

MEDIA RELEASE

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Open letter: Eminent Aboriginal, Business and Church Leaders, Academics, Legal Fraternity, Artists and Cultural Heritage Experts call on WA Premier to withdraw Aboriginal Cultural Heritage Bill

146 eminent Australians have penned an open letter to the WA Premier calling for the controversial *Aboriginal Cultural Heritage Bill 2021*, which is now before parliament, to be withdrawn and new legislation co-designed with Aboriginal people.

Signatories to the open letter include former Australian of the Year Prof Fiona Stanley AC, The Most Reverend, Anglican Archbishop, Kay Goldsworthy AO, businesswoman Janet Holmes-A-Court AC, former WA Premier Carmen Lawrence, Musician Neil Murray, Tony McAvoy SC, Prof Marcia Langton AO, Ernie Dingo AM, and Reconciliation Australia, as well as numerous academics and community leaders.

The open letter coincides with the Bill's debate and rushed passage through WA Parliament in the last weeks of parliamentary sitting for the year. It comes as the Federal Government announced on Monday a partnership with the First Nations Heritage Protection Alliance to improve national and state cultural heritage laws.

The open letter can be found [here](#).

The letter highlights recommendations of the Juukan Gorge Senate Inquiry Final Report which were critical of the WA government's failure to implement modern, best practice standards to protect cultural heritage.

The letter also notes that the United Nations Committee for the Elimination of All Forms of Racial Discrimination (UNCERD) is considering reviewing the Bill for failure to adhere to International Indigenous rights and racial equity standards.

Banjima Elder Slim Parker said, "We have been dominated and controlled by racist and discriminatory policy and legislation. It is time to stop. The world is watching.

Noongar human rights lawyer and academic, Dr Hannah McGlade, member of the UN Permanent Forum for Indigenous Issues, said, "We are sending a clear message to Premier McGowan that the Bill, currently being reviewed by the UN committee on race discrimination, is unacceptable to a great many people.

"Prominent Australians stand with us in saying Aboriginal heritage and culture matters. This government must stop putting mining and economic interests above the rights of traditional owners to protect and care for sacred lands."

Nyikina Warrwa Traditional Custodian Anne Poelina said, "This new law still doesn't let us protect Aboriginal heritage, we will see more damage and destruction against our wishes.

“Parliament should never sign off on a Bill that was designed without proper consultation with Aboriginal people.

“The Bill fails to address basic principles for a national standard to protect heritage and will ultimately fail once federal accreditation comes in. It will then be a case of back to the drawing board.”

Former WA Premier and President of the Conservation Council of WA, Carmen Lawrence said, “I urge the McGowan government to withdraw the proposed Aboriginal Heritage Bill to allow for full and effective consultation with Western Australia’s Aboriginal communities. It is clear that the Bill does not meet community expectations of increased legal protection for heritage sites. The government should take this unique opportunity to craft a Bill which finally gives enforceable rights to Indigenous custodians to prevent further destruction of priceless heritage.”

Sam Walsh AO, Banjima Aboriginal Council says, “The law needs to ensure Aboriginal knowledge holders have access to an independent appeal process.”

Professor Peter Veth, Discipline Lead, Department of Archaeology, UWA said, “The legislation must meet national heritage standards and ensure those standards are reflected in the definitions, guidelines and regulations.”

Dr Joe Dortch, Australian Association of Consulting Archaeologists said, “The ACHB is deeply flawed and must be re-written.”

Contact: Naomi Howells 0432 152 883 or Hannah McGlade on 0401 589 071

Further background on the WA Aboriginal Cultural Heritage Bill:

AHAA website <https://aboriginalheritagewa.org.au>