

paragraph one, whereas I had always taken the approach, more natural to the anthropologist, of leading into the material more gradually, setting the scene first and so forth. But I did accept the idea that the contextualising kind of material that I had thought indispensable might be actually irrelevant because of the very fact that it was not specific. The trick, I learned, was to smuggle the background in during the course of making the specific points required. Once I got used to writing in this way, I actually didn't find it difficult, and in fact it proved to be quite stimulating to be saying something very focussed to the case in every sentence.

The other main challenge was to write so as to be continually separating the 'facts' from the 'opinions'. While very social scientist knows that such a distinction is extremely dodgy, it is again not so difficult to work in this way when you get the hang of it. Indeed, it can actually be quite useful to have such a device at one's disposal, using it as a tool to make the points one wishes to make. The downside is that it can make for very inelegant writing to have to keep explaining how you know everything you say you know, and it is necessary to develop techniques to get around this.

For me at least, part of the problem was that I had initially felt quite affronted at the lawyers' apparent assumption that I was there to do what they decided needed to be done, when I was the one who had been working in the area for years and who knew the material. The power imbalance between lawyers and anthropologists can be very frustrating! However, when we got down to work I found that Robert seemed to take a lot of what I said on board, and I began to enjoy the process. If there had been no such collegueship and willingness to adapt, things would have been a lot harder.

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## WHAT'S NEW

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### Legislation

Commonwealth: [Aboriginal and Torres Strait Islander Heritage Protection Amendment Bill 2005](#) Its purpose is to make amendments to the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* and to the *Aboriginal Land (Lake Condah and Framlingham Forest) Act 1987*.

Commonwealth: Legal and Constitutional Legislation Committee: Corporations (Aboriginal and Torres Strait Islander). Canberra: Senate Committees Hansard. 4 October 2005.

<http://www.aph.gov.au/hansard/senate/committee/S8756.pdf>

<http://www.parliament.qld.gov.au/view/publications/documents/research/ResearchBriefs/2005/200515.pdf>

Northern Territory: [Northern Territory Aboriginal Sacred Sites Amendment Bill 2005](#) (NT) This Bill proposes to amend the *Northern Territory Aboriginal Sacred Sites Act 1989* (NT). The Bill was introduced into the Legislative Assembly and received its second reading speech on 20 October 2005.

Tasmania: A second round of community consultation on the development of new Tasmanian Aboriginal heritage legislation to replace the *Aboriginal Relics Act 1975* will begin shortly. Contact the [Department of Tourism, Parks, Heritage and the Arts](#) for

more information at

<http://www.dtpa.tas.gov.au/index.html>

Queensland: [A Framework to Protect Wild Rivers in Queensland - the Wild Rivers Bill 2005 \(Qld\)](#)

South Australia: [Pitjantjatjara Land Rights \(Miscellaneous\) Amendment Bill](#), designed to amend governance arrangements on APY Lands, was passed in the early hours of the morning, 19 Oct 2005.

Victoria: [Aboriginal Heritage Bill Exposure Draft](#) has been released. Visit

[http://www.dvc.vic.gov.au/AAV/heritage\\_bill/Fact%20Sheets/DVC%20Fact%20Sheet%201.pdf](http://www.dvc.vic.gov.au/AAV/heritage_bill/Fact%20Sheets/DVC%20Fact%20Sheet%201.pdf) for a

summary of the main proposals, or [http://www.dvc.vic.gov.au/AAV/heritage\\_bill/Final%20Exposure%20Draft%20for%20distribution%20071005.pdf](http://www.dvc.vic.gov.au/AAV/heritage_bill/Final%20Exposure%20Draft%20for%20distribution%20071005.pdf) to view the Exposure Draft in its entirety.

On-line publication, [The New Matilda](#) has launched the [New Matilda's Human Rights Act Campaign](#). Australia is the only Western country without a national Human Rights Act or equivalent. New Matilda seeks to change this. It has produced a draft Human Rights Bill and it wants to know what you think of it. Human Rights Bill 2006 - [download here](#). Human Rights Bill Explanatory Information - [download here](#). View

consultation questions, submission guidelines and submissions received- click [here](#).

