Indigenous people and [Country](#) and supporting them as they plan for remote research.

### One of five complementary products

This Guide is one of a set of five products developed within the [Kimberley Indigenous Saltwater Science Project](#) that can be used by land and sea researchers with an interest in the Kimberley:

- *Mobilising Indigenous Knowledge for Collaborative Management of Kimberley Saltwater Country*
- *Guidelines for Collaborative Knowledge Work in Kimberley Saltwater Country*
- *Collaborative Science on Kimberley Saltwater Country - A Guide for Researchers (this document)*
- *Developing a Regional Framework for Saltwater Monitoring in the Kimberley*
- *A toolbox for Saltwater Monitoring in the Kimberley*

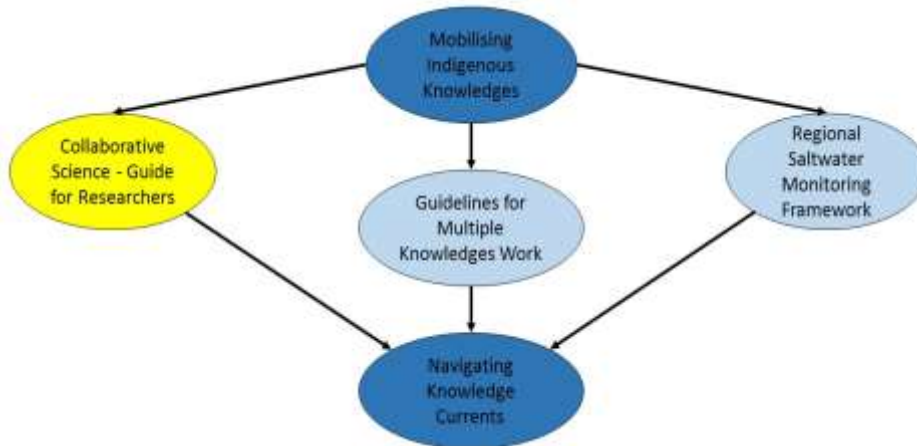


Figure 1. How the five complementary products of the Kimberley Indigenous Saltwater Science Project relate to one another.

### The research cycle at first glance

The collaborative research process described within this Guide is presented as six core stages, each requiring a series of steps to be completed. While these are described in detail in following sections, the below diagram is included as a first-glance introduction for readers of this Guide. A more detailed diagram showing the work involved in each stage is available [here](#).

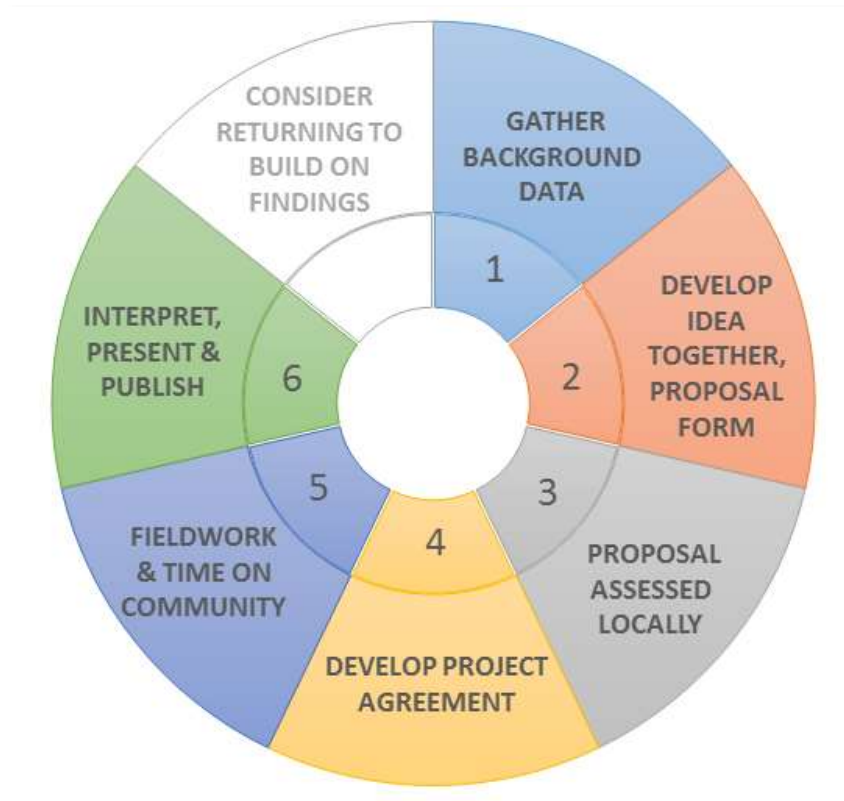


Figure 2. Simplified stages of the Collaborative Research Cycle described within this Guide.

### Where this Guide applies

As at the time of writing, this Guide applies only to those areas of land and sea that fall within the jurisdiction of partnering Kimberley Aboriginal Corporations ([PBCs and RNTBCs](#)) that have agreed to support this approach. Nonetheless, the principles imbedded in this Guide will be useful for researchers considering working in other parts of the Kimberley.

It is possible that future versions of this Guide may be developed to include a larger number of Traditional Owner groups and more inland areas as the processes are tested and refined. Please ensure you are working with the most recent version.

At the time of writing, this Guide applies to natural and cultural resource management research proposed in land or waters belonging to the following Kimberley Indigenous saltwater peoples:

- Balangarra
- Wunambal Gaambera
- Dambimangari
- Bardi Jawi
- Nyul Nyul
- Yawuru
- Karajarri

(See map over page)



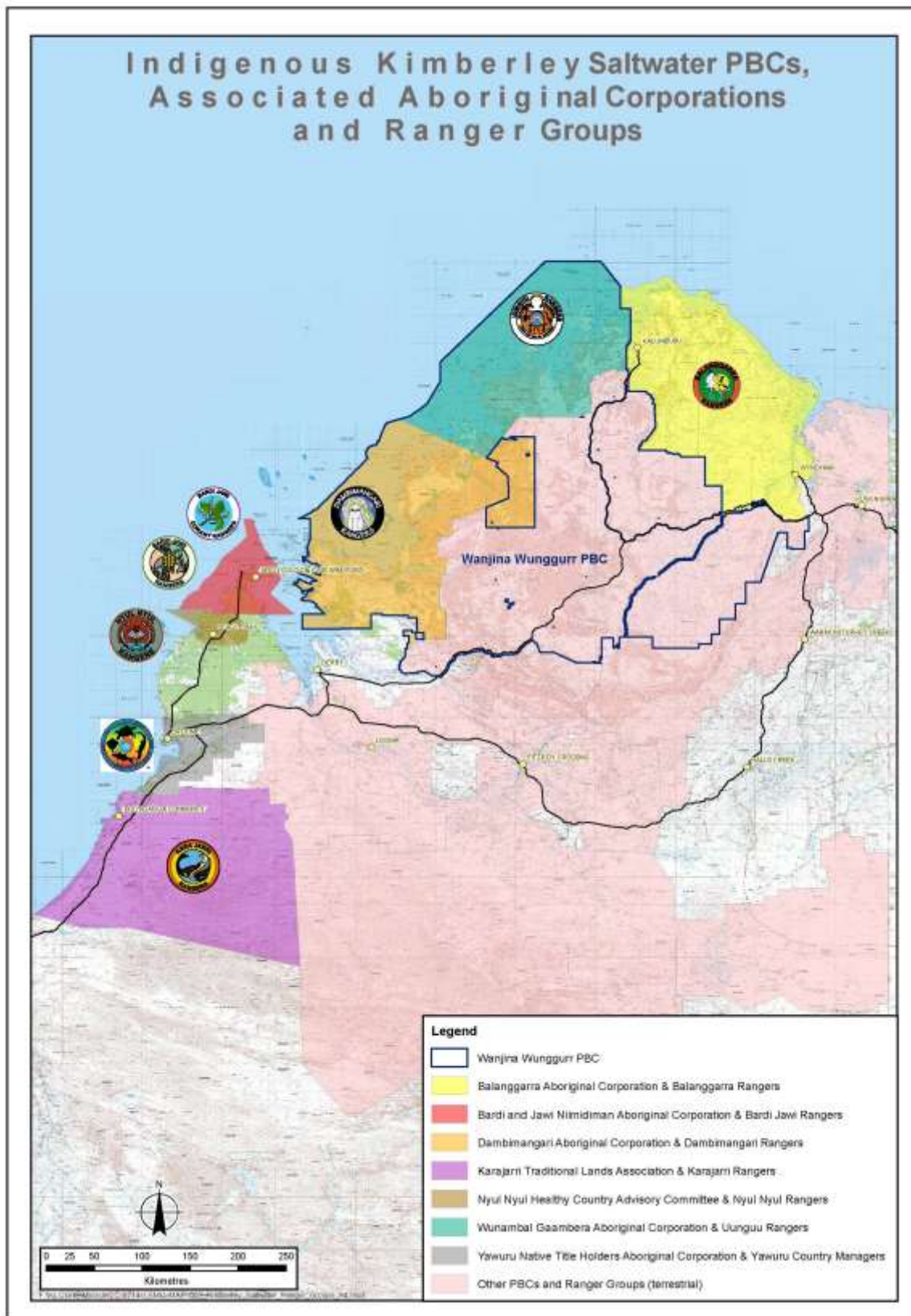


Figure 3 The Kimberley Indigenous Saltwater Groups to whom this Guide applies

## Essential Concepts

### Collaborative Research

Collaborative research can be thought of as land and sea research that is jointly owned and run by Indigenous people and their western science research partners in a way that values the contributions of both groups and builds knowledge together.

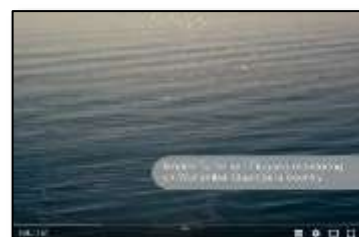
Collaborative research takes into account the management aspirations of contributing parties, addresses the research needs of both groups and shares the work and funding resources fairly. It is often referred to as two-way research.



[Example of collaborative research – mapping dugong populations](#)



[Example of collaborative research - monitoring snubfin dolphin in Roebuck Bay](#)



[Example of collaborative research - Unguu turtle monitoring](#)

***“Our knowledge helps the science work because we know for example when we are doing our turtle transects we already know if it is too windy or too choppy or if the water is too murky to see. If the tides are too big. Even when we look from on top we can see which sex it is without catching it. We can tell by the way they swim. Hawksbill swim different to green and flatback.***

***Using that knowledge makes it easier to record the data.”***

(Indigenous Ranger, 2016)

***“From an analytical perspective we are working with cutting edge methods, but we relied heavily on traditional knowledge to find the species we were working on. For some of the species we also relied on traditional knowledge to gain a better understanding of reproductive ecology - which is relevant to how we interpret results”***

(Kimberley researcher, 2016)

There are many and varied benefits of collaborative research practices to western scientists and to the Kimberley Indigenous research partners alike. Some of the key benefits are detailed in the Figures 6 and 7 below.

The co-creation of new knowledge through collaborative research practices is explained in detail in ‘Mobilising Indigenous Knowledge for Collaborative Management of Kimberley Saltwater Country’. It is important that you read through this document during the foundational stages of project development.

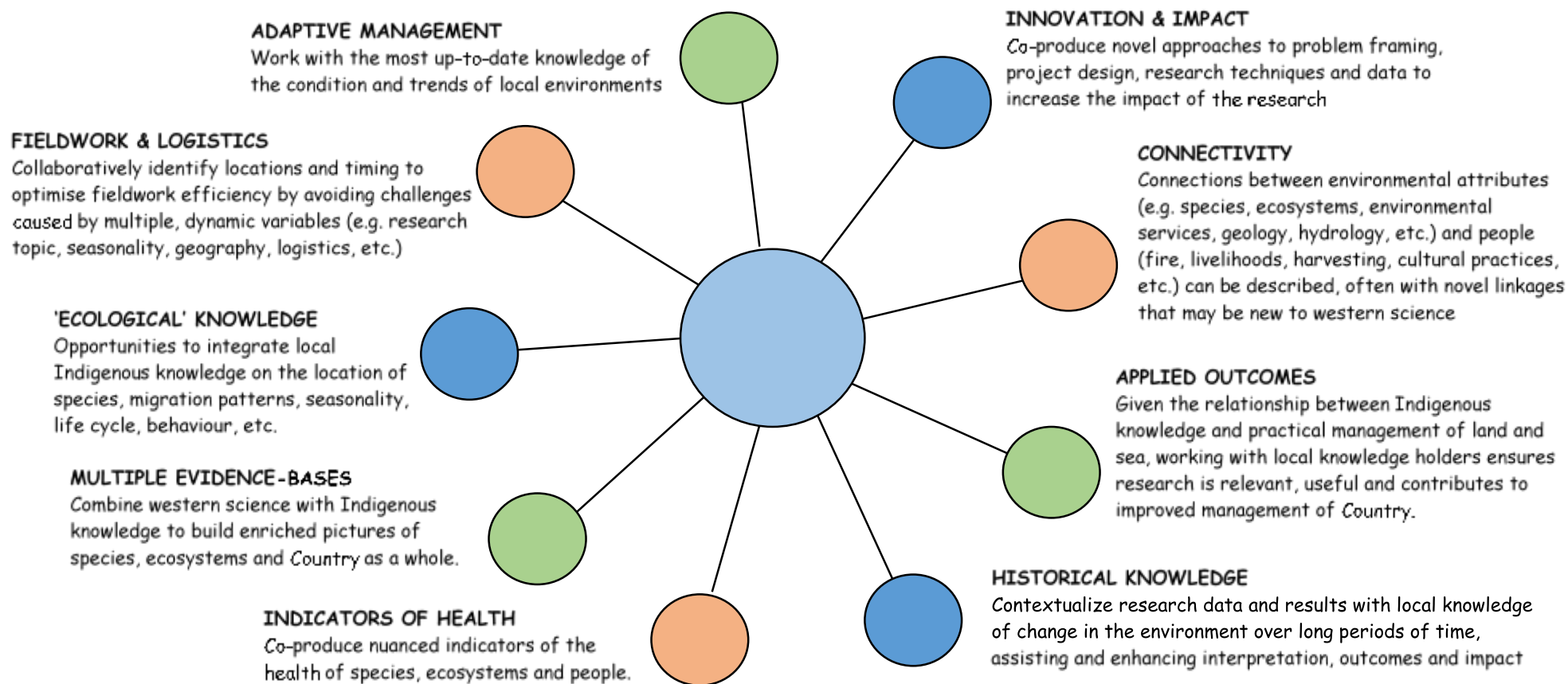


Figure 4. Some of the ways in which researchers benefit from undertaking collaborative research with Indigenous Kimberley people

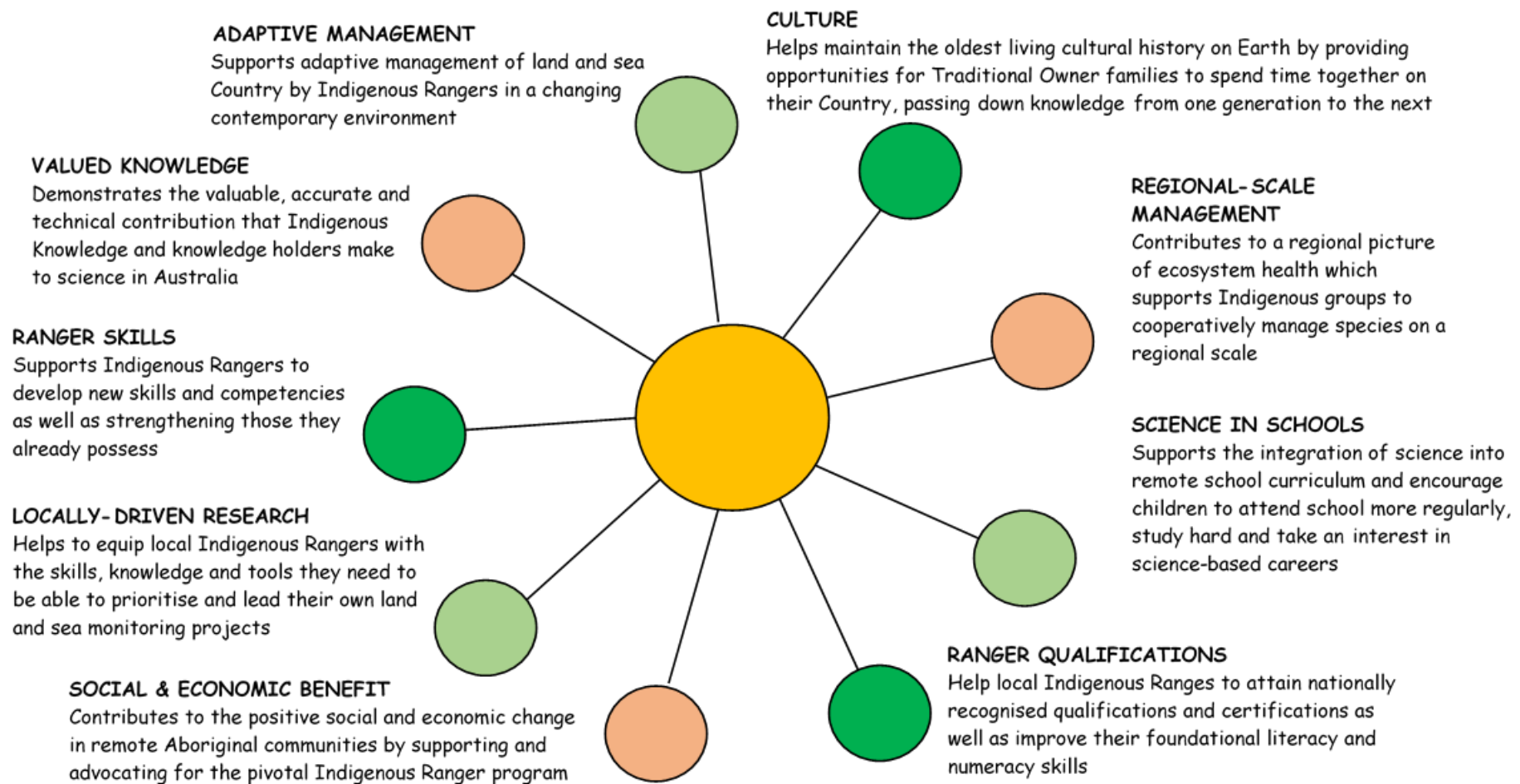


Figure 5. Some of the ways in which Kimberley Indigenous people benefit from undertaking collaborative research with Western Scientists

## What if my research project isn't collaborative?

Almost all land and sea research done in the Kimberley is, by nature and location [collaborative research](#). The approach of 'working together' makes best use of available resources in the remote Kimberley region.

The Kimberley is almost entirely covered by [Native Title](#) determinations or applications, providing [Traditional Owners](#) with specific rights across their traditional lands. In the sea, Kimberley marine parks are [managed jointly](#) between Traditional Owners and the Department Biodiversity, Conservation and Attractions. Further offshore Commonwealth Marine Reserves will be managed collaboratively with local Indigenous stakeholders.

In international terms, the consultative standard required of parties wishing to undertake activity on land owned by Indigenous people is referred to as [free, prior, informed consent](#). Backed by the United Nations, it is an ethical standard that researchers should adhere to when undertaking research on Kimberley land and waters.

Good research has the potential to improve the way in which land and sea country and all that it contains, is managed and maintained for the use and enjoyment of future generations. Collaborative approaches to research help to ensure these benefits are realised.

By involving local Indigenous people in the research project, from development stages right through to the presentation of results to the wider community, the new knowledge and understandings created can live on in the practices of local Indigenous Rangers.

