



JJ McDermott
Secretary – AACAI WA Chapter
wa.chapter@aacai.com.au
www.aacai.com.au

AUSTRALIAN ASSOCIATION OF CONSULTING ARCHAEOLOGISTS INC

Responses to the online survey: DPLH engagement on Aboriginal heritage

In May 2021, the Western Australian Chapter of the Australian Association of Consulting Archaeologists Inc. (AACAI WA) organised an online survey to gauge stakeholder satisfaction with the performance of the Department of Planning, Lands and Heritage (DPLH) as the Aboriginal Heritage Regulator in WA. The main reason for organising this survey stems from AACAI WA having received ongoing complaints from members about difficulties in communicating with the Regulator. It was decided that we should investigate the nature and extent of these issues further.

Seventy responses to the survey were received, with respondents including individuals from heritage consultancy firms (43%); Indigenous organisations (16%); industry (9%); and Government (3%). Several respondents indicated that they did not engage with DPLH (16%); worked in other roles (1 person); or preferred not to say (1 person). These responses were garnered from the first two questions (Q1 & Q2).

The survey was designed with six questions (Q3-8) with a five-point Likert-type response scale, which measures the intensity of agreement or disagreement with various statements; in order to assess the strength and range of attitudes towards various aspects of DPLH's performance, such as response time and the quality of engagement. The survey also included two open-response questions (Q9 & Q10) which sought specific examples of respondent's experiences with DPLH, and their suggestions for performance improvement. The results are summarised in the graphs and tables below.

Overall, stakeholder satisfaction with DPLH's performance across all sectors was found to be fairly negative. Resourcing was a stand-out concern. Respondents from Indigenous organisations disagreed the most with the statement that DPLH is well resourced (Q3, 91%) – with industry close behind. In terms of resolution of inquiries (Q4), one-third of respondents did not achieve a resolution to their inquiry within one month, or at all. The sector receiving the quickest resolution to their inquiries was industry (only one industry respondent failed to achieve resolution to an inquiry in one month).

Most respondents in every sector disagreed with the statements in Q5 and Q6, that DPLH effectively protects heritage, and that it effectively ensures compliance with the *WA Aboriginal Heritage Act 1972* (AHA). Disagreement with these statements was strongest in academia and in industry. There were also similar levels of disagreement (~30% to 50%) with the statements that DPLH effectively facilitates access to heritage information (Q7) or has sufficient expertise to manage heritage (Q8).

When asked to provide positive or negative experiences (Q9), 31 people responded, giving 22 examples of negative experiences, in the following categories:

- The main source of negative experience was **inadequate advice** or **slow response** to queries provided by DPLH staff (~40%);
- There is a demonstrated **lack of understanding of the AHA** (~10%);
- There is a noticeable **lack of support given to heritage practitioners and consultants** (~8%);

- Information provision systems including the **Aboriginal Heritage Inquiry System (AHIS)** and **LockLizard** are unworkable; and
- There is a perceived **reluctance by DPLH staff to provide any guidance or advice** for which they may be held accountable.

The final question (Q10) sought solutions to the issues they have faced, and almost all of the 32 respondents who answered this question called for decisive action to remediate DPLH's deficiencies in resources and expertise. The recommended changes include:

- **Significant increase in resourcing.** More staff, including more regional offices and local staff, to undertake regular ground-truthing and auditing, engagement on local level, and staff to undertake research that benefits heritage management policy and processes;
- **Establish and implement mandatory minimum standards.** DPLH as the regulatory body must have an increased role in oversight of standards in the industry. DPLH should ensure that standards are transparent, explicit and demonstrate best practice. DPLH should work with PBCs and heritage practitioners to develop a minimum standards guideline.
- **Improve staff support and training.** Provide better support to staff in decision-making, so that decisions are not consistently deferred or avoided. Improve staff incentives with meaningful and enforced KPIs.
- **Improve decision-making consistency.** Implement robust, transparent and consistent internal policies and guidelines.
- **Improve internal policies and procedures.** Include actual site information in Heritage Information Submission Forms (HISFs), and facilitate cumulative impact assessments.
- **Improve quality of engagement with Traditional Owners and other stakeholders.** More on-ground interaction, regular engagement with PBCs and Custodians, and better inclusion of and engagement with heritage consultants.

The DPLH website states that the Department is responsible for protecting Aboriginal heritage, assisting with compliance with the AHA, and providing access to heritage information. In this survey, the similar levels of negative experiences across all sectors indicate that there is a perception that DPLH is performing poorly in these roles and may be failing to achieve protection or compliance in many cases. Whilst the number of respondents in some sectors is small, their views largely agree with other sectors. Industry experience suggests that DPLH answers industry inquiries more quickly than inquiries from other sectors, but a larger sample is required to verify this.