### Recent Cases: Australia

#### [Davidson v Fesl \[2005\] FCAFC 183](#)

French, Finn And Hely JJ

30 August 2005

Perth (Heard In Brisbane)

Keywords: Aborigines – native title – application for native title determination – authorisation – whether application properly authorised at lodgement – application discontinued by leave – application for leave to appeal against grant of leave to discontinue – native title claim group – definition – difficulties and disputes about definition – connection to authorisation question – no substantial injustice arising out of discontinuance – benefits to be derived from filing of fresh native title determination application with properly defined native title claim group and adequate authorisation – application for leave to appeal against grant of leave to discontinue dismissed

Visit

<http://www.austlii.edu.au/au/cases/cth/FCAF/C/2005/183.html> for more information

#### [Noble v Murgha \[2005\] FCAFC 211](#)

NATIVE TITLE - application for leave to appeal from primary judge's decision under s 66B

[http://www.austlii.edu.au/au/legis/cth/consol\\_act/nta1993147/s66b.html](http://www.austlii.edu.au/au/legis/cth/consol_act/nta1993147/s66b.html) of Native Title Act

1993 removing applicant in claimant application - whether removal authorised pursuant to s251B

<[http://www.austlii.edu.au/au/legis/cth/consol\\_act/nta1993147/s251b.html](http://www.austlii.edu.au/au/legis/cth/consol_act/nta1993147/s251b.html)> - whether decision made by native title claim group in accordance with a "process of decision-making agreed to and adopted"

<http://www.austlii.edu.au/au/cases/cth/FCAFC/2005/211.html>

#### [Country Energy v Williams; Williams v Director-General National Parks and Wildlife \[2005\] NSWCA 318](#)

ADMINISTRATIVE LAW - consent under 90 of the National Parks and Wildlife Act 1974

[http://www.austlii.edu.au/au/legis/nsw/consol\\_act/npawa1974247/](http://www.austlii.edu.au/au/legis/nsw/consol_act/npawa1974247/) - permit under s87 of that

Act - validity of permit and consent to disturb and relocate Aboriginal objects - validity of permit and consent to destroy Aboriginal objects, the existence of which is not yet known – whether procedural fairness accorded to interested party in relation to survey and assessment of Aboriginal significance of proposed development site - whether there was a legitimate expectation that interested party would be included in survey - whether interested party given an adequate opportunity to assess the significance of any Aboriginal objects.

<http://www.austlii.edu.au/au/cases/nsw/NSWCA/2005/318.html>

#### [Linda Champion on behalf of the Central West Goldfields People/ /Western Australia/New Hampton Goldfields Pty Ltd/South Kal Mines Pty Ltd, \[2005\]](#)

NNTTA 74 Catchwords: Native title - future act - proposed grant of prospecting and exploration licences - expedited procedure objection applications - consent determination that the acts attract the expedited procedure

<http://www.austlii.edu.au/au/cases/cth/NNTTA/2005/74.html> "no provision for the Tribunal to impose conditions on consent determinations"

#### [Noble v Mundraby \[2005\] FCAFC 212](#)

North, Weinberg & Greenwood JJ

30 September 2005

Brisbane

NATIVE TITLE – application for leave to appeal, or alternatively appeal from primary judge's decision under s 66B of *Native Title Act 1993* (Cth) removing applicant in claimant application – whether removal authorised pursuant to s 251B – whether decision made by native title claim group in accordance with a "process of decision-making agreed to and adopted".

#### [Noble v Murgha \[2005\] FCAFC 211](#)

North, Weinberg & Greenwood JJ

30 September 2005

Brisbane

NATIVE TITLE – application for leave to appeal from primary judge's decision under s 66B of *Native Title Act 1993* (Cth) removing applicant in claimant application – whether removal authorised pursuant to s 251B – whether decision made by native title claim group in accordance with a "process of decision-making agreed to and adopted".

#### [Gawirrin Gumana v Northern Territory of Australia \(No 2\) \[2005\] FCA 1425](#)

Mansfield J

11 October 2005

Yirrkala

NATIVE TITLE – determination of native title – form of determination – issues as to extent of native title rights in inter-tidal zone – whether public right to fish extends into tidal waters that are not navigable  
JUDGES – when judge unavailable to make orders after delivering reasons for judgment


#### [Gary Jean Pappin and Mary June Pappin on behalf of the Muthi Muthi People v NSW](#)

[Minister for Land & Water Conservation \[2005\] FCA 1430](#)

Stone J

12 October 2005

Sydney



NATIVE TITLE – claimant application for determination of native title – compensation applications – failure to prosecute proceedings with due diligence – proceedings dismissed

(Sourced from NNTT Judgements and Information email alert service)

### Recent Cases: International

Chingee v. Canada (Attorney General), 2005 BCCA 446

From the judgment: In my opinion lands in severalty conveyed pursuant to the McLeod Lake Indian Band Treaty No. 8 Adhesion and Settlement Agreement are simply not within the legislative jurisdiction of Canada, such lands neither being offered to Canada by British Columbia as "lands reserved for the Indians" nor accepted by Canada as such. It follows that I would allow the appeal of the Attorney General of Canada.

<http://www.courts.gov.bc.ca/Jdb-txt/CA/05/04/2005BCCA0446.htm>

(Sourced from NNTT Judgements and Information email alert service)

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### Publications

#### Aboriginal Studies Press

Aboriginal Studies Press invites you to visit [www.aiatsis.gov.au/asp](http://www.aiatsis.gov.au/asp) where you can order copies of ASP titles, read about the latest news and events, and Join Our Mailing List.

