

The State government has contested in the Court of Appeal, a 1996 decision by a Mt Isa magistrate upholding a native title right to hunt otherwise protected animals. Murrandoo Yanner was acquitted of charges under the Nature Conservation Act for spearing crocodiles in a creek on Bundella Station leased by the Carpentaria Land Council. The crown has argued that the native title right was extinguished through the Fauna Conservation Act 1974. (*CM, 6 June, p16*) Mr Yanner's lawyer, Angelo Vasta QC, said it is the first case since the 1993 Native Title Act dealing with the question of whether Aborigines have the right to hunt and fish over territory which their ancestors had the right to hunt and fish. (*CT, 9 June, p4*)

Western Australia

The full bench of the Federal Court dismissed an appeal by the WA Government over a ruling by Justice Lee which allowed 'gender restrictions' to apply during an upcoming native title claim. The Court recognised that Aboriginal law and customs sometimes meant that discussion of some culturally sensitive issues could only be amongst members of the same sex. The implication for native title claims is that restricted evidence can be given and not passed on to lawyers of the opposite sex, or published in court documents. (*Aus, 9 July, p4*)

An Indigenous Art gallery is being stopped from opening in East Perth due to Native Title claims. Aboriginal activist Clarrie Isaccs claims the WA government rejected the proposal because the land was subjected to several claims. (*ST, 13 July, p21*)

The Miriuwung-Gajerrong case could become a test case for Native title rights over water. If the Federal Court does find Native Title rights exist over water, the state is likely to appeal. (*WA, 21 July, p6*)* Premier Richard Court defended the cost of fighting the claim, but said he was angry taxpayers money was being spent on both sides. He also said the Government had to oppose a claim that called for exclusive possession and occupation of such a big area. Mr Court claimed that the Mabo and Wik decisions had said people could not have exclusive occupation and possessions of lands. (*WAus, 23 July, p13*)*

South Australia

The Ngarrindjeri people have launched a High Court challenge to the Hindmarsh Island Bridge Act and will present their case to the First Nations' International Court of Justice. Lawyer Stephen Kenny said that Hindmarsh was no longer a local issue but a national issue with national significance to the rights of indigenous people. (*Aus, 16 June, p2*)

Victoria

The Victorian Farmers' Federations says it recognises mediation as necessary and encourages members to become informed about the native title process before mediation. The VFF has more than 150 members registered as interested parties in the Wimmera claim area. (*HS, 13 June, p29*)

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