

What's New – April 2012

1. Case Summaries	1
2. Legislation.....	5
3. Policy	5
4. Indigenous Land Use Agreements	6
5. Native Title Determinations	6
6. Registered Native Title Bodies Corporate ('RNTBC').....	7
7. Public Notices	7
8. Native Title in the News	7
9. Native Title Publications	7
10. Training and Professional Development Opportunities	9
11. Events.....	9
12. Conferences	10

1. Case Summaries

Chippendale on behalf of the Wuthathi People #2 v State of Queensland & Ors [2012] FCA 310 (27 March 2012)

27 March 2012

Application for joinder

Federal Court of Australia - Brisbane

Greenwood J

In this matter, the Court ordered that three individuals ('the individuals') from the Gudang Yadheykenu people be joined as respondents to the Wuthathi peoples' application for a native title determination under the *Native Title Act 1993* (Cth) ('NTA'), but rejected the individuals' application to be joined as representatives of the Gudang Yadheykenu people.

The individuals sought to be joined as respondents in their individual capacity and as representatives for the Gudang Yadheykenu people on the basis that the Wuthathi peoples' application claimed native title rights over some traditional country of the Gudang Yadheykenu people. In support of their application for joinder, the individuals tendered evidence regarding the Gudang Yadheykenu peoples' traditional interests in areas of the land included in the Wuthathi peoples' application, including an extensive anthropological report.

The existing respondents (the State of Queensland, the Cook Shire Council and parties representing fishing interests) did not actively oppose or consent to the application for joinder, but noted that the matter had been on foot since 1997, and no assertion regarding the Wuthathi peoples' application had been made by or on behalf of the Gudang Yadheykenu people until then. The existing respondents also indicated that they had recently reached a point of consent with the Wuthathi peoples in relation to their application for a native title determination.

The Court considered section 84(5) of the NTA, which provides that the Court may join any person as a party to the proceedings at any time if the Court is satisfied that the person's interests may be affected by a determination in the proceedings and it is in the interests of justice to do so. The Court also considered section 68 of the NTA, which states that there can only be one approved determination of native title in relation to a particular area.

In finding for the individuals, the Court noted that it is well accepted that a person who claims to hold a native title right or interest in relation to land or waters the subject of a determination application has a sufficient interest for the purpose of section 84(5) of the NTA. On this basis, and with particular reference to the extensive anthropological report tendered, the Court was satisfied that the individuals had sufficiently demonstrated interests which may be affected by a determination of native title, and ordered that they be joined.

However, the Court rejected the individuals' application to be joined as representatives of the Gudang Yadheykenu people on the basis that the individuals had not sufficiently demonstrated that the Gudang Yadheykenu people had approved the individuals as their representatives per sections 251B(a) or (b) of the NTA. The Court also noted that the individuals were joined as respondents only to resist a determination in favour of the Wuthathi people, not to make a native title application.

This matter is ongoing.

QGC Pty Ltd v Bygrave [2012] FCA 309 (27 March 2012)

3 April 2012

Applications for costs

Federal Court of Australia - Brisbane

Reeves J

In this matter, due to a disagreement between four parties regarding the registration of an indigenous land use agreement ('ILUA'), NTSCORP Ltd ('NTSCORP'), the New South Wales ('NSW') Aboriginal representative body, was ordered to pay the costs of QGC Pty Ltd ('QGC') and the registered native title claimant for the Bigambul People, Russell Doctor & Ors ('the claimant'), in relation to appeal proceedings.

This matter concerned an administrative appeal by QGC under section 5 of the *Administrative Decisions (Judicial Review) Act 1977* (Cth) and section 39B of the *Judiciary Act 1903* (Cth) against the Native Title Registrar's ('the Registrar') decision not to register an ILUA between the QGC and the claimant under the *Native Title Act 1993* (Cth) ('NTA').

The Registrar's decision not to register the ILUA was due to an objection raised by the Chairman of the Kamilaroi Land Trust, Mr Weatherall, and NTSCORP on the basis that the ILUA covered lands and waters over which the Kamilaroi/Gomeroi People claimed native title. The subject lands and waters were entirely in Queensland and were included in the claimant's native title claim filed in 2009.

