

ABORIGINAL HERITAGE ACT, PROSECUTIONS

375. Hon Derrick Tomlinson to the Parliamentary Secretary representing the Minister for Indigenous Affairs
- (1) Since 1980 have there been any prosecutions for offences under Section 17 of the *Aboriginal Heritage Act 1972*?
- (2) If yes, -
- (a) when did the prosecution proceed;
  - (b) who were the defendants; and
  - (c) what was the outcome?
- (3) Since 1995 have there been any complaints received about excavation, destruction or damage of any registered Aboriginal sites?
- (4) If yes, -
- (a) what were the sites; and
  - (b) what was the nature of the complaint?

Hon GRAHAM GIFFARD replied:

- (1) Yes.
- (2) (a) (i) 1986  
(ii) 1988  
(iii) 1999
- (b) (i) Town of Bassendean.  
(ii) Kimberley Colourstone Pty Ltd and its Director, Mr Dario de Biasi.  
(iii) Town of Bassendean.
- (c) (i) Defendant fined \$200 plus court costs.  
(ii) Defendant fined a total of \$400 plus court costs.  
(iii) Defendant fined \$1 500 plus court costs.
- (3)-(4) This information is not readily available. Provision of the 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. If the member has a specific inquiry I will endeavour to provide a reply.