

# Native Title *newsletter*



AIATSIS

AUSTRALIAN INSTITUTE OF ABORIGINAL  
AND TORRES STRAIT ISLANDER STUDIES

Issue 1 | 2019

# Welcome!

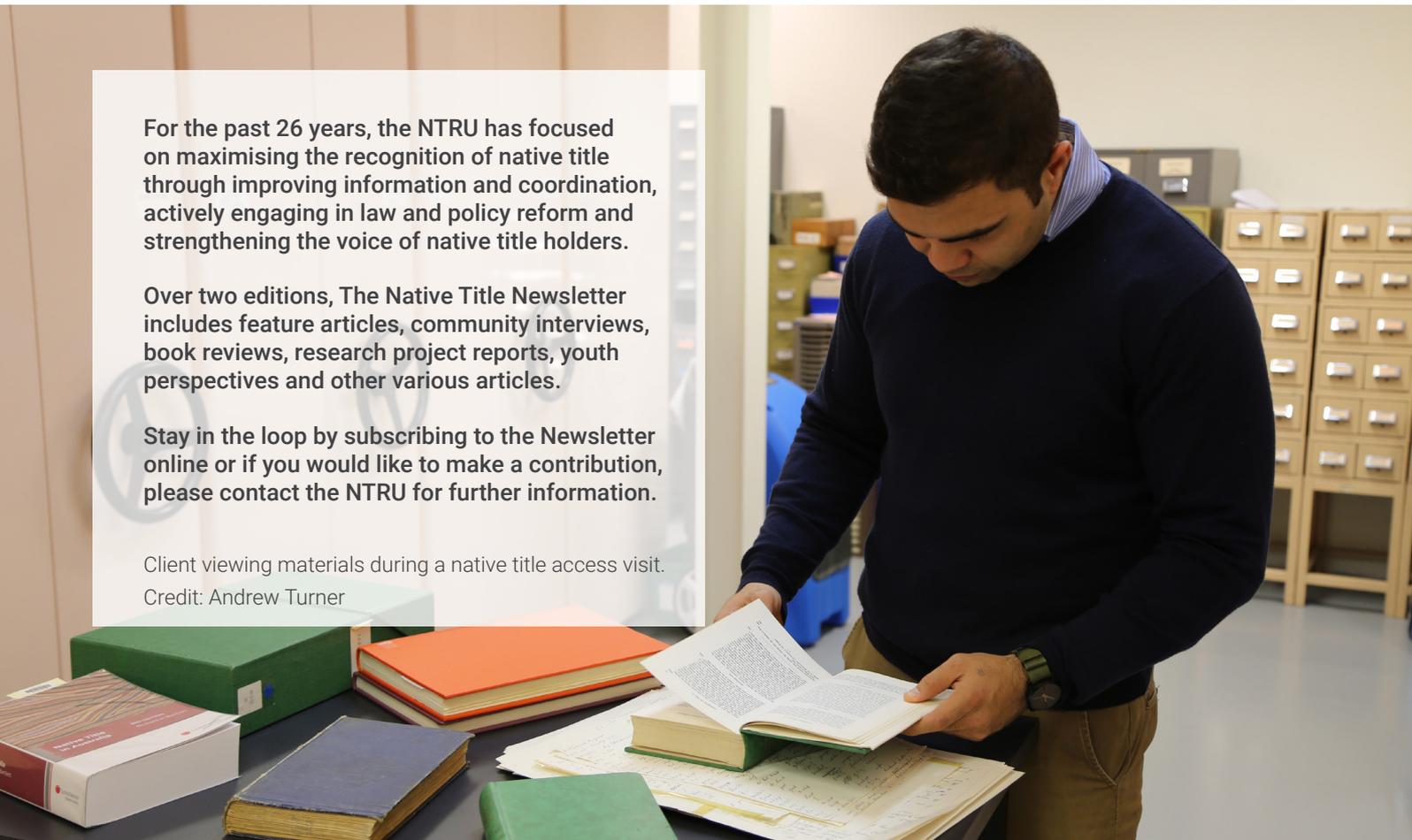
## to the Native Title Newsletter 2019

For the past 26 years, the NTRU has focused on maximising the recognition of native title through improving information and coordination, actively engaging in law and policy reform and strengthening the voice of native title holders.

Over two editions, The Native Title Newsletter includes feature articles, community interviews, book reviews, research project reports, youth perspectives and other various articles.

Stay in the loop by subscribing to the Newsletter online or if you would like to make a contribution, please contact the NTRU for further information.

Client viewing materials during a native title access visit.  
Credit: Andrew Turner



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AIATSIS acknowledges the funding support of the Department of the Prime Minister and Cabinet.

Cover: Mer (Murray) Island, Torres Strait Islands.

ISSN: 1447-722X

Editors: NTRU Information Services Team, AIATSIS.

Design and typesetting: AIATSIS.

Printed by: University Printing Service, ANU.

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# CONTENTS

4

INTRODUCING  
THE NATIVE TITLE  
RESEARCH  
UNIT TEAM

5

PBC SURVEY  
2019



6

FAR WEST COAST  
ABORIGINAL  
CORPORATION  
PBC PROFILE

7

NTRB LEGAL  
WORKSHOP 2019

8

PBC INTERVIEW  
WITH LUI NED DAVID



10

GOVERNANCE TRAINING  
FOR THE NEXT  
GENERATION  
OF LEADERS



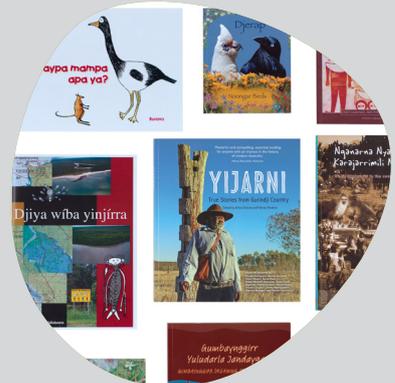
12

ABORIGINAL RIGHTS  
MUST BE RESPECTED  
IF THE MURRAY-DARLING  
IS TO SURVIVE



15

TRAUMA INFORMED  
PRACTICE: WORKING WITH  
COMMUNITIES AFFECTED  
BY INTERGENERATIONAL  
TRAUMA AND MANAGING  
VICARIOUS TRAUMA



18

INTERNATIONAL  
YEAR OF INDIGENOUS  
LANGUAGES

# Introducing THE NATIVE TITLE RESEARCH UNIT TEAM

BY HELEN WRIGHT, AIATSIS

The Native Title Research Unit (NTRU) undertakes research and policy advice. The team is committed to working and partnering with individuals, communities, partners, stakeholders and governments to conduct innovative evidence based ethical research that directly benefit the communities we work with.

In the year we celebrate AIATSIS' 55th anniversary, the NTRU continues to articulate national priorities in native title through our research, publications, projects, workshops and training and we are committed to generating pathways for genuine knowledge exchange.

The NTRU has undergone some changes since we last introduced the team to you. Some faces you will recognise and some faces are new, but the great work continues. While we will not be holding our National Native Title Conference in 2019, planning is under way to deliver the NTC in June 2020. More details will be made available on our website soon.

Other key priorities the team will be focused on this year include:

- PBC Survey
- Youth In Native Title project
- The Native Title Newsletter
- Issues papers

- Discussion papers
- The PBC Website
- Native Title Collections Access
- The Native Title Law Database
- Delivery of training and support of PBCs through workshops and network meetings, and
- The production of PBC support materials.

