

MEDIA RELEASE

Green's Native Title Amendment Bill a 'first step' say Indigenous delegates at Native Title Conference

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“The Native Title Amendment Bill is an important first step – but it is not an end in itself,” said Monica Morgan yesterday at The National Native Title Conference’s pre-conference opening plenary.

“In 1992, following the Mabo decision, the land rights campaign shifted and the battlefield changed from the political to the legal. Now the Amendment Bill means we are going back to a political fight,” said Ms Morgan, a Yorta Yorta woman with a distinguished history in Indigenous rights advocacy.

“Native title doesn’t give land back to traditional owners, it allows us to continue to survive and to play a small part in a process that we don’t own. It’s now time to stop just trying to survive. It’s time to focus on fighting for our sovereignty and for self determination,” said Ms Morgan.

Reversing the onus of proof and disregarding historical extinguishment in native title claims are two of the Bill’s key issues discussed at the Conference. For Kevin Smith, CEO of Queensland South Native Title Services (QSNTS), these changes are long overdue, “The current system places the burden on the victim - dispossessed Indigenous people – which is absurd,” he said.

Whilst many within the native title sector acknowledge that the proposed reforms require work, they are regarded as an opportunity and a first step in effecting necessary change to the native title system.

“The reforms propose to disregard historical extinguishment, which as it stands is not perfect. There are still unresolved issues to work out like whether compensation will still apply if this aspect is agreed to. It’s not without its flaws but it will go a long way to scaling back the time and resources required to reach a native title agreement. We need to look at leveraging the balance of power in the Senate to push through the proposed reforms to the Native Title Act,” said senior native title lawyer Wati Qalotaki.

These proposed reforms have come at a time of great change for native title holders and claimants according to QSNTS’ Kevin Smith.

“We are faced with both tremendous opportunities and enormous challenges; where the consequences could be transformative or cataclysmic. There is not a traditional owner in this room that couldn’t relate to one of the significant changes – be it the desperation to protect a fragile natural environment or the euphoria of unprecedented economic opportunities - as we are all in the very middle of enormous change.”

“Add to this the historical context: the wide-scale, prolonged and intense colonisation process of Queensland was like an earthquake with Brisbane at its epicentre. We know that every earthquake has its Tsunami – and the new Federal Court disposition strategy might be a benign case management system that could prove to be the force that knocks many native title claims over,” said Mr Smith.

The first public day of the National Native Title Conference commences at 8:00am today, Thursday 2nd June 2011.

Convened annually by the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) and co-convened this year by Queensland South Native Title Services (QSNTS), the conference is hosted by the Turrbal, Jagera, Yuggera and Ugarapul Peoples, the traditional owners of the wider Brisbane area.

For more information please visit the conference website at www.aiatsis.gov.au

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