

From: [REDACTED]
To: [CHA_Review](#)
Cc: wanganandjagalingousog@gmail.com
Subject: Submission to the Cultural Heritage Act Review - Ann Bermingham
Date: Wednesday, 30 March 2022 1:10:03 PM

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Dear Minister Crawford.

Thank you for initiating this Review.

I am writing in support of the submission by the **Wangan and Jagalingou Nagana Yarrbayn Cultural Custodians**,

in the hope that their experience and that of others who have been failed by existing legislation does not have to be repeated.

I particularly urge your consideration of the points below from the Submission.

- Amend the definition of 'Aboriginal party' so that Traditional Owners with cultural connection to Country can be involved in consultation and negotiation processes, regardless of their status as a native title party.
- Create greater enforcement powers for First Nations, so that we aren't reliant on the State to protect our cultural heritage if it is in imminent danger of harm or destruction.
- Establish an independent First Nations-led decision-making body that is responsible for dispute resolution and mediation, and for assessing who the right people to speak for Country are.

I was born in Australia and do not identify as Aboriginal or Torres Strait Islander.

I support this review as an opportunity to remedy one of the many ways in which legislation at State and Federal level works against the entitlements and interests of the traditional owners of this country.

It is their birthright to have access to and protection for cultural heritage. It is not our right to take it away.

When this cultural heritage is damaged or destroyed, I believe that our country and all of us are the losers.

Regards

Ann Bermingham

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