When the appeal was filed, the Registrar indicated that it did not wish to actively participate in the appeal proceedings. This meant that there was no opposing party to QGC's appeal, as QGC and the claimant shared the same position in relation to having the ILUA registered. As such, the Court joined NTSCORP and Mr Weatherall, in part, as contradictors to QGC's and the claimant's cases. After being joined, NTSCORP maintained an active role the proceedings.

Ultimately, the Court set aside the Registrar's decision, and ordered that the subject ILUA be registered. QGC and the claimant then sought cost orders against NTSCORP contending that it was NTSCORP's intervention that led to the Registrar's decision not to register the ILUA and resulted in QGC and the claimant incurring substantial legal costs. QGC and the claimant also contended that as NTSCORP is a NSW body, it had no authority or obligation to intervene in the ILUA registration process because the relevant land was entirely in Queensland.

The claimant also noted that NTSCORP did not object to being joined and could have simply submitted to any orders of the Court, but it instead chose to have a full and active role in opposing QGC's appeal. Therefore, the claimant contended that NTSCORP did not act purely as a contradictor in this matter, and as such, the "spirit" of section 85A, which provides that each party should bear its own costs, should not be applied.

NTSCORP opposed the cost application on the basis that it was joined by the Court to assist as a contradictor, and its involvement in the initial objection was pursuant to its statutory responsibilities under the NTA. NTSCORP also asked the Court to take into account the "spirit" of section 85A of the NTA, even though it appeared to accept that section 85A did not strictly apply in the matter given it was not a "proceeding" under section 81 of the NTA.

In finding for QGC and the claimant, the Court rejected the claim that NTSCORP acted purely as a contradictor in the proceedings, particularly given that NTSCORP indicated that it wished to participate in the proceedings to fulfil, what it considered, its statutory responsibilities under NTA. The Court also agreed with QGC's submission that NTSCORP was not obliged to discharge any statutory function under the NTA as the relevant land was entirely in Queensland, and under the responsibility of the Queensland South Native Title Services.

The Court declined to apply section 85A of the NTA, or the "spirit" of section 85A of the NTA on the basis that this matter was an administrative appeal and not a section 81 of the NTA "proceeding", and because NTSCORP's involvement in the matter was not purely as a contradictor or to fulfil a statutory obligation. For these reasons, and on the basis that that NTSCORP's objection to the registration of the ILUA was the original and direct cause of QGC and the claimant incurring legal costs in the proceedings, the Court ordered that NTSCORP pay the costs of QGC and the claimant in relation to the appeal.

Dunghutti Elders Council (Aboriginal Corporation) RNTBC v Registrar of Aboriginal and Torres Strait Islander Corporations (No 4) [2012] FCAFC 50 (5 April 2012)

5 April 2012

Applications for costs

Federal Court of Australia – Sydney

Keane CJ, Lander and Foster JJ

In this matter, the Court rejected the application of the Registrar of Aboriginal and Torres Strait Islander Corporations ('The Registrar') for a costs order against the individual directors of the Dunghutti Elders Council (Aboriginal Corporation) RNTBC ('the directors'), and ordered that there be no orders as to cost in relation to the appeal and various applications made throughout the appeal proceedings.

This matter concerns an appeal brought by the Dunghutti Elders Council (Aboriginal Corporation) RNTBC ('the Corporation') against the Court's decision to dismiss the Corporation's application for a ruling that a notice given by the Registrar requesting the Corporation to show cause why a special administrator should not be appointed under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth) ('the CATSI Act') was invalid, and restraining the Registrar from making a determination that the appellant be put under special administration under the CATSI Act.

When the appeal was dismissed, the Registrar sought a cost order against the Corporation's directors contending that they had failed in their duties under the Corporation's constitution and under the CATSI Act by pursuing the appeal. The Registrar claimed that the directors pursued the appeal to protect their own interests by preventing the appointment of a special administrator and to ensure the ongoing receipt of substantial amounts in remuneration. The Registrar also sought the cost order against the directors themselves as it considered the preservation of the Corporation's assets as a function and aim of its office.

The Court considered evidence that in the financial year ending 30 June 2010, the directors received \$155,673 in remuneration, \$98,699 for directors' travel, and \$24,000 in gifts, which totalled 25% of the Corporation's expenses; and in financial year ending 30 June 2011, the directors received \$352,544 in remuneration, \$121,974 for directors' travel, and \$26,000 in gifts, which totalled 37% of the Corporation's expenses for that year. The Court also considered correspondence from the Corporation's accountant and auditor confirming that it had been advised in relation to its finances; and minutes from a directors' meeting where legal advice was discussed in relation to proceeding with the appeal.

