



FEDERATION of  
**AUSTRALIAN  
HISTORICAL SOCIETIES**

*Because history matters*

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**JOINT STANDING COMMITTEE ON NORTHERN AUSTRALIA  
PARLIAMENTARY INQUIRY INTO JUUKAN GORGE  
SUBMISSION BY THE FEDERATION OF AUSTRALIAN HISTORICAL SOCIETIES**

The Federation of Australian Historical Societies appreciates the opportunity to respond to the Joint Standing Committee on Northern Australia's Parliamentary Inquiry into Juukan Gorge.

FAHS is the umbrella body for Australia's community history and heritage associations which number over 1000 and have approximately 100,000 members. Our volunteer members are deeply involved in working towards the best preservation and presentation of Australian cultural heritage in all its forms. They undertake a very large volume of historical research and collection in hard (documentary, movable objects and built/sites) and digital forms, they operate many hundreds of small cultural heritage exhibitions and museums, and they transmit our history and heritage in publications, websites and various other formats. FAHS was a founding member of GLAM Peak and of Blue Shield Australia.

FAHS was horrified to learn of the destruction of the 46,000 years old Juukan Gorge rock shelter site in Western Australia. This site was of significance not only to Indigenous Australians, but also to Australian cultural heritage in its proudest sense and indeed to the history and cultural heritage of the human species. The archaeological site was illustrative of Australia's possession of the world's longest surviving human culture, but tragically its destruction also illustrates how little this heritage has been recognised and valued.

The destruction of the Juukan Gorge shelter demonstrates a profound failing in community values as well as in the legislative structures that are supposed to protect Australia's heritage. While Rio Tinto stands accused of indifference and greed, that the site was destroyed shows serious failures by the Western Australian government, while the Commonwealth's Indigenous heritage protection has been shown to be weak and to have failed in enforcement.

The details of how these failures occurred will be described to the JSC by other organisations with a high level of expertise. FAHS wishes simply to express our distress at the destruction, to record our serious concerns about failures of legislation and process and to make the following recommendations.

**RECOMMENDATIONS**

1. That the Commonwealth, under powers given to it by the Environment Protection and Biodiversity Conservation Act and the Aboriginal and Torres Strait Islander Heritage Protection Act, ensures that the Department of Agriculture, Water and Environment play a more assertive and proactive role in protecting Indigenous heritage. Restoring to the Australian Heritage Council the powers and authority held by the former Australian Heritage Commission would be a very positive step.

2. That in the light of the clear failures, the aged and poorly enforced Western Australian Aboriginal Heritage Act be reviewed by the Western Australian government, to ensure that stronger and properly enforced State legislation is in place.
3. That the Commonwealth legislate further to protect Indigenous heritage by making both companies and the individuals within companies responsible and liable for heritage protection, and that they be subject to financial and other judicial penalties if they fail in their civic and legislated duties.