



PUNTURRPUNTURR STATEMENT

CULTURE IS NOW

12 November 2021

Statement to the Minister for Aboriginal Affairs the Hon. Stephen Dawson

At the 2021 Punturr Punturr Festival you stood before descendants of the original owners of this country who have, since settlement, seen unceasing and ongoing destruction of their country, culture and people.

Now, as discussions about Aboriginal cultural heritage reach a pivotal point, as Minister for Aboriginal Affairs, you have a once in a lifetime opportunity to change this story and protect our living, breathing culture. You have the opportunity to prove that you are on our side, fighting for us.

Your government's proposed new Aboriginal Cultural Heritage Bill will not make the changes needed to ensure Aboriginal Cultural Heritage is protected for future generations. The proposed laws will continue to enable the ongoing destruction of Aboriginal culture.

A tragedy the scale of Juukan Gorge can, and will, happen again under your proposed heritage laws.

Minister Dawson, over the course of 2021 KLC, KALACC and Aarnja members have consistently voiced their opposition to the Aboriginal Cultural Heritage Bill in its current form. Now, at the AGMs of our three organisations we reaffirm this opposition and urge you to work with us to find a way forward.

We call on you to:

- Ensure the proposed legislation is formed on the basis of free prior and informed consent. The final decision about impacts to Aboriginal culture and heritage must lie with Aboriginal people, not industry or government.
- Legislate an appeal process to the State Administrative Tribunal to ensure that, just as occurs in other areas of the justice system, wrong decisions can be reviewed. This is about the fundamental principle of access to justice which a Labor Government should stand strong on.
- Deliver adequate resourcing for PBCs and their representatives to properly engage with this new and complex legislation.
- Ensure the proposed new Aboriginal Cultural Heritage Council is 100 per cent Aboriginal represented, not just a majority.
- Create an Aboriginal Cultural Heritage Bill that strengthens industry's social license to operate.
- Accept that meaningful engagement has not occurred. Listen openly and implement our recommendations for improvement of this legislation so as to address our very significant concerns.

We acknowledge your commitment at the 2021 KLC AGM to provide a draft copy of the revised Aboriginal Cultural Heritage Bill before it is introduced to Parliament. We look forward to receiving this soon.

The theme for the 2021 Punturr Punturr Festival was Culture is Now. Minister Dawson, there is no better time than now to protect the oldest living heritage and culture in the world.