#### New Releases

Cleared Out: First contact in the Western Desert

Sue Davenport, Peter Johnson & Yuwali  
ISBN 085575 457 5, pub, 270x255mm, 304 pp, 2 colour, heavily illustrated, \$45.00, History/Aboriginal Studies

In 1964, the eyes of the nation were fixed on its Western Desert: the British and Australian governments were about to fire the controversial Blue Streak rockets across the inland. To the ministers in Canberra and London this was an ideal target range: empty desert, a place they called the 'dump zone'. But to one seventeen-year-old girl and her family, it was home. *Cleared Out* is the extraordinary story of the events of that winter.

Unfinished Constitutional Business? Rethinking Indigenous Self-determination

Barbara Ann Hocking (editor)  
ISBN 0 85575 4664, pb, 216x140mm, 320 pp, \$39.95, Native Title, Self-determination

Landscapes of Indigenous Performance: Music, song and dance of the Torres Strait and Arnhem Land

Fiona Magowan & Karl Neuenfeldt (editors)  
ISBN 0 85575 493 1, pb, 230x152mm, 208 pp, \$39.95, Performance studies, Ethnomusicology

The Little Platypus and the Fire Spirit

Mundara Koorang  
ISBN 0 85575 494 X, hb, 190x240mm, 32pp, 4 colour throughout, \$24.95, Children's

The Rain Flower

Mary Duroux  
ISBN 0 85575 467 2, pb, 210x150mm, 48 pp, b/w & colour throughout, \$14.95, Children's

Available December

Aboriginal Australia Wall Map

Revised cover only and a new size

Large (841x1189mm), \$24.95, ISBN (flat) 0 85575 491 5,

ISBN (folded) 0 85575 492 3

Small (594x420mm), \$14.95, ISBN (fl at) 0 85575 496 6,

ISBN (folded) 0 85575 497 4

This map presents work carried out for the *Encyclopaedia of Aboriginal Australia* between 1988 and 1994. Using the published resources available at that time, the map attempts to represent all the language or tribal or nation groups of the Indigenous people of Australia. This map is not suitable for use in native title and other land claims.

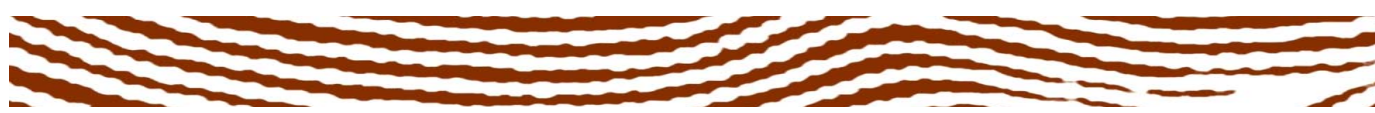
#### AIATSIS

Arabena, Kerry: [AIATSIS Discussion Paper No. 16 "Not fit for modern Australian society: Aboriginal and Torres Strait Islander people and the new arrangements for the administration of Indigenous affairs"](#)

Bradfield, Stuart: [Native Title Research Unit Issues Paper Vol 3 No. 3: "White picket fence or Trojan horse? The debate over communal ownership of Indigenous land and individual wealth creation."](#)

Bauman, Toni: [Native Title Research Unit Issues Paper Series Vol 3. No. 2: Whose benefits? Whose rights? Negotiating rights and interests amongst Indigenous native title parties](#) is available for download from

[The Language and Place Name thesauri](#) are now available on the AIATSIS web site at <http://www1.aiatsis.gov.au/thesaurus/> these thesauri are the result of a lot of hard work from staff and will allow easy and efficient browsing of our collections by language and place name - so critical to our clients



requesting about our collections. Importantly, once a term is selected, you can select an item type (books, manuscripts, pictorial etc) and a search on Mura, the AIATSIS catalogue will be made.

[Native Title Newsletter Jul-Aug 2005](#) is available for download at [http://www.aiatsis.gov.au/rsrch/ntru/newlet/july\\_august05.pdf](http://www.aiatsis.gov.au/rsrch/ntru/newlet/july_august05.pdf)

All of these publications can be downloaded from <http://www.aiatsis.gov.au/rsrch/ntru/publications.html>

#### Other

Beckett, Jeremy: A Study of Aborigines in the Pastoral West of NSW. Beckett's original 1958 thesis with a new introduction by the author. \$30 plus \$3.00pp To order contact [oceania@arts.usyd.edu.au](mailto:oceania@arts.usyd.edu.au)

Belgrave Michael, Merata Kawharu and David Williams eds. Waitangi revisited: perspectives on the Treaty of Waitangi / Auckland, N.Z.: Oxford University Press, 2005

