

Ancestral Remains Policy

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1. PURPOSE

The purpose of this Policy is to outline how the Museum will care for, manage, and repatriate Ancestral Remains.

2. SCOPE

The Policy applies to all Western Australian Museum employees (whether by way of appointment, secondment, casual contract, fixed term contract or traineeship), who are engaged in working with collections. It also extends to Honorary Associates, Research Associates, Fellows, volunteers, and members of the Board of Trustees. The Policy is a publicly accessible document and is available to members of the public on the museum website and will be supplied on request.

3. DEFINITIONS

For the purpose of this document, the following definitions apply:

Term	Definition
Acquisition	The process by which collection material is obtained by the Museum. This may be by donation, bequest, purchase, field collection, or transfer.
Ancestral Remains	The physical remains, whole or in part, and including skeletal, tissue material, and samples of hair, of deceased individuals from past generations of Indigenous peoples.
Custodial Care	An arrangement where an individual, community, or organisation has requested the Museum holds an object on their behalf for the purpose of care and storage. This may be on a short or long term basis but does not involve a transfer of ownership to the Museum. Most often used in reference to Aboriginal and Torres Strait Islander Collections.
Provenance	The full history and chain of ownership of an object from its creation or discovery to the present day.
Repatriation	The unconditional return of the physical ancestral human remains and secret and/or sacred objects to the custodians entitled by traditional and/or customary law and/or Australian law, to care for them. Repatriation can

	also include the return of records and archives associated with the object/s.
State collection	The permanent accessioned collections of the Western Australian Museum, central to its mission of research, exhibition, and community engagement.

4. POLICY STATEMENT

The Museum recognises that Ancestral Remains are significant to Indigenous peoples across the world. The Museum is committed to the ethical care of such Ancestral Remains while they are in the Museum's care, and to working with source communities to achieve their repatriation.

In this respect it is important to note that none of the Aboriginal ancestral remains held by the WA Museum form part of the State collection.

The Museum holds in its care Ancestral Remains which formerly were part of the State collection, deposited in the Museum's care by other agencies, or were returned to Australia from other institutions. In the majority, but certainly not all cases, these remains are of Aboriginal or Torres Strait Islander peoples.

The Museum is an eligible museum and active participant in the Federal Government's Indigenous Repatriation Program.

5. RESPONSIBILITIES

Board of Trustees

Responsible for:

- Final decision on Ancestral Remains proposed for deaccession and return.

Chief Executive Officer

Responsible for:

- Applying and interpreting this policy, adjudicating on contentious issues, and presenting proposals for deaccession and return of Ancestral Remains to the Board of Trustees.
- Representing the Museum at repatriation events and meetings as appropriate.

Director Culture and Communities

Responsible for:

- Providing support for activities associated with repatriation
- Representing the Museum at repatriation events and meetings
- Ensuring compliance with this policy by Culture and Communities staff

Head of Department, Anthropology & Archaeology

Responsible for:

- Undertaking provenance research to establish source communities for Ancestral Remains in the Museum's care;
- Working with Office of the Arts to facilitate international returns;
- Identifying and developing projects and submitting projects for funding under the Indigenous Repatriation Program Museum Grants;
- Working with communities to prepare for the return of Ancestral Remains or ongoing care by the Museum;
- Providing access to source communities to Ancestral Remains when requested by community representatives.
- Reporting to and informing Senior Aboriginal and Torres Strait Islander Adviser, WAM Aboriginal Advisory Committee of repatriation activities, and Office for The Arts where Aboriginal and/Torres Strait Islander Ancestral remains are involved, and others where appropriate.
- Seeking advice from WA Museum's Aboriginal Advisory Committee on the transfer of unprovenanced Ancestral Remains to the Karrakatta Ossuary.