**In some cases, there may be good argument that an individual research project need not meet the requirements of collaborative research. In such cases, the type of local Indigenous involvement may change, but this must be negotiated through the [first point of contact](#) (FPOC) in each area.**

Non-collaborative research projects still need to meet minimum criteria, including:

- Refer to [local planning documents](#) to find out how your research could support local priorities. This is important even if you have a specific project proposal tied to set funding;
- If it doesn't support local priorities, you may be able to negotiate to undertake the project on Country, based around other outcomes. Clear communication about the usefulness of research locally/nationally/internationally is especially important in these cases;
- Talk to the local FPOC early to discuss your research idea and take their advice on how the project could be rolled out;
- Develop a plain English [communication aid](#) to explain your proposal to the local PBC
- Submit a [Research Proposal Form](#) (or facilitate a fee for service arrangement if agreed)
- Sign a research agreement (or fee for service agreement) between your university and PBC
- Arrange for any logistical support you require with the FPOC
- Negotiate any [in-kind support and/or payments](#) to Cultural Advisors and Indigenous Rangers required to work on the research project
- Develop a plain English communication aid to explain the results of your research to the local PBC after the research is complete

## Fee for Service work

Some research projects, or a specific part of them, qualify as a Fee for Service (FFS) arrangement with the local Ranger Group.

If you are proposing research that utilises Indigenous Rangers through FFS, you will need to approach the [first point of contact](#) (FPOC) in the preferred location to discuss this arrangement.

You are encouraged to familiarise yourself with this Guide and work through [Stage 1](#) (A-G) before making contact with him/her. This background information will support the success of your project and help tailor the FFS arrangements to the local Indigenous Ranger group.

The local Ranger Coordinator or IPA Coordinator will progress your proposal under the direction of their [PBC](#).

Considerations include:

- how well it fits into the ranger group's works schedule for the coming quarter
- the resources of the Ranger group
- what benefit to the Rangers of gaining experience in this type of work
- any risks perceived
- cost effectiveness
- location of field work
- local community interest in the research topic

Regardless of whether it becomes a FFS arrangement or a [collaborative research](#) project, it will still need to go through a process of consultation and agreement brokerage.

The main differences will be the way in which the researcher is supported in the field, what type of application form is used, the payment schedule and the agreement type. Usually a FFS agreement will replace a standard research agreement.

Examples of FFS arrangements for research include:

- Remote tyre changing services for a research team during repeated field trips
- Annual biodiversity monitoring of a threatened ecological community and data return to the research coordinator
- Opportunistic collection, storage and shipping specific samples of marine mammals when harvested locally by traditional hunting methods
- Marine debris monitoring & management activities etc.



*Figure 6 Nyul Nyul Rangers undertaking marine debris monitoring*

## Multidisciplinary research programs

The intent of this Guide is to support western scientists and Indigenous research partners to develop and implement [collaborative research](#) projects that have benefit to all parties involved.

If your institution is planning a large, multi-researcher or multi-disciplinary research program, you will need to undertake a higher level of planning and negotiation than is described within this Guide. Once these higher-level arrangements have been made with all local groups, then this Guide will support the individual researchers planning their project component.

For larger initiatives, you will need to start by ensuring there is appropriate Indigenous Kimberley representation within the group of people developing and progressing the research program concept.

Send out an introductory email to all of the [FPOCs](#) within the area of the proposed research program as well as making direct contact with the [regional land & sea manager](#) at the Kimberley Land Council (KLC). Understand that not all Indigenous groups or Indigenous Rangers are affiliated with the [KLC](#) and that you will need to develop an appropriate way of facilitating input on a regional-scale.

You may have the option of part-funding a meeting of a Kimberley Saltwater Working Group (nee [KISSP](#)) comprised of representatives from across Kimberley [Saltwater Country](#) to float your idea. This group cannot make decisions on behalf of their [Prescribed Body Corporates](#) (PBC) but instead acts as a conduit of information between researchers and saltwater communities. Its members are knowledgeable land and sea managers who may also be the FPOC in each region. Speak to the KISSP leadership team [members](#) to progress this option.

You may also want to make contact with institutional staff who have been involved with the development of past regional research programmes in the Kimberley to learn from their experiences. Initiatives such as the [Northern Environmental Science Program](#) and the Western Australian Marine Science Institute's [Kimberley Marine Research Program](#) are recent examples.

## Emergency research

There are times when research or monitoring is required urgently in response to emergency situations such as coral bleaching or pollution events. Local Indigenous people recognise the need for rapid access to [Country](#) and quick research assessment processes in these cases.

Advice to researchers in this situation is to call the local [FPOC](#) to explain the circumstances with as much notice as possible. If events are anticipated in any way (for example sustained high ocean temperatures leading to a risk of coral bleaching) be in touch with the FPOC in each area under potential threat to raise your concerns early on. They can help get local eyes and ears on the area of concern, help identify issues as they arise and can support contingency planning.

If the local FPOC is in the field and unavailable, you can make contact with the FPOC of the [neighbouring area](#) for advice on who best to contact next. For groups affiliated with the [Kimberley Land Council](#), you can also call their regional [land & sea manager](#) as a starting point.

If the issue is a regional one, you may have the option of part-funding a meeting of a Kimberley Saltwater Working Group (see [KISSP](#)) comprised of representatives from across Kimberley Saltwater Country to float your idea. This group cannot make decisions on behalf of PBCs but instead acts as a conduit of information between researchers and communities. Its members are knowledgeable land and sea managers who may also be the FPOC in each region. Speak to the KISSP leadership team [members](#) to progress this option.



*Figure 7 Coral bleaching on Scott Reef (Photo courtesy Nick Thake, Australian Institute of Marine Science, 2016)*



## Understanding local governance structures

It is important to understand the basics of local governance structures that apply to Kimberley traditional lands before starting your collaborative research journey. Please take some time to read about Native Title, Aboriginal Corporations and Traditional Owners before starting work on Stage 1.

### Traditional Ownership

A Traditional Owner (commonly referred to as a TO) is a person who possesses joint responsibilities of an area of land and/or waters through the system of land ownership and obligation used by Indigenous Australians for many thousands of years. The mechanisms determining traditional ownership are complex and are beyond the scope of this document to explain.

However, some important points for researchers to understand include:

- [Country](#) is owned jointly by Traditional Owners from a family group, or as shared traditional estate, but not all family members are Traditional Owners
- Knowledge about Country is held collectively, with different people holding different knowledge and old people being the greatest repository of knowledge for their Country
- Being an oral culture, people rely on each other to hold and to check their recollection to ensure accuracy

These are some of the reasons that a number of Traditional Owners need to be consulted about proposed research projects and why researchers may need to be accompanied by more than the minimum standard of one TO and one Indigenous Ranger in some cases.



*Figure 8. Karajarri dancers at the Karajarri Indigenous Protected Area declaration (photo courtesy Kimberley Land Council, 2016)*

## Native Title

Native Title provides recognition within contemporary Australian law of the unbroken occupation of Country by a related group of Indigenous people going back before sovereignty. For successful claimants, a lengthy process of court hearings and expert evidence determines the Native Title rights of a specific language group (akin to a particular nation of Aboriginal people) over their traditional land and/or sea Country.

Almost all of the Kimberley region is covered by Native Title claims and determinations.

You will need to identify which Native Title group you are proposing to do research with for the application form. For the purposes of this Guide, references to a Kimberley Indigenous language group is synonymous with references to the Kimberley Native Title group of the same people.

Learn more about Native Title - [what it is](#) and [why we have it](#)

See a map of Native Title areas – [Australia wide \(detailed\)](#) and [in the Kimberley \(broad\)](#)

## Prescribed Body Corporates (PBCs)

A Prescribed Body Corporate (PBC) is an Aboriginal Corporation established to manage Native Title on behalf of Native Title holders over an area of land and/or sea. Once a native title claim has been successful, a PBC is registered as a Registered Native Title Body Corporate (RTNBC) under the [Native Title Act](#).

**In practice and throughout this document, all RTNBCs are simply referred to as PBCs.**

Each PBC is comprised of representatives from many of the Traditional Owner families whose Country falls within the area under Native Title. They do not speak on behalf of Traditional Owners of any area, but act instead as a ‘shopfront’ for external parties (like researchers) to contact with proposals for work on or about the area under Native Title.

Note that the Balangarra, Dambimangari and Wunambal Gambera Aboriginal Corporations are not PBCs but for the purposes of this collaborative research process, they all provide the ‘shop front’ for researchers as above.

Called *Directors*, the members of a PBC volunteer a significant amount of their own time to come together to progress proposals such as research applications on behalf of Traditional Owners and to consult on the applicant’s behalf.

It is a cornerstone of the *Native Title Act* that Traditional Owners must give [free, prior and informed consent](#) to any activities proposed on their Country. The system of traditional ownership in itself is complicated and given the challenges experienced in remote Kimberley communities, in some places the process of consent can be lengthy and in others it tends to be straighter forward.

As at the time of writing, the Aboriginal Corporations that endorse the process in this Guide are:

- Balangarra Aboriginal Corporation
- Bardi and Jawi Niimidiman Aboriginal Corporation
- Dambimangari Aboriginal Corporation
- Karajarri Traditional Lands Association
- Wunambal Gaambera Aboriginal Corporation
- Yawuru Native Title Holders Corporation

[Learn more about PBCs](#)

## The importance of building relationships

Learning about someone's family lands and spiritual home through research is both a personal and professional exercise. As such, the success of the research will depend to a large degree on the health and strength of the relationships you build with Indigenous research partners.

The process of relationship building it is not included as a standalone stage in this Guide because it needs to start early and continue throughout the research project. It is as individual as you are.

Firm advice from [Traditional Owners](#) and fellow researchers alike is to invest in relationships by spending time with people, listening carefully and work at developing your own cultural competence relevant to the area and its Indigenous people.

*"It was a very rewarding experience working with the TO's and Ranger groups, because of the personal connections that developed between us and Indigenous people and the flow on connections to saltwater Country"*

(Researcher 2016)

*"The reason we share that knowledge is to pass on the responsibility for Country to you too. It is personal."*

(Traditional Owner, 2016)



Figure 9. Bardi Jawi Rangers undertaking benthic monitoring off the Kimberley coast with the support of visiting scientists (Photo courtesy Kimberley Land Council 2016)

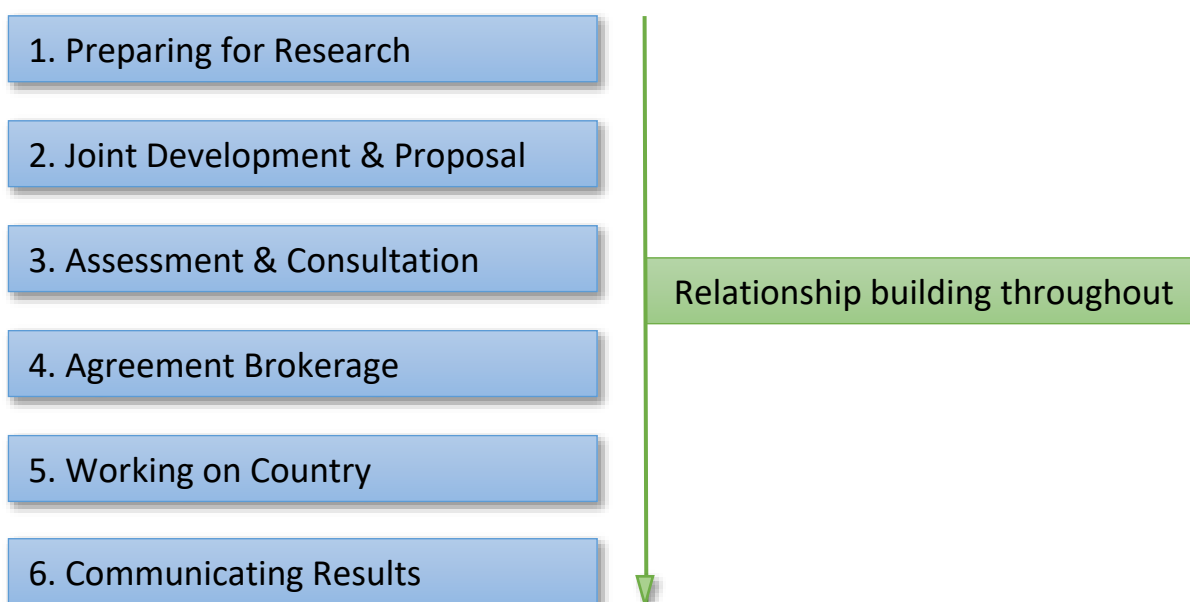
## Getting Started

The main body of this Guide is divided into six sections reflecting the stages of successful land and sea research in the Kimberley. Researchers are required by PBCs to follow these steps when planning research in [saltwater Kimberley Country](#).

Stage 1 is the work that is required before you submit a research application. It is aimed at building a foundation of knowledge around:

- local research priorities
- local people and their Country
- how to develop strong [collaborative projects](#)
- how science research supports Indigenous knowledges in the Kimberley.

Stages 2 through 6 then step researchers through the process of applying for, undertaking and reporting the findings of each research project.



Within each of these six sections, you will find information specific to that stage including an overall stage description, summary of required work and resources to support your progress.

**Numerous hyperlinks to other sections within the Guide, as well as to external resources, are embedded within the text of each section in blue. To navigate quickly back to the stage you are working in, use the [quick links](#) found at the bottom of each page and within the contents**

This guide draws from a wealth of information from dozens of websites.

It is anticipated that some of these links will degrade over time. Researchers are encouraged to perform their own internet searches using relevant key terms as needed.

## Stage 1 - Preparing for Research

In this foundational stage, you are asked to invest time developing your knowledge of local land and sea management and research priorities; to learn about the local Indigenous people and their [Country](#); to extend your understanding of how Indigenous Knowledge can be used to support research; and learn more about the nature of collaborative Kimberley Indigenous-western science research.

### Local Indigenous Research Priorities

In most areas of the Kimberley, Healthy Country Plans have been developed by Traditional Owner groups with support from their Indigenous Rangers, [PBC](#) and associated staff. Where [Indigenous Protected Areas](#) (IPAs) have been declared, there may also be IPA plans available. In most areas, a local seasonal calendar is available and over time Ranger research prospectus are being developed.

***Make sure you get in touch with a T.O. group and ensure that your research will actually be valuable to them"***

(Researcher, 2016)

When considering working in the Kimberley researchers need to consult these documents in order to identify research opportunities relevant to their area of expertise and interest. This work should be done in preparation of the first conversations with the local contact ([FPOC](#)).

During this stage, researchers are required to refer to the *Regional Framework for Saltwater Monitoring in the Kimberley* document developed at the same time as this Guide. Based around the information contained within Healthy Country and IPA plans, and with the input of over a hundred Kimberley Traditional Owners and Indigenous Rangers, it is a comprehensive summary of ranger monitoring practices and priorities.

You can use this document to identify the tools and techniques already utilised by Indigenous ranger groups as well as to identify any monitoring practices which could be supported by the research project. It is also relevant to research project design and for understanding the ways in which [the in-kind support of Indigenous partners](#) can be reciprocated by researchers.



*Figure 10. Healthy Country Plans help researchers understand the range of land and sea management aspirations in each area and related research priorities*

Another important step to complete during this stage is identifying how the proposed area of research contributes to local and/or regional pictures of ecosystem health. Researchers are asked to undertake desktop research to find out how their proposed topic relates to both previous research

on the same topic anywhere in the Kimberley and to related research within the geographical area of interest.

### Local people and their Country

Indigenous research partners require visiting researchers new to the Kimberley (or new to a particular Traditional Owner group with whom they wish to work) to do their homework on the basics of people and Country before coming to the Kimberley.

This includes:

- developing a sound understanding of a range of [key concepts](#) around traditional land and sea management and research;
- learning about potential [Indigenous research partners](#) and their work and;
- developing a sound understanding of the Kimberley climate, its remoteness, dangers and services.

You are encouraged to source reference documents such as local Indigenous language dictionaries or other research papers which incorporate local Indigenous language names for the plants of animal species and places you plan to work in. Indigenous research partners ask visiting scientists to use local names for key places and key species throughout the research project and within the end products of the research. Don't worry too much about pronunciation at this point as local people are patient with others learning their language. They appreciate the effort to use local language terms because it shows that you place value on their knowledge and culture.

### 2-way Kimberley research & knowledge co-creation

One of the complementary products developed at the same time as this Guide describes how knowledge can be co-created within collaborative research projects and the many roles of Indigenous Knowledge in Kimberley saltwater research projects. Entitled *Mobilising Indigenous Knowledge for Collaborative Management of Kimberley Saltwater Country* it is essential reading for researchers preparing to undertake work on traditional Kimberley [saltwater Country](#). It also has relevance to research involving inland Indigenous Kimberley groups.

### Critical agreement terms

Early in the project development stages, researchers are encouraged to develop their understanding of key components of research agreements, referred to in this Guide as 'critical agreement terms'.

The broad categories which need to be explored early are concerned with:

- intellectual property,
- publication,
- acknowledgement,
- confidential information,
- liability,
- insurance, and
- accompaniment during field work

***“People around Australia have been taken advantage of for their Indigenous Knowledge so we have to be careful on that”***

(Kimberley Traditional Owner, 2016)

More information can be found [here](#).

The more that the rights and interests of Indigenous research partners are supported by the range of conditions your university is prepared to accept, the more likely that the research project will be supported and endorsed by the PBC and Traditional Owners of the area.

## Useful resources for Stage 1

### Background information:

[Key concepts](#)

[Critical Agreement Terms](#)

### Related documents:

Austin, B.J. et al (2017) Guidelines for Collaborative Knowledge Work in Kimberley Saltwater Country. Report to the Kimberley Indigenous Saltwater Science Project, Western Australian Marine Science Institute. Broome, July 2017.

Austin, B.J. et al (2017) Mobilising Indigenous Knowledge for Kimberley Saltwater Country. Report to the Kimberley Indigenous Saltwater Science Project, Western Australian Marine Science Institute. Broome, July 2017

Dobbs, R.J. et al (2017) A Regional Framework for Saltwater Monitoring. Report to the Kimberley Indigenous Saltwater Science Project Western Australian Marine Science Institute. Broome, July 2017.

Dobbs, R.J. et al (2017) Kimberley Saltwater Monitoring Toolbox. Report to the Kimberley Indigenous Saltwater Science Project, Western Australian Marine Science Institute. Broome, July 2017.

### Maps:

[Map of Indigenous Protected Areas around Australia](#)

[Native Title Map \(Western Australia\)](#)

### Indigenous research partners and planning documents:

[Balanggarra](#)

[Wunambal Gaambera](#)

[Dambimangari](#)

[Bardi Jawi](#)

[Nyul Nyul](#)

[Yawuru](#)

[Karajarri](#)

### Forms:

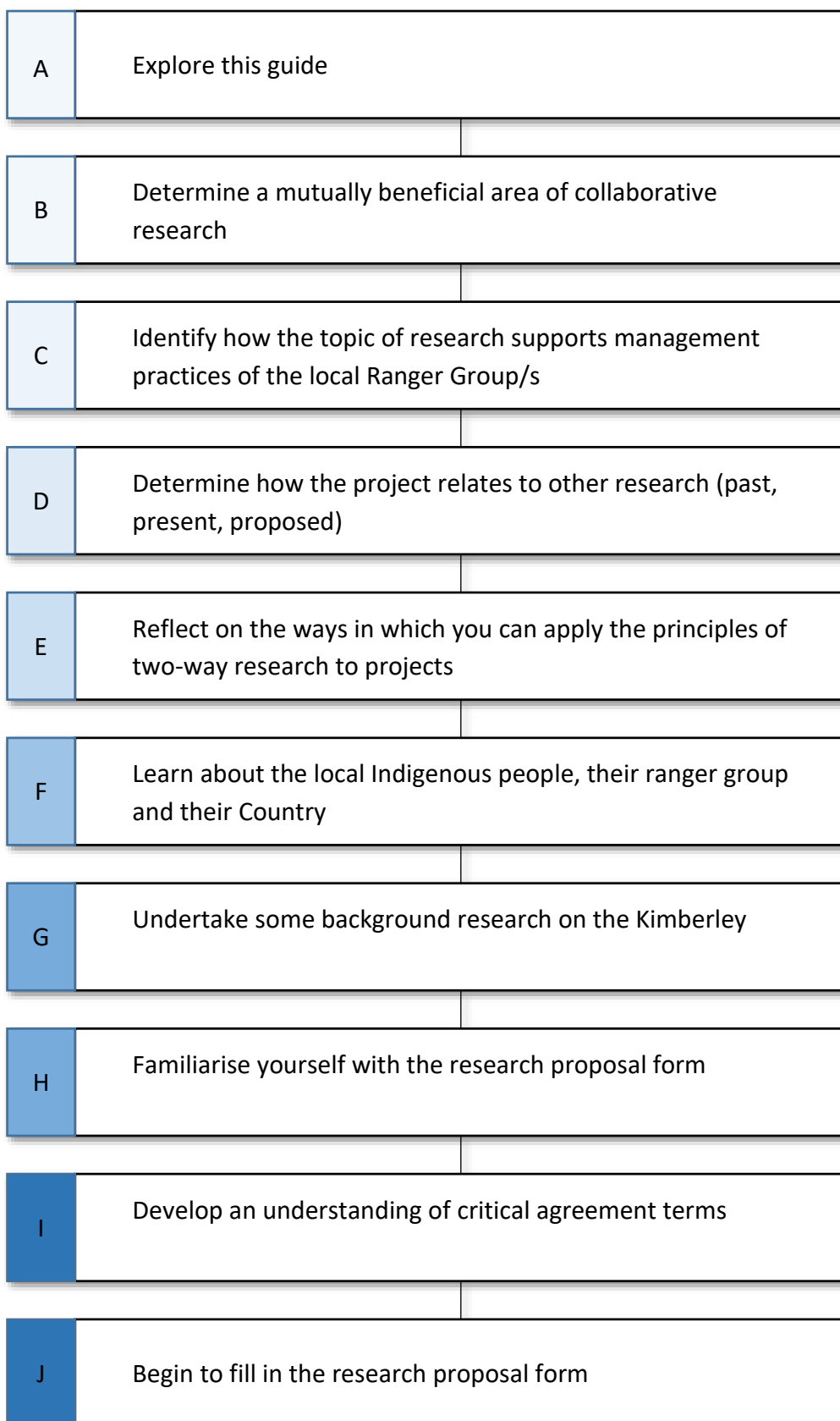
[Wunambal Gaambera Research Proposal Form - natural or cultural resource research on Kimberley Country \(via Wunambal Gaambera website\)](#)

[Dambimangari Research Proposal Form - natural or cultural resource research on Kimberley Country \(via Dambimangari website\)](#)

[Yawuru Research Proposal Form - natural or cultural resource research on Kimberley Country \(via Yawuru website\)](#)

[Balanggarra, Bardi Jawi, Nyul Nyul and Karajarri Research Proposal Form - natural or cultural resource research on Kimberley Country \(via KLC website\)](#)

## Work required in Stage 1





## Stage 2 – Developing the project plan together & application

Once you have completed the work of the Stage 1 and are satisfied that you have a sound understanding about people, Country, priorities and two-way research practices, the next step is to talk through your ideas with the relevant first point of contact ([FPOC](#)).