Cairney, Amelia: De Rose v South Australia. Native Title News Vol 7 Issue 5 October 2005 Butterworths

Carter, Graham & Darren Fooks Aboriginal Cultural Heritage in Queensland-12 months on Native Title News Vol 7 Issue 5 October 2005 Butterworths

Goodall, Carey Extinguishment of native title by pastoral improvements - the position post De Rose Hill Native Title News Vol 7 Issue 4 September 2005 Butterworths pp 58-61

Grbich, Judith Tracing the figure of the native in postcolonial theory and native title law: enlightenment, aesthetics and Charles Harpur Australian Feminist Law Journal 2005 Vol 22 pp 127-144

Gross Claudia, Harriet D. Lyons and Dorothy A. Counts eds A Polymath Anthropologist: Essays In Honour of Ann Chowning. Research in Anthropology and Linguistics, Monograph No. 6. University of Auckland, Department of Anthropology. October 2005.

Hepburn, Samantha Disinterested truth: legitimization of the doctrine of tenure post-Mabo. Melbourne University Law Review Vol 29 No 1 2005 pp 1-38

Hiley, Graham How important is authorisation? Native Title News Vol 7 Issue 5 October 2005 Butterworths

Motha, Stewart The failure of 'postcolonial' sovereignty in Australia Australian Feminist Law Journal 2005 Vol 22 pp 107-125

Rudland, Sandra Pilgrimages of English law in Australian exploration: 'Wherever they go they carry their laws with them' Australian Feminist Law Journal 2005 Vol 22 pp 49-65

Russell, Peter H. Recognizing aboriginal title: the Mabo case and indigenous resistance to English-settler colonialism Toronto; London: University of Toronto Press, c2005

Sculthorpe Gaye. Recognising Difference: Contested Issues in Native Title and Cultural Heritage (The Third Berndt Foundation Biennial Lecture) Anthropological Forum: Vol. 15, No. 2 July 2005.

Secher, Ulla The Mabo decision - preserving the distinction between 'settled' and 'conquered or ceded' territories University of Queensland Law Journal Vol 24 No. 1 2005 pp 35-71

#### Online Publications

##### CAEPR

Three recent papers available for download from the Centre for Aboriginal Economic Policy Research may be of interest to list members:

Discussion Paper 276 'Land rights and development reform in remote Australia' by J.C. Altman, C. Linkhorn and J. Clarke

Working Paper 28: 'The Opportunity Costs of the Status Quo in the Thamarrurr Region' by J. Taylor and O. Stanley

Discussion Paper 275: 'Housing tenure and Indigenous Australians in remote and settled areas' by W. Sanders

All can be downloaded from the CAEPR website at <http://www.anu.edu.au/caepr/new.php>

##### National Native Title Tribunal

The NNTT's [What's New in the Library August 2005](#) Bulletin can be obtained by visiting [http://www.nntt.gov.au/Library/files/Library\\_Bulletin\\_Aug\\_2005.pdf](http://www.nntt.gov.au/Library/files/Library_Bulletin_Aug_2005.pdf)

[Talking Native Title September 2005](#) can be obtained by visiting [http://www.nntt.gov.au/metacard/files/TNT16/TNT\\_Issue\\_16\\_2005.pdf](http://www.nntt.gov.au/metacard/files/TNT16/TNT_Issue_16_2005.pdf)

See also

- [South Australia extra](#)
- [Victoria extra](#)
- [Western Australia extra](#)

Mining Agreements: Content Ideas  
 Raine Quinn  
 August 2005  
 [PDF document \(468 KB\)](#) or visit  
<http://www.nntt.gov.au/research/reports.html#Specificisuereports>

Pastoral agreements: Content Ideas  
 Raine Quinn August 2005  
 [PDF document \(492 KB\)](#) or visit  
<http://www.nntt.gov.au/research/reports.html#Specificisuereports>

Local Government Agreements: Content Ideas  
 Raine Quinn August 2005 National Native Title  
 Tribunal  
 [PDF document \(428 KB\)](#) or visit  
<http://www.nntt.gov.au/research/reports.html#Specificisuereports>

**Other**

Hughes, Helen: *The Economics of Indigenous Deprivation and Proposals for Reform*  
<http://www.cis.org.au/IssueAnalysis/ia63/IA63.pdf>

Note: The following information regarding on-line publications is extracted from the Federal Court's Native Title Bulletin 2005, No. 7.

