

Navigating good practice image permissions for Māori collections held at Auckland War Memorial Museum - Tāmaki Paenga Hira

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Introduction

In its *Future Museum*¹ strategy, Auckland Museum committed to increase access to its collections online. The museum routinely responds to requests for use of images of objects from all collections in its care, for use in publications, on websites or for other purposes. The digital environment affects how the museum responds to these requests. This paper considers how Auckland Museum manages requests specifically related to Māori images², also commonly referred to as 'cultural permissions'³. In the GLAM sector cultural care and open collections are often perceived to sit uneasily alongside each other, in particular for indigenous content in online contexts. Acknowledging that this is a living and learning process, here we explain the care Auckland Museum takes with requests to use images which depict Māori content in line with the museum's commitment to partnership through the Treaty of Waitangi.

Putting cultural care at the centre of the museum's work

An appreciation of the different ways of seeing the world and caring for taonga and the museum's source communities is fundamental to everything Auckland Museum teams do. This approach accommodates Māori and Moana Pacific cultural values and reflects the partnership expectations of Māori and Pacific communities central to the museum's commitment to nurture relationships as outlined in *He Korahi Māori*⁴ and *Teu Le Vā*⁵. *He Korahi Māori* is a museum strategic priority, to act as kaitiaki but also enable considered access to these unique and precious taonga. When making decisions, legal status, appropriateness and the significance of the image or object are considered. This approach lifts responsibility for respectful and informed decision-making from the individual to the organizational level, it supports museum personnel and provides requestors with confidence that decisions have been well considered.

Open collections, open data

In the global context of open collections, the international museum community is moving away from traditional models, where access to collections was restricted by default, to a position which provides for open access as the default. Auckland Museum not only wants to provide open access to its collections, it also wants to ensure that audiences can find meaning in the collections each time they access them. To do this the museum supports audiences to make connections between objects and current and historic events, between people and places and between themselves and the objects. The collection records make up a network of information that contains these connections, which the museum has published as Linked Open Data (LOD)⁶. This is a giant network of information in which any piece of data can be connected to another, and through which people can make their

[illegible]

Figure 1 shows the known iwi or hapū affiliations and connections of the objects in Auckland Museum's collections, using LOD. It will shortly be possible to link Auckland Museum's objects with those in other LOD institutions, including objects made by the same creator, or with particular connections to an event or place. The museum does not see itself as the sole creator of new works based on the collections, whether they are apps, online exhibitions, saleable merchandise or other commercial products. Making collection records and information as open as practically possible is fundamental to achieving greater public and private value from the collections. The museum is currently undertaking the largest imaging and cataloguing initiative in its history. A year into the project over one million items and over 300,000 images have been released—free, open and downloadable under a creative commons license—with 5,000 data enhancements made daily and 2,000 new objects online every month. The open data API (application programming interface) is sharing the collections⁷ with a global audience as well as powering in-gallery digital experiences. This really is open access to cultural data at a scale not seen before in the New

Zealand GLAM sector.

Māori content in this open, global, online context

The museum's cultural care and open access journey has included developing clearer practice around the release of images, particularly those involving Māori subjects.⁸ An item is considered a taonga if it:

- is a representation of a Māori ancestor; and/or
- was directly associated with a known Māori ancestor; and/or
- carries a Māori ancestral name; and/or
- is considered of ancestral importance to the Māori descent group from where it originated; and/or
- continues to carry Māori ancestral value⁹.



Figure 2: *Tāniko Kete. Auckland War Memorial Museum Tāmaki Paenga Hira, AM6878*

Previously, requests for images were managed through the image order service co-ordinated by the museum's Library and Enquiry Services. While care was taken, risks included:

- Māori culture and images being under-represented in the online environment as a result of a default position of restriction;
- delays, inability to respond in a reasonable timeframe, and inconsistent decision-

making resulting from the lack of clear criteria;

- challenges to the museum's reputation as a result of only one or two people making decisions with no clear support;
- duplication of effort resulting from not documenting decisions, precedents and relationships/conversations with iwi and hapū using collection management systems; and
- lack of alignment with the approach used by other institutions holding similar material.