### Who to contact

You will need to identify the FPOC in each of the [Native Title areas](#) in question to start the process of developing up a collaborative research project. For research in areas of freehold lands outside of Native Title areas, it is advisable to contact the FPOC of the nearest Native Title area.

For proposed research projects involving one or two language groups (i.e. occurring within one or two Native Title determination), talk through potential project concepts with the relevant local FPOCs. For proposed research across several groups, refer to the section on [projects with multiple groups](#).

### What to discuss

In most cases, several conversations will be required to develop the research concept between yourself as a researcher and your proposed Indigenous research partners, via the relevant FPOC.

The FPOC will not have the means nor authority to approve in part or whole the research proposal.

They act as the conduit between researcher and the local PBC, who are the in-principle decision-makers in the process, pending input and approval from the relevant Traditional Owners.

The first conversation should introduce:

- yourself & your skills
- the area of research interest
- outline any potential research projects
- and should explain the process you went through to develop these ideas

Subsequent conversations will discuss the suitability and direction of a potential research project, timing and seasonality, [budget requirements](#) etc.

You will also need to determine, with the FPOC, any ranger training needs related to the area of research and later include this in the proposal.

Ensure that you also allow enough time in your planning to:

- develop relationships with Indigenous research partners,
- support the intergenerational transmission of Indigenous knowledge while in the field
- spend time in the local community immediately after the field work has been completed
- allow Indigenous research partners to review all publications before they are published
- return to the community to present the research findings before they are made available to members of the public

*“Spend more time  
with the rangers at  
the end of the  
project”*

(Kimberley researcher,  
2016)

As you build detail into the application form, you can call the FPOC for advice and input as required. Once developed, there should be nothing in the research application that is completely new to the FPOC and has not been raised during your conversations with him or her.

It is essential that researchers also develop a simple 2-4 page [communication aid](#) to help the FPOC in each area explain the research proposal to the PBC and relevant Traditional Owners. This needs to be done immediately after the proposal form is submitted in both electronic format and in sufficient hard copies.

**By the end of this stage, you will have developed the research project sufficiently to complete and submit the application form.**



*Figure 11. On-community training of Indigenous Rangers in snubfin dolphin monitoring techniques (photo courtesy Nyamba Buru Yawuru 2016)*

### Projects with multiple groups

Undertaking research with Indigenous people from a number of language groups is more complicated to arrange and facilitate than working with a single group. Use the following principles to guide your approach:

#### *Notify all groups at the same time*

For multi-group projects, start with an introductory email to all of the FPOCs within the area of the proposed research program, explaining your idea for a collaborative project.

Keep it brief and to the point, introducing

- yourself,
- your skills
- the theme of your research interest,
- ideas for potential collaborative projects & how they align with local priorities
- any binding timeframes or conditions (e.g. deadlines, source of funds)

- state that you are working through this Guide
- and request input into potential research project concepts

#### *Not all groups are connected to the Kimberley Land Council*

Over time, PBCs established with support of the Kimberley Land Council (KLC) become more autonomous and move away from KLC governance mechanisms. As at the writing of this Guide, the Yawuru PBC operates independently of the KLC; and the Wunambal Gaambera and Dambimangari Aboriginal Corporations are independent from the KLC with a few exceptions unrelated to most research. Over time, this list will likely increase.

You are advised to get in touch with the regional land & sea manager at the KLC to determine which other PBCs within your area of interest operate independently of KLC at the time. These managers maintain an overview of several Indigenous Ranger groups. Their areas of responsibility and contact details are shown [here](#).

#### *Ensure equitable ongoing communication arrangements*

As not all Indigenous groups or Indigenous Rangers are affiliated with the KLC you will need to develop an appropriate way of facilitating input on a regional scale.

You may have the option of part-funding a meeting of a Kimberley Indigenous Saltwater Advisory Group (nee KISSP) comprised of representatives from across Kimberley saltwater Country, to discuss your idea.

This group cannot make decisions on behalf of PBCs but instead acts as a conduit of information between researchers and saltwater communities. Its members are knowledgeable land and sea managers who may also be the FPOC in each region. Speak to the [KISSP leadership team members](#) to progress this option.

You may also want to make contact with researchers who have undertaken multiple-group research projects in the Kimberley to learn from their experiences. Research projects on dugong (CSIRO), seagrass (UWA), finfish (Department of Fisheries) and coral reef genetics (AIMS) are recent examples. Some of these examples were associated with the Western Australian Marine Science Institute's [Kimberley Marine Research Program](#) and can be explored in more detail [here](#).

#### *You will need to work with each PBC & their Ranger group*

Keep in mind that although you are proposing a multi-group project, you will still need to develop and sign a separate agreement with each of the [PBCs](#). In some cases, a header agreement can be developed and separate schedules to this agreement developed with each PBC.

#### *Research in areas under Joint Management Agreements*

If the proposed research project falls within a Kimberley Marine Park, you may need to undertake additional consultation with the local [joint management](#) body. In some cases, if the research doesn't trigger the *CALM Act* or *Wildlife Conservation Act* it may not be necessary. Contact the [Marine Park Coordinator](#) for the reserve in question to clarify this requirement and to understand the process of assessment by the local joint management body as well as any [DBCA licensing](#) requirements.

See [here](#) for an interactive map of Kimberley Marine Reserves.

## Useful resources for Stage 2

### Background information:

[Land & Sea Organisational chart for KLC](#)

[FPOC Contact details in each area](#)

[Critical Agreement Terms](#)

### Indigenous research partners and their planning documents:

[Balanggarra](#)

[Wunambal Gaambera](#)

[Dambimangari](#)

[Bardi Jawi](#)

[Nyul Nyul](#)

[Yawuru](#)

[Karajarri](#)

### Forms:

[Wunambal Gaambera Research Proposal Form - natural or cultural resource research on Kimberley Country \(via Wunambal Gaambera website\)](#)

[Dambimangari Research Proposal Form - natural or cultural resource research on Kimberley Country \(via Dambimangari website\)](#)

[Yawuru Research Proposal Form - natural or cultural resource research on Kimberley Country \(via Yawuru website\)](#)

[Balanggarra, Bardi Jawi, Nyul Nyul and Karajarri Research Proposal Form - natural or cultural resource research on Kimberley Country \(via KLC website\)](#)

### Logistical information

[WA health service map \(public hospitals & community clinics\)](#)

[Kimberley Aboriginal Medical Service \(Indigenous clinics\)](#)

[Tide tables for WA waters](#)

[Shire of Broome directory](#)

[East Kimberley directory](#)

[Wunambal Gaambera website](#)

[Dambimangari website](#)

[Yawuru website](#)

[Kimberley Land Council website](#)

### Joint Management information:

[Map of Kimberley Marine Parks](#)

[Eighty Mile Beach Marine Park Management Plan](#)

[Lalang-garram Camden Sound Marine Park Management Plan](#)

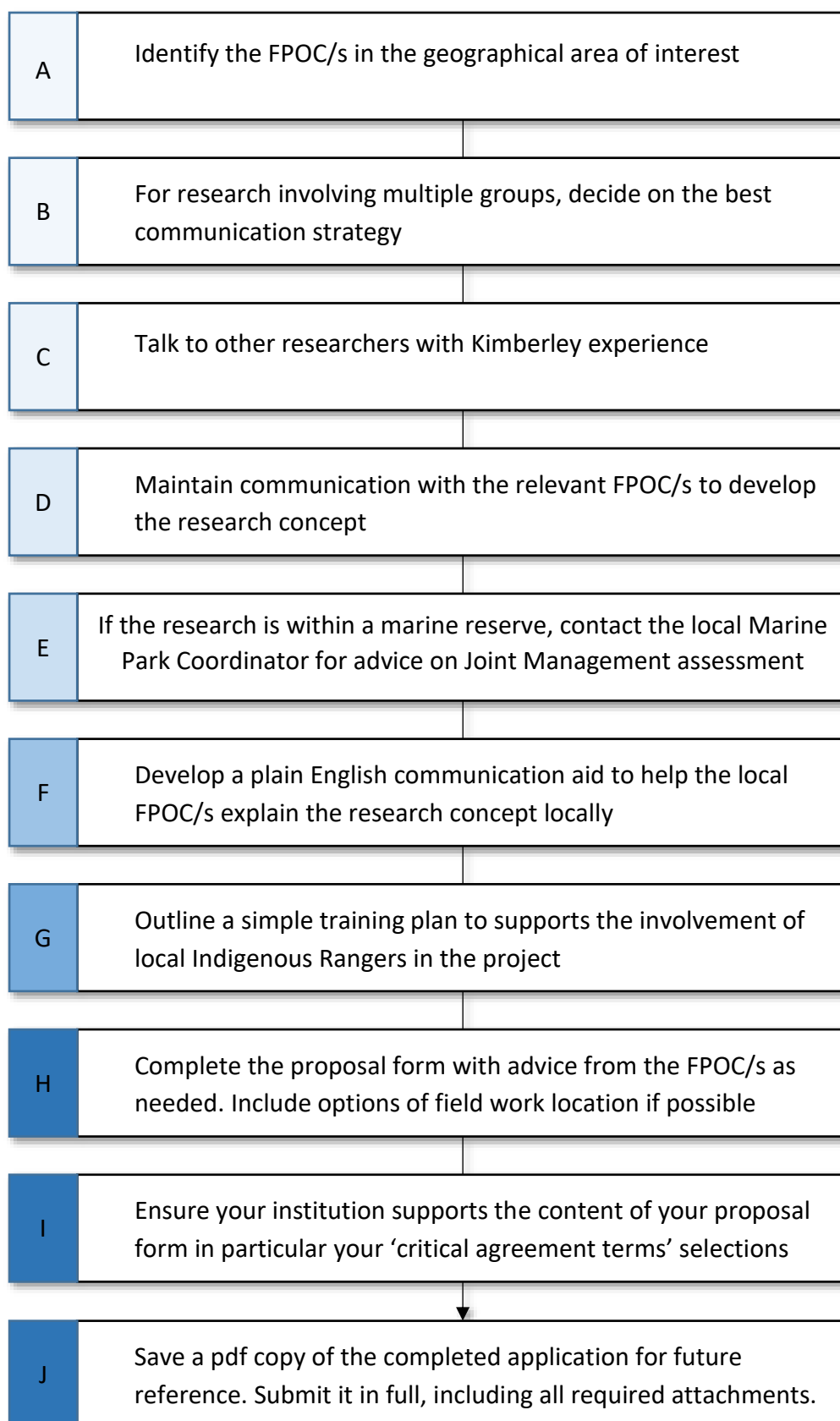
[Lalang-garram Horizontal Falls Marine Park Management Plan](#)

[North Kimberley Marine Park Joint Management Plan](#)

[Yawuru Nagulagun Roebuck Bay Marine Park Management Plan](#)

[DBCA Wildlife Licencing Application Portal](#)

## Work required in Stage 2



### Stage 3 - Assessment & Consultation

When you submit the research proposal form online, a copy is automatically sent to the FPOC/s relevant to the area of interest. It may also be copied to the KLC [Research, Ethics & Access Committee \(REAC\)](#) at the discretion of the PBCs involved.

#### Assessment by PBC Directors

Your completed application will be tabled at the next available timeslot at an upcoming PBC meeting. You can ask to attend the PBC meeting to present the research proposal or make arrangements with the local FPOC to be available remotely during the presentation. If there is uncertainty regarding parts of the application and you are unavailable, you will be contacted at a later time by the FPOC.

The date when the application is presented to the local PBC will depend on when their next Director's meeting is scheduled and how full their agenda is by the time you lodge the proposal form. Keep in touch with the local FPOC for information on the date of the next PBC meeting and ask for their advice on the best timing for submission.

**Please remember that PBC Directors are hard-working people just like you, who take leave from their day jobs to attend PBC meetings as volunteers. They fill important roles and support the research proposal in a [number of ways](#).**

#### How you can help

If they have not already been in contact, you can call the local FPOC two or three weeks after the application was scheduled for consideration at the PBC Directors meeting for an update of how it is progressing. FPOCs (usually Ranger Coordinators or IPA Coordinators) have sizeable workloads, especially during [peak field season](#) and more so during suitable prescribed burning weather, so take their advice on when is a good time to call.

#### Consultation with Traditional Owners

If supported in principle by the PBC Directors, the next step is to receive the [free, prior, informed consent \(FPIC\)](#) of the Traditional Owners of the area of land or waters under application. This is usually facilitated by the local FPOC, Indigenous Rangers and/or PBC Directors on your behalf.

It takes some time to determine the right Traditional Owners of the project area, to visit them, explain the proposal, to seek their advice and ask for consent on the project. In some areas where Native Title claims are active (not yet determined) this process can be complicated and problematic for researchers and Traditional Owners alike. Take the advice of the local FPOC in this matter.

You will be contacted by the FPOC with any queries or research design changes required by the Traditional Owners of the areas under of interest as they arise. Once the process of consultation has been completed you will be contacted by the FPOC with information about the TO's decision.

## Useful resources for stage 3

### Background information:

[Prescribed Body Corporate \(PBC\)](#)

[First point of contact \(FPOC\) contact details in each area](#)

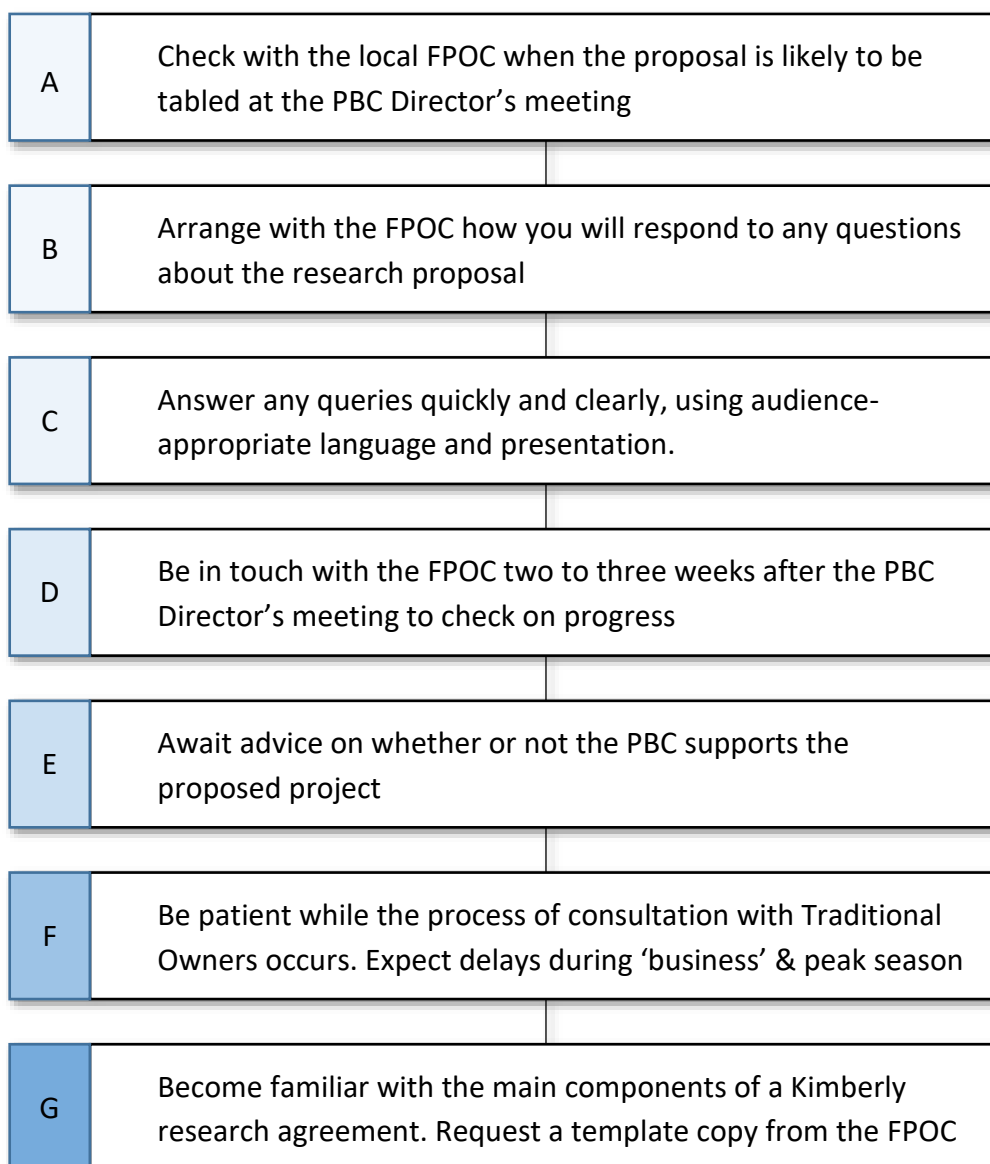
[Research, Ethics & Access Committee \(REAC\)](#)

[Major seasonal factors to be aware of](#)

[Free, Prior, Informed Consent \(FPIC\)](#)

[Traditional Owner \(TO\)](#)

### Work required in Stage 3





## Stage 4 - Agreement Brokerage

If the project has been supported by the PBC and approved by the area's Traditional Owners, then the next step is to develop and sign off on a research agreement with the local PBC. If the Indigenous Rangers are employed through the Kimberley Land Council (KLC), this agreement will usually be tripartite (researcher-PBC-KLC) otherwise it will usually be made between the researcher and PBC.

The purpose of a research agreement between partners is to define in a legally binding format, what has been agreed to and the standards required for research to go forward in a fair and respectful way.

KLC affiliated groups use a standard template updated regularly to reflect current circumstances and tailored to each research project. Independent groups have their own standard research agreement templates which are similarly adapted over time.

You can request a copy of the standard agreement used by the relevant FPOC in preparation of this stage and provide it to your university lawyers to become familiar with it in advance. In general terms, these types of research agreements address essentially the same issues in different ways.