The Court considered the Corporation's constitution, and in particular the clauses relating to directors remuneration, which provided that only employees can receive remuneration and that a majority of directors must not be employees. The Court also considered the CATSI Act and in particular the Registrar's functions and aims under section 658-1 and 658-5, the directors' duties in Division 265, and consequences for breaching those duties in Chapter 8.

Ultimately, the Court held that the merits of the financial and legal advice received by the Corporation need not be tested, as the Court had no reason to consider that the Corporation acted otherwise than in accordance with the legal and accounting advice that they had received. In addition, while the Court found that it did have the jurisdiction to make a costs order against the directors, the Court was not satisfied on the balance of probabilities that the directors acted in pursuit of their own interests, and dismissed the Registrar's application.

The Court noted that the more appropriate course in this matter would have been for an order to be made against the Corporation, which is now under special administration, and for the Corporation to properly investigate and take necessary action against the directors for the loss and damage, as well as the cost of pursuing the appeal.

Anderson on behalf of the Wullli Wullli People v State of Queensland (No.2) [2012] FCA 339 (3 April 2012)

3 April 2012

Application for costs

Federal Court of Australia - Brisbane

Collier J

In this matter, the Court rejected the application of 12 of the 15 individual applicants to the Wullli Wullli peoples' native title determination proceedings ('the 12 individuals') for an order that the Queensland South

Native Title Services ('QSNTS'), the representative of the remaining 3 of the 15 individual applicants to the Wullli Wullli peoples native title determination proceedings ('the 3 individuals'), pay the their costs to a notice of motion.

This matter concerns a dispute amongst the 15 individuals who collectively made up the applicant to the native title determination for the Wullli Wullli peoples ('the applicant'). The dispute concerned whether the QSNTS or Just Us Lawyers were authorised to represent the applicant in relation to the applicant's native title determination proceedings. QSNTS had previously acted for the applicant in those proceedings; however, Just Us Lawyers had since been briefed and added as the applicant's legal representative on the Court's file.

The 3 individuals, represented by QSNTS, filed a notice of motion seeking that Just Us Lawyers be removed from the Court's file as the applicant's representative on the basis that there was an absence of understanding and informed consent of a number of the persons comprising the applicant to the native title determination. The 3 individuals filed evidence supporting this claim. The 12 individuals incurred substantial costs in responding to this evidence, which due to a change in the 3 individuals' case, was never relied upon by the 3 individuals.

Ultimately, the 3 individuals' motion was dismissed. The 12 individuals then sought costs against QSNTS on the basis that it was not fair or reasonable that the 3 individuals be required to pay the costs sought because any cost order made against the 3 individuals would, in effect, be made against the applicant and would be paid using funds which would otherwise be used for the applicant's native title determination proceedings. The 12 individuals also claimed that the conduct of QSNTS in changing the 3 individuals case caused wasted costs to be incurred by the 12 individuals, and referred the Court to section 37N of the *Federal Court of Australia Act 1976* (Cth), which provides that a party must conduct the proceeding in a way that facilitates a just resolution of disputes in accordance with law, and as quickly, inexpensively and efficiently as possible.

The Court noted that this matter was complicated given that the 12 individuals do not seek costs against the 3 individuals, but rather their legal representative. The Court considered its jurisdiction to make an order against a legal representative; and section 85A of the NTA which provides that if the Court is satisfied that a party has unreasonably caused another party to incur costs, the Court may order that party to pay some or all of those costs, but otherwise the parties are to bear their own costs.

In finding against the 3 individuals, the Court made three points. Firstly, the material before the Court suggested that nothing more than usual steps were taken by QSNTS in accordance with the 3 individuals' instructions, including briefing counsel and filing evidence. Secondly, there was no evidence that QSNTS abused or used the Court's process for an improper or ulterior purpose to warrant an order for costs, or that QSNTS failed in its duty to give proper consideration to relevant questions in the preparation or presentation of the case to deem it derelict in its duty. Thirdly, the Court was not persuaded that section 85A of the NTA was relevant in this matter, particularly as the 12 individuals specifically did not seek costs against the opposing party to the motion, which is what that section is directed to. As such, the Court dismissed the 12 individuals' application, and made no orders as to costs.