We welcome your feedback on the work we do. If you have any comments about how we could do things better or to provide us with information, please contact us at [ntru@aiatsis.gov.au](mailto:ntru@aiatsis.gov.au).



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By LUKE SMYTH, AIATSIS

Starting this month the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), the National Native Title Council (NNTC) and CSIRO are conducting a survey of all Prescribed Bodies Corporate (PBCs). The aim of the survey is to gather information about the work PBCs do, their plans and visions for the future, the challenges they face and what they need to achieve their goals. This survey follows on from the PBC Capability Survey that AIATSIS conducted in 2013.

The survey is now open and closes on 31 August this year. It has only 20 questions and doesn't ask for any sensitive or private information. You don't have to do the survey, but it is a chance for your PBC to be heard and make sure your views and experiences are counted.

There are a few different ways to do the survey:

- Online at [www.nativetitle.org.au/form/pbc-survey-2019](http://www.nativetitle.org.au/form/pbc-survey-2019)
- Over the phone; see below for details
- Print a hard copy, fill it in and mail it back

Members of the project team will also be attending a number of native title events around the country where PBCs will be able to find out more information and also complete the survey face-to-face.

The survey is intended to be completed by directors or CEOs of PBCs, but it is up to PBCs how they want to do it. We recommend checking out the questions before completing the survey, just in case you need to double check any information.

For NTRBs and NTSPs, if it is appropriate we are happy for members of your PBC support team or similar to complete the survey on behalf of PBCs with their permission, particularly small or new PBCs that otherwise might not take part.

Once the survey has been completed, a report on the findings will be published. The report will be available to governments to help inform policy design for PBCs, and it can be used by native title groups to argue for better support for PBCs into the future.

You can get more information on the survey, why we are running it, how it works and what you can expect from it, at [www.nativetitle.org.au/form/pbc-survey-2019](http://www.nativetitle.org.au/form/pbc-survey-2019)

If you have any questions or would like to book in a time to do the survey over the phone with one of our team please contact:

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BY TREA MONGTA, **AIATSI**S

**T**here have currently been around 367 successful native title determination outcomes across Australia, with almost 200 organisations known as Prescribed Body Corporates (PBCs) established to administer native title lands on behalf of native title claim groups. The Far West Coast Aboriginal Corporation (FWCAC), located on the West Coast of South Australia, is a great example of a PBC that is successfully kicking goals for their community.

The history of FWCAC's native title application process first started back in 1995 with the Mirning people's application. Their application became the sixth between overlapping native title application's. The other applications made by the Wirangu People, Kokatha People, Yalata People, Maralinga Tjaratja People and the descendants of Edward Roberts. The applicants came together to lodge the one combined native title application under the one shared vision about achieving native title rights in 2006, almost a decade after the first application had been made.

The consolidated claimant group then incorporated as the Far West Coast Traditional Lands Association (a predecessor of FWCAC) back

in 2008 and in the same year, they successfully negotiated a Native Title Mining Agreement with Iluka Resources Pty Ltd, securing economic development and investment opportunities for their members and Aboriginal peoples living in the Far West Coast region.

On the 5th December 2013, after 18 long years, the Federal Court made a determination that native title exists in parts of the determination area. Since determination, the members of FWCAC have successfully governed their PBC and have used their royalties to diversify their operations by creating a few entities that deliver different services.

Some of the Far West Coast Group of Entities are:

- Far West Coast Investments Pty. Ltd
- The Far West Coast Aboriginal Community Charitable Trust
- Far West Mining and Civil Pty. Ltd.

The aims of the Far West Coast Group of Entities are to maximise business and economic opportunities, ensure native title rights to traditional lands are exercised and maintained, enhance the recognition and respect of the Aboriginal cultures and

heritage and to provide support to the members and Aboriginal people living in the native title area.

The Far West Coast Aboriginal Corporation continues to successfully manage and govern the organisation and is working towards financial security and independence to ensure the return of profits to its members remains viable well into the future especially after mining activities cease.

You can find out more about the Far West Coast Aboriginal Corporation and the Far West Coast Group of Entities, their separate portfolio areas, responsibilities and priorities at <http://www.fwcac.org.au>.

More information can be found at:

Radio Adelaide:

<http://radioadelaide.org.au/2018/11/23/native-title-and-far-west-coast-investments/>

National Native Title Tribunal:

[http://www.nntt.gov.au/searchRegApps/NativeTitleRegisters/Pages/NNTR\\_details.aspx?NNTT\\_FileNo=SCD2013/002](http://www.nntt.gov.au/searchRegApps/NativeTitleRegisters/Pages/NNTR_details.aspx?NNTT_FileNo=SCD2013/002)

Native Title Website PBC Profile:

<https://www.nativetitle.org.au/find/pbc/7985>



## NTRB LEGAL WORKSHOP 2019

BY STEPHANIE KERR, AIATSIS

Over fifty lawyers from various Native Title Representative Bodies and Service Providers (NTRB/SPs) gathered at the Mercure in Sydney on 20-22 February 2019, to share and develop their knowledge of contemporary native title legal issues. The product of a partnership between AIATSIS and the Jumbunna Institute for Indigenous Education and Research at UTS, the legal workshop ran for three days and featured presentations by lawyers on specific issues related to native title, facilitated open discussions, and advocacy training.

In attendance were legal professionals from Carpentaria Land Council, Central Desert Native Title Services, First Nations Legal & Research Services, Goldfields Land and Sea Council, Kimberley Land Council, National Native Title Council, North Queensland Land Council, Northern Land Council, NTS Corp,

Queensland South Native Title Services, South Australian Native Title Services and members of the Bar.

Day one of the workshop included presentations on exclusive possession native title, the regulation of legal practitioners in native title, limiting the liability of PBCs, working with PBCs and traditional owner engagement in Victoria. Legal research fellow at AIATSIS Cedric Hassing presented along with Cleonie Quayle from CIRCA Research on intergenerational and vicarious trauma, the racialised context of native title law and the need for trauma-informed practice in native title which seeks to support and empower clients. This presentation in particular received much positive feedback as an important and engaging topic, with many commenting that they would like to see extended sessions on this in future workshops.

Day two included presentations on the *Tjungarrayi v Western Australia*; *KN (Deceased) v Western Australia* High Court appeal, alternative dispute resolution models, the Victorian treaty process, compensation in native title claims post *Commonwealth v Griffiths*, and compromise in the recognition of native title. Dr Lisa Strelein, Executive Director of Research and Education at AIATSIS presented on the intersection of native title, treaty and sovereignty.

Day three included advocacy training by Rob Blowes SC and Susan Phillips. This also received much positive feedback.

Overall, the workshop provided a unique and valuable opportunity for skilled native title legal professionals to share their own experiences and insights, as well as learn from and engage with others to broaden their knowledge of contemporary native title issues.



# PBC INTERVIEW WITH *Lui Ned David*

BY IAIN JOHNSTON, AIATSI

**A**s part of the ongoing PBC website redevelopment ([nativetitle.org.au](http://nativetitle.org.au)), Mike Cawthorn and AIATSI conducted interviews with PBCs from across Australia about how they look after their native title rights. This article reflects upon the interview with Lui Ned David from the Magani Lagaugal (Torres Strait Islanders) Corporation.