A framework for decision-making

In March 2014, Auckland Museum convened a workshop across the heritage and libraries sector to identify practice, policy and procedures in relation to the release of Māori and Pacific images held by like institutions. From this workshop the museum developed a Mātauranga Māori decision-making framework and guidelines to better respond to requests for Māori image use. These were endorsed by the museum's executive team and the Taumata-ā-Iwi¹⁰ before being shared with participating memory institutions and subsequently with GLAM institutions in New Zealand and Australia.

Implemented in August 2014, the original framework and procedures were reviewed in November 2015, and found to be effective in responding to all of the requests received during that period. Over 100 separate requests had been effectively managed. No challenges had been forthcoming from either communities or requestors, and all decisions had been provided within a week of receiving the required information. Only two requests were declined in that period and one subsequently. Requestors have been generally understanding and supportive and there is no backlog of requests awaiting a decision.

The framework provides clear direction for staff responsible for approving the use of Māori images based on Māori cultural values and current museum good practice endorsed within the organisation.¹¹ This is also in line with Museums Aotearoa Code of Ethics¹². The fundamental principle is to be open by default and restricted by exception. Aiming to increase access to and engagement with its collections and stories through its image library, the museum takes a positive approach by assuming access will be provided unless there is a clear reason why approval should not be given. The exception to this principle are images known to be restricted, where the converse is the case¹³. The museum also seeks to ensure that the requested images fit with the intended purpose and that cultural obligations are not compromised.



Figure 3: Korowai, Taranaki. Auckland War Memorial Museum Tāmaki Paenga Hira, AM7498.

Under the principle of Manaakitanga, the museum ensures requests are dealt with in a timely manner. There are clear pathways of communication about how to request images, what information is required, who is responsible for making decisions, indicative turnaround timeframes and how requestors can give feedback or seek clarification on decisions. This includes an explanation as to whether 'restricted' images, may also be requested. The museum ensures consistency throughout the process and across the organisation by utilising the collection management systems to document all decisions and note established precedents for particular images. This helps in building and maintaining knowledge within the museum's institutional memory. The principle of Mana Taonga is about safeguarding the mana of the taonga. There is also the potential to enhance the mana of the taonga, when connected with the journey, stories and iwi that it is related to.



Figure 4: *Taiaha. Auckland War Memorial Museum Tāmaki Paenga Hira, AM5681.*

The principle of Mana Whenua guides the museum in its obligations to communities, whether they are defined or implicit. The duty of care is to uphold the mana of the communities that are associated with Māori images, no matter whether the connections are active or latent. Ultimately, responsibility lies with the communities from where images are derived even if this responsibility is not able to be activated. The museum applies a wide understanding of ownership and tries to identify all iwi interests and relationships. Where practically possible, requests are referred to the owners or relevant iwi/hapū if they are known. The preferred approach is to assist the requestor where it is reasonable to do so.



Figure 5: Sanders, H.A.B. 1917. *Boxing Championships of the N.Z. Contingent. The Maoris [sic] present gave their famous 'Haka'.* Auckland War Memorial Museum Tāmaki Paenga Hira, PH-ALB-418 H130.

Under the Kaitiakitanga principle, a high level of care is given to all Māori images. Images considered sensitive include, images of people, stereotypical, exploitative, racially demeaning or offensive images, and potentially provocative use of images. In these cases a peer review process is undertaken if there is any question or high degree of complexity over an image request. There is a well-defined chain of decision-making that can be called upon from Māori curatorial staff to the Māori Development Directorate and other relevant Māori staff through to the Taumata-ā-Iwi if required.



Figure 6: Hammond, T. 1909. Mrs Erueni Taipari (nee Stewart) and Miss Goodman in front of Hotunui, Parawai, Thames. Auckland War Memorial Museum Tāmaki Paenga Hira, PH-NEG-B4737.

In practice, the steps are straightforward:

- 1) Determine the acquisition pathway, ownership/legal title and any obligations relating to acquisition;
- 2) Consider what is being depicted—this is where the five guiding principles are utilised;
- 3) Consider intent or nature of use;
- 4) Using the principles framework, specialist Māori staff consider the information collated. Options are available for escalation if further advice needed; and
- 5) The decision relayed to requestor and recorded on collection management databases.

The majority of requests are from whānau who wish to have a personal copy of an image of their tupuna or, an object they are directly connected to. A recent example is a request from

a member of the public looking for a copy of this image of their whare.



Figure 7: Māori Whare. N.Z. Auckland War Memorial Museum Tāmaki Paenga Hira, PH-TECH-925-906.