[Drake Coal Pty Ltd, Byerwen Coal Pty Ltd/Grave Smallwood & Ors \(Birri People\)/State of Queensland \[2012\] NNTTA 31 \(26 March 2012\)](#)

26 March 2012

Future act determination

National Native Title Tribunal of Australia - Brisbane

Sosso DP

In this matter, the Tribunal made a determination to grant mining leases (ML 10349, 10350 and 10351) to Drake Coal Pty Ltd, and to grant mining leases (ML 10355, 10356, and 10357) to Byerwen Coal Pty Ltd, in the absence of submissions and evidence from the relevant native title party.

The native title party was given notice by the State of Queensland ('the government party') of its intention to grant mining leases to Drake Coal Pty Ltd and Byerwen Coal Pty Ltd ('the grantee parties'). Subsequently, the native title holders indicated to the Tribunal that it wished to fully contest the matter, and that it intended to provide the Tribunal and parties with evidence relevant to the factors that the Tribunal must take into account when considering a future act determination per section 39 of the *Native Title Act 1993* (Cth) ('NTA').

However, soon before the listings hearing, the legal representatives of the native title party wrote to the Tribunal indicating that they were instructed to oppose the determination, but did not intend to file any

evidence or attend any further Court dates. The representatives also indicated that they had no instructions to appear at the listing hearing. No further information was provided to the Tribunal regarding the native title party's position.

The listing hearing proceeded in the absence of the native title party. After hearing from the government party and the grantee parties, the Tribunal found that it had accorded the native title party a fair opportunity to contest the matter. The Tribunal considered that it now had a mandatory obligation to take all reasonable steps to make a determination as soon as possible per section 36(1) of the NTA, and proceeded to make a determination.

While the Tribunal was unable to consider the interests, proposals, opinions and wishes of the native title party, the Tribunal considered the other requirements in section 39 of the NTA based on the grantee and government parties' submissions only, and granted the mining leases per section 38 of the NTA.

2. Legislation

Western Australia

Aboriginal Heritage Act 1972 (WA)

The state government of Western Australia intends to make amendments to the *Aboriginal Heritage Act 1972*, which is the state's principal legislation enabling the protection of Aboriginal cultural heritage. These amendments are intended to improve the protection, certainty and compliance in relation to Aboriginal cultural heritage. Comments and feedback is now sought from stakeholders in relation to these proposed amendments. The closing date for comments and feedback is Tuesday, 5 June 2012 at 5pm.

- Download the discussion paper, 'Seven proposals to regulate and amend the *Aboriginal Heritage Act 1972* for improved clarity, compliance, effectiveness, efficiency and certainty' by [clicking here](#).
- To provide feedback on the discussion paper, or to make a comment, email aha@dia.wa.gov.au
- To view the media statement issued by the Minister for Indigenous Affairs, [click here](#).

3. Policy

Review of the Native Title Respondent Funding Scheme Attorney-General's Department

The Native Title Respondent Funding Scheme provides financial assistance to native title respondents under section 213A of the *Native Title Act 1993* (Cth). From 1 July 2012, the existing 26 statutory and non-statutory financial assistance schemes, including schemes not relating the native title, administered by the Attorney-General's Department will be consolidated into one scheme where financial assistance will be payable for the cost of disbursements in a wide variety of legal matters. Financial assistance for legal representation costs will only be payable in exceptional circumstances. Changes specific to respondents in native title matters will commence from 1 January 2013. This scheme does not provide assistance for native title claimants.

Applications for assistance under the scheme are currently assessed under these guidelines:

- [Native Title \(Provision of Financial Assistance\) Guidelines 2006 \[PDF 305KB\]](#)

The Attorney-General's Department engaged an independent consultant to review and report on the Native Title Respondent Funding Scheme. The final report informs the development of specific parameters of the new scheme, in relation to native title respondent funding and other matters. The new scheme parameters are under consideration. Once decided, these parameters will be publicised. The Attorney-General's Department will also be developing a revised interest test to determine eligibility for respondent funding in native title matters. Current funding arrangements for native title officers will also be considered.

More information on arrangements which will apply prior to the commencement of the new guidelines on 1 January 2013; including information on lodging an application, assessment of invoices and the time limit for invoicing is available on the [Attorney-General's website](#).