Lui Ned David, the chair of Magani Lagaugal, was interviewed during the National Native Title Conference 2018 (NNTC 2018), where he discussed his PBC's experiences of dispute resolution processes concerning native title governance and Torres Strait Islander culture. The Magani Lagaugal (Torres Strait Islanders) Corporation administers land on behalf of the lama people and Tudulaig people. The lama and Tudulaig own parts of lama (Yam) Island, Zagai Island, Tudu Island and Cap Islet in the Torres Strait under the lama Islanders determination (also known as the Tudulaig People determination) which came into effect in 2005. Ned discussed his PBC dispute resolution processes from his

experience of holding the chair of Manani Lagaugal for more than 10 years:

*Land disputes and arguments around who own this or where boundaries are, in terms of each community in the Torres Strait [and] I suspect even down to Cape York to a certain extent, these are not new things, they are not recent. The court records for a lot of councils, like Murray Island, has land dispute records going back to the 1800s.*

As Ned explained, disputes are inevitable but they are also part of any healthy corporation. However, for PBCs there are some unique challenges and disputes that other types of corporations don't regularly face. The CATSI Act requires that all constitutions include a process for dealing with disputes. ORIC also includes information about basic dispute resolutions processes in The rule book – info-kit and The rule book - condensed (see also the PBC website's dispute management section). However, often these resources are not tailored to the specific needs of a PBC or are too general. Ned explained:

*We had [a] process to deal with disputes in the rule book, which was totally flawed because it basically said [that for] any dispute... we'll do the normal sort [of] thing, you write in or whatever "this is what I..." and the board of directors will just make a decision on it. But we can't work like that... [Because] there's myself and seven other directors that make up the board, [and] five of us are from the one family, Davids. Can you imagine [us] making a decision for another family, you're asking for war. That was instantly not accepted by anyone including ourselves... I wasn't going to be party to that.*

Ned highlighted how PBCs must often act like any other corporation in Australia, but are also governed by families or cultural groups who must make decisions, sometimes deeply personal decisions, for Country. This is a situation that other corporations do not regularly consider, but from whom much of the advice and dispute resolutions processes given to PBCs have developed. While well managed dispute resolution processes can

Above: Mer (Murray) Island, Torres Strait Islands.

Right: Mer (Murray) Island, Torres Strait Islands.

produce positive outcomes and strengthen a corporation, it can be extremely difficult when these decisions affect certain places or families more than others. Ned described how Magani Lagaugal's initial dispute resolution processes were inadequate for their corporation and discussed how they redeveloped their processes:

*This one particular dispute, in the last five years, kept coming to every meeting. We knew that this wasn't something that was going to go away... We [re] going to have to find some sort of closure soon because every meeting we're having is dominated [d] by this one dispute. It kept coming up. Interestingly enough and I hear this a lot, "it's easy, just get a council of Elders and they'll have look at this and that [and it] will be done and dusted". I'm sorry but it doesn't work like that... we don't really have this thing called a 'Council of Elders'; there really is no such thing, not for us anyway in the Torres Strait. Traditionally we have the Kod, which is like a council. It's made up of people that have knowledge, have status and more importantly have the authority. They make all the decisions. Now a Kod hasn't functioned since [the] 1920s, 1910 or maybe even before, certainly not for Yam Island.*

While reinstating a Kod was the preferred option, Ned explained that it wouldn't be simple:

*We knew that we couldn't necessary get a Kod type arrangement in place... You know some of those things that were strong held beliefs, part of the tradition, like the male dominated Kod. We would have to say we're going to change that.*

Ned, with his co-authors Keith Pabai and Cassie Lang, presented a paper at the NNTC 2018 about how Magani Lagaugal developed a Dispute Resolution Council (DRC) in order to manage their dispute resolution processes. In his presentation, Ned explained that often people in his community would seek dispute

resolution from external providers; however, it didn't solve the disputes for long and was often expensive for the PBC. Therefore, Magani Lagaugal decided that, in collaboration with legal experts Dr Lisa Strelein and Cassie Lang, they would develop a Dispute Resolution Council that would incorporate the important principles of a Kod, *knowledge, status and authority*, and the laws of today. As part of this process Magani Lagaugal members spent time undertaking their own research to work out who owned and who can speak for which parts of their Country. They also decided that the Dispute Resolution Council would not follow a family group membership model but would be made up of elected members with attributes that the community had decided were important for dispute resolution. Ned described that creating the council was not the final step:

*There was a lot of work done with the group [DRC members] about how to... [and] what to consider, like making sure that the Elders are given all the information and... [that they] understand [they're] going to do somethings that a Kod use[d] to do, like making some big decisions and this is what you need [to] make sure you do by the rule book. These are the rules that the rule book says, these are the laws of the day. Be clear about this is this family; this is this person disputing this person. All those things we run through so that they're [DRC members] absolutely clear about what the issue was and how to conduct the actual hearing in a fair and open process.*

Ned concluded his interview by reflecting upon Magani Lagaugal's experience of developing their Dispute Resolution Council.

*I'm reflecting now, and I'm glad it happened [the dispute mentioned above] because it made us do this, create this. Any potential disputes or new disputes that come - this is how we're going to deal with it. This is going to be the process. We are fortunate to have people who understood the law of today so that what we did didn't breach any of the rules that ORIC's got in our rule book, didn't break any of the laws of today's laws commonwealth or state... They had a look at what we'd done and quality assured the thing from start to finish. We all sat and looked at everything and all agreed, and we drew the membership from all those families to become part of this Dispute Resolution Committee. There are people there, members of that group that are quite young, not young, young like me but still we wouldn't call them your Elder. But they have all those things knowledge status authority and they can deal with stuff.*

The interview described in this article is viewable in the dispute management section of the PBC website. See also:

See Lui Ned David, Keith Pabai & Cassie Land, 2018, Dispute resolution in the Torres Strait: How we combined the two laws and practices, presented at National Native Title Conference 2018 - Many Laws, One Land, 5 -7 June 2018, Broome, WA.





BY STACEY LITTLE, AIATSIIS

The inaugural Indigenous Youth in Governance Masterclass was held in Melbourne on 20 November 2018 by the Australia Indigenous Governance Institute (AIGI) in partnership with the Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS), Reconciliation Australia and BHP Billiton Foundation. The nearly 50 young Aboriginal and Torres Strait Islander people in attendance shared their knowledge and experiences of governing, and engaged with presentations from leading young Indigenous people from Australia and New Zealand.

The participants had diverse backgrounds in governance including university students, local and federal government agencies as well as the health, justice, advocacy, land rights, native title, community, business and environmental sectors.

The masterclass included presentations on governance principles and the influence and intersection of Indigenous culture on approaches to governance, before delving into Indigenous

governance in practice with a keynote from Annie Te One. Annie is a Ātiawa and Ngāti Mutunga woman from Wellington, New Zealand where she teaches Māori studies at the Victoria University of Wellington. Annie spoke about Māori governing values and practices and the need for Indigenous political systems to exist alongside Western equivalents. Annie highlighted the importance of Indigenous languages to understanding, expressing and asserting

Indigenous forms of governance.

A panel of young Indigenous leaders in the health, advocacy and justice, and land rights sectors discussed 'Agitating for Change' based on their experiences of working in governance. Cherisse Buzzacott is an Arrernte/Arabunna woman from Alice Springs, currently residing in Canberra, and is the Project Officer for the Birthing on Country Project with the Australian College of Midwives. Cherisse spoke about the importance of surrounding



Above: The masterclass participants.  
Credits for all images: Andrew Turner





Indi Clarke, Cherisse Buzzacott and Sally Scales on the Agitating for Change panel.