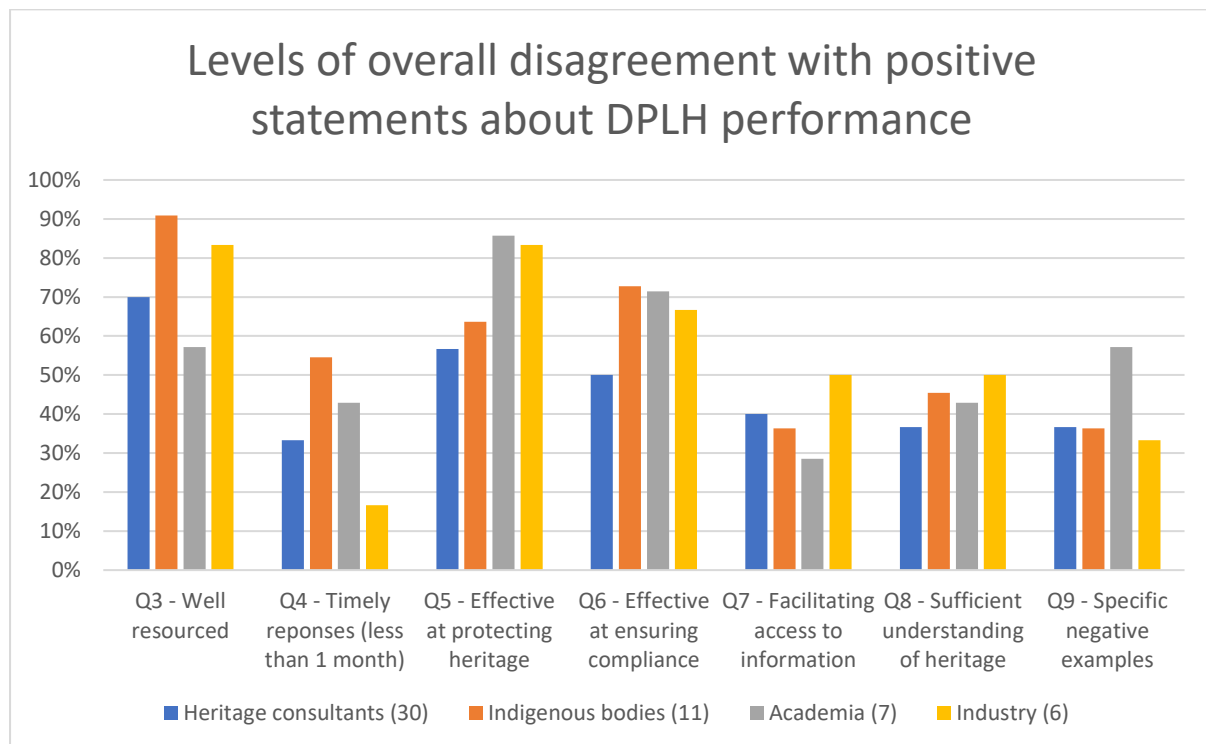
Although DPLH performance somehow remained almost invisible throughout the Juukan Gorge debacle, this survey may help draw attention to the potential for the partial resolution of WA's Aboriginal heritage problems, through the State Government properly fulfilling its role as the Regulator. With burgeoning mining royalties, the Government has a perfect opportunity to increase levels of expertise and staffing in DPLH and future heritage services to:

- 1) **support Indigenous communities** in protecting heritage sites;
- 2) have **effective systems** to support the management of Aboriginal heritage; and
- 3) ensure all stakeholders have the same **levels of expert guidance and oversight** that they need to safely navigate complex heritage matters.