For further information please see the Native Title Respondent Funding Scheme review terms of reference, and the final report :

- [Native Title Respondent Funding Scheme Review – Terms of Reference \[PDF 367KB\]](#)
- [Review of the Native Title Respondent Funding Scheme - Report \[PDF 761KB\]](#)

The Attorney-General's Department has also prepared a Native Title Respondent Funding Scheme frequently asked questions document. Please see the frequently asked questions document for further information:

- [Review of Native Title Respondent Funding Scheme - Frequently Asked Questions \[PDF 453KB\]](#)

The new Native Title Respondent Funding Scheme public consultation process is complete. Submissions are available for viewing on the [Attorney-General's webpage](#).

Guide to future act decisions made under the right to negotiate scheme National Native Title Tribunal

The 'Guide to future act decisions made under the right to negotiate scheme' was updated on 17 April 2012. This guide provides a summary of future act decisions made by the National Native Title Tribunal and the Federal Court under the right to negotiate provisions of the *Native Title Act 1993* (Cth). The guide deals with the substantive law as well as the procedures applicable to the Tribunal's inquiry function under the Commonwealth right to negotiate regime. You can view the new 'Guide to future act decisions made under the right to negotiate scheme' [here](#).

To see a list of the changes that have been made to the document, see '[List of updates to guide to future act decisions](#)'.

4. Indigenous Land Use Agreements ('ILUA')

The [Native Title Research Unit](#) within AIATSIS maintains an [ILUA summary](#) which provides hyperlinks to information on the [National Native Title Tribunal \('NNTT'\)](#) and [Agreements, Treaties, and Negotiated Settlements \('ATNS'\)](#) websites.

In April 2012, 2 ILUAs were registered with the National Native Title Tribunal.

Registration date	Name	Tribunal file no.	Type	State or Territory	Subject matter
13/04/2012	Lake Gairdner National Park ILUA	SI2012/002	BCA	SA	Co-management
19/04/2012	Lake Gilles Conservation Park ILUA	SI2012/003	BCA	SA	Co-management

For more information about ILUAs, see the [NNTT Website](#) and the [ATNS Database](#).

5. Native Title Determinations

The [Native Title Research Unit](#) within AIATSIS maintains a [determinations Summary](#) which provides hyperlinks to determination information on the Austlii, NNTT and ATNS websites.

In April 2012, 0 native title determinations were handed down.

For more information about native title consent determinations and some litigated determinations see the [NNTT](#) and [ATNS](#) websites.

6. Registered Native Title Bodies Corporate ('RNTBC')

The [Native Title Research Unit](#) within AIATSIS maintains a [RNTBC summary document](#) which provides details about RNTBCs in each state/territory including the RNTBC name, RNTBC type (agent or trustee) and relevant native title determination information.

Additional information about the RNTBC can be accessed through hyperlinks to corporation information on the [Office of the Registrar of Indigenous Corporations \(ORIC\) website](#); case law on the [Austlii website](#); and native title determination information on the [NNTT](#) and [ATNS](#) websites.

7. Public Notices

The *Native Title Act 1993* (Cth) requires that native title parties and the public must be notified of:

- proposed grants of mining leases and claims;
- proposed grants of exploration tenements;
- proposed addition of excluded land in exploration permits;
- proposed grant of authority to prospect; and
- proposed mineral development licences.

The public notice must occur in both:

- a newspaper that circulates generally throughout the area to which the notification relates; and
- a relevant special interest publication that is published at least once a month, which:
 - caters mainly or exclusively for the interests of Aboriginal peoples or Torres Strait Islanders; and
 - is circulated in the geographical area of the proposed activities.

To access the most recent public notices visit the [NNTT website](#) or the [Koori Mail website](#).

8. Native Title in the News

The [Native Title Research Unit](#) within AIATSIS publishes [Native Title in the News](#) which contains summaries of newspaper articles and media releases relevant to native title.

9. Native Title Publications

Books:

M Langton & J Longbottom (eds.), *Community Futures, Legal Architecture: Foundations for Indigenous Peoples in the Global Mining Boom*, Routledge, 2012.

