

Question On Notice No. 5555 asked in the **Legislative Council** on **16 October 2007** by **Hon Giz Watson**

Question Directed to the: **Minister for Local Government representing the Minister for Indigenous Affairs**

Minister responding: **Hon M.H. Roberts**

Parliament: **37** Session: **1**

Question

With regard to the article that appeared in *The West Australian* on Wednesday, 3 October 2007 Page 19 entitled 'Vandals use power tools to deface art', and I ask -

- (1) When did the vandalism occur?
- (2) When was the Department notified of the vandalism and by whom?
- (3) Has the Department visited the site and when?
- (4) What methods can be used to repair such vandalism?
- (5) Will any efforts be made by the Department to repair the vandalism and when?
- (6) Have Agencies of Government, industry or individuals reported vandalism on the Burrup?
- (7) If yes to (6), which agencies or industries have reported vandalism and on what dates?
- (8) How many acts of vandalism have been recorded on the Burrup?
- (9) Does the Department keep a registry of vandalism to Aboriginal sites contrary to s 17(a) of the *Aboriginal Heritage Act 1972* on the Burrup?
- (10) Does the Department keep a registry of vandalism to Aboriginal sites contrary to s 17(a) of the *Aboriginal Heritage Act 1972* throughout Western Australia?
- (11) How many prosecutions have been forthcoming as a result of damage to an Aboriginal site contrary to s 17(a) of the *Aboriginal Heritage Act 1972* since its inception?
- (12) How many prosecutions have been forthcoming as a result of damage to an Aboriginal site contrary to s 17(a) of the *Aboriginal Heritage Act 1972* since this Government took office in 2001?
- (13) How many prosecutions have been forthcoming as a result of damage to an Aboriginal site contrary to s 17(a) of the *Aboriginal Heritage Act 1972* in relation to vandalism on the Burrup?
- (14) What methods are applied at Aboriginal sites across Western Australia to ensure that those sites are protected?
- (15) Are the same mechanisms applied to Aboriginal sites on the Burrup and, if not, why not?

- (16) What measures are available on the Burrup to protect the rock art and artefacts?
- (17) Is the Minister of her Department aware of any cultural material, rock art or artefacts being removed or stolen from the Burrup and, if so, how many items?
- (18) Why is vandalism increasing on the Burrup and what action is being taking by the Minister or her Department to protect the rock art and artefacts on the Burrup?
- (19) What direct action is the Minister of her Department taking to pursue prosecution of offenders vandalising or stealing rock art and artefacts from the Burrup?
- (20) Have the police been informed of the vandalism by the Minister's Department and, if so, when?

Answered on 15 November 2007

The Department of Indigenous Affairs (DIA) advises:

- (1) It is not known precisely when this incident occurred except that it is recent.
- (2) DIA was notified of the vandalism by Mr Alex Leach in a report received on 21 August 2007.
- (3) DIA officers first visited the site on 18 October 2007. Due to the extremely rugged access track leading to the site, previous attempts to access it were unsuccessful. DIA officers were required to be taken there by an experienced and capable Department of Environment and Conservation (DEC) staff member.
- (4) Deeply pecked vandalism such as has occurred at this site can not be repaired. Instead, works will be undertaken to minimise the visual impact of the vandalism.
- (5) Yes, efforts are currently being made to undertake restoration as soon as possible, depending on the availability of a professional conservator to assist with the development of techniques to deal with these unique and complex restoration challenges.
- (6) Yes.
- (7) Reports are numerous. Provision of this information would require considerable research which would divert staff away from their normal duties and I am not prepared to allocate the State's resources to provide a response.
- (8) DIA field officers have recorded numerous acts of vandalism.
- (9) No, however DIA staff record acts of vandalism to Aboriginal sites on the Burrup when they become known to them.
- (10) DIA maintains a record of all allegations of site disturbance throughout WA.
- (11) Six, two of which are currently in progress.

(12) Three, two of which are currently in progress. Whilst the total number of prosecutions is not high, the figures show that this Labor Government is taking a strong approach to protecting Aboriginal heritage compared to previous administrations.

(13) None.

(14) Various methods are available including fencing, signage, education and track rationalisation. Site management strategies are unique to each individual site.

(15) Yes.

(16) Various methods are available including fencing, signage, education and track rationalisation. Site management strategies are unique to each individual site and need to be co-ordinated with the management strategies being developed by DEC and in consultation with the Aboriginal community.

(17) No.

(18) There is no evidence to suggest that vandalism is increasing on the Burrup. DIA has dedicated two senior heritage officers to work on Aboriginal heritage matters on the Burrup.

(19) When sufficient evidence is available prosecution will be sought under section 17 of the *Aboriginal Heritage Act 1972*.

(20) No. The police are contacted in relation to damage to sites if there is a sufficient body of evidence to pursue prosecution. So far this has not been the case.