Her family was from that marae, and the whare had burnt down after this photograph was taken. They had no images of the whare in the family and were thrilled to see that the museum held a postcard depicting it. The requestor was registered with the iwi Te Āti Haunui a Pāpārangi. It was for purely personal use and was not going to be distributed or reproduced in any way. With instances such as this, the museum applies a pragmatic understanding of ‘face value’ and ‘goodwill’ where the applicant’s assertion to whakapapa connection is accepted. The museum does not make judgment on the whakapapa connections that an applicant is asserting through this process. Experience to date is that descendants are very forthcoming with this information and are proud to tell the museum about their association to the person or place.

As mentioned earlier, three requests have been declined so far. The first came up at the time the framework was being developed and informed this work. This remains a much referred to example and is a good illustration of appropriate museum response using these procedures. The museum received a request for images of significant taonga on display including *Te Toki a Tāpiri*, the waka taua, the pātaka *Te Puawai a Te Arawa*, and *Hotunui*, the whare rūnanga, to be included in an artist’s publication about her ‘visionary surrealist’ painting practice. Images of these taonga were to sit alongside her own art. The images were also referred to in a narrative about spirituality and the inspiration the artist derived from the taonga for her art. The artist provided copy for the book including mocked up pages as well as permissions from some relevant iwi members.



Figure 8: *Wero Taroi, Anaha Te Rahui. Te Puawai o Te Arawa Pātaka. Te Arawa. Auckland War Memorial Museum Tāmaki Paenga Hira, AM151.*

Museum staff considered this request against the principles. There was acknowledgement that the artist's creative interpretations were hers to make as she saw fit and that taking inspiration from such taonga was completely valid. Where this request moved into uncharted territory was the artist then giving spiritual and cultural interpretations of the taonga that museum staff knew to be incorrect or contradictory to existing scholarly research. This request was deemed to work against the Kaitiakitanga and Mana Taonga principles and on these grounds the image request was declined. Worth noting also is that the artist expressed her understanding when the reasons for declining this request were explained.

Importantly, the same due diligence is applied to ALL Māori image order requests, including museum colleagues requesting collection images for museum use and marketing. The *Taku Tāmaki* exhibition in 2015 featured arguably New Zealand's earliest photograph – a daguerreotype of Henare Taratoa taken in 1850. The photograph had been approved for display in the show and museum external communications personnel wished to use it on a very large billboard in a busy, inner city suburb, and on numerous bus shelter advertisements across Auckland city. There would be high visibility and also a significant likelihood of damage caused by traffic, people or other urban risks.



Figure 9: Eyre, E. ca. 1850. [Henare Taratoa]. Auckland War Memorial Museum Tāmaki Paenga Hira, PH-2006-1-1.

The scale of the image was taken into account and this request was declined under the Mana Whenua principle, because of the risk of vandalism to the image—the potential for the ancestral image to be mistreated in the public arena was deemed to be too high and was the tipping point in declining this request. In line with our value of Manaakitanga, alternative images with guidance regarding usage are routinely suggested by museum staff.

The museum has published *He aratohu mō te tono i ngā whakaahua Māori guide to requesting Maori images*¹⁴ in bilingual, te reo Māori and English language, versions to explain the care it takes with requests for images depicting Māori content. Available online and routinely supplied to requestors, these guidelines have been positively received universally.

The museum is also progressively releasing non-downloadable, JPEG images of Māori objects through its Collections Online¹⁵ service, including all of the Māori images from its pictorial collections under cultural permissions statements. These statements provide clear information on how these images can be used, broadly align with the New Zealand Open GLAM model proposed in colleague Sarah Powell's thesis *Towards a Connected Commons* (Powell, 2016) and reinforce that while an image may be out of copyright, it is subject to cultural permissions.

Karawhira Kapu

LIBRARY / PICTORIAL > PAINTING AND DRAWINGS

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DESCRIPTION Ngāti Raukawa, Ngāti Te Kohera, Ngāti Parekawa.
Portrait of young Maori woman in European dress, with greenstone ear-ring on right ear, and two brooches around neck.

IDENTIFIER 52/3, PD-1952-1-3

COLLECTION AREA painting and drawings

RECORD RICHNESS

[Enquire](#)

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Uncaptioned

[View gallery](#)

Catalogue ▾

CATALOGUE TITLE Karawhira Kapu

IDENTIFIERS 52/3 (Accession Number)
PD-1952-1-3 (Reference Number)

DESCRIPTION Ngāti Raukawa, Ngāti Te Kohera, Ngāti Parekawa. Portrait of young Maori woman in European dress, with greenstone ear-ring on right ear, and two brooches around neck.