Abstract: How are indigenous and local people faring in their dealings with mining and related industries in the first part of the 21st century? The unifying experience in all the resource-rich states covered in the book is the social and economic disadvantage experienced by indigenous peoples and local communities, paradoxically surrounded by wealth-producing projects. Another critical commonality is the role of law. Where the imposition of statutory regulation is likely to result in conflict with local people, some large modern corporations have shown a preference for alternatives to repressive measures and expensive litigation. *Community Futures, Legal Architecture: Foundations for Indigenous Peoples in the Global Mining Boom* features two chapters specific to native title: 'Native title agreements, taxation and economic development in Australia' by Lisa Strelein and 'The income tax exempt charitable structure as a vehicle for holding Australian native title interests: some lessons from New Zealand' by Fiona Martin. See <http://www.routledge.com/books/details/9780415518215/> for more information.

S Belmessous (ed.), *Native Claims Indigenous Law against Empire, 1500-1920*, Oxford University Press, 2012.

Abstract: This collection of essays shows that from the moment European expansion commenced through to the twentieth century, indigenous peoples from America, Africa, Australia and New Zealand drafted legal strategies to contest dispossession. The story of indigenous resistance to European colonisation is well known. But *legal* resistance has been wrongly understood to be a relatively recent phenomenon. These essays demonstrate how indigenous peoples throughout the

world opposed colonisation not only with force, but also with ideas. They made claims to territory using legal arguments drawn from their own understanding of a law that applies between peoples - a kind of law of nations, comparable to that being developed by Europeans. The contributors to this volume argue that in the face of indigenous legal arguments, European justifications of colonisation should be understood not as an original and originating legal discourse but, at least in part, as a form of counter-claim.

Media Releases:

ORIC

Costs decision in Dunghutti elders case

- The Registrar of Indigenous Corporations, Mr Anthony Beven, has today noted the decision of the Full Federal Court to dismiss his application for costs against the former directors of the Dunghutti Elders Council (Aboriginal Corporation) RNTBC. [See the ORIC website for more details.](#)

Queensland South Native Title Services

Evidence-based native title approach endorsed by experts and traditional owners

- An evidence-based approach to native title has been endorsed by key experts in response to turmoil in the prosecution of claims in southern Queensland. [See the QSNTS website for more details.](#)

Yamatji Marlpa Aboriginal Corporation ('YMAC')

YMAC speaks out on proposed reforms

- The Western Australia Minister for Indigenous Affairs has released a discussion paper on proposed changes to the *Aboriginal Heritage Act 1972* (WA). YMAC is of the view that the proposals focus too much on the approval process for industry and not enough on improving processes for the effective conservation and protection of Aboriginal heritage sites. [See the YMAC website for more details.](#)

Television Program:

Four Corners, ABC 1

Judgement Day - 7 May 2012

Twenty years after the High Court's *Mabo* judgement, Liz Jackson reports on the impact of this historic judgment, the reaction it inspired and the inside story of the negotiations to create the law that would pave the way for native title. Four Corners hears from the power brokers who forced the nation to confront its history, and their critics.

[To watch this episode of Four Corners or to read the transcript, visit the ABC website.](#)

Podcasts:

Indigenous.gov.au

Newslines Radio: City spirit of Perth's Noongar - April 2012

The Noongar people of Perth are keeping their community together and their culture strong.

[To listen to this podcast or to read the transcript, visit the indigenous.gov.au website.](#)

SBS Radio

Working differently with traditional owners - April 2012

An Aboriginal-run business in the Pilbara region of Western Australia says it's trying to change the way mining companies deal with traditional owners.

[To listen to this podcast or to read the transcript, visit the SBS website.](#)

Newsletters:

Central Land Council, [Land Right News Central Australia](#), April 2012.

South Australia Native Title Services, [Aboriginal Way](#), Issue 48, March 2012

10. Training and Professional Development Opportunities

The Aurora Project

See the [Aurora Project: 2012 Program Calendar](#) for information on training and personal development for staff of native title representative bodies, native title service providers, and RNTBCs.

Anthropology in the Aftermath of Native Title

Date: 21-22 June 2012

Time: 9:00am-5:00pm

Location: The University Club of Western Australia, Hackett Drive (Entrance #1, Carpark #3), Perth

Registration: Contact Dr Pamela McGrath by email pam.mcgrath@anu.edu.au or phone (02) 6125 5859

Cost: Registration is free but places are limited, so register your interest early to secure your place

The Centre for Native Title Anthropology at the Australian National University and the Anthropological Society of Western Australia are hosting a two-day symposium exploring the practice of anthropology in a post-native title context. The program includes keynote lectures by Dr David Martin and Dr Kingsley Palmer, and case study presentations of PBC research projects. Topics include the post-determination management of native title research materials, anthropology and cultural heritage, social mapping projects, access to court materials, and research and governance.