[Federal Court: Native Title Infobase \(NTIB\)](#)  
 Please note that where possible cases, legislation and sources listed in database records are now linked directly to the Internet. Approximately 60% of the records on the Native Title Infobase (Intranet version) are also linked to full text images. Visit <http://www.fedcourt.gov.au/catalogues/search.html>

Bowskill, Helen  
[Expert evidence in native title proceedings](#)  
 Native Title News Vol 7 No. 3 July 2005 pp 40-44

Tehan, Maureen  
[Difference, equality, recognition and justice : indigenous issues in the High Court judgments of Justice Mary Gaudron](#) Public Law Review Vol 15 2004 pp 320-327

McKenna, Marshall

[The potential utility of delivery of decisions to facilitate mediation](#) Native Title News Vol 7 Issue 4 September 2005 pp 66-68

Fox, Jo  
[History of negotiated agreements in Australia](#) Balayi: Culture, Law and Colonialism Vol 7 May 2005 pp 41-56

Llewellyn, David and Tehan, Maureen  
['Treaties', 'Agreements', 'Contracts', and 'Commitments' - what's in a name? The legal force and meaning of different forms of agreement making](#)  
 Balayi: Culture, Law and Colonialism Vol 7 May 2005 pp 6-40

The National Native Title Tribunal's [Native Title Hot Spots: No. 16](#) is available for download from <http://www.nntt.gov.au/newsletter/hotspots/issues/16.html>

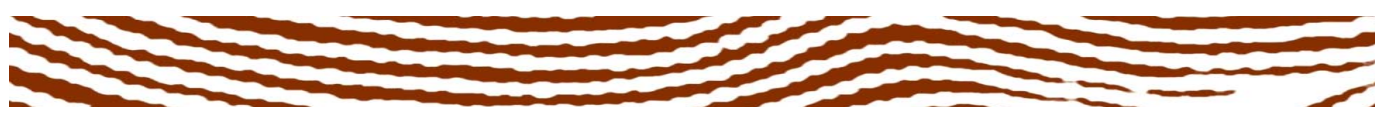
[Researching Australian Indigenous Governance: A Methodological and Conceptual Framework](#) D.E. Smith Working Paper No. 29/2005 is available from <http://www.anu.edu.au/caepr/Publications/WP/CAEPRWP29.pdf>

The AHURI Positioning Paper: [Best Practice Models for Effective Consultation: Towards Improving Built Environment Outcomes for Remote Indigenous Communities \(2004\)](#)  
<http://www.ahuri.edu.au/global/docs/doc825.pdf?CFID=367851&CFTOKEN=17137815>

[Victorian Implementation Review of the Recommendations from the Royal Commission into Aboriginal Deaths in Custody](#) was tabled in the Victorian Parliament 27 Oct 2005

[Voices of Australia: 30 years of the Racial Discrimination Act](#) has been released by the Human Rights and Equal Opportunities Commission. It can be downloaded from [http://www.humanrights.gov.au/voices/pdf/voices\\_mlc80dpi.pdf](http://www.humanrights.gov.au/voices/pdf/voices_mlc80dpi.pdf). Audio files can also be downloaded from <http://www.humanrights.gov.au/voices/>

HREOC has also released [Face the Facts – countering myths about refugees, migrants](#)



[and Indigenous people](#). Sydney: HREOC. 28 October 2005. It can be downloaded from <http://www.hreoc.gov.au/publications/index.html#new>

The third issue of the [Native Nations Institute's NNI Research Report](#) is now on the NNI website and can be reached through the following link: <http://udallcenter.arizona.edu/nativenations/researchreport/oct05.html>

[Final Report of the Review of the Land Administration Act 1997 \(WA\)](#) has been released by the Western Australian Department of Planning and Infrastructure.

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### Upcoming Events Conferences

8 Nov 2005 [The Uses and Abuses of Archaeology for Indigenous Populations](#) Rangataua, Tauranga New Zealand Visit [http://ehlt.flinders.edu.au/wac/site/confer\\_nz\\_2005.php](http://ehlt.flinders.edu.au/wac/site/confer_nz_2005.php) for more information.

17 Nov 2005 [Reconciling the Past. Amnesty International and the Coalition of Peoples](#)

Workshop: Healing without violence

Using the model of reconciliation and forgiveness as tools for healing, this workshop will equip you with practical skills and knowledge to deal with issues of violence. Dr Gobodo-Madikizela's skills in facilitating encounters between victims of violence and perpetrators will help us understand the processes involved in providing solutions to the issues of inter-generational violence.

Thursday 9am-5pm \$325

Dr Gobodo-Madikizela

In Her Own Voice

Wednesday 6-7.30pm November 16 \$35 Unwaged \$20

October 24 2005 Justice Michael Kirby

Justice Kirby's address will be followed by a panel of high profile speakers including the Chief Justice of Western Australia, Hon Chief Justice Malcolm, Patron Coalition of Peoples, Hon Fred Chaney, Reconciliation Australia and Marlene Jackamarra-Carnamah, Chairperson Coalition of Peoples.

Monday 5-7pm \$35

At the University of Western Australia.

