

Hostage Situation? True?

Hold Native Title To Ransom –
Strategies for Breaking Deadlock

Strategic Considerations

- Why Native Title in this case – Important in its own right or chiefly a platform for other practical or contemporary needs?
- Land Tenure? Extinguishment? Prospective? Third Parties? – What are the best likely outcome scenarios?
- Community Strengths and Cohesion/ Strength of Native Title Case.
- Other parties/potential enemies or allies?/Other Interests?
- What are the broader politics? /What do the Government fear?/Incentives to Act?
- Media narrative?/Public opinion?/PR - Perceptions of the NTRB/NTS.

Persuasion and Pressure

- Appeals to Rationality/Higher Purpose/Self Interest.
- Historical Narrative?
- Structural Partnerships - Alignment with broader contemporary social objectives.
- Recourse to Federal Court - Use of preservation evidence/threat of litigation.
- Potential for conflict to delay to major future acts.