

## Response ID ANON-X4AN-M614-3

Submitted to **Review of the Aboriginal Heritage Act 1972 - Phase Two consultation**  
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### Introduction

**What is your name?**

**Name:**

Margaret Drayton

**What is your email address?**

**Email:**

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**What is your organisation?**

**Organisation:**

Community Member

**Submissions will be published as part of the consultation process. Do you wish to have your name removed from your submission?**

No

### Proposal 1

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

Best practice must include specific definitions of

### Proposal 2

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

### Proposal 3a

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

The proposed changes need to include application with and by the Community. Keepers of stories need to lead discussions on the importance of and protection of Heritage Places. Young people need to be actively involved in the promotion of language and storylines on country - they can only get these by being immersed in conversations with Elders on Country.

### Proposal 3b

**Will the proposal deliver the desired outcome?**

No

**If no, why not?:**

This can only work if there is Aboriginal Heritage Councils are collective and local - for example Noongars should have their own Heritage Council to talk for the lands and waters in Noongar country - and others for their collective areas.

**What changes would you suggest and why?:**

Waters must be included in the Heritage places as most sites are around the water.

**Proposal 3c**

**Will the proposal deliver the desired outcome?**

No

**If no, why not?:**

The Minister can retain overall accountability - but cannot be the ultimate decision-making powers for lands within the whole State - there has to be some sort of compliance for accountability to the Aboriginal heritage Council/group for that particular land.

**What changes would you suggest and why?:**

Whilst the process nominated above could be trusted to work with the current Minister being an Aboriginal person - it is unlikely to operate in the same way - or be viewed as fair if the Minister was non-Aboriginal. So when we are looking at the Legislation and logistics around compliance for Government and Community we need to deem it to be managed by a non-Aboriginal Minister. That allows us to plan for the worst case scenario.

**Proposal 3d**

**Will the proposal deliver the desired outcome?**

No

**If no, why not?:**

Aboriginal Business must be managed by Aboriginal people - it is time. Since Aboriginal were pushed off the land back in the 1700's the land has been managed by the Government of the day. Time to hand back the responsibility to Aboriginal People.

**What changes would you suggest and why?:**

This review of the legislation needs to include a practice model that will give ultimate responsibility for Heritage back to the Aboriginal People. So - the review needs to include specific strategies aligned to it to encourage Aboriginal People to be the Experts, be qualified to manage and represent their Heritage at the highest level.

It includes strategies that align building Aboriginal Tourism Businesses. Strategies to increase the number of Aboriginal Rangers on country to manage sites at the local level. A deliberate strategy to digitally capture images, voices and other media for future generations.

**Proposal 3e**

**Will the proposal deliver the desired outcome?**

No

**If no, why not?:**

**What changes would you suggest and why?:**

Aid people to be the Heritage Professional with appropriate qualifications and experience.

Promote Aboriginal Heritage Professionals as heritage investigators who can also do community consultation and reporting of heritage information.

**Proposal 4**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

**Proposal 5**

**Will the proposal deliver the desired outcome?**

No

**If no, why not?:**

The devil is in the detail on this one - you need to discuss scenario cases for community to be confident that this will get the desired outcomes.

**What changes would you suggest and why?:**

## **Proposal 6**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

## **Proposal 7**

**Will the proposal deliver the desired outcome?**

No

**If no, why not?:**

Unless Aboriginal people are part of the Tribunal process the desired outcomes wont be met.

**What changes would you suggest and why?:**

## **Proposal 8**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**

## **Proposal 9**

**Will the proposal deliver the desired outcome?**

Yes

**If no, why not?:**

**What changes would you suggest and why?:**