For more information visit

<http://www.equity.uwa.edu.au/welcome?f=87045>

24 - 25 Nov 2005

[W.E.H. Stanner: Anthropologist and Public Intellectual](#) The Australian Institute of Aboriginal and Torres Strait Islander Studies together with The Australian National University present this two-day symposium to mark the centenary of the birth of W.E.H. Stanner (1905-1981). Coombs Lecture Theatre. Registrations are now open For more information or to register visit the website: <http://www.anu.edu.au/culture/stanner>

24-26 Nov 2005 [Beyond Ethnography: ASAA/NZ Conference](#) Victoria University. Visit <http://www.vuw.ac.nz/sacs/news/anthconference/anthconference.aspx> for more information.


25 Nov 2005 [Culture Fix](#) Sydney Australia. Culture fix is the national conference of the Cultural Studies Association of Australia. Visit <http://www.hss.uts.edu.au/csaa/> for more information.

27 Nov 2005 [World Indigenous Peoples Conference on Education \(WIPCE\)](#) Waikato New Zealand. Visit <http://www.wipce2005.com> for more information.

7-9 December 2005 [Whiteness and the Horizons of Race](#) Australian Studies Centre, University of Queensland. For more information visit [http://www.uq.edu.au/events/event\\_view.php?event\\_id=1061](http://www.uq.edu.au/events/event_view.php?event_id=1061)

8-10 December 2005 [Pain & Death: Politics, Aesthetics and Legalities](#) Centre for Cross-Cultural Research, Australian National University. To register online go to: <http://www.anu.edu.au/culture/painanddeath/index.php>

8-9 December 2005 "Racisms in the New World Order: Realities of Culture, Colour and Identity" Conference Presented by the Centre for Multicultural and Community Development, University of the Sunshine Coast Hyatt Regency Hotel Coolumb, Queensland



This conference will provide opportunity to examine the contemporary manifestations of racism across the world around key themes. The Centre for Multicultural and Community Development invites representatives from community, government and other organisations, as well as academics to attend the conference to develop a better understanding of racism and ways to combat it. For more information contact: Ms Mitra Khakbaz, Coordinator Centre for Multicultural and Community Development Faculty of Arts and Social Sciences University of the Sunshine Coast  
Ph: +61-7-3210-6951  
Fax: +61-7-3210-6967  
[mkhakbaz@usc.edu.au](mailto:mkhakbaz@usc.edu.au)

5 Dec 2005 [Family & Community Strengths Conference - Evidence driving Practice](#)  
Newcastle Australia. Visit <http://pco.com.au/family> for more information.

26 Feb 2006 [Sharing the Fish - Allocation Issues in Fisheries Management](#) Fremantle Australia. Visit <http://www.fishallocation.com> for more information.

20 Apr 2006 [Community Development in a 'Global Risk Society'](#) Melbourne Australia. Visit <http://www.deakin.edu.au/cchr> for more information.

15-18 August 2006 The International Conference on the Arts in Society presented by the University of Edinburgh, Scotland <http://www.Arts-Conference.com>  
To be held in conjunction with the Edinburgh International Arts Festivals, the conference will include leading artists, arts practitioners and theorists through paper presentations, workshops and colloquia. The conference venue, the University of Edinburgh, is located near the heart of the various Edinburgh Festival activities.

### Seminars

#### AIATSIS SEMINAR SERIES

Monday 7 November 2005

Dr Mary Anne Jebb

*'Jack Wherra's boab nut carving as historical narrative'*

An independent researcher currently working across native title, community based curatorial work, and is also completing research on Indigenous narratives in cultural material.

Monday 14 November 2005

Kaye Price (Centre for Cross Cultural Research ANU/ NAIDOC Scholar of the Year, 2004)

*To be advised*

Monday 21 November 2005

Steve Kinnane (Visiting Research Fellow - AIATSIS)  
*Shadow Lines: Cheeky Spirits, Prohibites Areas and Dangerous Love*

AIATSIS Special Seminar

Kerry Arabena (Visiting Research Fellow-AIATSIS)  
*Not Fit for Modern Australian Society: Aboriginal and Torres Strait Islander Peoples and the new arrangements for the administration of Indigenous Affairs.*

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### Opportunities

ENRICH reconciliation and heritage grants now available  
The first 2005-2006 ENRICH grants of up to \$5,000 are now available from the DIA for heritage or reconciliation projects that promote greater understanding and respect for Indigenous heritage and culture. Applications are due by 4 November. For more information contact regional DIA offices or visit the DIA website  
<http://www.dia.wa.gov.au/default.aspx>

### Indigenous Health Promotion Scholarships 2005/06

The Australian Health Promotion Association (WA Branch) will offer three scholarships per year to Aboriginal and Torres Strait Islander people who would like a career in health promotion. Aboriginal and Torres Strait Islander people are invited to apply for a 6-month scholarship to coordinate a health promotion project with support from an agency. Applications close December 16th 2005, with the successful scholarship winners commencing work by April 2006. Aboriginal and Torres Strait Islander people wishing to register their interest and receive more information about the scholarship program contact: Lyn Dimer ph: (08) 9388 3343