There are usually sections that cover standard items, such as:

- definitions
- interpretation
- recitals & parties
- notices & contact information
- compliance with traditional law, customs & protocols
- compliance with work plan & ethics approvals
- obligations of partners and of researchers (or code of conduct)
- dispute resolution & termination

The main schedule is the agreed work plan detailing the 'who-what-when-how' of the planned field work and follow-up tasks. The schedule is located towards the end of the agreement and includes:

- expected start and end dates
- the location and details of all fieldwork activities
- specific details of any activity that could disturb the ground, reef or sea bed
- locations to be avoided for cultural reasons (Indigenous partners to fill in this detail)
- names of research field staff
- reporting milestones
- any financial and in-kind contributions and payments
- Ranger training plan
- communication events
- contact details
- the process to follow in the case of [non-compliance](#).
- any other specific arrangements made with Indigenous research partners

The main body of Kimberley land and sea research agreements feature terms that are often the focus of most negotiations between university lawyers and PBC lawyers, referred to in this Guide as the [critical agreement terms](#).

Within the proposal form, you were asked to select all options for each of these issues which are acceptable to you and your institutional lawyers and these choices will now influence the subsequent agreement terms.

*“[Researchers] have to understand our regulations. Because not only them, we have rules and regulations as well...We have stones and rocks that might be used as a burial site or even in a spiritual way. That’s our rules and regulations. And the main thing is boundaries. They can’t go in any areas without our permission. They can’t touch stuff that we acknowledge.”*

(Kimberley Traditional Owner, 2016)

### Common causes of delay

Research agreement brokerage becomes more intensive when external groups elect not to use the research agreement template developed by the Indigenous research partners. In some cases, the amount of work this creates can put a stop to the research altogether. This is a particular risk for those independent PBCs who have few resources and must employ consultant lawyers for this work.

Similarly, when a series of small changes are made to an agreement over time, it causes significant reworking of the agreement at the PBC end and associated delay. Each time there is a change to the wording (however small) the lawyer acting on behalf of the PBC must re-read the entire agreement to assess where changes have been made and how these might affect related and interdependent clauses.

### What you can do to help

Researchers can reduce the risk of delays and interruptions by involving their research institution’s legal contract staff in the process early on and facilitating their input into those sections of the research agreement relating to the critical agreement terms.

They can also work on developing as much of the detail required of the work plan as possible, with the input of the local FPOC speed up the process of agreement brokerage. You are advised to use the template provided by the PBC making sure you fill in the detail in each relevant section accurately. Provide the final draft to the local FPOC who will forward to their PBC lawyer on your behalf.

### Multi-group projects

For projects involving several Indigenous groups, a separate assessment and consultation process is required with each PBC and the right Traditional Owners for the Country concerned. These decisions cannot be made at a regional scale. A separate research agreement (or schedule under a header agreement) is needed for each of the concerned PBCs as they can only sign off on activities within their own jurisdiction.

### Other work to start now

Now is a good time to prepare for the field work by making arrangements to undertake local cultural competence training (where available), making accommodation bookings and other logistical preparations. Address any additional [risk management](#) procedures specific to remote Kimberley field work, make sure you have the basics covered (food, water, safety precautions, staff with proven remote experience), become familiar with the payment mechanisms of your institution to ensure people working on the project will be paid promptly, and make any preparations for agreed provision of in-kind support to Indigenous research partners and/or their community.

## Useful resources for Stage 4

### Background information:

[Prescribed Body Corporate \(PBC\)](#)

[First point of contact \(FPOC\) contact details in each area](#)

[Risk Management](#)

[Critical agreement clauses](#)

[Non-compliance](#)

[Major seasonal factors to be aware of](#)

### Conditions – weather & roads

[Road conditions \(alerts, closures & warnings\)](#)

[Oz cyclone chasers – storms, cyclones & extreme weather information](#)

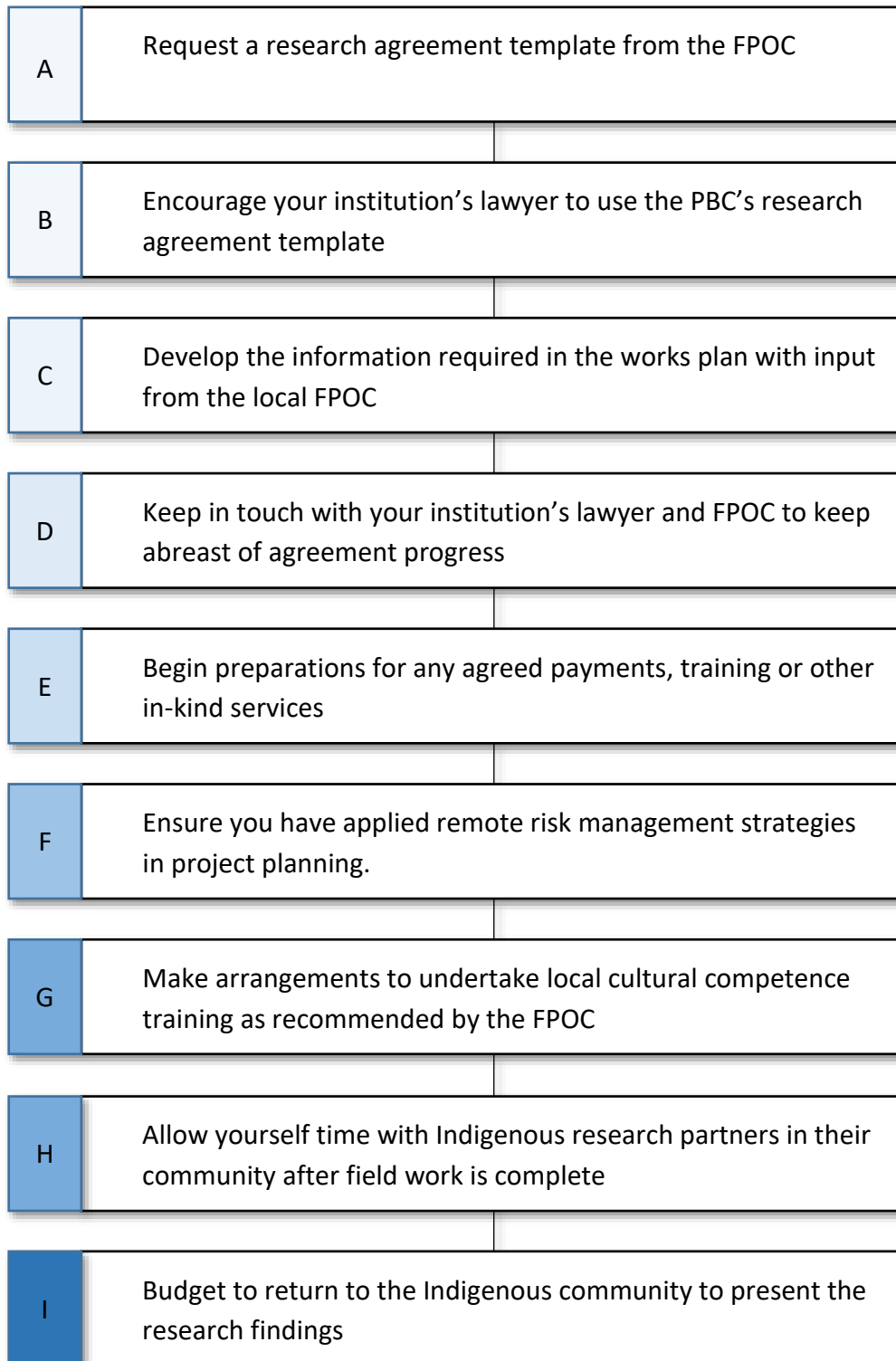
[WA weather warnings \(marine wind, fire weather, storm & cyclone warnings\)](#)

[Kimberley weather forecasts](#)

[Coastal waters forecasts – west Kimberley](#)

[Coastal waters forecasts – northern Kimberley](#)

## Work required in Stage 4



## Stage 5 - Working on Country

Having successfully developed a collaborative research project with the corresponding research agreement signed by all parties, you are now at the stage of doing the fieldwork. Some considerations to keep in mind while you are undertaking field work and visiting communities are outlined below:

### Get in touch

A week or so before the field work is due to start, get in touch with the FPOC to check on local conditions, any preparations you can help with and for any unforeseen changes that could affect it.

Be aware that when a local person or relative passes away, the whole community is affected by 'sorry business'. While this can't be helped, the Indigenous research partners will work hard to minimise disruptions to the research as much as possible within the cultural protocols of the community.

### Check the conditions

Close to the time of fieldwork, be sure to check the wind and [weather forecast, any flood, fire weather, monsoon or cyclone warnings as well as road condition reports](#). If there is anything that concerns you on the forecast, get in touch with the FPOC to discuss before leaving home.

### Allow extra time

Give yourself some extra time to get to your pre-arranged local accommodation/campsite before you are due to arrive on community. Travel times can vary widely due to changeable conditions of roads and tracks, tyre blow-outs and inclement weather. Allow extra time between arriving in a community and when you plan to head out to the field site.

Take the FPOC's advice on this and keep in mind that it usually takes a few hours longer than expected to get everything prepared and head out bush. Sometimes it will seem as if there's nothing happening apart from waiting. Rest assured the local Ranger and IPA Coordinators are doing all they can to get out to the field work site. At this point, their work loads are particularly huge, so please be patient and offer a helping hand however you can.

### Undertake a cultural induction

As per the arrangements you have already made, undertake the local cultural induction course and listen carefully to both the loud and quietly spoken word.

Make sure you understand the implications of any avoidance relationships and any gender-specific issues that may affect the work.

The people who provide these inductions are sharing part of themselves and their world with you so please listen carefully and talk respectfully, especially to old people.

***"There are different stories for different burr. You got to say the right stories and let people know where you are going. Some places women cannot go. If you guys go the wrong place you will fall sick. And it falls back for the TOs."***

**(Kimberley Traditional Owner, 2016)**

### Stick to the project plan

It should go without saying that at this stage of the project making changes (in particular to the date, location or duration of field work) will cause significant disruption, time delay and frustration to research partners. Talk to the FPOC if there are any late changes that are absolutely necessary for the research

### Acquire permissions for collecting media

If you have previously arranged to take media (photos, film, recordings) of people or Country during the field work, ensure you collect all required consent forms. Specify all proposed uses of the media when asking for consent to use them. Allow people to vet any media before you leave.

*“Even if you [are] taking photos of people or of places, you have to get permission. Some people feel disrespected when people take photos.”*

(Kimberley Traditional Owner, 2016)

One way of dealing with most photo permissions from a research trip is for research partners to select several good photos that cover all media needs from the different partners on any given research project.

They can then attain media permissions for just these photos, for use by all research partners and their media departments for a specific length of time. This helps to streamline the permissions process and save considerable time during the project.

### Keep a dry camp

Make sure you remember to [leave all alcohol at home](#), regardless of whether the field work is to take place on land or at sea. Taking, providing or consuming alcohol can cause a raft of issues for Indigenous research partners.

### Provide training and other in-kind contributions as agreed

With reference to the training plan and arrangements to provide other in-kind support, ensure you have factored in time and resources to provide these services. You may be requested to align some of the on-the-job training provided to rangers with nationally recognised units of competency.

### Never stay or go on Country unaccompanied

As per the conditions of the research agreement, you must [remain in the company of the cultural advisor](#) (or specified Traditional Owner) and Indigenous Ranger at all times whilst on Country. This is for your protection and safety as much as the protection of Country and culture.

Pay attention to any information they share with you as you visit Country. These conversations and quiet exchange of information have proven invaluable to the success of many research projects. Do not visit any areas where you are not permitted to go.



*Figure 12 Karrajari Rangers teaching children about Country during field work.*

### Take families with you

One of the major advantages for local people participating in research on lands or waters that are difficult to access, is the opportunity to visit their traditional lands with younger generations to facilitate the intergenerational exchange of Indigenous knowledge that is so important to the maintenance of culture.

This is one of the important ways in which researchers can repay the early in-kind work of Indigenous research partners.

Seats in vehicles, fuel and food orders for families and an extra day in the field trip where families can be on Country outside of field work are some of the ways this can be facilitated. If suitable, this will have been pre-arranged with the FPOC during project planning stages.

### Work with the conditions

Visiting researchers often have a tight schedule and are keen to take advantage of all available time at the field site by working at pace throughout daylight hours. Indigenous Rangers do field work throughout the year week in-week out, in often difficult working conditions.

They need to pace themselves to work with the conditions and within their employment award. Work outside of standard hours must be prearranged and regular breaks in the heat are absolutely necessary. Heat exhaustion and dehydration are both very real risks to visiting researchers and these must be addressed in your risk management planning.

### Do not take or collect anything not specified in the agreement

In the past, some researchers have collected pieces of rock or other objects that they have been unaware possess cultural and historical significance to local people. The ramifications of this have been costly. Do not collect, move or take any natural objects or materials while on Country, that are not specified in the research agreement.

### Spend time outside of field work

A key message from previous researchers in the Kimberley is that researchers should spend time on community with the local Indigenous Ranger groups after the field work has finished. During this time, they can value-add to their research experience in a number of ways:

- build relationships;
- provide in-kind support to Indigenous research partners;
- help process data and specimens;
- involve rangers in the preliminary analysis of results so that they develop skills and can see tangible benefits to the work they have just done;
- adapt techniques for future work;
- and hand over any future monitoring tasks and equipment to the rangers

### Follow and respect local cultural protocols

Some local protocols will be shared with you during the cultural induction course and many others will be learnt through observation and from the cultural advisor over time.

The cultures of Indigenous communities are quite different to what is experienced in mainstream Australian towns. If you keep an open mind, listen carefully and show respect to others then any small cultural faux-pas you may inadvertently make will be forgiven.

### Place value on Indigenous Knowledge throughout

For collaborative projects, it is important that western and Indigenous science are seen as equal contributors to the project. Many researchers with Kimberley experience have developed this perspective over time and it has enabled the research partners to work together in the co-creation of new knowledge.

Related to this is the request that researchers use local names for key places and key species throughout the research project and in the end products of the research.

***“[It was] great to gain understanding of indigenous knowledge, work together on Country & achieve science goals”***

(Researcher, 2016)

***“The interaction with traditional owners was brilliant for me as a scientist to get perspectives on ecological processes and as an individual for the cultural exchange. In addition I feel very lucky to have had the opportunity to work in such a magnificent part of the world”***

(Researcher, 2016)

***“Were unlikely to have been able to find what we were looking for without [Indigenous Knowledge] and also gained some historical understanding of how marine communities have changed over time which was beneficial for interpreting our work”*** (Researcher, 2016)

***“From an analytical perspective we are working with cutting edge methods, but we relied heavily on traditional knowledge to find the species we were working on. For some of the species we also relied on traditional knowledge to gain a better understanding of reproductive ecology - which is relevant to how we interpret results”***

(Researcher, 2016)

***“The success of our project would not have been possible without the help of the traditional owners and rangers”***

(Researcher, 2016)

***“It was through traditional knowledge that we were able to find and access and collect the samples we required. Through the discussion of what species we were looking for and why we discussed the significance of the western science”*** (Researcher, 2016)



## Useful resources for Stage 5

### Conditions – weather & roads

[Road conditions \(alerts, closures & warnings\)](#)

[Oz cyclone chasers – storms, cyclones & extreme weather information](#)

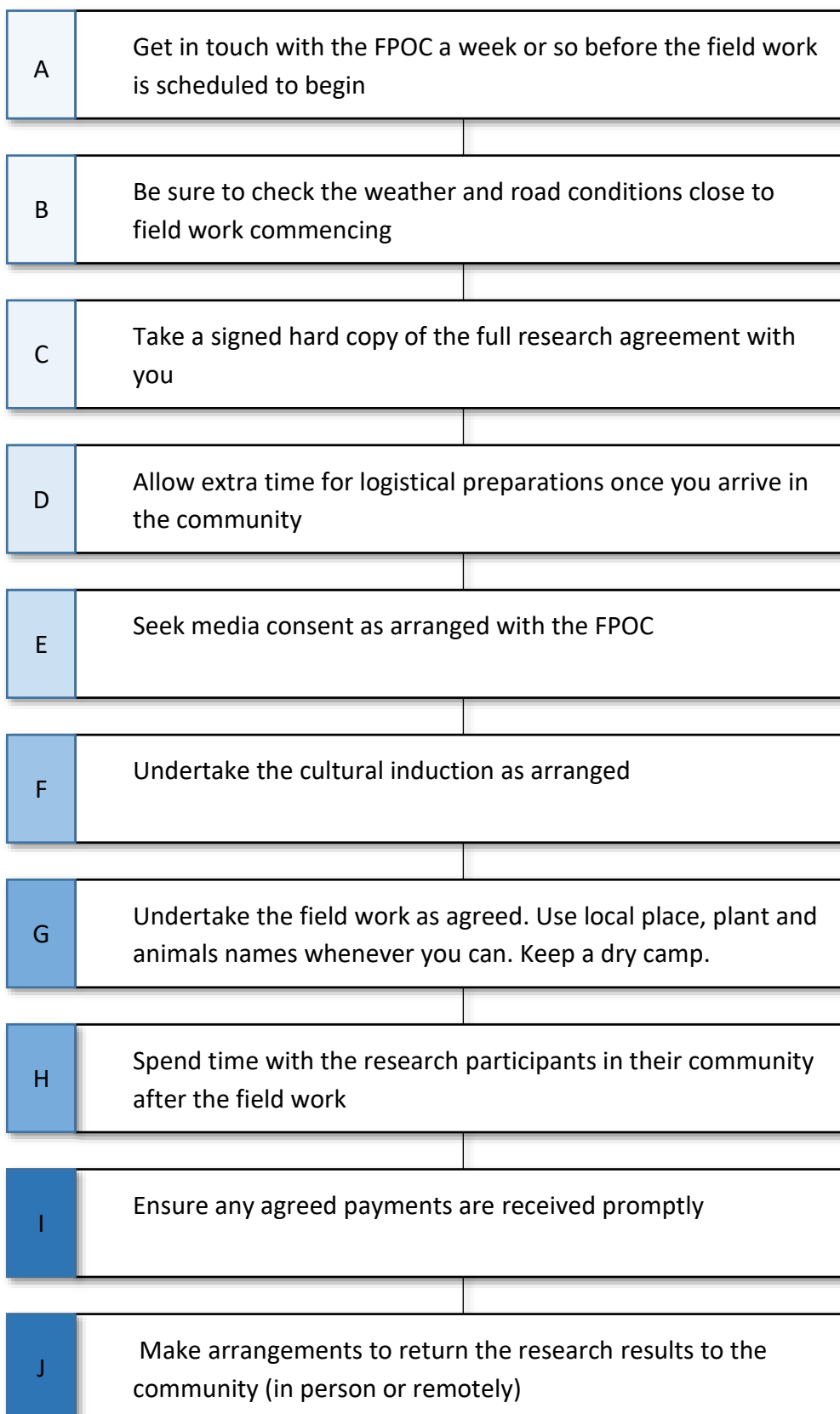
[WA weather warnings \(marine wind, fire weather, storm & cyclone warnings\)](#)

[Kimberley weather forecasts](#)

[Coastal waters forecasts – west Kimberley](#)

[Coastal waters forecasts – northern Kimberley](#)

## Work required in Stage 5



## Stage 6 - Communicating Results

Once you have completed the field work component, spent time on community and returned home, it is important that you involve the Indigenous research partners in analysis, write-up and presentation phases of the research project if/as previously agreed.

At a minimum, you will need to keep in touch with the research partners and return the research findings to the community (either in person or remotely); provide opportunity for feedback on the preliminary findings; and allow time to gain the consent of Traditional Owners to publish the final draft. If arranged previously, you will also have a role in facilitating the involvement of participating Indigenous Rangers in data analysis and interpretation; and may support the co-presentation of new project knowledge to other audiences however you can.

### Keep in touch

When Traditional Owners give you knowledge about their Country, their Country allows you visit, work there and keeps you safe, then you assume a level of responsibility for this Country in the eyes of Traditional Owners.

