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Senator Malarndirri McCarthy  
Chair  
Select Committee on the Aboriginal Flag  
Department of the Senate  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

By email: [aboriginal.flag.sen@aph.gov.au](mailto:aboriginal.flag.sen@aph.gov.au)

Dear Senator,

**Submission to the Senate Select Committee on the Aboriginal Flag**

The National Basketball League (NBL) welcomes the motion to establish a Senate Select Committee on the Aboriginal Flag (the Committee) and the opportunity to provide this submission.

The NBL resolutely supports the principle that the Aboriginal flag should be freely used by the Australian community.

Founded in 1979, the NBL is the pre-eminent men's professional basketball league in Australia and New Zealand. The NBL is currently contested by nine teams; eight from Australia and one from New Zealand – we welcome our 10<sup>th</sup> team in Tasmania in 2021. The NBL employs about 35 staff year-round, and our employment footprint increases substantially during the season as the league employs hundreds of match-day staff, while also contributing to thousands of indirect jobs in event management, hospitality and associated sectors. The NBL directly employs about 15 staff and players of Indigenous Aboriginal and Torres Strait Islander descent, and is committed to increasing our representation across the league, and clubs.

In 2020 the NBL developed its inaugural Reconciliation Action Plan (RAP), underpinning its commitment to recognising and advancing the specific contribution that Aboriginal & Torres Strait Islander peoples have made to the development and success of Australian basketball. Our RAP also seeks to implement sufficient programmes to ensure talent identification, encouragement and development of Aboriginal & Torres Strait Islander peoples.

Basketball is one of the most culturally diverse and inclusive sports in Australia, and also the second most participated team sport. As Australia's premier competition (and one of the best leagues in the world), with many grass-roots connections, our aim is to unite Australia's varied and vast basketball communities by acting as leaders in reconciliation and societal equality.

While each of the NBL's constituent clubs are independent legal entities, with their own employees (including players), the entire league is united on this issue – we support the Federal Government taking the necessary steps to enable the flag to be freely used by the Australian community.

The NBL recognises the importance of this inquiry in protecting the interests of Mr Harold Thomas, the legally recognised creator of the Aboriginal flag, and owner of the intellectual property. It is our understanding that Mr Thomas created this flag for the free use of the Australian community, and we support this principle in perpetuity.



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Whilst we understand and support Harold Thomas' right as the creator and copyright holder of the flag, we also recognise that Aboriginal people have adopted this symbol and given it value. Aboriginal peoples and communities have used this Flag as their flag for 49 years as a symbol of Aboriginal culture and as part of a movement to unite, recognise and better secure the human rights of Indigenous Australians.

The NBL proudly displays the Aboriginal flag at our games, during community engagement activities, as well as at NBL headquarters and in several other contexts. The league intends to continue doing so to ensure that Indigenous Australians will always be represented across the NBL, including our world-class player talent, our staff and our very large Indigenous fanbase.

In summation, Australia's Indigenous community represents, contributes to and supports basketball at all levels - especially on a global stage where the sport is led by some of Australia's best athletes and ambassadors. The NBL values the contribution Indigenous Australians have made to basketball, and supports the Australian Government's objectives to safeguard the enduring and fair use of the Aboriginal flag design, by all of the Australian community.

Thank you for the opportunity to provide this submission.

Yours sincerely,

Jeremy Loeliger  
Commissioner  
Co-Chair  
Reconciliation Action Plan Working Group  
National Basketball League

Leanne Brooke  
Co-Chair  
Reconciliation Action Plan Working Group  
National Basketball League