

ABORIGINAL HERITAGE ACT — PROSECUTIONS

688. Hon NEIL THOMSON to the Leader of the House representing the Minister for Aboriginal Affairs:

I refer to the Aboriginal Heritage Act 1972.

- (1) How many prosecutions have occurred under this legislation since 2017?
- (2) How many of those prosecutions related to the destruction of tangible, as opposed to intangible, Aboriginal cultural heritage?
- (3) Was Rio Tinto prosecuted for the Juukan Gorge disaster?
- (4) If no to (3), why not?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1)–(2) Since 2017, the following prosecutions have occurred under the Aboriginal Heritage Act 1972. Nine prosecutions were completed. Three involved artefact scatters and rock art/engraving sites, two involved mythological sites and four involved combined artefact scatters/fossils and mythological sites. Two prosecutions are currently in court. Both involve mythological sites.
- (3)–(4) Rio Tinto was not prosecuted for breaching the act as it was operating under a section 18 consent.