**When a researcher leaves the community after field work is complete, it is critical that Traditional Owners are not made to feel as if their knowledge has been taken from them with no hope of return. Researchers need to make the effort to keep in touch, and communicate the findings back to the Indigenous research partners.**

*“The reason we share that knowledge is to pass on the responsibility for Country to you too”*

(Traditional Owner 2016)

*“[I would do] more active updating and consultations through the analysis phase of the research”*

(Kimberley researcher 2016)

### Analysis, interpretation & write-up

The extent to which local people are involved in analysis, write-up and co-presentation will depend on the resources you have allocated (or been able to source) and any conflicting commitments of Traditional Owners and Rangers.

If it is possible to undertake some of the data analysis, interpretation or write-up while you are still in the community, the opportunity to work alongside you would be valuable to the local rangers. The potential for this involvement will have been planned and specified in the project agreement, however if other opportunities arise, discuss these with the FPOC or Ranger Coordinator.

### Return the findings & provide opportunity for feedback

Returning the research findings to the community (preferably in person) is absolutely essential for collaborative research projects. This step must form part of the project plan and have adequate resources allocated to it both in terms of time and logistical costs.

If you cannot return in person, consider allocating a small amount of resources for the local Ranger group to put on a barbecue lunch for the project participants on community, send up hard copies of an image-rich, plain-English [communication aid](#) (much like the one you sent up during project proposal stages) and get on the other end of the phone to talk through the research results.

This is an essential step in completing the circle of learning from research at a local level and enables you to gain valuable feedback from project participants. It also helps to open up opportunities for you to return to work with the community on future research projects thereby capitalising on the investment you have all made in each other.

*“Spend more time seeking external funding resources to sustain activities in the long-term”*

(Kimberley researcher 2016)

The research is given tangible value by presenting the findings in a way that leaves the Indigenous Rangers with a clear understanding of how the research benefits their management of land and sea Country and contributes to a wholistic picture of ecosystem health.

Further, leaving the rangers with the skills and tools to continue related monitoring work in accordance with the aims of their Healthy Country Plans is one of the best possible outcomes for Indigenous research partners.

### Appropriate co-authorship and acknowledgement

When Traditional Owners are actively involved in the research project, then they are involved in the creation of new knowledge and understandings about their Country and its biota.

That each person (or group) is [acknowledged appropriately](#) for their contribution and that their knowledge is recognised is very important to Indigenous research partners. By being acknowledged as co-author of a scientific paper, Indigenous knowledge is recognised and Traditional Owners are seen to have joint ownership of the project IP.

If at all possible (with the direction of the FPOC) source operational funding for Indigenous research partners to co-present the results of the research at conferences and events. Awareness-raising of the critical role that Indigenous Knowledge plays in maintaining the biodiversity and landscape health is very important to Traditional Owners.

*“If Traditional Owners get their names put on papers that get published in scientific journals [we] become acknowledged in a western scientific way”*

(Traditional Owner 2016)

### Consent to publish

Traditional Owners have serious responsibility to ensure that any documents that are produced, talks that are given and media (films, recordings and pictures) used are [all appropriate for the general public to see](#), hear or read from their perspective. This includes issues such as ensuring that the names of people and places are correct; checking that quotes and information about people or Country are appropriate and that confidential information isn't published.

As per the research agreement, you will need to send the final draft of any papers and presentations through to Indigenous research partners and allow sufficient time for them to provide their considered input.

### Return copies of all data and media

As specified in the research agreement, researchers must return a full set of all media and data collected during the research project in appropriate and easily accessible formats and with sensible naming conventions of all files.

If any of the data or media is sought for use for any purpose other than what is specified in the research agreement and covered by consent forms, specific written permission will be required from the local PBC and Traditional Owners in a separate consultative process.

### Come again

Indigenous research partners will often welcome back researchers with whom they have had good working relationship. It is usually their preference to work with good people who are known to the community and have been through the learning journey of their first collaborative research project.

## Useful resources for Stage 6

### Background information:

[Suitable format of communication aids](#)

[Intellectual Property \(IP\)](#)

[Kimberley Land Councils \*IP Policy\*](#)

[Acknowledgement](#)

[Consent to publish](#)

### Researcher Feedback form

[Wunambal Gaambera Researcher Feedback Form - natural or cultural resource research on Kimberley Country \(via Wunambal Gaambera website\)](#)

[Dambimangari Researcher Feedback Form - natural or cultural resource research on Kimberley Country \(via Dambimangari website\)](#)

[Yawuru Researcher Feedback Form - natural or cultural resource research on Kimberley Country \(via Yawuru website\)](#)

[Balangarra, Bardi Jawi, Nyul Nyul and Karajarri Researcher Feedback Form - natural or cultural resource research on Kimberley Country \(via KLC website\)](#)

## Work required in Stage 6

|   |  |
|---|--|
| A | Maintain communications with research partners throughout the data analysis & interpretation stage |
| B | Involve Indigenous Rangers in data analysis, interpretation & write-up where possible              |
| C | Return preliminary results of the research to or the local community                               |
| D | Provide opportunity for Indigenous research partners to contribute their perspective               |
| E | Appropriately acknowledge the contribution of all participants, including co-authorship            |
| F | Provide final drafts of any products to Indigenous research partners for their feedback            |
| G | Return digital copies of all media   |
| H | Fill in a <i>Researcher Feedback Form</i> so we can learn from your experience                     |

## Summary of work required by stages

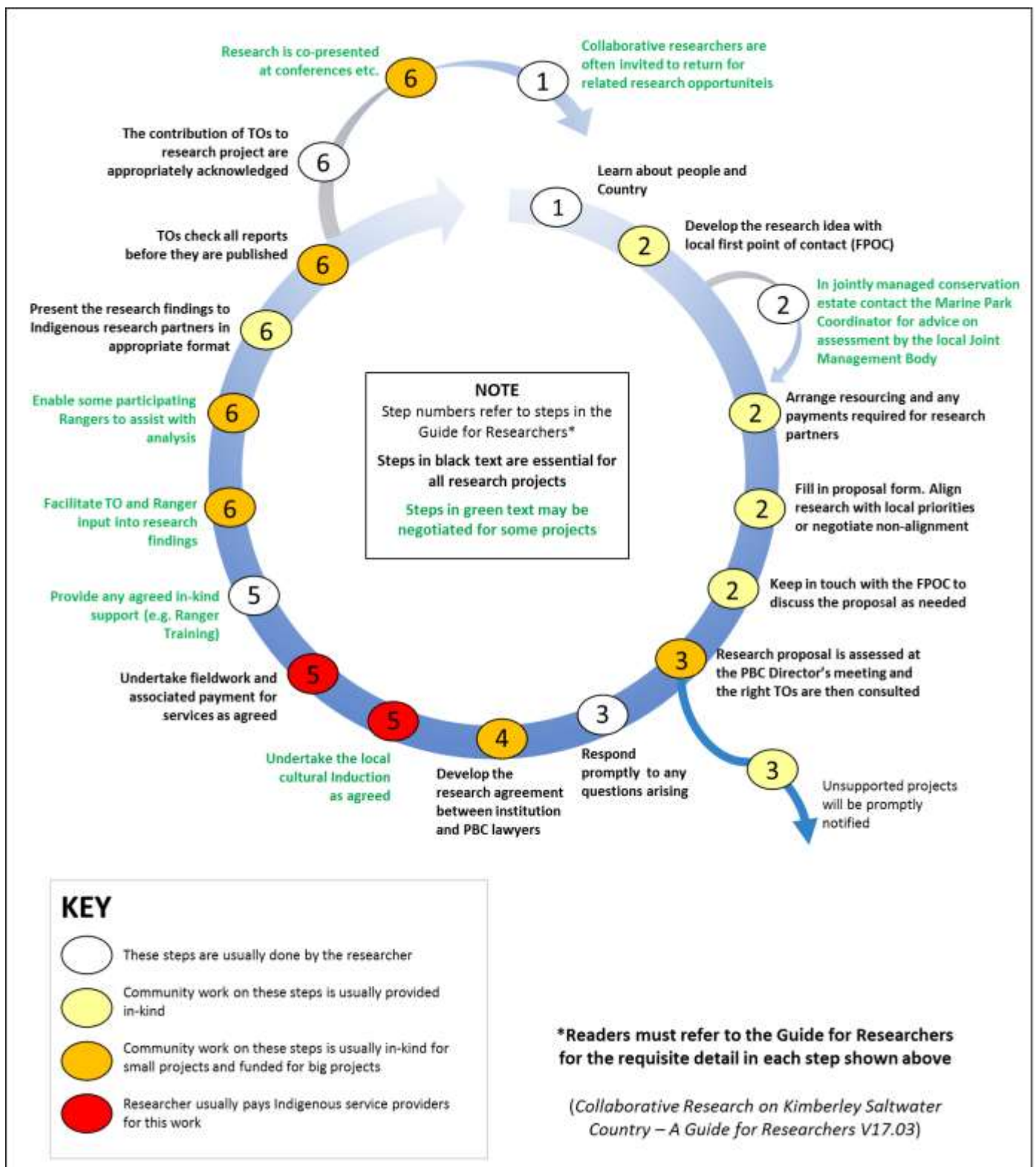


Figure 13 Main steps within each stage of the collaborative research cycle

## Indigenous research partners & their Country

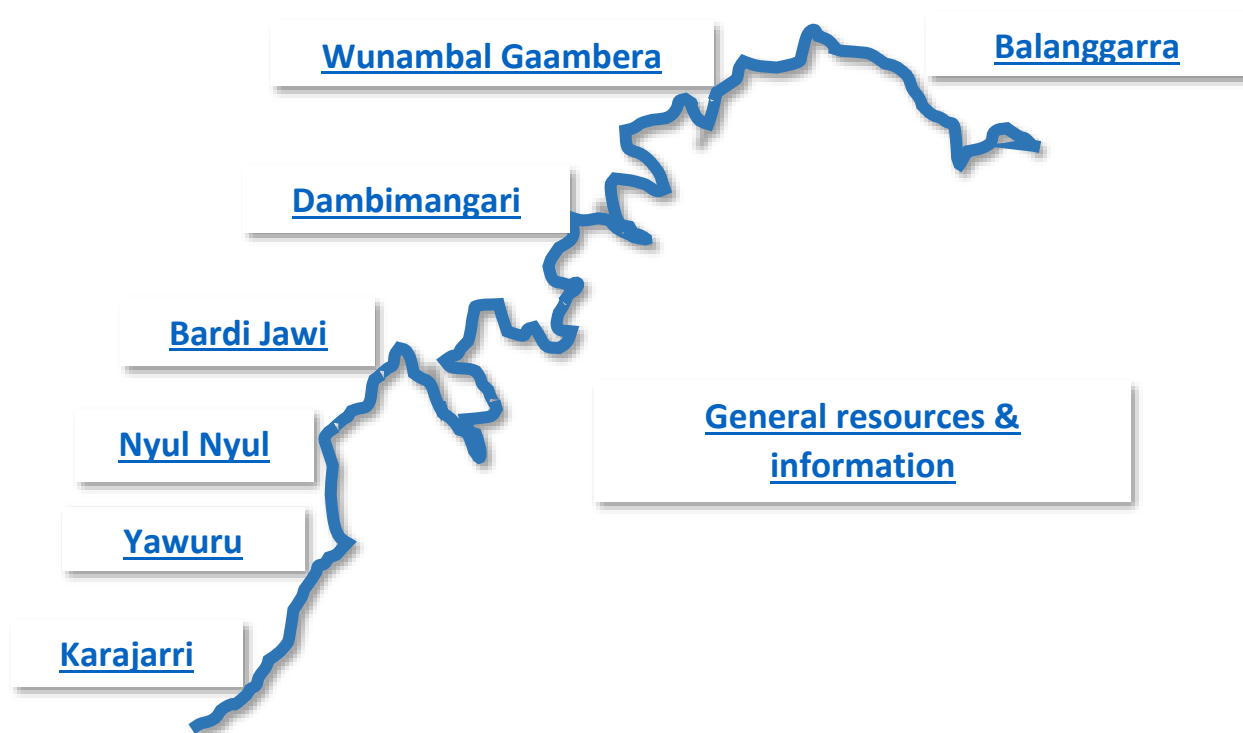
Information relevant to each Indigenous language group, their Indigenous Rangers and Aboriginal Corporations are found in the following sections. These are intended as a starting point to learn about potential Indigenous research partners.

Firstly, you will need to determine which Native Title area the proposed research falls within, by referring to the current National Native Title Tribunal map, available [here](#).

Then refer to the relevant section for information on each group.

For areas under current Native Title claim (such as Mayala and the middle Dampier Peninsula, as at the time of writing) the first point of contact will be the [KLC Land & Sea Regional Manager](#).

Here's a quick link to each of the established groups:





## Kimberley-wide resources & information

Here are just a few of the many resources available for researchers seeking to know more about undertaking collaborative research with Indigenous Kimberley people.



[Awareness of Aboriginal nations - Indigenous languages interactive map](#)



[About Indigenous Protected Areas – 2012 report](#)



[Example of collaborative research - monitoring snubfin dolphin in Roebuck Bay](#)



[Indigenous Ranger program](#)



[Faces of Kimberley Rangers - Ranger Smack-down 2013](#)



[Indigenous Rangers – strong social outcomes](#)



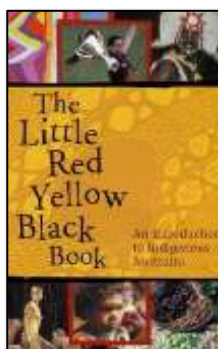
[Practical tips for researching in remote communities \(CDU\)](#)



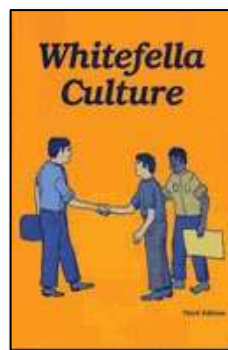
[Procedural and practical ethical consent \(CDU\)](#)



[Researchers working in the Indigenous space \(CDU\)](#)



Bruce Pascoe with AIATSIS (2012). *The Little Red Yellow Black Book* (Third Edition)



Hagan, S. (2008) *Whitefella culture*, Kangaroo books, Australia

## Balanggarrá people

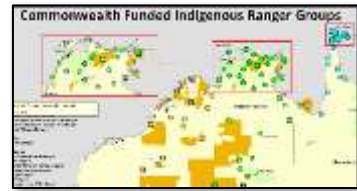
The first point of contact ([FPOC](#)) for land or sea researchers proposing to work on Country belonging to the Balanggarrá people is the **Balanggarrá IPA Coordinator**, based in Wyndham. Call the Kimberley Land Council on (08) 9194 0100 and ask reception for the mobile number and email address of the person occupying the position at that time.



[Management priorities – Balanggarrá Healthy Country Plan \(Balanggarrá seasonal calendar on p17\)](#)



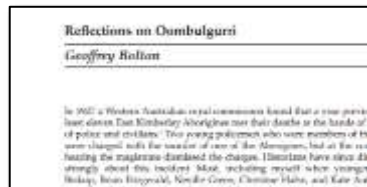
[Balanggarrá Rangers overview – via Interactive Map](#)



[Ranger base location – Dept. of Prime Minister & Cabinet Map](#)



[Social background – Oombulgurri community closure](#)



[Historical background – Reflections in Oombulgurri](#)



[Example of research work - Cane toad avoidance by native goanna species](#)



[Example of research – mapping dugong populations](#)



Cultural competence training may be available. Contact the Balanggarrá FPOC for more information

## Wunambal Gaambera (Uunguu) people

The first point of contact ([FPOC](#)) for land or sea researchers proposing to work on Country belonging to the Uunguu people is the **Wunambal Gaambera Healthy Country Program Manager**, based in Kalumburu. Email [infohc@wunambalgaambera.org.au](mailto:infohc@wunambalgaambera.org.au) or call the Wunambal Gaambera Aboriginal Corporation on (08) 9161 4451 and ask reception for the mobile number of the person occupying the position at that time.



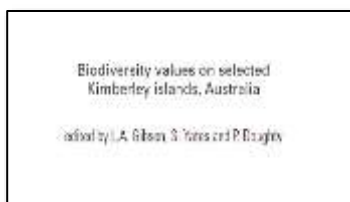
[The Uunguu \(WG\) Healthy Country Plan](#)



[Indicative Uunguu IPA Management Plan, 2016](#)



[Information about WG people, culture and Country](#)



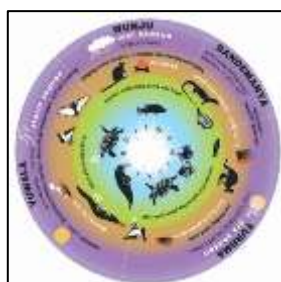
[Indigenous values and knowledge of the Kimberley Islands – Kimberley Islands Survey](#)



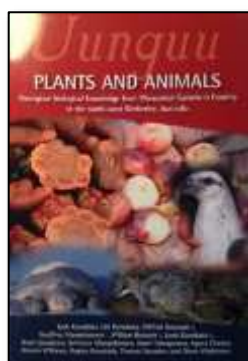
[Example of research – mapping dugong populations](#)



[Example of research work – Uunguu turtle monitoring](#)



[Wunambal Gaambera Seasonal Calendar \(see Box 9.4 in this link\)](#)



Karadada, J (2011) *Uunguu Plants and Animals - Aboriginal Biological Knowledge from Wunambal Gaambera Country in the North West Kimberley, Australia*, Northern Territory Botanical Bulletin Series, Wunambal Gaambera Aboriginal Corporation (ISBN: 9781921519925)



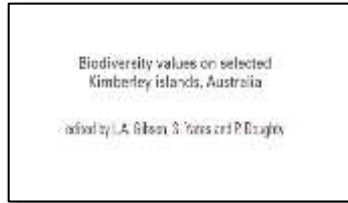
Cultural competence training is available. Please contact the Wunambal Gaambera FPOC for availability

## Dambimangari people

The first point of contact ([FPOC](#)) for land or sea researchers proposing to work on Country belonging to the Dambimangari people is the **Dambimangari Healthy Country Program Manager**, based in Derby. Call the Dambimangari Aboriginal Corporation on (08) 9191 2383 and ask reception for the mobile number and email address of the person occupying the position at that time.



[Dambimangari Healthy Country Plan \(Dambimangari seasonal calendar is on p25\)](#)



[Indigenous values and knowledge of the Kimberley Islands – Kimberley Islands Survey](#)



[Code of Conduct for visitors to Dambimangari Country](#)



[Example of research: marine mammal aerial survey](#)



[Example of research – mapping dugong populations](#)



[Example of research: threatened fauna surveys](#)

Mowanjum Aboriginal Community and Mowanjum Artists Spirit on the Wandjina Aboriginal Corporation, 2008, *Mowanjum, 50 years community history*.



Blundell & Woolagoodja, 2005, *Keeping the Wanjinjas Fresh*, Fremantle Press, Fremantle, WA



[Cultural Immersion tours are available through Wadjina Tours.](#)

## Bardi Jawi people

The first point of contact ([FPOC](#)) for land or sea researchers proposing to work on Country belonging to the Bardi Jawi people is the **Bardi Jawi IPA Coordinator**, based in One Arm Point. Contactable at the Bardi Jawi Ranger office on (08) 9194 0158.



[Management priorities - Bardi Jawi IPA Plan](#)



[The Bardi Jawi Rangers – short video clip](#)



[About Bardi Jawi Rangers – Caretakers of Country](#)



[Bardi elder talks about the Bardi Jawi seasonal calendar.](#)



A Bardi Jawi seasonal calendar is available from their Ranger upon request



[Example of research – fish and coral recruitment](#)



[Example of research – mapping dugong populations](#)



[Practical tips for visitors to Bardi Jawi Country – Leave No Trace](#)



Cultural competence training is available. Book through the Bardi Jawi Ranger office

## Nyul Nyul people

The first point of contact ([FPOC](#)) for land or sea researchers proposing to work on Country belonging to the Nyul Nyul people is the **Nyul Nyul Ranger Administration Officer**, based in Beagle Bay. He/she may refer you to the Nyul Nyul Head Ranger or Ranger Coordinator for subsequent correspondence. Contactable at the Nyul Nyul Ranger station on (08) 9192 4051.