Annie Te One delivered the keynote address.



yourself with allies and a strong support network when agitating for change. Indi Clarke is a proud Mutti Mutti & Lardil man with ties to Yorta Yorta, Wemba Wemba and Boon Wurrung. He is the Executive Officer of the Koorie Youth Council based in Narrm (Melbourne). Indi focussed on bringing young people together and supporting them to assert decision-making power. Sally Scales is a Pitjantjatjara woman from the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands. She is the Deputy Chair of the APY Executive Council and the youngest female board member

and youngest Deputy Chair in the history of the organisation. Sally spoke about the need for communities and organisations to invest in young people and consult them on decisions that affect them. Sally encouraged participants to be brave and seek opportunities to be involved in governing their communities.

The masterclass ended with an activity to help participants identify and build on their negotiation skills. Participants were able to reflect on the importance of understanding the power structures, local influences and the interests of

others when agitating for change, negotiating agreements or making decisions for their communities and organisations.

The next masterclass is scheduled for Monday 17 June 2019 in Darwin. Make sure you subscribe to AIGI and AIATSIS via the links below to keep up to date with future news and events.

AIGI: <http://www.aigi.com.au/contact-us/>

AIATSIS: <https://aiatsis.gov.au/news-and-events/newsletters>

<https://www.facebook.com/AIATSIS>





# Aboriginal rights MUST BE RESPECTED IF THE MURRAY-DARLING IS TO SURVIVE

BY STEPHANIE KERR, AIATSI

If the Murray-Darling River were a person, they would have almost no tears left to cry. With sections of the Basin, such as Menindee Lakes, at only three percent of their capacity, the Murray-Darling is unwell. It has suffered through extreme periods of drought, the gross over-allocation of its resources, and entire rivers have dried up. Most recently, severe toxic algae-blooms, which deplete oxygen from the water, have resulted in the killing of millions of its fish. As distressing images of cracked, arid river beds and mass floating graves of carp and perch signal the ill-health of the river, it is obvious that current water management is failing, with drastic consequences. However, personifying the Murray-Darling River represents more than just an attempt at humanising its plight; could it present a solution to its ailments and the accompanying crisis?

In 2017, the *Te Awa Tupua (Whanganui River) Claims Settlement Bill* was passed in New Zealand. This was momentous in not only settling its long-running legal battle and recognising the profound relationship of the *Whanganui Iwi* with the Whanganui River, but it also granted the River legal personality, making it one of the first waterways in the world to gain the status of an indivisible, whole living being with rights, duties and liabilities.<sup>1</sup> The Bill provides a new legal framework which promotes collaboration and the inclusivity of the local *Iwi* in the management of the River, and is underpinned by the distinctive, relational Maori worldview which perceives mountains and rivers not as impersonal subjects, but as ancestors.<sup>2</sup> A River guardian '*Te Pou Tupua*', comprised of two people, are elected to speak and

act as the 'human face' of the River; one nominated by the *Iwi*, and the other by a government minister. It is still too soon to evaluate its effectiveness, and there are various features of Aotearoa New Zealand's political system, such as the Treaty of Waitangi, which impact the capacity of the *Whanganui Iwi* to negotiate such a settlement. Important lessons can be learned and progress made by incorporating Aboriginal knowledge and cultural practices into water management and protection schemes.

Akin to the Maori relational understanding of water, there is a strong cultural association of water sources with Aboriginal law. Aboriginal connection to watercourses 'is tied to the spiritual creation of the lands and waters, and understood as a relationship to an animate object'.<sup>3</sup> Each Nation

Above: Murray Goulburn July 2017.

Credits for all images: Karen Nicholson.

has its own particular relationship and values associated with water.<sup>4</sup> The Barkandji People, whose name derives from the *Barka* (the Darling River), and meaning people of, or belonging to, the river,<sup>5</sup> represent the largest native title determination in NSW. Pivotal to Barkandji culture and teachings is the *Ngatji* (Rainbow Serpent) who created the lands and rivers. The River has remained at the core of their cultural identity: the Barkandji are responsible for the health and well-being of the Ngatji, just as the physical, social and mental wellbeing of the Barkandji people is inextricably linked to the River.<sup>6</sup> When a watercourse such as the Murray-Darling is in such a distressing state, the impact on the Aboriginal communities is equally as devastating. The recent Murray Darling Basin Royal Commission Report noted that the 'effects for the Barkandji people have been severe, with the added dimension of cultural and spiritual damage'.<sup>7</sup> Barkandji Traditional Owner Uncle Badger Bates commented on the strain on the Elders who have a responsibility for the transmission of culture who 'give up and pass away', as well as the increase in crime rates and suicide within the youth.<sup>8</sup>

In comparison to instruments such as the *Te Awa Tupua Bill*, the cultural water rights of Aboriginal persons have never been sufficiently and appropriately incorporated in Australian water policy. If tokenistic measures for Indigenous representation and participation have any value in their symbolism, Australia only just reaches even that low benchmark. In September 2017, the *Yarra River Protection (Wilip-gin Birrarung murrn) Act* was passed in Victoria which gave an 'independent voice' – rather than legal personhood – to the Yarra River through a statutory advisory body; yet the Act was underpinned by purely environmental concerns, and as such it lacks any legislative recognition of Indigenous aspirations and values.<sup>9</sup> Indigenous interests in the Yarra were entirely marginalised. Aboriginal cultural water rights and interests to the Murray-Darling have been consistently made subservient to the

economic and commercial interests of other stakeholders. Such disparity represents more than conflicting conceptions of water rights: rather, it embodies the gap between two incompatible cultural paradigms, where Western reconstruction of Aboriginal water values, particularly through native title, will reconstitute and misrepresent such traditions and laws such that 'they often bear little resemblance to Aboriginal ontological meanings'.<sup>10</sup> Western water management is founded on property rights which emphasise acquisition and control of the land, whilst under Aboriginal water and land concepts, 'water is valued holistically and water and land are inseparable from one another'.<sup>11</sup>

This Western preoccupation with ownership is evident in the *Water Act 2008* (Cth), which regulates the management of water resources in the Murray-Darling through the Murray-Darling Basin Plan. The Plan serves to integrate sustainable management of the Basin's resources and implement the provisions of relevant international agreements, underpinned by the objective of balancing competing water interests between the economy, the environment, and Basin communities: an objective which, unfortunately, it has failed to achieve. The Plan

does not extend beyond a superficial acknowledgment of the spiritual and cultural relationship of Aboriginal communities to water, and lacks any attempt at incorporating Aboriginal water values in water governance. The 2004 National Water Initiative is an intergovernmental agreement which seeks to establish a nationally consistent approach to water reform. Its guidelines hold that Water Sharing Plans (WSPs) should include the consideration of Indigenous water uses. Yet, the Initiative has been criticised for inadequately including Aboriginal peoples' understandings and relationships with water.<sup>12</sup> The Royal Commission criticised the weak statutory language requiring governments to merely 'engage' with and 'have regard' to Indigenous views in creating these WSPs.<sup>13</sup> In 2016, two WSPs were introduced within the Barkandji native title determination area, yet the Barkandji people were not consulted about the plan, and thus not given the opportunity to meaningfully exercise their native title rights, let alone their rights to free, prior and informed consent.<sup>14</sup> There are no procedural safeguards, nor is there any actual obligation to give weight to the views expressed; 'Barkandji people's views have been consistently marginalised in negotiations over water sharing and management'.<sup>15</sup>