COLLECTION [Lindauer, Gottfried](#)

PART OF [\[Lindauer Portraits\]](#)

PHYSICAL DESCRIPTION 670 mm. x 545 mm. (image)
785 mm. x 660 mm. (frame)

PRODUCTION [Lindauer, Gottfried, 1839-1926, artist \(Creator\)](#)

MEDIUM Oil on canvas

FORMAT Painting

SUBJECT [Maori \(New Zealand people\)--Portraits \(General Subject\)](#)
[Women, Maori \(General Subject\)](#)

AVAILABILITY For cultural reasons, copying or reproducing this item requires specific permission. Please contact us for more information.
(Copyright)

Figure 10: Example of Auckland Museum Collections Online cultural permissions statement.

This has been a journey of growth for the museum, both internally and in collaboration with rights holders and requestors and the museum is keen for the model to evolve as experience grows. It is also important to remember that like the objects within the museum, these images are also taonga. For Māori they carry meaning beyond being merely events or records. Rather, they offer a sense of a connected past through objects, people and places. By acknowledging this, the museum has been able to offer a way in which the mana and integrity of images and their related communities and descendants are afforded appropriate care. Cultural care, as expressed through Mana Taonga, Mana Whenua, Kaitiakitanga and

Manaakitanga, are increasingly integral to Auckland Museum's organisational practice in this global, online, open context.¹⁶

Endnotes

- ¹ <http://www.aucklandmuseum.com/about-us/future-museum/he-korahi-maori-a-maori-dimension-auckland-museum>.
- ² Images which depict Māori subjects or content.
- ³ This work was referenced in Powell (2016).
- ⁴ <http://www.aucklandmuseum.com/about-us/future-museum/he-korahi-maori-a-maori-dimension-auckland-museum>.
- ⁵ <http://www.aucklandmuseum.com/about-us/future-museum/teu-la-va-the-pacific-dimension-at-auckland-museum>.
- ⁶ <http://api.aucklandmuseum.com/#linked-open-data>.
- ⁷ <http://www.aucklandmuseum.com/collections-research/collections/>.
- ⁸ This process relates to the representation of the subject or object (the image) as distinct from the subject or object itself, which attracts its own level of care.
- ⁹ For example, unprovenanced woven items of Māori antiquity such as kākahu (garments), and any artistically carved or embellished items of Māori antiquity made from wood, bone or stone such as patu (weapons).
- ¹⁰ The museum's Act provides for a Māori Committee known as the Taumata-ā-Iwi. Founded upon the principle of mana whenua (customary authority of and over ancestral land) and comprising Ngāti Whātua, Ngāti Pāoa and Waikato Tainui, the Taumata-ā-Iwi is responsible for the provision of advice and assistance to the Trust Board in a series of matters set out in the Act.
- ¹¹ These guidelines should also be read in conjunction with Auckland Museum's 'Guardianship of Taonga Policy' <https://www.aucklandmuseum.com/getmedia/6fa540aa-34ca-40f3-b05f-38b950712c2a/auckland-museum-governance-policy-guardianship-of-taonga>.
- ¹² <http://www.museumsaotearoa.org.nz/code-ethics>.
- ¹³ Images of human remains are restricted except under exceptional circumstances.
- ¹⁴ <http://www.aucklandmuseum.com/getmedia/b55badf0-5d18-40e3-99f8-290760563444/awmm-library-guide-to-requesting-Maori-images-download>.
- ¹⁵ http://www.aucklandmuseum.com/collectionsresearch/collections/record/am_naturalsciences-object-576531?pht=True&ooc=True&k=Huia&ordinal=18.
- ¹⁶ A companion framework has subsequently been developed for images with Pacific content, after an extensive international consultation process. This framework is grounded in Moana Pacific values.

References

- Powell, S. (2016). *Towards a Connected Commons: Two case studies examining New Zealand collecting domain establishing Open GLAM practices for digital collections* (Unpublished MA thesis). Victoria University of Wellington, Wellington, New Zealand. Retrieved from <http://researcharchive.vuw.ac.nz/handle/10063/5426>.