[About the Nyul Nyul Rangers – Welcome to our Country](#)



[About the Nyul Nyul Rangers – meaning of water](#)

At the time of writing, there is no Healthy Country Plan available for this area. Check with the local Ranger office for current availability



[On Country with the Nyul Nyul Rangers – Eel hunting](#)



[Example of work – the Nyul Nyul Rangers on croc patrol](#)



[Example of work – collaborations with external stakeholders](#)



[Example of research – freshwater habitats](#)



[Example of research – genetics mapping of green sea turtle populations](#)



[Historical context – Face & places of Beagle Bay](#)



Cultural competence training is available. Book through the Nyul Nyul Ranger office

## Yawuru people

The first point of contact ([FPOC](#)) for land or sea researchers proposing to work on Country belonging to the Yawuru people is the Yawuru IPA Coordinator, based in Broome. Contactable via the Nyamba Buru Yawuru office on (08) 9192 9600.



[Yawuru joint management plan for Roebuck Bay \(Nagulagun\) Marine Park](#)



[Yawuru's joint management plan for out-of-town reserves \(Birragun Conservation Park\)](#)



[Yawuru seasonal calendar \(Bureau of Meteorology\)](#)



[About Yawuru culture – main website](#)



[Land and culture – local Yawuru elder talks about Yawuru Country](#)



[Cultural context – Yawuru words welcoming new Australian citizens](#)



[Example of collaborative research - monitoring snubfin dolphin in Roebuck Bay](#)



[Example of collaborative research – building local capacity to undertake marine monitoring](#)



[Cultural immersion training is available, with several intakes per year. Book via the Yawuru website.](#)

## Karajarri people

The first point of contact ([FPOC](#)) for land or sea researchers proposing to work on Country belonging to the Karajarri people is the **Karajarri IPA Coordinator**, based in Broome. Contactable via the Kimberley Land Council on (08) 9194 0100.



[The Karajarri Healthy Country Plan, including seasonal calendar](#)



[Eighty Mile Beach Marine Park Management Plan](#)



[Karajarri Country - dedication of the Karajarri Indigenous Protected Area, 2016](#)



[Land and culture – local Karajarri elder talks about Karajarri Country](#)



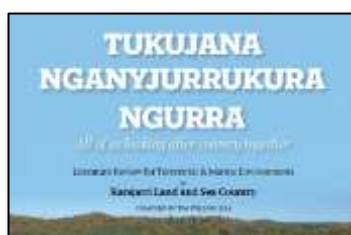
[About Karajarri language – resources available](#)



[About Karajarri people and governance – the Bidjandanga community](#)



[Conditions of entering Karajarri Country \(including standard cultural protocols\)](#)



ESSENTIAL READING:  
Willing, T (2014) *Literature Review for Terrestrial & Marine Environments on Karajarri Land and Sea Country*, KTLA  
(Available through the FPOC of the Kimberley Land Council [klc@klc.org.au](mailto:klc@klc.org.au))



Cultural competence training is available, contact the Karajarri IPA Coordinator or FPOC for details.



## Key terms

### Accompaniment by the right people

When working on traditional land or waters in the Kimberley, it is critical to understand that every place you visit will be someone's family or shared estate, handed down from one generation to the next. Some places will be out of bounds and at others any kind of physical disturbance will be prohibited.

Just as you would want to be present if a stranger asked to look around your back yard, so too Traditional Owners will insist on being present at all times when you are doing work on their land or sea Country.

In the context of most terrestrial and marine research, this translates to having at least one Traditional Owner and one Indigenous Ranger (nominated by the broader Traditional Owner group for the area) to accompany you whenever you are doing research on their Country.

Following this logic, if the research crosses the boundaries between two different traditional estates, the Traditional Owners you need with you will also likely change.

It is also important to note that remote Indigenous Australian communities are not wealthy and can lack the services and infrastructure most Australians take for granted.

With the notable exceptions of [Indigenous Rangers](#), and emerging opportunities around native foods and tourism there are few job prospects that allow family members to remain living in their own communities and derive an income from working on their traditional lands.

Couple this with a vast, harsh and often inaccessible Country, many Traditional Owners cannot access their Country as often as needed to pass down knowledge to their younger generations.

***“There are different stories for different burr. You got to say the right stories and let people know where you are going.***

***Some places women cannot go. If you guys go the wrong place you will fall sick. And it falls back for the TOs.”***

(Traditional Owner, 2016)

***“Different parts of Indigenous Knowledge about Country and related cultural protocols are held by different family members for each estate. In a fluid spiritual landscape, many cultural features cannot be defined as a static point or polygon on a map. This is one of the core reasons that the consultative process must be thorough, must include the right Traditional Owners and why it takes time to complete on your behalf***

(Traditional Owner, 2016)

Research presents an opportunity for Traditional Owner families to fulfil customary obligations and exercise traditional rights by incorporating meaningful visitation into research project outcomes.

## Alcohol-free research environment

Indigenous communities in the Kimberley are predominately dry (alcohol-free) communities. Regardless of whether research is taking place on land or on boats, researchers are expected to respect this requirement at all times. Do not bring or consume any alcohol during field work. Or while on community. Several key research agencies have now incorporated this standard into their internal HR policy.

## Camping and accommodation

Researchers need to make accommodation arrangements for the duration of the field work well prior to their arrival. Accommodation is not available within communities and camping is only permitted in designated areas. Peak field season coincides with peak tourist season in places like the Dampier Peninsula where accommodation options can become restricted. You can speak to the local tourist bureau to learn about campgrounds as well as ask the FPOC which may be most suitable given the nature and location of fieldwork.

## Communication aids

This Guide recommends that researchers invest time developing brief and simple [communication aids](#) to be used by the local FPOC when describing the proposed project to the local PBC and the Traditional Owners of the area of interest. Similarly, when a researcher is in Stage 6 of the collaborative research process (Communication), he/she will need to develop similar communication materials explaining the research findings.

***[Find] ways which to communicate science so that it is understood by TO's and does not cause offence to traditional knowledge***

*(Researcher, 2016)*

You will need to consider the literacy and numeracy skills of the audience, some of whom are old people with little formal schooling background and use English is a second, third or fourth language.

The recommendation is that these materials are brief (2 to 4 A4 pages in length), featuring the key concepts of the research. Terms must be presented in plain English, using a high proportion of pictures, images and diagrams with limited words per page.

The person who will use these communication aids (usually the FPOC) to explain the research to relevant community members will have a sound understanding of the research proposal, so there isn't a need to go into detail. They do, however, need to act as a visual representation, comprehensive summary and as a memory-jogger for that person, who will have to explain the research several times to different Traditional Owners and to their PBC on your behalf.

The communication aid should be sent both an electronic copy to the local FPOC and in hard copy by post (30 double-sided colour flyers sent immediately after you submit the research application). Please use express post as it can often take two weeks for hard copy mail to reach regional community post offices.

## Conduct

Researchers are expected to behave in a respectful and culturally appropriate manner at all time during the research project.

For example, Wunambal Gaambera people have developed their own *Code of Conduct* for visiting researchers, which form part of their research agreement. Ask the FPOC for a copy of the local Code of Conduct if available.

*“I’ve seen some people that have come over this side and that respect was there. They wouldn’t go in the water until they have got permission from local people. I’ve seen them throwing water over themselves...”*

*Those cultural values extend everywhere. If you go in the desert you get a rock and rub it under your arm. That is about cultural protocols and respect”*

(Traditional Owner, 2016)

Be aware that just as the landscape differs from place to place, the way that people look after their Country and the culture of language groups differ. Pay attention to the local cultural protocols explained to you by the FPOC, the Traditional Owners you work with and in particular the Cultural Advisor. Many of the local customs relevant to you will be explained as part of the local cultural induction course.

## Consultation with Traditional Owners

In this Guide, when we refer to the process of consulting Traditional Owners about proposed research activity on their traditional land or sea Country, we are referring to the process of:

- Determining the right set of Traditional Owners that need to be consulted for the proposed location of research;
- Locating and visiting them to clearly and comprehensively explain all aspects of the research;
- Then asking them to decide whether or not to reject or give their consent ([FPIC](#)) to the proposal.

*“It’s the TOs decision. That’s one of the rules we don’t want to break. In every conversation we have and for any reason we ask for, whatever questions we have, ask the TOs”*

(Indigenous Ranger, 2016)

Based on Traditional Owner feedback, they then relay any limitations or conditions that must be met by the research team to make sure no harm is done to Country and any perceived risks to people or culture are mitigated. They will advise the level of involvement that Traditional Owners of that area should have with the research and which people from their Traditional Owner group should accompany the research team.

The people who undertake consultation on your behalf need to clearly understand the research in order to explain it to others on your behalf. This is one of the reasons that researchers must use clear, everyday English in the application and support it with simple diagrams or illustrations which help people explain the core concepts to others.

The process of gaining consent for the research is made considerably easier when you have provided a tailored [communication aid](#) for this purpose.

## Country

The term 'Country' has a depth of meaning, importance and reverence for Indigenous Australians without an equivalent in mainstream culture. It is a powerful and complex term for Indigenous people which deserves special consideration by visiting scientists.

For the purposes of this Guide, when referring to 'Country' we are referring to an area of land or waters and everything it contains, owned and managed by the Indigenous people whose families have been its custodians for thousands upon thousands of years.

## Critical Agreement Terms

Many Kimberley land and sea research agreements between Indigenous groups and researchers are similar because both parties require certain standards and assurances from the other. By entering into carefully constructed research agreements, researchers and Traditional Owners are provided legal protection of their rights and interests as they relate to the project.

Several aspects of these agreements are consistently the focus of most negotiations between the university and PBC lawyers. We have called them 'critical agreement terms' and they relate to the following areas:

- intellectual property
- publishing
- acknowledgement
- confidential information
- accompaniment
- liability/insurance

Negotiations around these themes often involve a series of ever smaller amendments to the wording of conditions between lawyers, with each change requiring a re-assessment of the entire agreement. This is a source of considerable delays for researchers and for this reason, trialling of a new approach is proposed within this Guide.

In the following pages, we provide a plain-English summary of those standard conditions that are usually considered non-negotiables for most research agreements from the perspective of Indigenous research partners, as well as additional options that can be negotiated for some projects at the discretion of the local PBC.

During the proposal stage we ask the researcher, with support of their institutional lawyer to:

1. Assess the implications of the standard conditions to their proposed research project and indicate their level of acceptance as a basis for research agreement development clauses.
2. Assess the implications of the potentially negotiable conditions to their proposed research project and indicate any and all that they would be prepared to accept as the basis of research agreement development clauses.

The researcher/lawyer team can also suggest alternatives, with the understanding that these will likely be the focus of subsequent negotiations between institutional and PBC lawyers.

Note that the selections made by the researcher are not binding on the Traditional Owners or other Indigenous research partners, but will assist in a higher level of clarity between parties from the onset. It is envisaged that this will translate to a faster turnaround for researchers.

Projects with researchers whose universities are prepared to accept clauses that equitably share the research benefits, preserve the rights to knowledge and respect traditional protocol are most likely to be supported and progressed. If the conditions selected clearly weight the research benefit towards the university and/or risks towards to the Indigenous research partners, then it is possible the proposal will not be supported.

**The following pages provide information in layman’s terms about the most common negotiated parts of Kimberley land and sea research agreements. This information is general in nature and no part of it should be considered legal advice. Keep in mind that each PBC has differing capabilities, will make their own assessment of suitable clauses and some rely on the Kimberley Land Council to provide legal support.**

NB. All researchers who undertake research on lands or waters within the Kimberley Land Council's (KLC) area of responsibility are required to read, understand and sign off on the KLC Intellectual Property and Traditional Knowledge policy before research can proceed. This policy can be found [here](#).

## Intellectual Property

In research projects, there are three main types of Intellectual Property (IP) to be aware of:

### Background IP

Background IP is any IP held by researchers or by Indigenous research partners before the research started, or IP that is developed independently of the research project. It can be thought of as the foundational knowledge that people bring to the project, upon which new knowledge is built. It is important that background IP remains the property of whomever brought it to the project.

- A local traditional seasonal calendar is an example of background IP owned by Traditional Owners. The design of a piece of scientific equipment made previously by the researcher is an example of background IP owned by that researcher.

### Indigenous or Cultural IP

Indigenous or Cultural IP is IP of the many forms of Indigenous traditional culture and expression.

- Examples of Indigenous Cultural IP are things like art, songs, dance, ceremony, language, ceremonial grounds and documentation of Indigenous heritage in film, print or other recordings.

### Project IP

Project IP is any new IP that has been created by the research project and is built upon the foundational background IP that people bring to the project.

- Information on the genetic distribution of a coastal plant species, created during a research project is an example of project IP.

Research agreements often require a party to provide a licence to the other party in relation to background intellectual property that is incorporated into Project IP. The licence is usually a limited license that allows a party to use the Project IP for the purposes of the project only, without infringing the intellectual property rights of the other party.

#### **Standard conditions usually not negotiable:**

All IP held by any party before research starts remains the property of that party

All Indigenous or cultural IP remains the property of TOs

**Conditions that may be negotiable for some projects:**

TOs own the new project IP, but other groups who have invested in the research (like the funding body) can still use it under licence

Researcher and TOs jointly own the new project IP

Researcher owns the new project IP but TOs can still use it for any non-commercial or in-community purpose

**Publishing the Research**

Traditional Owners need to make sure that any documents produced, talks given and media used (films, recordings, and pictures) are all appropriate for the general public to see, hear or read, from their perspective.

This includes issues such as ensuring that the names of people and places are correct, checking that quotes and information about people or Country are appropriate, that Indigenous Knowledge and culture is respected and that confidential information isn't published.

Research should only be used for the purposes that Traditional Owners have consented to within the research agreement. If researchers want to use it for any another purpose, they need to get the specific, written approval of the relevant Traditional Owners (TOs) and PBC first.

**Standard conditions usually not negotiable:**

Either research partner must get permission from the other before publishing any document or product which includes their name, their group's name or logo

If other parties want to use media collected during the research, they must get written approval first. TOs must be given at least 10 working days\* to consider each request

Researchers must give TOs 10 working days\* after the next PBC Director's meeting to approve or change each document written about the research

PhD students must give TOs 10 working days\* after the next PBC Director's meeting to recommend changes to the PhD

\*Denotes standard timeframes that may be flexible in some cases

**Standard conditions that may be negotiable in part for some projects:**

PhD students can submit their thesis to their university for the purposes of marking, but must address all TO concerns around included information before being made available to anyone

## Acknowledgement

When Traditional Owners are actively involved in the research project then they are involved in the creation of new knowledge or understandings about their Country and its biota. It is important to Indigenous research partners that each person (or group) is acknowledged appropriately for their contribution and that their Indigenous knowledge is recognised.

Whether it is more appropriate to acknowledge Traditional Owners (TOs) or the language group as the source of information and co-authorship, will be decided by the Indigenous research partners.

By being acknowledged as a co-author to a scientific paper, TOs are seen to have joint ownership of the project IP.

### **Standard conditions usually not negotiable:**

Indigenous contributors to the research project will be acknowledged according to normal conventions, including Indigenous Knowledge shared with the researcher about the topic

Key Indigenous collaborators whose knowledge is crucial for the research will be considered as co-authors and will be invited to co-present at events with as much notice as possible

Indigenous knowledge will be acknowledged, irrespective of whether it is provided verbally or in writing

*“When researchers come in using our knowledge to better their thesis, we need to be acknowledged, become joint authors of these papers.*

(Kimberley Traditional Owner, 2016)



## Confidential Information

During the project, visiting researchers may come across or be given confidential information that shouldn't be shared any further without the permission of the right Traditional Owners (TOs) of that information.

Confidential information is usually defined as information that is culturally sensitive, personal, commercial in nature, marked as confidential, restricted material, or any other information that could be reasonably thought of as confidential.

It is sometimes hard for researchers to be certain which information that is shared with them is confidential and how confidential information can be safely used. As such, it needs to be defined in the research agreement and is a core reason that TOs need to ensure draft publications are reviewed before publication.

### **Standard conditions usually not negotiable**

No party can pass on any confidential information owned by another party without their prior written permission

Researchers may only use TO confidential information for the agreed project purpose

Researchers must return all TO confidential information to the TOs at the end of the project

Researchers to assume that any TO information likely to be confidential is in fact confidential even if TOs haven't expressly said that it is confidential

Researchers to treat any culturally sensitive information and cultural IP as confidential information

## Liability and Insurance

Everyone involved in a research project needs to be covered by liability insurance in case they, or another party, is hurt somehow. PBCs are not normally in a position to provide insurance coverage for Traditional Owners (TOs) so they should not be expected to do so.

Researchers and their institutions are in the best position to provide insurance cover for Traditional Owners and volunteers involved in research projects.

### **Standard conditions usually not negotiable:**

The researcher or their institution must have appropriate personal and public liability insurance

### **Conditions that may be negotiable for some projects:**

Researchers or their institutions provide insurance cover for all Indigenous people working on the research project whether paid or volunteers

The researcher or their institution must have insurance covering all Indigenous people while they are working for free on the research project

Land Councils with appropriate insurance will provide insurance cover for any TOs who are being paid through the Land Council payroll system to work on the research project. Any other Indigenous community members who work on the research project (whether paid or volunteers) will be covered by the researchers/institutions insurance

## Accompaniment

It is very important to Indigenous Kimberley people that researchers are accompanied by at least one of the right Traditional Owners (TOs) of the field work area as well as at least one Indigenous Ranger at all times during work on land and sea Country. There are many reasons for this, including the safety of the researcher, protection of Country and the cultural responsibilities of TOs to their Country.

Not all researchers are initially supportive of this requirement because of concern that the research might be stalled if the right TOs and Rangers aren't available when they are ready to start fieldwork. There are a few options that PBCs and researchers can consider in order to meet the needs of both parties.

### **Standard conditions usually not negotiable:**

Researchers cannot visit certain areas at any time without the right TOs for that area accompanying them\*

Researchers cannot visit any cultural exclusion areas at any time

### **Conditions that may be negotiable for some projects:**

Researchers must have the right TOs and Indigenous Rangers with them at all times on Country\*

Researchers must have at least one TO and one Indigenous Ranger with them at all times while on Country \*

Researchers must have at least one TO and one Indigenous Ranger with them at all times while on Country unless agreed otherwise by the PBC\*

\*NOTE that researchers will need to arrange a suitable level of remuneration or in-kind payment to compensate the TOs and Rangers for their work and time invested in accompaniment.

## Cultural Advisor

The minimum requirement of accompaniment for Kimberley land or sea researchers during field work is one Traditional Owner and one Indigenous Ranger. The Traditional Owner who accompanies the researcher is often referred to as a Cultural Advisor.

He/she provides guidance and advice to the researcher to help them navigate the expectations of a culture and environment different to what they are familiar with. They may also impart select Indigenous Knowledge to the researcher to the benefit of the research and to them personally.

There is a real risk of culture shock for people who haven't visited remote communities previously and this is mitigated in part by the support and presence of both a Ranger and a Traditional Owner.

## Ethics approvals

Although each Australian university has its own ethics approval forms and processes, they all abide by the same set of ethical [human research principles](#). When working with Indigenous people, the [overarching standards](#) you must adhere to come from AIATSIS.

If you are proposing to do research on land or waters in the Kimberley, the research will involve Aboriginal people and therefore you will need to do a human ethics application as required by your institutional guidelines. This is in addition to any animal ethics approval you may need to acquire before research can commence.

If you are unfamiliar with attaining human ethics for collaborative research with Traditional Owners, you are encouraged to get advice from a fellow researcher with Kimberley research experience.

Obtaining an ethics approval from a university does not preclude the need to seek approval from the local PBC.

## First Point of Contact (FPOC)

The most appropriate community person to contact to introduce yourself as a researcher, discuss potential research areas and co-develop research projects is referred to in this Guide as the local first point of contact (FPOC). Occasionally the FPOC will delegate responsibility for part or all of the local FPOC to another suitable staff member.

They will be able to provide guidance to you, assess how the research may fit into skills development plans for their Ranger group and how it may be possible to incorporate the research topic to the local Ranger group's work program. They will also be the conduit between you and the local PBC, who are the in-principle decision-makers in the process, pending input and approval from the relevant Traditional Owners of the area under application.

**Note that the FPOC does not have the means nor authority to approve in part or whole the research proposal.**

In each area, the position most suitable to fill the role of the local FPOC will differ and the person occupying that position will also change over time. As such, the contact details are presented in terms of the position in the relevant organisation to contact as opposed to an individual's name.