On the Murray August 2017





On the Murray at Moama Aug 2017

The restrictive interpretation of water rights under native title diminishes the capacity of Aboriginal people, particularly as it excludes the exercise of anything other than non-economic rights.<sup>16</sup> Aboriginal nations along the Murray-Darling, including the Barkandji, have thus been demanding greater recognition of the ‘cultural flows’ associated with their title. Cultural flows has been defined as the ‘water entitlements that are legally and beneficially owned by the Indigenous Nations of a sufficient and adequate quantity and quality to improve spiritual, cultural, natural environmental, social and economic conditions of those Nations’.<sup>17</sup> A report published by the National Cultural Flows Research Project, which included extensive research by various groups such as the Murray Lower Darling Indigenous Nations, included a field study of the Toogimbie Wetlands in the Southern Basin. Here, for over fifteen years, traditional knowledge of the Nari Nari people has not only been acknowledged, but respected and embedded in water management such that the river flows were rebalanced and the cultural landscape restored.<sup>18</sup> The benefits were mutually flowing: the engagement with the Nari Nari people assisted in the re-surfacing of their own cultural knowledge, and was linked to ‘increased confidence, health and well-being, capacity

and self-reliance’.<sup>19</sup> Despite such positive outcomes, the proposals by the Research Project based on these findings have been at best ‘simplistically and restrictively translated by policymakers in essentialised ways to concern only what the state recognises as ‘cultural’ water uses’, and worst, not acknowledged at all.<sup>20</sup>

The government’s unwillingness to understand the significance of water resources to traditional owners and engage respectfully and proactively with Aboriginal communities in water management is ‘representative of greater power disparities and asymmetries that are not limited to water, but extend across natural resource governance’.<sup>21</sup> The issue clearly extends beyond the cracked riverbeds of the Murray-Darling, but for the time being, the disastrous state of the river may be crisis enough to be an impetus for change. Virginia Marshall argues for a paradigm shift in which Australian water policy is informed by Aboriginal communities to appropriately interpret Aboriginal meaning, and reconstructed to incorporate cultural and economic water rights and interests.<sup>22</sup> The Barkandji people describe the Murray-Darling as their ‘lifeflood’, and the Ngarrindjeri people commented that ‘it is life, gives life and is living’.<sup>23</sup> The Yorta Yorta people acknowledge that ‘it has a

life of its own as being an entity unto itself’.<sup>24</sup> The Murray Darling may be far off from being granted legal personality as in New Zealand, but according to the First Nations of the Murray-Darling, the River is very much alive, albeit not alive and well.

<sup>1</sup> Katie O’Bryan, ‘Giving a Voice to the River and the Role of Indigenous People: The Whanganui River Settlement and River Management in Victoria’ (2017) 20 Australian Indigenous Law Review, 48-77

<sup>2</sup> Ibid.

<sup>3</sup> Virginia Marshall, *Overturing Aqua Nullius: Securing Aboriginal Water Rights* (Aboriginal Studies Press, Canberra, 2017) 3.

<sup>4</sup> Cultural Flows Planning and Research Committee, *Field Studies Final Report*, National Cultural Flows Research Project, South Australia, 2017, 24. <<http://www.culturalflows.com.au/images/documents/Final%20report.pdf>>

<sup>5</sup> Lana D Hartwig, Sue Jackson & Natalie Osborn, ‘Recognition of Barkandji Water Rights in Australian Settler-Colonial Water Regimes’ (2018) 7(1) Resources 5.

<sup>6</sup> Ibid 7.

<sup>7</sup> South Australia, *Murray-Darling Basin Royal Commission, Report* (2019), 475.

<sup>8</sup> ABC Radio, ‘The Cultural Impact of the Murray-Darling-Darling Water Crisis’, *Speaking Out with Larissa Behrendt*, 10 February 2019

<sup>9</sup> O’Bryan, above n i, 70.

<sup>10</sup> Marshall, above n iii, 99.

<sup>11</sup> Ibid 51.

<sup>12</sup> Hartwig, Jackson & Osborn, above n v, 8.

<sup>13</sup> South Australia, *Murray-Darling Basin Royal Commission, Report* (2019) 489.

<sup>14</sup> Hartwig, Jackson & Osborn, above n v, 14.

<sup>15</sup> South Australia, *Murray-Darling Basin Royal Commission, Report* (2019), 490.

<sup>16</sup> Marshall, above n iii, 215.

<sup>17</sup> Cultural Flows Planning and Research Committee, *Field Studies Final Report*, National Cultural Flows Research Project, South Australia, 2017, 7. <<http://www.culturalflows.com.au/images/documents/Final%20report.pdf>>

<sup>18</sup> South Australia, *Murray-Darling Basin Royal Commission, Report* (2019), 495.

<sup>19</sup> Cultural Flows Planning and Research Committee, *Field Studies Final Report*, National Cultural Flows Research Project, South Australia, 2017, 44. <<http://www.culturalflows.com.au/images/documents/Final%20report.pdf>>

<sup>20</sup> Hartwig, Jackson & Osborn, above n v, 18.

<sup>21</sup> Ibid 17.

<sup>22</sup> Marshall, above n iii, 214.

<sup>23</sup> South Australia, *Murray-Darling Basin Royal Commission, Report* (2019), 473.

<sup>24</sup> Ibid.

# Trauma Informed Practice: WORKING WITH COMMUNITIES AFFECTED BY INTERGENERATIONAL TRAUMA AND MANAGING VICARIOUS TRAUMA

BY CEDRIC HASSING, LEGAL RESEARCH FELLOW, NATIVE TITLE RESEARCH UNIT AND  
CLEONIE QUAYLE, RESEARCH CONSULTANT, CIRCA RESEARCH.

Appreciating and understanding the traumatising effects of native legal processes and the ongoing effects of ongoing intergenerational trauma upon Aboriginal and Torres Strait Islander communities is part of 'trauma informed practice' in Indigenous Peoples and the Law. For many Aboriginal and Torres Strait Islander communities of native title holders, the significant pressure to produce evidence of connection as part of the requirements in native title<sup>1</sup> compounds the effect of intergenerational trauma.

It is now well known that between 1930 to 1960 Australia wide, governments adopted assimilation policies for Aboriginal peoples. These policies were designed to achieve the ultimate biological assimilation into white Australia.<sup>2</sup> Or as Professor Irene Watson has correctly described it: 'A time when crimes of genocide were made lawful by the Aborigines Acts.'<sup>3</sup> To require communities of native title holders to demonstrate connection to their lands and waters, language and culture and 'prove' their native title without sufficient consideration of the impact of historical attempted genocide represents a form of ongoing trauma.