Senior Aboriginal and Torres Strait Islander Adviser

Responsible for:

- Reporting to and informing WAM Aboriginal Advisory Committee of repatriation activities relating to Aboriginal and Torres Strait Islander peoples, and others where appropriate.
- Advising on community contacts and consultation
- Attending repatriation activities, events and meetings

Curatorial staff, Anthropology & Archaeology

Responsible for:

- Assisting the Head of Department in researching unprovenanced Ancestral Remains
- Liaising with communities and external consultants
- Assisting with and attending where appropriate any repatriation events or meetings

6. LEGAL AND COMPLIANCE CONTEXT

Legislation and regulations

- *Aboriginal Heritage Act 1972*
- *Museum Act 1969*
- *Privacy and Responsible Information Sharing Act 2024*
- *Protection of Moveable Cultural Heritage Act 1986*
- *State Records Act 2000 (WA)*

- *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970* (1970 UNESCO Convention)

Creative Industries Tourism and Sport policies, procedures and guidelines

- Code of Conduct

Department / Museum policies, procedures and guidelines

- Deaccession and Disposal Policy
- Loans Policy and Procedures
- Non-Indigenous Human Remains Policy
- Return of Cultural Materials Policy
- Secret and/or Sacred Materials Policy
- Departmental Procedures

Other related documents

- Continuous Cultures, Ongoing Responsibilities; principles and guidelines for Australian Museums working with Aboriginal and Torres Strait Islander cultural heritage (Australian Museum and Galleries Association.)
- International Council of Museums (ICOM) Code of Ethics
- National Standards for Australian Museums and Galleries (2023)

7. PRINCIPLES AND GUIDELINES

7.1 Acquisition and display

The Museum does not actively seek to acquire Ancestral Remains. It may do so in exceptional circumstances in order to remove items from private collections or general circulation, in which instance Ancestral Remains will be held by the Museum until they can be returned to the relevant custodians, remain within the care of the Museum at the community's request, or, in the case of Aboriginal and Torres Strait islander Ancestral Remains, on receiving advice from the Museum's Aboriginal Advisory Committee, transferred to the Karrakatta Ossuary managed by the Department of Planning, Lands and Heritage, or other relevant place.

The Museum will not place Ancestral Remains in any display, nor make Ancestral Remains available for display by other organisations.

7.2 Housing of Ancestral Remains

Ancestral Remains and associated documentation will be housed in a secure area, separate from the Museum's general collection,.

Ancestral Remains will be housed in appropriate storage materials and not openly stored on shelving. Where possible, Ancestral Remains will be housed according to cultural origin and will be clearly marked to indicate such.

7.3 Access

Only those staff directly involved with the repatriation program or responsible for the ongoing care of Ancestral Remains will have access to the storage area.

Upon request, relevant members of source communities, or their authorised representatives, will have access to the Ancestral Remains storage area. Indigenous people, or their authorised representative, will also have access to any documentation associated with that community's area of responsibility. Requests to access the Ancestral Remains store should be made in writing or by telephone no less than five days prior to the visit.

No independent researcher may access Ancestral Remains without first obtaining written permission from the relevant community.

7.4 Conduct

Any person entering the Ancestral Remains storage area, or participating in activities associated with repatriation and Ancestral Remains, shall behave respectfully. Any person considered to be behaving disrespectfully will be required to leave the storage area immediately.

7.5 Research on Ancestral Remains

All research conducted in relation to Ancestral Remains will comply with recognised and appropriate ethical research guidelines, and with the wishes of the relevant community, or relatives, as appropriate.

The Museum will conduct appropriate and diligent research on Ancestral Remains in their care in order to establish source communities where Ancestral Remains are unprovenanced or poorly provenanced.

This provenance research will not damage or seek to destroy any Ancestral Remains and will be restricted to non-invasive methods and archival research.

Communities seeking to undertake scientific testing such as DNA analysis on Ancestral Remains are advised to seek reliable information on the risks and limitations of such testing. Costs associated with these scientific tests will be borne by the Community.

No data associated with Ancestral Remains will be made public without the consent of the relevant community.

7.6 Custodial care

The Museum may hold Ancestral Remains on behalf of communities upon request. Such arrangements may be managed through a Custodial Care Agreement, and the Ancestral Remains will be governed by all relevant clauses of this policy.

The remains will continue to be the property of the lodging community, which may request the return of these remains at any time.

Further details on Custodial Care Agreements can be found in the Loans Policy.

Other temporary care arrangements may be entered into, when necessary, where a request is received by a third party on behalf of a source community (such as Office for the Arts). Such arrangements will usually be managed through the third party's documentation.

7.7 Repatriation

The Museum will work with relevant representative bodies to return Ancestral Remains to source communities on request, subject to initial research or other documentary evidence establishing provenance.

The Museum will not place conditions on communities with regards to Ancestral Remains which are to be repatriated.

The community from the group or area from which the ancestral remains originated will determine what will happen to these remains on their return.

The Museum where appropriate will retain copies of all documentation on Ancestral Remains that have been repatriated.