### FPOC - Balanggarra

The first point of contact (FPOC) for land or sea researchers proposing to work on Country belonging to the Balanggarra people is the Balanggarra IPA Coordinator, based in Wyndham. Call

the Kimberley Land Council on (08) 9194 0100 and ask reception for the mobile number and email address of the person occupying the position at that time.

#### FPOC –Wunambal Gaambera/Uunguu

The first point of contact (FPOC) for land or sea researchers proposing to work on Country belonging to the Uunguu people is the Wunambal Gaambera Healthy Country Program Manager, based in Kalumburu. Email [infohc@wunambalgaambera.org.au](mailto:infohc@wunambalgaambera.org.au) or call the Wunambal Gaambera Aboriginal Corporation on (08) 9161 4451 and ask reception for the mobile number of the person occupying the position at that time.

#### FPOC -Dambimangari

The first point of contact (FPOC) for land or sea researchers proposing to work on Country belonging to the Dambimangari people is the Dambimangari Healthy Country Program Manager, based in Derby. Call the Dambimangari Aboriginal Corporation on (08) 9191 2383 and ask reception for the mobile number and email address of the person occupying the position at that time.

#### FPOC –Bardi Jawi

The first point of contact (FPOC) for land or sea researchers proposing to work on Country belonging to the Bardi Jawi people is the Bardi Jawi IPA Coordinator, based in One Arm Point. Contactable at the Bardi Jawi Ranger office on (08) 9194 0158.

#### FPOC –Nyul Nyul

The first point of contact (FPOC) for land or sea researchers proposing to work on Country belonging to the Nyul Nyul people is the Nyul Nyul Ranger Administration Officer, based in Beagle Bay. He/she may refer you to the Nyul Nyul Head Ranger or Ranger Coordinator for subsequent correspondence. Contactable at the Nyul Nyul Ranger station on (08) 9192 4051.

#### FPOC -Yawuru

The first point of contact (FPOC) for land or sea researchers proposing to work on Country belonging to the Yawuru people is the Yawuru IPA Coordinator, based in Broome. Contactable at the Nyamba Buru Yawuru office on (08) 9192 9600.

#### FPOC -Karajarri

The first point of contact (FPOC) for land or sea researchers proposing to work on Country belonging to the Karajarri people is the Karajarri IPA Coordinator, based in Broome. Contactable via the Kimberley Land Council on (08) 9194 0100.

### [Free, prior informed consent \(FPIC\)](#)

It can be safely assumed that no Australian landholder would want an activity to take place on their land without understanding exactly what it was, how it would be done, the potential implications, having input into it and giving their approval before work starts; all without being coerced or pressured to do so. The same principle applies to any activity (including research) on traditional Country in the Kimberley.

In international terms, the consultative standard required of parties wishing to undertake activity on land owned by Indigenous people is referred to as free, prior informed consent. It is a standard that researchers must adhere to when undertaking research on Kimberley land and waters.

There are a great many references to what free, prior informed consent (FPIC) means to development proposals and other activities on traditional lands. These include the [United Nations Permanent Forum on Indigenous Issues](#) and reports by the Australian Human Rights Commission.

Researchers are encouraged to look into the implications of FPIC on the way they plan, communicate and undertake research.

A few key messages from Traditional Owners to researchers relating to the requirement for FPIC for Kimberley land and sea research projects include:

#### *Free*

Go through the right channels (i.e. the FPOC). Don't expect that a particular Traditional Owner of family with whom you have an existing relationship is able to give you consent to undertake the research. This approach has had serious consequences on the social fabric of remote communities in the past, even affecting the way children relate to each other at school.

Do not use your position or influence to push through a research project. By all means check how it is progressing and keep the lines of communication open. The process of consent can take some time, but it must be given freely, even when existing in-principle arrangements such as Joint Management Agreements apply to the area in question.

#### *Prior*

Talk to people about the idea way before you plan to start work. Allow them time to think about it and develop the idea with you. Be adaptable in the approach and the research outcomes

Allow enough time for local people (Indigenous Rangers, PBC Directors, and relevant staff of supporting organisations) to consult with the Traditional Owners of the land or sea Country you wish to work in.

#### *Informed*

Take the time to communicate all about the research (who, what, where, how, when, why) in ways that are truly understood by the Traditional Owners of area. Put down your science pen and write accurate descriptions in plain English. Use diagrams and photos. Be available to talk about it. The literacy and numeracy levels of Traditional Owners and Rangers you want to work with will vary widely in every community.

## Importance of spending time with people

The degree to which Indigenous research partners and their communities are supportive of a researcher and his/her work will depend to a large degree on the investment the researcher makes in relationship development.

Researchers who take the co-development of the research concept and design seriously make significant headway towards successful relationships and therefore successful projects.

Maintaining this partnership approach, respecting cultural protocols and investing in your own cultural competence will all support relationship development.

One of the most important components of relationship-building is simply allowing some time outside of the research activities themselves to get to know people and fall into the rhythm of the local community. Every community is different and cultural protocols absolutely must be followed when on community, so ask the local FPOC what they think is appropriate at the time.

*Until recently, it is my understanding that... scientists often come in, do their work often using local knowledge and resources, take this information off Country and do little to give back to the communities.*

*The local people of the Kimberley value relationships, and require long term interaction to develop trust.*

*(Kimberley researcher, 2016)*

## Indigenous Protected Areas (IPAs)

There are several declared Indigenous Protected Areas (IPAs) in the Kimberley including the Balangarra, Bardi Jawi, Birriliburu, Dambimangari, Ninghan, Paruku, Uunguu, Warlu Jilajaa Jumu and Wilinggin Indigenous Protected Areas. Reflecting the high natural and cultural conservation values of the region, the area of land and sea covered by IPAs in the Kimberley is set to increase with more IPAs in the planning stages as at the writing of this Guide.

IPAs are voluntarily established by the Traditional Owners of Country so that their cultural biodiversity and conservation values can be protected into the future. Once declared, they are considered part of Australia's conservation estate. Just as National Parks are managed by park rangers, IPAs are managed by Indigenous Rangers, with support from an IPA Coordinator for each area. IPA coordinators and Indigenous Rangers work closely together and occupy the same office space in their community.

You will need to identify which IPA (if any) the proposed research falls within for the research proposal form.

[Learn more about IPAs](#)

[See a map of IPAs](#)

## Indigenous Rangers

Indigenous Rangers undertake land and sea management work under the direction of local Traditional Owners and their representative bodies (like PBCs). In areas where PBCs have not yet been established, Ranger Groups are supported by a Healthy Country Advisory Committee, comprised of several local Traditional Owners.

Ranger groups may be run in slightly different ways depending on the source of their funding, whether the area they look after is under Native Title and if it has been declared part of an IPA. In

areas where IPAs have been declared, the Ranger Group is better resourced in terms of administration capacity and are often easier for researchers to contact.

Indigenous Ranger groups have structures comprising a Ranger Coordinator, Head Ranger, Senior Rangers and Rangers. They may be men and/or women, with a few places having specific men's and women's Ranger teams.

Indigenous Rangers are incredibly dedicated and proud of their work looking after Country and culture for future generations. The scope of their work is expansive and they are critical to the success of research projects. They often speak English as a second language and have varying levels of English literacy and numeracy.

It is critical that you put every effort into clearly explaining all parts of the research to the local Rangers in ways that will be well understood and that you invest the time in effective on-the-job training in new techniques.

Ranger groups are resourced by a mix of fee for service work and government funding with specific land and sea management outcomes linked to their Healthy Country and IPA plans.

Learn more about Indigenous Rangers: [Australia wide](#), the [Working on Country program](#), [Indigenous Land & Sea management projects](#) and [social outcomes of the Kimberley Ranger network \(video\)](#)

[See a map of Commonwealth funded Indigenous Ranger groups](#)

## Joint Management

Joint management of an area of Country brings with it the benefits of collaborative management, the strengths of two knowledge systems and the many different resources of local Indigenous people and an established state conservation agency.

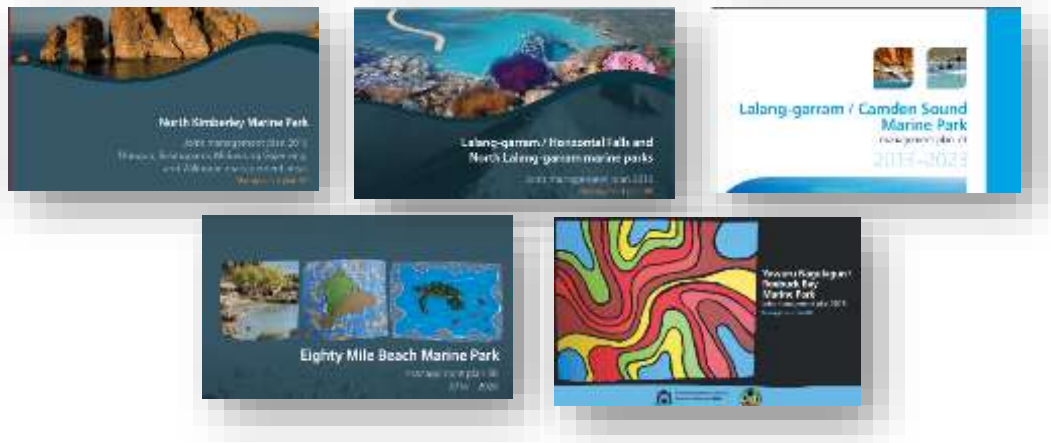
The [Conservation and Land Management Act](#) (CALM Act) was amended in 2012 to provide a legal framework for the joint management of conservation estate (land and waters) within Western Australia. Since then, [several marine parks been established](#) across large areas of Kimberley saltwater Country (see map over page).

Most of these marine parks are managed through Joint Management Agreements (JMA) between the local Traditional Owners through their Native Title Representative Body and the Department of Biodiversity, Conservation and Attractions. Where a reserve is sizeable, it may cross the traditional waters of several groups, each having a separate JMA with the department for their jointly managed section.

Each JMA establishes a joint management body to oversee marine park management. While the structure may differ between groups, membership includes representatives of the local Native Title holders and nominated staff of the department. Their responsibilities are set out within their individual JMA.

Each jointly managed Kimberley Marine Park also has its own Joint Management Plan, which describes the values of the area, objectives for management and management priorities. As at the time of writing, the following joint management plans are available:





Currently, the system of managing Country between its local Indigenous people and a state government agency is new to Western Australia. In good faith, joint managers are working through the challenges of creating productive and respectful joint management systems and processes.

It is worth noting that research around cultural knowledge that doesn't trigger the relevant legislation (*CALM Act* and *Wildlife Conservation Act*) may not need to be assessed by the local joint management board.

While the system of joint management is being worked through across the state, factors such as these will need to be addressed at the local level. The local FPOC can advise you on these issues.

Researchers who propose to undertake research within a jointly managed area are required to make contact with both the local FPOC as well as the relevant [Marine Park Coordinator](#) as directed by the FPOC

This is so that it can be considered by both management partners and approvals sought on their behalf.

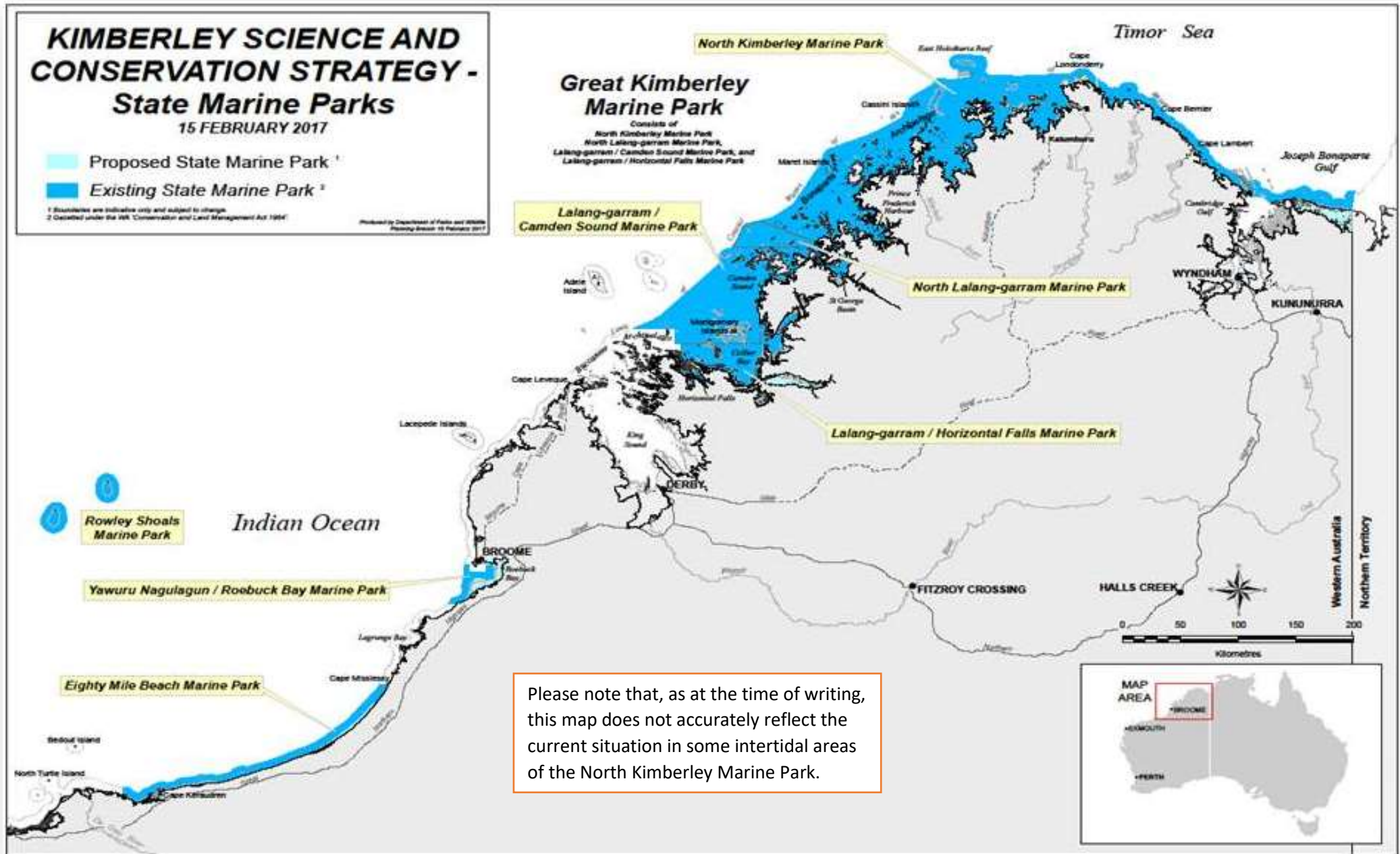


Figure 14 Location of Marine Parks within the Kimberley Region (current as at July 2017, courtesy Department of Biodiversity, Conservation and Attractions)

## Kimberley Indigenous Saltwater Science Project (KISSP)

Development of the Kimberley Indigenous Saltwater Science Project (KISSP) followed publication of the [Kimberley Science and Conservation Strategy](#) in 2011, a major strategic document shaping the Western Australia Government's investment in Kimberley Science and Conservation.

### **Guiding principles of the *Kimberley Science and Conservation Strategy* (3 of 8):**

- ***'Respect for Aboriginal people.*** *Respect the rights, roles and aspirations of Aboriginal people and support them to identify and progress solutions to conservation in ways that have social, cultural, spiritual, environmental and economic benefits.*
- ***Maximise effort through partnerships.*** *Recognise that management for conservation will be most effective where it is undertaken in partnership with relevant land [and sea] managers. The responsibility and cost of management should be shared according to the benefits received by the land manager, region or the broader community.*
- ***Enhance scientific knowledge.*** *Use knowledge gained through science, traditional knowledge and local perspectives to underpin decision making.'*

Figure 15 Guiding principles of the Kimberley Science and Conservation Strategy (3 of 8, p32)

Founded on an understanding that Indigenous knowledge holders are scientists in their own right, the project focussed on improving the way in which research and monitoring involving Traditional Owners and the science community is planned, assessed and undertaken in Kimberley saltwater Country.

KISSP was funded by the Western Australian Marine Science Institute (WAMSI), supported by Charles Darwin University, the University of Western Australia, Mosaic Environmental, Nyamba Buru Yawuru and the Kimberley Land Council. From inception, it was steered by representatives from the Balangarra, Wunambal-Gaambera, Dambimangari, Bardi-Jawi, Nyul Nyul, Yawuru and Karajarri peoples. A working group comprised of representatives from each of these groups continues to have an important role in supporting right-way marine science in the Kimberley.

The project had three closely aligned core objectives:

1. Integrate Traditional Ecological Knowledge and management practices into Kimberley marine conservation and management (led by [Dr Beau Austin](#) of the Research Institute for the Environment and Livelihoods, Charles Darwin University, Darwin)
2. With Kimberley Prescribed Body Corporate and Indigenous community members, develop a standard research protocol for land and sea research on Kimberley saltwater Country (led by [Gina Lincoln](#) of Mosaic Environmental for the Kimberley Land Council, Broome)
3. With Indigenous ranger groups, develop a framework for marine monitoring in the Kimberley (led by [Rebecca Dobbs](#) and [Fiona Tingle](#) of the Centre for Excellence in Natural Resource Management, University of Western Australia, Kununurra/Broome)

[Learn more about the KISSP Project](#)

## KISSP working group's leadership team

As at 2017, the KISSP working group leadership and their contact details are:

- Project Leader – Dean Mathews, [deanmathews@yawuru.org.au](mailto:deanmathews@yawuru.org.au)
- Deputy Leader – Daniel Oades, [daniel.oades@klc.org.au](mailto:daniel.oades@klc.org.au)
- Deputy Leader – Albert Wiggan, [alwigg1@live.com.au](mailto:alwigg1@live.com.au)

## Kimberley Land Council (KLC)

Like the many other land councils across Australia, the Kimberley Land Council provides a wide range of services and support to the Indigenous people within its area of operation. As a Native Title Representative Body for Indigenous Kimberley residents, it has been instrumental in the establishment of [Native Title](#) determinations across the Kimberley. The KLC employs a range of staff across many disciplines, who work together in support of Kimberley Traditional Owners.

As PBCs and RNTBCs are established in many areas in the Kimberley, the KLC supports them to develop their own governance capacity. As the capacity of these groups grows, they may choose to move outside of the KLC umbrella and stand independently. For researchers, it is helpful to understand which PBCs operate with the support of the KLC and which are independent.

As at the writing of this Guide, the following participating groups run independently of the KLC:

- Yawuru (Nyamba Buru Yawuru)
- Dambimangari
- Wunambal Gaambera/Uunguu

The following participating groups are currently supported by the KLC:

- Balangarra
- Bardi Jawi
- Nyul Nyul
- Karajarri

[Learn more about the KLC](#) and [view the latest KLC Annual Report](#)

## KLC Land & Sea Management Unit (LMSU)

Within the structure of the Kimberley Land Council (KLC), there are five sections operating under the Board of Directors, CEO and Deputy CEO in turn. These are the Corporate Services Unit, Finance Unit, Legal Unit, Native Title Services Unit and the Land & Sea Unit.

The [Land & Sea Unit](#) includes all KLC Indigenous Ranger staff, IPA staff, land and sea coordination staff and several specialist support personnel. Any proposed natural or cultural resource (land or sea) management research within the KLC's area of operations require the support of staff members at several levels of this team.

Researchers considering a regional research project will need to know which of the program managers they should contact in the area of interest (see below).