## colonialism and the legal system

It is important to examine the role of law in the emergence of race in the native title context<sup>4</sup> because law has been the channel through which racist policies have been argued and enforced by successive governments. 'Race

policies and philosophies mean little unless acted upon. Law has become the vehicle used to give policy credibility and political-social legitimacy. Policy becomes enshrined, achieving a kind of holy-writness, suggesting that the law has magical qualities beyond those of the men who enacted it.'<sup>5</sup>

Professor Watson has argued that the entire system of native title is fundamentally inadequate because it refuses to address the issue of Indigenous rights to land and the issue of sovereignty.<sup>6</sup> Invasion was accompanied by an entrenched belief at the time that non-white people were inferior to a white person,<sup>7</sup> which underpins the false conception of white supremacy. So much so that the first major legislative acts in the colony were focused on implementing the White Australia Policy.<sup>8</sup>

In Australia this dominant colonial ideology continues to make the oppression of Indigenous peoples seem normal.<sup>9</sup> These racialised fears are heightened by the native title process to and undermine the land justice aspirations of Indigenous Peoples.<sup>10</sup> As a result there is the impression that once racist policy becomes law it is extremely difficult to mount a successful challenge to such law. To revoke such racist laws enacted by parliament is a lengthy and difficult process, requiring many years of lobbying, and goodwill on the part of parliamentarians.<sup>11</sup> Repealing such laws is less likely to occur in a colonial legal system such as Australia where 'there is significant reluctance to disturb the colonial inheritance of 200

years of denial of the rights of Indigenous peoples'.<sup>12</sup>

## critical Race Theory and Intergenerational Trauma

It is important to remember the racialised context of native title law and the direct impact of institutionalised racism of Aboriginal and Torres Strait Islander people's rights before the law and in terms of their experiences with the legal system.<sup>13</sup> Critical Race Theory (CRT) explores the emergence of the nature of racial privilege.<sup>14</sup> In Australia the development of CRT has been evolving since colonialism, now considered Indigenous Critical Race Theory.<sup>15</sup> It has been pioneered in the writing of scholars such as Professor Irene Watson and distinguished Professor Aileen Moreton-Robinson.<sup>16</sup> The increasing impact of critical race theory in both the theoretical study of law (jurisprudence) and in broader terms, is of direct relevance to the lived experiences of Aboriginal and Torres Strait Islander communities in both a historical and contemporary setting.

The intergenerational trauma experienced by Aboriginal and Torres Strait Islander communities is connected to institutionalised racism and colonisation.<sup>17</sup> As a result of colonisation: Indigenous peoples have endured multiple forms of oppression and violence: attempted cultural genocide; legislated control of Indigenous identity and colonisation based upon economic social and political disadvantage, which continues to disproportionately affect Indigenous peoples.<sup>18</sup>



The historical and contemporary context of invasion and child removal overlap current experiences of grief and loss for Aboriginal and Torres Strait Islander communities. It is estimated that between 1 in 10 and 1 in 3 Indigenous children were taken from their families between 1910 and 1972-affecting most Aboriginal and Torres Strait Islander communities in Australia.<sup>19</sup> Today, Aboriginal children and young people grow up in chronic states of grief and loss. The loss of one person is an experience of grief to many people.<sup>20</sup> When looking at viable kinship systems, this loss of one person and the grief of many is softened largely by the kinship system alongside ceremony, knowledge-rich traditions and protocol that involve everyone in some way.<sup>21</sup> As Ambelin Kwaymullina writes: 'In the wake of colonialism, the damaged and broken connections between people and country mean that we can struggle to see our world and ourselves clearly.'<sup>22</sup>

Barker reflects on the experience of Indigenous Peoples in North America:

*Many Native Americans and current day anthropologists believe that historical trauma, or soul wounding, among Native Americans resulted from colonialism, acculturative stress, cultural bereavement, racism, and genocide that has been generalized, internalized and institutionalized....such trauma is cumulative, unresolved, historic and ongoing. While historical trauma has just begun to be accepted by mainstream psychologists, researchers have embraced the concept of historical trauma for the last several years in an attempt to explain the heightened risk of depression, traumatic stress, alcohol abuse, child maltreatment, and domestic violence that exists in Native American communities. To understand this soul wounding, one must understand the history of the Native American people.<sup>23</sup>*



### *Managing vicarious trauma and trauma informed practice*

Vicarious trauma is described as the negative transformation in the helper (therapist, advisor, lawyer, or other professional) that results from a period of empathic engagement with trauma survivors and their traumatic material, combined with a commitment or responsibility to help them. The greater the exposure to traumatic material, the greater the risk of vicarious trauma. People who work in services to which people with traumatic histories present seeking help, or who work with traumatic material are at particular risk. For professionals working in the native title area, exposure to communities experiencing disadvantage and intergenerational trauma and the traumatic processes involved in the gathering of connection evidence in native title matters makes managing vicarious trauma a matter of priority.<sup>24</sup>

Looking after personal wellbeing and the wellbeing of clients is interconnected.<sup>25</sup> Managing vicarious trauma for community liaison officers, legal advisers and other professionals engaged in the native title space is also a legal obligation of employers to act in the best interest of their employees. The potential exposure to damages for psychological injury is a reasonably foreseeable risk for professional staff engaged with clients who have experienced and continue to experience trauma or traumatic issues.<sup>26</sup> Having an effective

vicarious trauma management plan is the responsibility of all service providers in the native title field.

Trauma informed practice is ultimately an ethical responsibility for practitioners working in the area of Indigenous Peoples and the Law. Trauma informed practice is a framework grounded in an understanding of and responsiveness to the impact of trauma that emphasises physical, psychological and emotional safety for everyone and creates an opportunity for survivors to rebuild a sense of control and empowerment. This framework is informed by new knowledge around attachment, development, working with the body, memory and an understanding of self. Frameworks of care and treatment are changing from purely bio-medical or purely psychoanalytical to include the psycho-social or trauma-informed recovery focussed and recovery-oriented approaches.<sup>27</sup>

Appreciating the methodologies that will promote healing for Aboriginal and Torres Strait Islander communities in accordance with Indigenous epistemologies, knowledge and beliefs, and world views is also a part of trauma informed practice. Consulting and engaging with Aboriginal and Torres Strait Islander communities about the initiatives that promote healing is important<sup>28</sup> as is an efficient vicarious trauma management plan for professionals and other staff who work with Indigenous communities experiencing intergenerational trauma.

**Further information and resources:**

Blue Knot Foundation:

<https://www.blueknot.org.au/>

Dr Tracy Westerman, Indigenous psychology services: <https://indigenoupsychservices.com.au/>