Email: [lyn.dimer@heartfoundation.com.au](mailto:lyn.dimer@heartfoundation.com.au)

For agencies interested in hosting a scholarship recipient contact:

Catherine Sayers, AHPA Executive Officer

Ph: (08) 9382 5921

Email: [ahpa@heartfoundation.com.au](mailto:ahpa@heartfoundation.com.au)

Australian National University: Master of Applied Anthropology & Participatory Development  
The Master of Applied Anthropology and Participatory Development (MAAPD) program will provide an understanding of the principal ways in which social inquiry and method can be applied to design, implementation, monitoring and evaluation processes for development activities. On completion of the program, MAAPD graduates will be better able to manage development projects, including undertaking social assessments and advising on their cultural and social impacts. In 2006 the program is being expanded to provide for two specialisations: Gender



and Development, and Indigenous Policy. For more information visit <http://rspas.anu.edu.au/maapd>

A university scholarship program to support post graduate study by indigenous leaders was launched at Curtin University of Technology by Premier Geoff Gallop. Dr Gallop announced at Curtin's Centre for Aboriginal Studies that the State Government would provide \$280,000 over the next four years - \$70,000 a year - for the new Premier's Indigenous Leaders Scholarship (Curtin). The scholarship program enables respected and learned members of the Indigenous community to further their studies in their chosen area of expertise.

Call for Papers: The International Conference on the Arts in Society The University of Edinburgh, Scotland, 15-18 August 2006 <http://www.Arts-Conference.com> To be held in conjunction with the Edinburgh International Arts Festivals, the conference will include leading artists, arts practitioners and theorists through paper presentations, workshops and colloquia. The conference venue, the University of Edinburgh, is located near the heart of the various Edinburgh Festival activities.

Universities and Bushfire CRC partner agencies are invited to submit an application for a vacation student project that provides input into the Bushfire CRC research program. Scholarships are available to current undergraduate students studying at Bushfire CRC partner universities and also to Bushfire CRC end user agencies interested in providing research experience for a student from a CRC affiliated university. Students must complete a research project of 8 -10 weeks duration.

Employment Arrangements: students must be employed by the agencies or universities and be covered by the necessary WorkCover and insurance, students to be based at the employer's workplace.

Payment: Bushfire CRC will provide \$350 per week. Agencies/universities must invoice the CRC for the total amount Applications Process: Agencies/universities interested in receiving funding for vacation students can apply to the CRC, using the attached form by Monday 7 November and emailed to [kellie.watson@bushfirecrc.com](mailto:kellie.watson@bushfirecrc.com)

NSW Aboriginal Affairs Minister, Milton Orkopoulos and Federal Education, Science and Training Minister, Brendan Nelson, have announced funding of \$2 million over the next two years for the employment of 8 Community Facilitators to help local Aboriginal people implement action plans to tackle the problems facing their communities. The Murdi Paaki Partnership Project Shared Responsibility Agreement (SRA) was signed by the two Governments, along with representatives from Government agencies and

Aboriginal leaders from across the western New South Wales region, on the second day of the 4th Community Working Party Governance Workshop, held in Cobar from 25 – 27 October.

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### Employment

Central Land Council: Senior Anthropologist Native Title claim research management (3 year contract) Closing date: 4 Nov [Download](#)

York University, Canada: Assistant Professor, anthropology of Islam, Closing date: 15 Nov [Download](#)

York University, Canada: Assistant Professor, social archaeologist, Closing date 15 Nov [Download](#)

University of Southern Queensland: Lecturer in anthropology, Level B, Toowoomba Closing date 16 Nov [Download](#)

James Cook University: Senior Lecturer, Anthropology, Townsville (tenurable position) Closing date 11 Nov [Download \(htm\)](#) [Download \(pdf\)](#)


Gurang Land Council is looking for a senior Anthropologist for a native title consultancy of 90+ days. For further details, please contact Bernard Beston (Principal Legal Officer, Gurang Land Council): Tel: (07) 4153 3990, Mobile: 0419 781 199 Email: [bernard.beston@glcac.com.au](mailto:bernard.beston@glcac.com.au)

The Melbourne Registry of the Federal Court is seeking a suitably qualified person for the role of Senior Information and Research Librarian - Native Title. Applications close on November 10, 2005.

