



support empower campaign

**Committee Secretary**  
**Senate Select Committee on the Aboriginal Flag**  
Department of the Senate  
PO Box 6100  
Parliament House  
**CANBERRA ACT 2600**

**Thursday 17 September 2020**

Dear Committee Secretary

1. Since 1953, Diabetes Victoria has been the leading charity and peak consumer body working to reduce the impact of diabetes in the Victorian community. We work to **support, empower** and **campaign for** all Victorians affected by, or at risk of, diabetes. We strive to reduce the impact of diabetes among the Aboriginal and Torres Strait Islander communities in Victoria, as they are four times more likely to be diagnosed with diabetes and experience poorer health outcomes.
2. In the past, Diabetes Victoria included images of the Aboriginal Flag on our various digital platforms, including our email signatures and website; in our publications; and on our resources. We did this as a sign of our respect for Aboriginal communities and to promote a culturally safe environment for both our employees and the community.
3. Diabetes Victoria has not used the Aboriginal Flag in its materials since it became aware that WAM Clothing Pty Ltd held the exclusive licence for the use of the Aboriginal Flag on certain items, including digital and physical media.
4. Diabetes Victoria contacted the creator of the Aboriginal Flag, Mr Harold Thomas, to seek his permission to use images of the Aboriginal Flag in its digital platforms. Diabetes Victoria operates as a not-for-profit entity, and understood that Mr Thomas may have permitted, without charge, the use of images of the Aboriginal Flag for non-commercial operations that give health, educational, legal and other assistance to Aboriginal people.
5. Diabetes Victoria was subsequently contacted by WAM Clothing Pty Ltd, who advised that it would allow Diabetes Victoria to use the Aboriginal Flag on digital and physical media in exchange for an annual fee. Diabetes Victoria decided to not

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proceed with that arrangement on the basis that Aboriginal services more broadly may not be able to freely access the Aboriginal Flag.

6. Diabetes Victoria recognises the significance of the Aboriginal Flag for the Aboriginal community as a sign of symbolic respect for Aboriginal Peoples. The use of the Aboriginal Flag in our workplaces is for non-commercial use that promotes a culturally safe environment for Aboriginal people affected by, or at risk of, diabetes.
7. Diabetes Victoria acknowledges that Mr Harold Thomas is the creator of the Aboriginal Flag and it is within his rights as the flag creator to commercially license its use. We consider, however, that if the licensee cannot be an Aboriginal person or organisation, then decisions made around the Aboriginal Flag should be made in partnership with Aboriginal Peoples.
8. Diabetes Victoria believes that an informed and amicable agreement needs to be reached so that, at a minimum, Aboriginal organisations can freely use the Aboriginal Flag however they wish at no expense.

With kind regards

**Craig Bennett**  
**Chief Executive Officer**

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