We al-li: <https://wealli.com.au/>

- 1 Palmer, Kingsley *Australian Native Title Anthropology: Strategic Practice, the Law and the State* (ANU Press, Canberra 2018)
- 2 Gordon, Sue 'The effect of early Australian laws on Aboriginal people' in *Indigenous Australians, Social Justice and Legal Reform* (Editors Hossein, E., Worby, G., Tur, S. (Federation Press, Sydney 2016.) p125
- 3 Watson, Irene 'From a Hard Place: Negotiating a Softer Terrain' in *Indigenous Australians, Social Justice and Legal Reform* (Editors Hossein, E., Worby, G., Tur, S. (Federation Press, Sydney 2016.) p120. See also Watson, Irene, key note address to the National Indigenous Legal Conference: Aboriginal Peoples: our laws have always been here! University of Western Australia, 26 September 2018.
- 4 Watson, I. *Buried Alive* (2002) 13 *Law and Critique* 253; Watson, I. *From a Hard Place: Negotiating Softer Terrain* (2004) (7)(2) *Flinders Journal of Law Reform* 205
- 5 Colin Tatz, 'Racism, Responsibility and Reparation: South Africa, Germany and Australia' (1985) 31(1) *Australian Journal of Politics and History* 162, 165 cited in Bielefeld, S. *The dehumanising violence of racism the role of law* (D Phil thesis, Southern Cross University, 2010) available at: <https://epubs.scu.edu.au/cgi/viewcontent.cgi?article=1174&context=theses12>
- 6 Watson, I. *Buried Alive* (2002) 13 *Law and Critique* 253, 257.
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- 8 Ibid. 46- as cited in Bielefeld, S. *The dehumanising violence of racism the role of law* (D Phil thesis, Southern Cross University, 2010) available at: <https://epubs.scu.edu.au/cgi/viewcontent.cgi?article=1174&context=theses287>
- 9 Bielefeld, S. *The dehumanising violence of racism the role of law* (D Phil thesis, Southern Cross University, 2010) available at: <https://epubs.scu.edu.au/cgi/viewcontent.cgi?article=1174&context=theses9>
- 10 Watson, I. *Law and Indigenous Peoples: the impact of colonialism on Indigenous cultures'* (1996) 14(1) *Law in Context* 107, 108.
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- 12 Strelein, L, *Compromised Jurisprudence – Native Title cases since Mabo* (AIATSIS Research Publications, Canberra, 2006) 1
- 13 Moreton-Robinson, A. *Witnessing the Workings of White Possession in the Workplace: Leesa's Testimony* (2007) 26 *Australian Feminist Law Journal* 81, 82.
- 14 Delgado, R. and Stefancic, J. *Images of the Outsider in American Law and Culture: Can Free Expression Remedy Systemic Social Ills?* in Delgado and Stefancic (eds), *Critical Race Theory –The Cutting Edge* (2nd ed, 2000) 232
- 15 Bielefeld, S. *The dehumanising violence of racism the role of law* (D Phil thesis, Southern Cross University, 2010) available at: <https://epubs.scu.edu.au/cgi/viewcontent.cgi?article=1174&context=theses44>
- 16 See for example: Watson, I. *Settled and Unsettled Spaces: Are We free to Roam* (2005) 1(1) *Australian Critical Race and Whiteness Studies Association Journal* 40; Watson, I. *De-Colonisation and Aboriginal Peoples: Past and Future Strategies* (2007) 26 *The Australian Feminist Law Journal* 111; Moreton-Robinson, A. *The House that Jack Built: Britishness and White Possession* (2005) 1 *Australian Critical Race and Whiteness Studies Association Journal* 21, 21–22
- 17 Human Rights and Equal Opportunity Commission, *Bringing them home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families* (1997) 271–275; See also Australian Institute of Health and Welfare *Aboriginal and Torres Strait Islander Stolen Generations and Descendants; Numbers demographics characteristics and deselected outcomes* (2018), report available at: <https://www.aihw.gov.au/getmedia/a6c077c3-e1af-40de-847f-e8a3e3456c44/aihw-ihw-195.pdf.aspx?inline=true>
- 18 Bourassa, C., McKay-McNabb, Kim, Hampton, Mary 'Racism Sexism and Colonialism: The impact on the health of Aboriginal women in Canada' *Canadian Woman Studies*, Volume 24 (1)23: 27. See also *Manado (on behalf of the Bindunbur Native Title Claim Group) v State of Western Australia* [2017] FCA 1367 at [192]- [193]
- 19 <http://healingfoundation.org.au/stolen-generations/>
- 20 (2018) Australian Institute of Health and Welfare *Aboriginal and Torres Strait Islander Stolen Generations and descendants: numbers demographic characteristics and selected outcomes*: <http://healingfoundation.org.au/app/uploads/2019/02/Coping-with-the-Impacts-of-Trauma-Brochure.-Aer.-WEB.pdf>
- 21 *Intergenerational and collective trauma within Aboriginal and Torres Strait Islander Communities, Blue Knot Foundation Newsletter* (2016) available at: [https://www.blueknot.org.au/Portals/2/Newsletter/Blue%20Knot%20Foundation%20Newsletter\\_June%202016\\_WEB.pdf](https://www.blueknot.org.au/Portals/2/Newsletter/Blue%20Knot%20Foundation%20Newsletter_June%202016_WEB.pdf) 3
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- 24 In light of the recent decision of the High Court of Australia in *Northern Territory v Mr A. Griffiths (deceased) and Lorraine Jones on behalf of the Ngaliwurru and Nungali Peoples* [2019] HCA 7: the process of making applications for compensation for loss or extinguishment of native title will also involve examining what has been lost or extinguished in the native title context. 'In addition, the emerging international literature on indigenous health and wellbeing and intergenerational trauma may also yield concepts, language and other research that will aid in the task of assessing some of the deeper cumulative consequences of loss of connection to country'-See McGrath, Pam *Native Title Anthropology after the Timber Creek decision*, AIATSIS Issues Paper (2017) available at: [https://aiatsis.gov.au/sites/default/files/products/issues\\_paper/native\\_title\\_anthropology\\_after\\_the\\_timber\\_creek\\_decision.pdf](https://aiatsis.gov.au/sites/default/files/products/issues_paper/native_title_anthropology_after_the_timber_creek_decision.pdf)
- 25 See Healing Foundation: Coping with the impacts of trauma: <http://healingfoundation.org.au/app/uploads/2019/02/Coping-with-the-Impacts-of-Trauma-Brochure.-Aer.-WEB.pdf>
- 26 In the recent Victorian County Court decision of *YZ v The Age Company Limited* [2018] VCC 148 a former Age crime and courts reporter won \$180,000 in damages from the newspaper in a world-first court settlement after suffering psychological injuries from covering some of Victoria's most serious and gruesome crimes. The Victorian County Court judgment found that *The Age* failed in its duty of care for the journalist as she was repeatedly exposed to trauma and increasingly showing signs of psychological injury.
- 27 See Blue knot Foundation: Trauma Informed Practice <https://www.blueknot.org.au/Workers-Practitioners/For-Health-Professionals/Resources-for-Health-Professionals/Trauma-Informed-Care-and-practice>
- 28 Atkinson, J Nelson, J Brooks, R Atkinson, C Ryan K Working Together *Addressing Individual and Community Transgenerational Trauma* (2010)

# INTERNATIONAL YEAR OF *Indigenous Languages*

BY ALEXANDRA ANDRIOLO, AIATSIS

2019 has been declared by the United Nations General Assembly as the International Year of Indigenous Languages (IYIL2019). This is an opportunity for all Australians to celebrate and engage in a national conversation about our Indigenous languages and the fact that 90% are considered endangered.

## *Indigenous Australian languages today*

- More than 250 Indigenous Australian languages including 800 dialectal varieties were spoken on the continent at the time of European settlement in 1788.
- Today only 13 traditional Indigenous languages are still acquired by children.
- Approximately another 100 or so are spoken to various degrees by older generations, with many of these languages at risk as Elders pass away.

Aboriginal and Torres Strait Islander people across Australia are speaking out about the need to maintain, preserve and strengthen Indigenous Australian languages. We are now seeing a surge of energy, with people in many communities working to learn more about their languages, and to ensure they are passed on to the next generation.