11. Events

Mabo 20 years on: forum

Date: 30 May 2012

Time: 6:00pm-7:00pm

Location: Visions Theatre, National Museum of Australia, Lawson Crescent, Acton Peninsula, Canberra

Registration: Bookings essential by email bookings@nma.gov.au or phone (02) 6208 5021

Cost: Free

Join singers, dancers, politicians and members of the community to celebrate the 20th anniversary of the Mabo High Court decision which recognised that Eddie 'Koiki' Mabo and others held native title to land on Murray Island (Mer) in the Torres Strait. This will be presented by the ACT Torres Strait Islanders Corporation, in partnership with the National Museum of Australia.

For more information see the [National Museum of Australia website](#).

World Premiere of film *Mabo* at Sydney Film Festival

Date: 7 June 2012

Time: 8:35pm

Location: State Theatre, 49 Market Street, Sydney

Cost: \$14.50-\$17.50

Twenty years after the historic *Mabo* decision, the moving life story of Eddie and Bonita Mabo comes to the screen in a feature directed by Rachel Perkins (*Bran Nue Day*, *First Australians*) and written by Sue Smith (*Bastard Boys*, *Brides of Christ*). As a young man Eddie 'Koiko' Mabo (Jimi Bani) is exiled from his Torres Strait Island home by the authorities. He takes a railroad job and soon learns the reality of being a blackfella in a whitefella's world, including being banned from places frequented by white colleagues. One hot night, he spots a beautiful young woman and his world lights up. Bonita (Deborah Mailman) becomes his wife, the mother of his 10 children and the force that sustains him. The story of their enduring relationship, both tender and fierce, is set against the background of Eddie's High Court challenge, which overthrew the fiction of *terra nullius*.

For more information and to buy tickets, visit the [Sydney Film Festival website](#).

12. Conferences

National Native Title Conference 2012 - Echoes of Mabo: Honour and Determination

Date: 4–6 June

Time: 9am-5pm each day

Location: The Townsville Entertainment and Convention Centre, Townsville Queensland

Registration: For registration information go to <http://wired.ivvy.com/event/NT2012> or contact Jenny on (02) 6261 4250 or Jennifer.Jones@aiatsis.gov.au

Cost: ranges between \$550 and \$990

The 2012 Annual National Native Title Conference will be convened AIATSIS and North Queensland Land Council (NQLC) on the traditional lands of the Townsville area.

The Native Title Conference is an opportunity for people to come together and engage in debate, including native title holders and claimants, traditional owners, native title representative bodies and service agencies, the Federal Court, National Native Title Tribunal, Commonwealth and state government agencies, academics, consultants and industry representatives. The 2012 Native Title Conference will be celebrating 20 years since the *Mabo* case recognised native title in Australia.

This year's conference " Echoes of Mabo: Honour and Determination " is reflected in the following themes:

- Recognition, Reform, Revolution
- Leadership and Legacies
- Families and Youth
- Culture and Country

Relevant topics within these themes include: decision making, case law, the experiences of Prescribed Bodies Corporate, compensation, water, hunting practices, cultural life, joint management, anthropology and legal practice, mediation and dispute resolution, document and information management, making and implementing agreements, benefits, economic development, local government planning regimes, health, governance, weeds, housing, climate change, heritage, lateral violence, history, language, funding, policy, legal reform, environmental issues, international comparisons, research and statistics, sovereignty, social relationships, theoretical developments future trends, and reflections on the last 20 years.

Registrations now open online. For more information see the [Native Title Conference 2012 website](#).



The banner features a yellow and orange curved background on the left with the text: "Worldwide knowledge and understanding of Australian Indigenous cultures, past and present" and the website "www.aiatsis.gov.au". The main text in red and black reads: "REGISTRATIONS NOW OPEN NATIONAL NATIVE TITLE CONFERENCE 2012". Below this, it says "TOWNSVILLE 4-6 JUNE 2012" and "Celebrating the 20th Anniversary of the Mabo decision". On the right, there is a portrait of a smiling person and the AIATSIS logo.