



The Anthropological Society of Western Australia (ASWA) acknowledges the profound sense of loss that Puutu Kunti Kurrama and Pinikura (PKKP) people feel after the destruction of the culturally and scientifically significant Juukan Gorge rockshelters. The Society expresses its dismay that this state of affairs should have occurred.

The rockshelters destruction points to failures at a number of levels. By all accounts the Juukan Gorge rockshelters, with their great antiquity of 46,000 years and their complex and unique artefactual assemblage, ought to have been preserved as part of the State's heritage under s5(c) of the Aboriginal Heritage Act in addition to their registration under s5(a) as archaeological sites. Indeed, the evidence also points to the rockshelters potentially being of significance to World Heritage. That the Department did not seek to use the full capabilities and flexibilities of the Act consistent with its purpose to "preserve on behalf of the community places customarily used by ... the original inhabitants of Australia" represents a major flaw in the administration of the Act. ASWA is heartened by the Minister's intent to ensure that the proposed new Aboriginal heritage legislation will clarify processes for the consideration of new information about places of Aboriginal heritage.

ASWA recognises the complexities involved in proponents such as RTIO consulting with Indigenous communities. However, the destruction of the rockshelters would also seem to indicate a failure in RTIO's internal procedures, especially given the company's public commitments to heritage and its preservation. Surely, regardless of what approvals had been obtained, once the results of the 2014 excavations were available, the company's heritage specialists and other knowledgeable staff would undoubtedly have highlighted the scientific significance of the rockshelters and their accompanying cultural significance, irrespective of whether or not the community had explicitly expressed views on the matter or what native title agreements might be in place. ASWA is dismayed that RTIO did not revise its mine development plans and develop strategies to preserve the obviously significant rockshelters, which we understand the company has done in other situations.

ASWA hopes that RTIO and PKKP will work collaboratively to ensure the protection of other significant rockshelters in the immediate vicinity and other significant sites in the area. We also hope that the exceptional cultural material that has been salvaged from the two rockshelters will be appropriately curated and that RTIO will assist PKKP with this process.

The ASWA Executive