*Strong cultural identity enables one to feel proud of themselves, and speaking and maintaining ones language raises self-esteem and enables one to feel good about themselves. Traditional language is important for maintaining strong cultural connections. Where traditional languages have been taken away from communities, a sense of loss, grief and inadequacy develops. To keep communities*

*and generations strong, traditional language being passed from one generation to another is vital.*

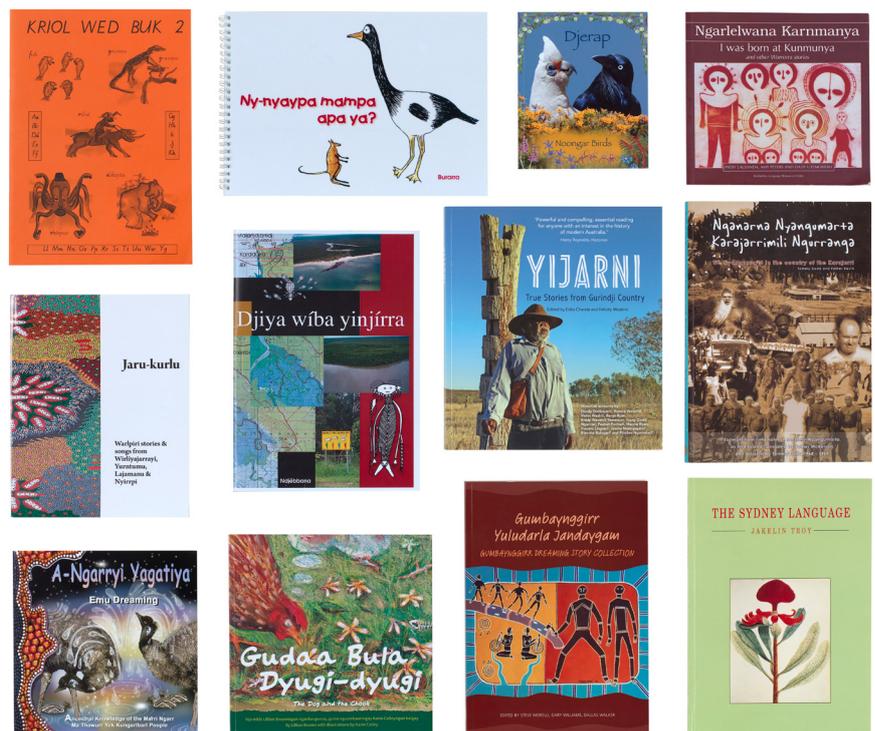
**Brooke Joy, descendant of Boandik people from the Mount Gambier region in South Australia** (Community, identity, wellbeing: The report of the Second National Indigenous Languages Survey, 2014)

## *AIATSIS and IYIL2019*

AIATSIS has planned a range of activities to take place throughout the year to celebrate and recognise the diversity of Australian Indigenous languages and their importance in supporting cultural resurgence for Aboriginal and Torres Strait Islander peoples, and in shaping our national identity.

A full list of events and detailed information will be added to our IYIL webpage (<https://aiatsis.gov.au/IYIL2019>) throughout the year. However, AIATSIS also has ongoing and specific programs highlighting Indigenous Australian languages in IYIL 2019.

The **AUSTLANG** database, contains 850 records of documented language varieties (languages, regional dialects, clan-based dialects) from referenced sources and about 300 records of “languages” which have been included in the historical record, but not confirmed. AUSTLANG supports the discovery of written and recorded materials about and in language. AUSTLANG language codes are currently being implemented in the National Library of Australia and Trove, demonstrating AIATSIS as a leader in this field for libraries across Australia and the world to follow.



The **AIATSIS Dictionaries project** is providing funding for final production stages of twenty dictionaries of Indigenous Australian languages. This includes dictionaries from all language contexts – languages still spoken such as Warlpiri (Central Australia), languages spoken by some Elders but not younger people such as Gija (north-east Western Australia), and languages revived from Elders' memories and historical sources such as Dhurga (south-east New South Wales).

In partnership with the Department of Communications and the Arts and Australian National University, AIATSIS is working on a **National Indigenous**

**Languages Report** to be released later this year. This follows our previous reports of National Indigenous Languages Surveys conducted in 2005 and 2014 and will provide the most updated, comprehensive account of Indigenous Australian languages.

The **AIATSIS Australian Indigenous Languages Collection** was established early in 1981 to bring together printed material written in Australian Indigenous languages. It now contains more than 4,500 titles and has been described as highly significant, leading to its inclusion in the UNESCO Australian Memory of the World Register.

The AIATSIS Languages Collection also includes a significant range and depth of unpublished manuscripts, audio and moving image items, many of which were compiled and recorded by early AIATSIS (AIAS) research grants. Since collections began in 1964, the AIATSIS Languages Collection has continued to support language maintenance and revival through our collection and sharing resources.

You can also join the conversation online using **#IYL2019** and **#IndigenousLanguages**.



# 2019 AIATSIS

## NATIONAL INDIGENOUS RESEARCH CONFERENCE

RESEARCH FOR THE 21ST CENTURY

**1<sup>ST</sup> TO THE 3<sup>RD</sup> JULY 2019 BRISBANE QLD**

## ANIRC 2019

The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) will co-convene the AIATSIS National Indigenous Research Conference with QUT in 2019. It will be held at QUT's Gardens Point campus in Brisbane over three days, 1 to 3 July.

The theme is Research for the 21st century. The 2019 conference will build on our previous themes of impact and engagement, to explore the interweaving strands of capacity of research and the transformative capability of Indigenous research for the 21st century.

Registrations are now open through our website. For further information, please email:

[anirc@aiatsis.gov.au](mailto:anirc@aiatsis.gov.au)

# Indigenous Youth in Governance Masterclass



In June 2019, the Australian Indigenous Governance Institute (AIGI) in partnership with the Lowitja Institute, the Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS) and Aboriginal Governance and Management Program (AGMP) will convene the 2019 Indigenous Youth in Governance Masterclass. This Masterclass will connect, educate and promote Indigenous people aged 18 to 35 years who are or hope to be active in the business of governance locally, regionally and nationally.

This Masterclass will combine guest speakers, presentations and small group activities to form an interactive workshop. It will cover critical areas in Indigenous Governance, providing a learning platform to build the confidence of young Indigenous people to engage in the governance of their communities and organisations.

For further information please contact Bhiamie Williamson – [bhiamie.willimason@anu.edu.au](mailto:bhiamie.willimason@anu.edu.au)



## NATIVE TITLE ACCESS

The Native Title Access Service provides access to items in the collection for use in native title and compensation claim research and proceedings. The service includes: Providing catalogue searches and listings of relevant items in the collection, arranging for research visits to AIATSIS, and copying material.

For more information about the service, please visit the AIATSIS website.

To access the service, please contact our team on (02) 6261 4223 or [NTSS@aiatsis.gov.au](mailto:NTSS@aiatsis.gov.au)

The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), the National Native Title Council (NNTC) and CSIRO are currently conducting a survey of all Prescribed Bodies Corporate (PBCs). The aim of the survey is to gather information about the work PBCs do, their plans and visions for the future, the challenges they face and what they need to achieve their goals. This survey follows on from the PBC Capability Survey that AIATSIS conducted in 2013.

For further information or to book in a time do the survey over the phone with one of our team please contact [pbcsurvey@aiatsis.gov.au](mailto:pbcsurvey@aiatsis.gov.au)

### SUBSCRIBE TO NTRU PUBLICATIONS AND RESOURCES

All NTRU publications are available in electronic format. This will provide a faster service for you, is better for the environment and allows you to use hyperlinks. If you would like to SUBSCRIBE to the Native Title Newsletter electronically, please go to: [www.aiatsis.gov.au/form/subscribe](http://www.aiatsis.gov.au/form/subscribe)

For previous editions of the Newsletter, go to: [www.aiatsis.gov.au/ntru/newsletter.html](http://www.aiatsis.gov.au/ntru/newsletter.html)

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