**All three Regional Program Managers and the Land & Sea Unit Manager can be contacted via the main KLC phone number on (08) 9194 0100.**

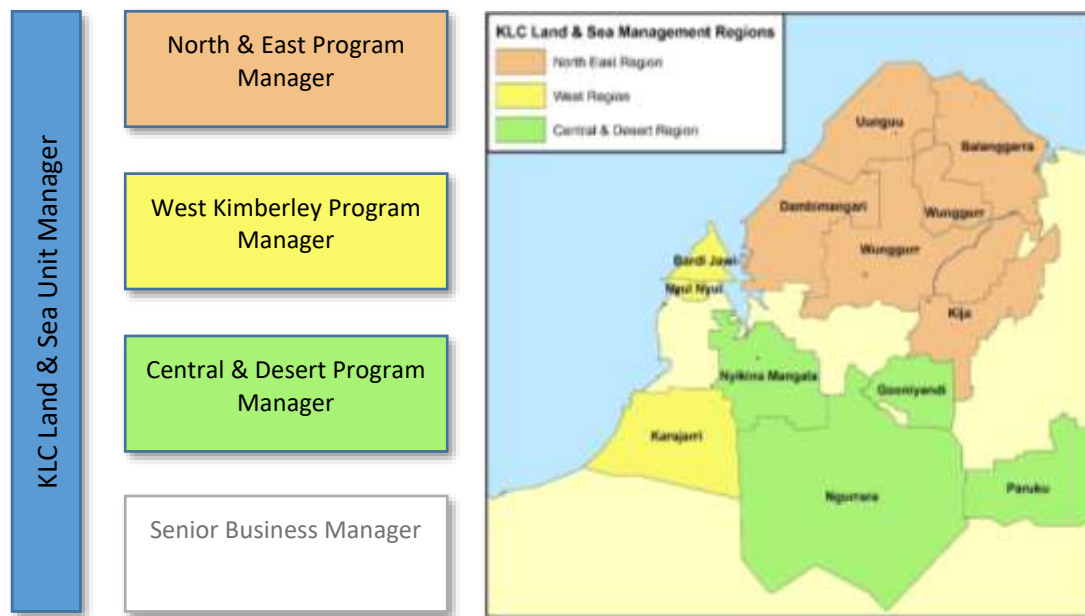


Figure 16 Management structure of the Kimberley Land Council's Land & Sea Management Unit (courtesy KLC, 2017)

### KLC Research Ethics and Access Committee (REAC)

KLC's Research Ethics and Access Committee is comprised of several KLC Board members who maintain oversight of all proposed and current research occurring on land or waters within the KLC's area of operation.

They are supported in this role by the KLC REAC Advisory Committee, a panel of representatives from five sections of the KLC workforce (legal, land & sea management, anthropology and records). The advisory committee meets up to 10 times in any calendar year.

The advisory committee plays an important role in applying their collective expertise to assess the potential risks posed by each research proposal as they come through the KLC research application system. For natural and cultural resource research, they provide this advice to the FPOC who fills the role of liaison between the researcher and relevant PBC

### Non-compliance

Every research agreement details the agreed repercussions and series of measures that will be followed should either party breach agreement terms.

In addition to this, there is an annual feedback loop being considered within and between Indigenous Kimberley organisations to rate the performance of individual researchers against the agreed research terms, how they adhered cultural protocols and the respectful way in which they worked with the Indigenous research partners. This information will then be fed back to their institutions as an overall summary of how their academic staff have been performing.

Similarly, researchers are invited to provide their feedback to the Indigenous research partners by completing a Researcher Feedback form at the completion of the research project. Together these mechanisms are a valuable way to complete reciprocal feedback, celebrate successes and allow processes to be refined over time.

## Payment and in-kind contributions

### In-kind contributions by Indigenous research partners

The need to walk in two worlds with two different laws and systems of governance to follow is a task Indigenous community members address on a daily basis. The act of undertaking natural or cultural management research crosses the divide between these two worlds in a number of ways and only with the effort of many.

Quite understandably, the depth of support given to western scientists by the Indigenous research partners is not easily seen nor understood by people from outside of their community. Having a clear understanding of the different ways in which land or sea research projects are supported by Indigenous partners is helpful for a number of reasons:

- Researchers can use this information to develop funding applications with improved accuracy of in-kind contributions and Indigenous budget items
- It supports the development of best-practice, collaborative research projects and
- Provides a common understanding of the temporal requirements of project development

The range of community members who contribute to any given research project usually includes Indigenous Rangers, IPA staff, PBC Directors, Traditional Owners, cultural advisors, and supporting PBC or Kimberley Land Council staff. [Figure 16](#) shows the numerous ways that researchers rely on the support of Indigenous partners and the types of support they provided.

### Compensation for work done from Stages 2 - 4

[Figure 16](#) shows the considerable amount of time invested by local Indigenous Rangers, PBC Directors and Traditional Owners in the development, assessment and consultation phases (Stages 2, 3 and 4 of this Guide) occurring well before the project work starts. This investment should be accounted for when preparing the research budget.

For very [small research projects](#) which are well understood by the local community, supported by Traditional Owners and that clearly meet the needs of local Indigenous land managers, there may be less requirement for monetary compensation for this preparatory work.

If supported to do so, researchers can balance the local community contribution by providing in-kind support to the Indigenous research partners and/or their community in ways negotiated through the FPOC.

For [larger projects](#) the early investment by Indigenous partners is significant. All stages of the research project will require budget items sufficient to pay for people's time and local resources consumed.

|                | <b>FPOC and other Ranger/IPA staff</b>  | <b>PBC Directors</b>  | <b>Traditional Owners &amp; Cultural Advisors</b>  | <b>Legal/contract and other support staff</b>   |
|----------------|---|---|--|---|
| <b>Stage 2</b> | Early advice about local research priorities, logistics, work plans, contributions etc.   |   | Early project advice via IPA and Rangers. Crucial advice from traditional knowledge holders on the best time & location for the research project success   | Early advice about the capacity of local groups, training needs and other research considerations         |
| <b>Stage 3</b> | Presenting the research proposal to the local PBC   | Assessing the proposal on behalf of Native Title holders, in a 'shopfront' capacity                             | Assessing the potential impacts of proposed research activity on their traditional country. Approving or rejecting the research application  |   |
|                | Consultation of the right Traditional Owners for the area of proposed research activity   |   |  |   |
| <b>Stage 4</b> | Presenting your research agreement to PBC for consideration & sign-off  | Final review and sign-off on the bi-partite or tri-partite research agreement on behalf of Native Title holders |  | Indigenous corporation lawyers develop research agreement in consultation with your institution's lawyers |
| <b>Stage 5</b> | Local point of contact for logistics planning and local arrangements. An extensive range of on-ground project support and collaboration including accompaniment to research sites |   | Research co-leadership functions. Ongoing guidance from Traditional Owners and Cultural Advisor. Provision of Cultural Induction service prior to field work. Traditional Knowledge contributions throughout |   |
|                | Review of documents for cultural clearance and endorsement prior to publishing  |   |  |   |
| <b>Stage 6</b> | Making local arrangements for you to present the research back to Indigenous research partners. Also advice on content, location & timing of delivery                             |   |  |   |
|                | Co-presentation of collaborative research outcomes at conferences and events (Rangers or Traditional Owners) as negotiated  |   |  |   |

*Figure 17 Typical support provided by Indigenous research partners to Kimberley land & sea research projects.*

### Compensation for work done during stage 5 (field work)

Indigenous Kimberley people contribute significantly to the research. When preparing the budget, you should have a good idea of the likely costs of these contributions.

**The rates applicable for people's time and equipment used will vary between groups and are revised over time. Researchers are advised to discuss their current rates with the local FPOC in initial conversations.**

Some typical budget items you may need to include in the project funding submission include:

- Hourly rates for Cultural Advisors and Indigenous Rangers during field work;
- Vehicle running (cost per day for cars and boats);
- Fee for meeting venue hire on community);
- Consumables, tools and equipment used during the fieldwork and those to be left with the Rangers for future work;
- Tyre changing services and/or spare tyres;
- Fuel orders for transporting Traditional Owners and families (if required);
- Fuel orders for Indigenous Ranger vehicles and;
- Foodstuffs for field staff and TO families on Country.

You will also need to budget for your time adequately, allowing for flexibility and relationship development. Potential areas of researcher time allocation include:

- Collaborative project development;
- Proposal form completion in everyday English;
- Communication aid development in proposal stages;
- A buffer of time on community before field work
- Field work allowing for flexibility;
- Sharing knowledge and gaining feedback from research partners after field work;
- Ranger training and provision of other in-kind support as arranged
- Time on community with Rangers and other Indigenous participants after the research;
- Keeping research partners informed during the analysis, interpretation and write-up phases
- Development of communication aids to present results and findings
- Returning to community to present the results
- Seeking and including Traditional Owner feedback on final draft papers and reports
- Supporting co-presenters at conferences

Where the funding budget is minimal and only allows for limited payment to local people working on the project, or for student researchers operating on a typically shoe-string budget, allowances may be possible at the discretion of Indigenous research partners. Any proposal for in-kind compensations need to be proposed and negotiated and carefully arranged with the local FPOC well prior to fieldwork starting.

The defining factors are how relevant the research findings and/or methodology will be to the local land and sea managers, including how quickly they can support management decisions and the resources of Indigenous research partners (wages, equipment, time) required to be diverted from other work towards the research project.



### In-kind work in lieu of full payment (if supported)

Just as it may be possible for researchers with small budgets to repay the time invested in Stages 2-4 of research development, there may be scope to provide a mix of payment and in-kind services to compensate for the work in Stage 4 (the fieldwork stage).

Options may include:

- training of Indigenous Rangers
- contributing towards local school science programs
- mentoring a particular ranger in a work area of their interest
- providing tools and equipment to the community
- facilitate and resource members of a Traditional Owner family to accompany the research team to their Country to spend time outside of research activities passing on knowledge between generations etc.

In-kind contributions may be directly or indirectly aligned with the research topic or they may reflect an entirely different skillset or resource that you possess.

### Risk management

Within the preparation and planning of field work, researchers must ensure that they address all potential risks associated with working in remote locations. Of these risks, there are several with particular relevance to research in the Kimberley, including:

- Heat stress, humidity & dehydration
- Cyclones, monsoons and floods
- Crocodiles & poisonous jellyfish
- Wild fires & prescribed burning
- Extreme tidal movements
- Remote communication deficits
- Driving on remote roads and tracks

Visiting scientists planning field work must do their own research around these dangers and develop strategies to minimise risks caused by these and other relevant factors.

### Saltwater Country

Building on the concept of 'Country', saltwater Country can be thought of as that Country owned and cared for by coastal (saltwater) Traditional Owners. Where Traditional Owners belonging to a language group possess coastal or marine Country, the language group as a whole may be considered saltwater people. Saltwater Country can be marine or coastal as well as any area inland connected in an ecological or spiritual sense to the sea.

### Timeframes and timelines

There are three main steps involved in approving a proposed research project, each with differing time requirements:

1. Assessment of the proposal by the local PBC with support from Indigenous Rangers & IPA staff;
2. Consultation with Traditional Owners to seek approval for the research occurring on their land
3. Development of a research agreement between the researcher and the relevant PBC

The timeframes needed for each step will differ between one application and the next just as the nature of the research itself varies. A number of key factors will affect the speed with which a research proposal is processed. Some of the key influences to be aware of are:

- PBCs (the local authority for approvals) usually meet once every month or every second month, depending on which area you propose to work within. These meetings are packed with many and varied issues that need to be addressed on behalf of the local community. If the agenda is already full before the application is submitted, the proposal may have to wait for the next PBC meeting.
- Indigenous Rangers (upon whom the on-ground land or sea research work will rely) use quarterly works planning cycles where all works planned for the coming financial year quarter are presented, considered and prioritised.
- The effects of marked seasonal differences as well as ceremonial, law, family and ‘sorry business’ can each affect the availability of people to meet and discuss research proposals.
- Those research proposals considered by assessors to present a risk to people, culture or Country (now or in the future) as well as those which are spatially or temporally larger, have commercial implications or hit other triggers, require a more in-depth consultation process. These are considered ‘big’ projects and are discussed in the following section.

|                                       | J   | F | M | A  | M   | J | J  | A          | S | O  | N | D |
|---------------------------------------|---|---|---|--|---|---|--|------------|---|--|---|---|
| Average PBC meeting schedule          | 1-2 meetings this quarter                             |   |   | 2-3 meetings this quarter  |   |   | 2-3 meetings this quarter                  |            |   | 1-2 meetings this quarter                          |   |   |
| Quarterly Ranger works planning cycle | 1 <sup>st</sup> Jan-31 <sup>st</sup> March            |   |   | 1 <sup>st</sup> April-30 <sup>th</sup> June  |   |   | 1 <sup>st</sup> July-30 <sup>th</sup> Sept |            |   | 1 <sup>st</sup> Oct-31 <sup>st</sup> Dec           |   |   |
| Average climatic conditions           | Wet season. Rains, cyclones, humid, hot.              |   |   | Drying out   | Dry season. Windy, dry, cooler, dust storms |   |  | Warming up |   | Build up. Hot, humid, uncomfortable                |   |   |
| Expected access & work conditions     | Restricted access to Country. Hard working conditions |   |   | Usually good access and working conditions. Busiest time of year for rangers, especially during peak conditions for prescribed burning |   |   |  |            |   | Access to Country unreliable. Difficult conditions |   |   |
| Usual cultural business times         | Cultural business ends                                |   |   |  |   |   |  |            |   | Cultural business starts                           |   |   |

Figure 18 Temporal and seasonal factors which may influence the speed of research application assessment, consultation and approval

### What you can do to support a smoother process

Many of the components of this Guide are intended to streamline the application, assessment and agreement brokering process as far as practicable. Several of these have a high degree of influence over the speed of applications and assessment. Researchers are advised to:

- Develop the research idea with the relevant FPOC
- Address local research or land & sea management priorities in the research proposal
- Discover your universities position on the critical agreement terms early in project development
- Encourage your university contract lawyer to use the research agreement template of your Indigenous research partner
- Submit the proposal with all information required and attachments requested in plain English
- Ensure that the information within the proposal is considered and accurate
- Ensure that the purpose, outcomes and methodology proposed are well understood by the FPOC
- Provide an appropriate communication aid to the local FPOC to support their explanation of the research to Traditional Owners
- Keep a copy of the submitted application for reference
- Be available to answer questions about the proposal
- Keep in touch with the local FPOC throughout
- Avoid making changes to the project plan after it has been approved and consulted on your behalf

### 'Big' projects

Research proposals that meet any of the known triggers for a more rigorous assessment process, or which require more extensive consultation with Traditional Owners will naturally take longer to consider, assess and consult on your behalf.

Big projects also necessitate a more tailored, lengthy and involved research agreement and an equally lengthy agreement brokerage process.

Some of the more common triggers of 'Big' projects are listed below (note that this list is not exhaustive as all contingencies cannot be known or described). If the proposed research project falls into any of these categories, expect that the process of assessment will take longer to complete than standard research proposals.

'Big' projects will likely require contribution of funds and resources reflective of their complexity and the resources allocated to assess and consult on behalf of the researcher/s. If the project falls into several of these categories, the assessment process will likely take more time and will require commensurate funding.

Very large, complex and high-risk projects need a large investment of time and resources to assess, consult and negotiate with Traditional Owners. Development of a partnership approach with the Indigenous groups involved (including Native Title groups, PBCs, Indigenous Rangers, IPA management committees and their supporting staff) from the very start of the research journey is the recommended approach and the only one that is likely to succeed from project conception through to completion.

### **Common triggers of 'Big' project assessment processes:**

- Covering large expanses land or waters (regional-scale projects)
- Including any sacred sites or areas of cultural significance
- Involving multiple Native Title groups
- Involving multiple research projects
- Involving rock art or burial sites
- Involving any areas currently under claim for Native Title
- Where plant or animal genetic information will be collected
- Where personal information will be collected
- Where Traditional Owners perceive the research poses significant a risk to people or culture
- Where information collected or inferences drawn will inform state or national government decision-making processes, policies or management activities (now or in the future)
- Where information collected or inferences drawn will be used for commercial gain or profit making or any kind (now or in the future)
- Where information collected or inferences drawn will inform development of any type including mining activity (now or in the future)
- Where research will involve people under 18 years old
- Where projects involve the use of fire arms (e.g. feral animal sampling)
- Where research involves prescribed burning activities

*Figure 19 Common triggers of more rigorous research assessment processes*

### Small' projects

Land and sea research projects that do not meet any of the above criteria for 'Big' projects (or any others deemed applicable at the time of submission) are likely to take less time and less resources to consider, assess and consult upon, on your behalf.

For simple projects that are well communicated and understood, with no complicating factors, the assessment process should take around **12 weeks** from time of submitting the research application, to when you are notified whether or not the project has been supported on the basis of the information you provided.

If the researcher and the research topics are already known to the local PBC, if he/she has worked well with the local Indigenous Ranger Group previously; if the application intercepts the planning cycle in a timely way; and/or if the work is covered by a larger existing research agreement, this timeframe may be reduced.

The contents of the proposal is the basis of all consultation undertaken on your behalf and pending feedback from Traditional Owners, will form the basis of the legally binding research agreement constructed in Stage 4. Therefore is critical to this timeframe that the information you provide in the research proposal be both complete and accurate.

Following approval of successful projects, a research agreement process will then be entered into, which can be as quick as **4 weeks** for simple research agreements with researchers who's institution accepts use of the local research agreement template; and who have supported a range of equitable 'critical agreement terms'.

This process can take upwards of **6 months** for complex projects or those that have been altered by researchers or their institutions during the assessment or agreement brokerage stages.

## Forms

### Research Proposal form

[Wunambal Gaambera Research Proposal Form - natural or cultural resource research on Kimberley Country \(via Wunambal Gaambera website\)](#)

[Dambimangari Research Proposal Form - natural or cultural resource research on Kimberley Country \(via Dambimangari website\)](#)

[Yawuru Research Proposal Form - natural or cultural resource research on Kimberley Country \(via Yawuru website\)](#)

[Balanggarra, Bardi Jawi, Nyul Nyul and Karajarri Research Proposal Form - natural or cultural resource research on Kimberley Country \(via KLC website\)](#)

### Researcher Feedback form

[Wunambal Gaambera Researcher Feedback Form - natural or cultural resource research on Kimberley Country \(via Wunambal Gaambera website\)](#)

[Dambimangari Researcher Feedback Form - natural or cultural resource research on Kimberley Country \(via Dambimangari website\)](#)

[Yawuru Researcher Feedback Form - natural or cultural resource research on Kimberley Country \(via Yawuru website\)](#)

[Balanggarra, Bardi Jawi, Nyul Nyul and Karajarri Researcher Feedback Form - natural or cultural resource research on Kimberley Country \(via KLC website\)](#)

## List of figures

|   |    |
|---|----|
| Figure 1. How the five complementary products of the Kimberley Indigenous Saltwater Science Project relate to one another. ....   | 6  |
| Figure 2. Simplified stages of the Collaborative Research Cycle described within this Guide. ....   | 6  |
| Figure 3 The Kimberley Indigenous Saltwater Groups to whom this Guide applies .....   | 8  |
| Figure 4. Some of the ways in which researchers benefit from undertaking collaborative research with Indigenous Kimberley people .....  | 10 |
| Figure 5. Some of the ways in which Kimberley Indigenous people benefit from undertaking collaborative research with Western Scientists .....                                 | 11 |
| Figure 6 Nyul Nyul Rangers undertaking marine debris monitoring .....   | 13 |
| Figure 7 Coral bleaching on Scott Reef .....  | 15 |
| Figure 8. Karajarri dancers at the Karajarri Indigenous Protected Area declaration.....   | 16 |
| Figure 9. Bardi Jawi Rangers undertaking benthic monitoring off the Kimberley coast with the support of visiting scientists (Photo courtesy Kimberley Land Council 2016)..... | 18 |
| Figure 10. Healthy Country Plans help researchers understand the range of land and sea management aspirations in each area and related research priorities.....               | 20 |
| Figure 11. On-community training of Indigenous Rangers in snubfin dolphin monitoring techniques (photo courtesy Nyamba Buru Yawuru 2016) .....                                | 25 |
| Figure 12 Karrajari Rangers teaching children about Country during field work.....  | 38 |
| Figure 13 Main steps within each stage of the collaborative research cycle .....  | 46 |
| Figure 14 Location of Marine Parks within the Kimberley Region) .....   | 73 |
| Figure 15 Guiding principles of the Kimberley Science and Conservation Strategy .....   | 74 |
| Figure 16 Management structure of the Kimberley Land Council’s Land & Sea Management Unit....   | 76 |
| Figure 17 Typical support provided by Indigenous research partners to Kimberley land & sea research projects. ....  | 78 |
| Figure 18 Temporal and seasonal factors which may influence the speed of research application assessment, consultation and approval.....                                      | 81 |
| Figure 19 Common triggers of more rigorous research assessment processes .....  | 83 |

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*“Everything about this work was good. The partnerships we developed with the rangers, the science we were able to do together.”*

(Kimberley Researcher 2016)