

## What's New January 2008

### Cases

#### Australia

##### ***Doyle & Ors on behalf of the Kalkadoon People #4 v State of Queensland* [\[2007\] FCA 1941](#)**

Directions hearing concerning the Kalkadoon People #4 claim. Prior to the lodgement of the claim there were a number of claims in existence that were withdrawn. The applicant (Mr Taylor) was a member of an applicant group in the withdrawn claims but was no longer a part of the Kalkadoon #4 claim. He filed a notice of motion seeking to be joined as a party to the proceedings and for an order that the proceedings be struck out for failing to comply with the authorisation requirements of the *Native Title Act 1993* (Cth). However Justice Dowsett found that the claim was properly authorised. His Honour noted that it was clear that he was still a member of the claim group and it was open to him to convene a meeting and propose a solution.

##### ***Ngadjon-Jii People v State of Queensland* [\[2007\] FCA 1937](#)**

Native title consent determination.

##### ***Murgha v State of Queensland* [\[2008\] FCA 33](#)**

This decision considers the validity of land granted under a deed of grant of land in trust (DOGIT). It focuses on the irregularities in the application and the effect of these irregularities in the exercise of statutory power.

### International Developments

#### **First Nations Leadership Council**

First Nations Leaders from across British Columbia have issued a declaration affirming Aboriginal Title to their respective traditional territories across British Columbia. The declaration entitled "All Our Relations", celebrates the victory of the Tsilhqot'in and Xeni Gwet'in peoples in the BC Supreme Court decision in *Tsilhqot'in Nation v. BC*.

#### **Indian Ministry of Tribal Affairs**

Salient Features Of The Scheduled Tribes And Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act. The Bill can be [accessed here](#).

#### **Millennium Challenge Account, Ghana**

The Millennium Development Authority (MiDA), which is responsible for implementing and managing the Millennium Challenge Account (MCA) Ghana Programme and the Ministry of Lands, Forestry and Mines has signed a 6.25 million-dollar implementing entity agreement to facilitate registration of land rights in rural communities and enhance farmers' access to land. Details of the agreement can be [accessed here](#).

## Native Title in the News

- [NTRU Native title in the News](#)

## Publications

Crook, R '[The Law, Legal Institutions and the Protection of Land Rights in Ghana and Côte d'Ivoire: Developing a More Effective and Equitable System](#)', IDS Research Report 58, Institute of Development Studies at the University of Sussex, 2007.

South, A, '[Displacement and Dispossession: Forced Migration and Land Rights in Burma](#)' COHRE Country Report, The Centre on Housing Rights and Evictions (COHRE), Geneva, Switzerland, 2007.

['Beyond Formalisation :A land rights agenda for Norwegian development and foreign policy'](#) Forum Thematic Working Group on Land Rights, Norwegian Forum for Environment and Development, 2007.

## Procedural Directions

### Procedural Direction 9 of 2007

Specific actions to be taken by the Registrar, members and employees of the NNTT in relation to native title applications.

### Federal Court Amendment Rules 2007 (No. 2)

Amends Order 78 consequential upon recent changes to the Native Title Act 1993 (Cth).

## Training and Professional Development Opportunities

- See the [Aurora Project: Program Calendar](#) for information about [Learning and Development Opportunities](#) for staff of native title representative bodies and native title service providers.