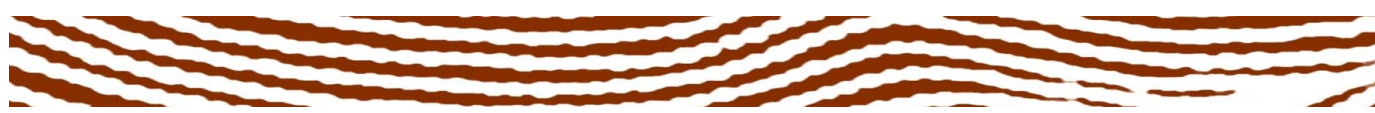
[Director of Research](#) to lead and manage the Federal Court of Australia's legal research program. Applications for the position close on 28 October 2005.

[SWALSC - CEO](#) [NTRB51] The South West Aboriginal Land & Sea Council (SWALSC) has as its first objective assisting traditional owners in the Noongar region of South West Western Australia to exercise their rights under the Native Title Act 1993.

Native Title Services Victoria is looking to fill the following positions:

NTSV is looking for a suitably experienced Policy Officer. Applications close Friday 11 November 2005. View the  [Policy Officer vacancy](#) document for full details.





NTSV is looking for a suitably experienced Senior Legal Officer. Applications close Friday 11 November 2005. View the [Senior Legal Officer vacancy](#) document for full details.

NTSV is looking for a suitably experienced Future Acts Legal Officer. Applications close Friday 11 November 2005. View the [Future Acts Legal Officer vacancy](#) document for full details.

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## NATIVE TITLE IN THE NEWS

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### ACT

**Canberra to allow Indigenous land sale:** Canberra's Indigenous community will be able to sell their land to individuals and businesses as part of a transformation of land rights to be unveiled, as early as next week, by the Howard Government. Under the latest reforms the 1976 Land Rights Act will be changed to allow Indigenous communities to exploit their traditional lands for financial purposes. The plans back a proposal made by ALP President and Howard appointee Warren Mundine who has mooted private ownership through an expanded lease system. Northern Land Council CEO Norman Fry and Indigenous leader Mick Dodson have pointed out that the current laws already allow for land to be leased for a wide range of purposes. Australian, pg 1 (04-Oct-05); Age pg 9 (06-Oct-05)

### Federal

**Minerals Council of Australia & Federal Govt sign MOU re. Indigenous communities:** A memorandum of understanding has been reached between the Minerals Council of Australia and three Federal Government departments based on the industry's commitment to work co-operatively with, and "support the needs and aspirations of Indigenous communities". Results are intended to include improved employment opportunities and enterprise facilitation and will in the first instance be targeted at five pilot locations across the country. Mining Chronicle, pg 47, October 2005

**Pearson: Land profits a solution to black poverty.** Noel Pearson has called for a "reconciliation" between Indigenous communal land and an "urgent need" for private home ownership in a speech to the Centre for Independent Studies, 25 Oct 05. "There is no question that communal title is integral to Indigenous culture" said Pearson "It is equally true that transferable property rights are integral to development". Prof Mick Dodson said that "The suggestion that Indigenous people need to abandon

their traditions (of communal ownership) in order to engage with the modern world is nothing more than assimilation". Australian, pg 6 & pg 16 & pg 17 (26-Oct-05)

**Indigenous housing-One size does not fit all:** "Practical reconciliation" policies have failed to deliver the most basic of human needs-adequate housing, says Shadow Minister for Indigenous Affairs, Sen Chris Evans. "Rather than focus on private land ownership on remote Aboriginal communal land the Howard Government must address the need for basic public housing" said Evans. Media Release, Labor Party, pg 59 (25-Oct-05)

**Review of native title process:** Senior lawyers, Graham Hiley, QC and Ken Levy have been appointed to review the process for resolving native title claims and will report to the Federal Government by April 2006. "The review will consider how the (Federal) Court and the (National Native Title) Tribunal can work more effectively in managing and resolving native title claims", said Attorney-General Phillip Ruddock. Northern Star, pg 9 (18-Oct-05); Daily Examiner, pg 10 (18-Oct-05); Cairns Post, pg 11 (18-Oct-05); Cairns Post, pg 11 (18-Oct-05); Daily News, pg 7 (18-Oct-05); Launceston Examiner, pg 28 (18-Oct-05); Morning Bulletin, pg 14 (18-Oct-05); Queensland Times, pg 12 (18-Oct-05); Media Release, Liberal Party, pg 15 (17 Oct 05); Maitland Mercury, pg 7; Daily Advertiser, pg 9; Queensland Country Life, pg 7 (20 Oct 05)

**Shadow ministers express concern about native title process review:** Shadow Attorney-General Nicola Roxon and Shadow Indigenous Affairs Minister Chris Evans have expressed concern that no Indigenous representatives have been appointed to consult on or oversee the review of the native title system. Goldfields Land & Sea Council executive director Brian Wyatt has also claimed that the Review process is fundamentally compromised by the absence of any Aboriginal representation on the steering committee. "Without a representative the review is unlikely to be fair and balanced but will merely be an erosion of the hard-fought gains of