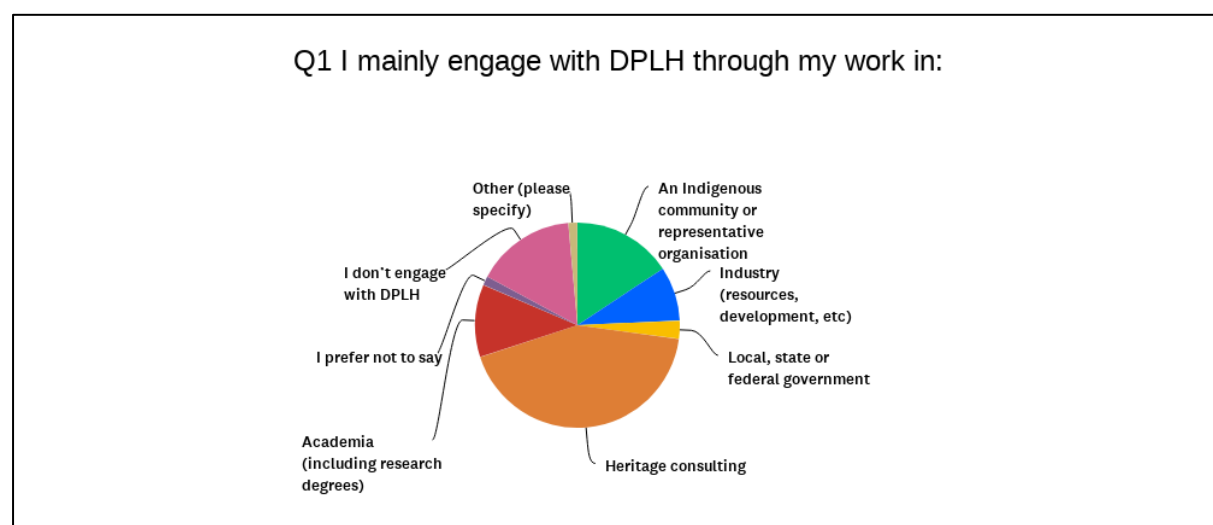
Graphs

Summary of responses from Q3-9

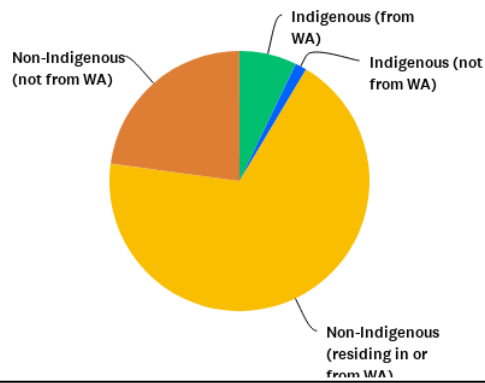
In the graph below, the y-axis represents the percentage in each sector disagreeing or strongly disagreeing with a positive statement about DPLH performance. The lower the percentage score, the better DPLH performance is perceived in that sector. Sectors with fewer than 5 respondents, and respondents who do not normally engage with DPLH, have been removed from the graph, as these numbers are too small to support much inference. For reference, all respondents are shown in the tables below.



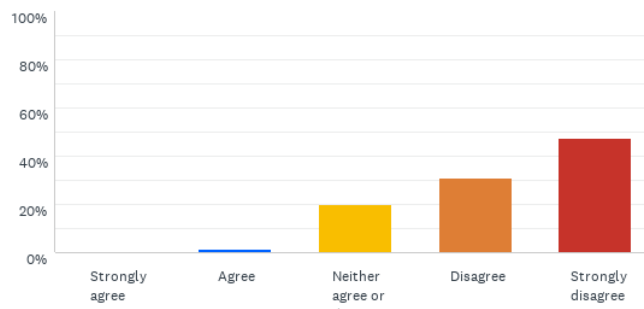
Breakdown of responses from Q1-8



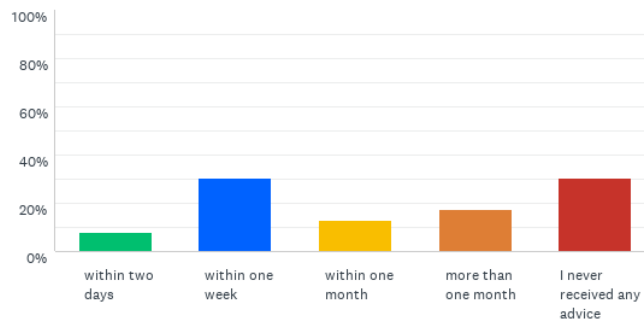
Q2 I identify as:



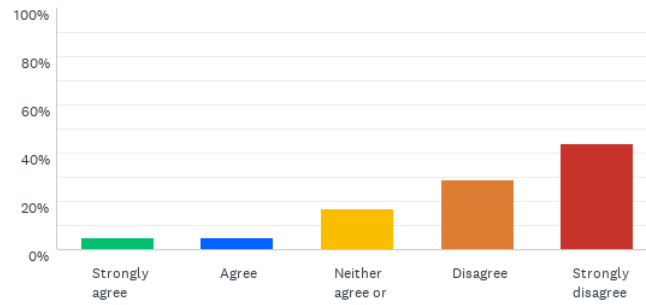
Q3 I believe the Aboriginal Heritage team at DPLH is sufficiently resourced.



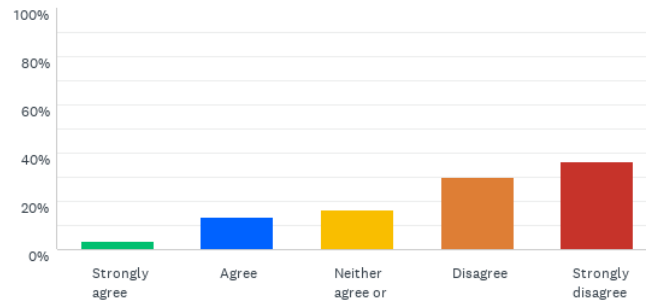
Q4 The last time I contacted staff at DPLH about a Aboriginal heritage matter, I received an adequate response



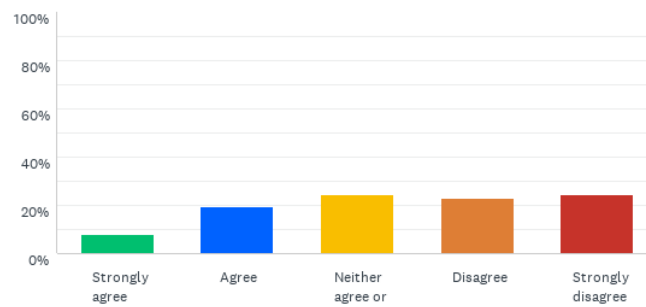
Q5 In my experience, in the last 12 months DPLH has effectively protected Aboriginal heritage to the extent of its powers.



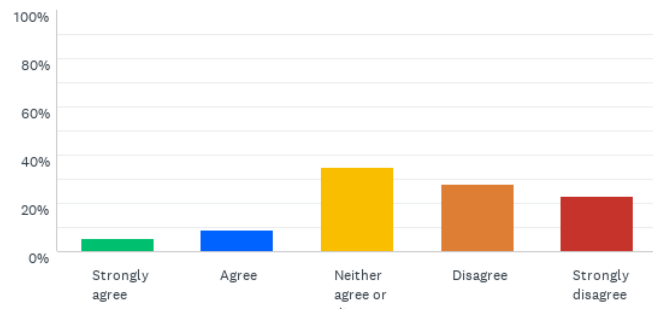
Q6 In my experience, in the last 12 months DPLH has effectively ensured compliance with the Aboriginal Heritage Act 1972



Q7 In my experience, in the last 12 months DPLH has provided sufficient access to Aboriginal heritage information.



Q8 Overall, considering all of my interactions with DPLH over the last 12 months, the staff have demonstrated they have a sufficient understanding of Aboriginal heritage matters.



Tables

The following tables provide the raw data and percentages for levels of overall disagreement with positive statements about DPLH (Q3-9).

Raw numbers

	Survey Questions	Q3	Q4	Q5	Q6	Q7	Q8	Q9
		Well resourced	Adequate and timely response (less than 1 month)	Protecting heritage	Ensuring compliance	Facilitates access to information	Expert managers	Specific examples
Role	Total respondents	Disagree	Disagree	Disagree	Disagree	Disagree	Disagree	Negative experiences
Heritage consultants	30	21	10	17	15	12	11	11
Indigenous bodies	11	10	6	7	8	4	5	4
Don't engage with DPLH	11	4	0	4	4	2	1	0
Academia	7	4	3	6	5	2	3	4
Industry	6	5	1	5	4	3	3	2
Government	2	2	2	1	1	1	1	0
Other/no comment	2	2	2	2	2	1	2	1
All	69	48	22	42	39	26	26	22

Percentages

	Survey Questions	Q3	Q4	Q5	Q6	Q7	Q8	Q9
		Well resourced	Adequate and timely response (less than 1 month)	Protecting heritage	Ensuring compliance	Facilitates access to information	Expert managers	Specific examples
Role	Total respondents	Disagree	Disagree	Disagree	Disagree	Disagree	Disagree	Negative experiences
Heritage consultants	30	70%	33%	57%	50%	40%	37%	37%
Indigenous bodies	11	91%	55%	64%	73%	36%	45%	36%
Don't engage with DPLH	11	36%	0%	36%	36%	18%	9%	0%
Academia	7	57%	43%	86%	71%	29%	43%	57%
Industry	6	83%	17%	83%	67%	50%	50%	33%
Government	2	100%	0%	50%	50%	50%	50%	0%
Other/no comment	2	100%	100%	100%	100%	100%	100%	50%
All	69	70%	32%	61%	57%	38%	38%	32%