



# Message Stick

July 2017

Wulurukaba Dancers at the 2017 National Native Title Conference

**PBCs**  
Don't Forget to  
Keep us Informed

Jasmin Phillips  
Speaks at ATO  
for Mabo Day

**Are you getting  
your mail from  
NQLC?**  
Contact Database Audit

**LAURA  
DANCE  
festival  
2017**

CONGRATULATIONS  
GUGU BAOHUN

**BYE BYE  
BYGRAVE**  
MCGLADE v NATIVE TITLE REGISTRAR [2017] FCAFC 10

**UPDATE**



**OUR LAND IS  
OUR BIRTH RIGHT**  
MABO25 & Beyond  
National Native Title Conference 2017

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NATIVE TITLE DECISIONS**

**GIRRINGUN & GUDJUDA  
RANGERS ADMIRER FOR  
UNITED EFFORTS**

**25 MABO**  
YEARS OF

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## MESSAGE STICK

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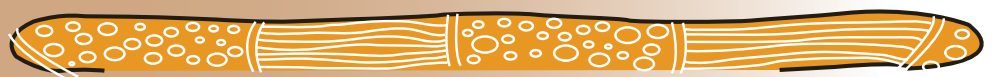
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# Message from the Chair

**W**elcome to the July edition of Message Stick for 2017. I would like to start by acknowledging and paying my respects to the custodians of the land within the NQLC footprint, both past, present and future. I also give my condolences to the families of people who have recently passed on since our last Message Stick.

Continuing our work with the Referendum Council's Indigenous Steering Committee, in May Terry O'Shane, Phil Rist and I travelled to Uluru along with a number of elected delegates from the Cairns Regional Dialogue for the National Constitutional Convention. Mob came from all over Australia, over 250 delegates gathered for the event and we participated in the making of the historic statement from the heart in the hope of improving the lives of future generations (see page 5 for the full statement). The conversation at Uluru built on six months of discussions from regional dialogues held around the country where Aboriginal and Torres Strait Islander peoples considered options presented in the Referendum Council's discussion paper. When asked what recognition in the constitution means to us, we told the Council we didn't want a minimal approach if it means a simple acknowledgement, but rather constitutional reform that makes a real difference in our communities.

The Statement calls for establishment of a First Nations Voice enshrined in the Constitution and establishment of a Makarrata Commission to supervise a process of agreement-making between governments and First Nations that includes truth-telling about Aboriginal and Torres Strait Islander people's history.

The Statement will be issued through the Council's report to the Prime Minister and Leader of the Opposition, which was delivered on or after the 30th of June.

In June we celebrated 25 years since the Mabo decision at the National Native Title Conference, which was held in Townsville. A place where Eddie Koiki Mabo spent much of his life. We co-hosted this year's event on Gurumbilbarra Wulgurukaba country, with the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), theme being 'Our Land is our Birth Right: Mabo25 and Beyond'. This Conference was the last for Professor Mick Dodson AM, who after 26 years on the AIATSIS Council and 17 as the Chair, has stepped down from his role with AIATSIS. I would like to make a special acknowledgement to Professor Dodson, who has been the guiding force behind AIATSIS for almost half its life.

The Conference was another great success, and included 160 different representative groups from across Australia. There were many highlights for me throughout the three day conference. Meeting new and inspirational people, reconnecting with many people I have not seen for a few years. There were some stand out key note speeches including Kevin Smith's reflection on the highs and lows since the Mabo decision, and the opportunities and challenges ahead; Gail Mabo's touching speech, with the most special attendee looking on from the audience – Mrs Bonita Mabo. Gail reminded us that after 25 years we are all still fighting under the name Mabo. Gail also acknowledged



Kaylene Malthouse welcoming delegates to the 2017 National Native Title Conference



Kaylene Malthouse handing over donations to Irene Thaiday, wife of one of the Palm Island Strikers, for the Palm Island 60 Year Anniversary event.



Gail Mabo and Kaylene Malthouse.



Kaylene Malthouse and June Oscar AO.



NQLC Board of Directors Patricia Dallachy, Kaylene Malthouse, Phil Rist, Angie Akee and Annette Hooligan at the 2017 NAIDOC Ball.



NQLC Board of Directors Phil Rist, Terry O'Shane and Gary Mooney at the 2017 NAIDOC Ball.



NQLC Project Officer Joanne Chapman, NQLC PBC Officer Rachel Salmon, Chair Kaylene Malthouse and EDS Manager and Snr Legal Officer Rhonda Jacobsen at the 2017 NAIDOC Ball.



Kaylene Malthouse and NQLC Project Officer Jasmine Clubb at the 2017 NAIDOC Ball.

Minister Scullion who arranged the funding for the Mabo Day Festival held on the 3rd of June at Jezzine Barracks, and presented him with the last specially made Mabo Anniversary t-shirt. Senator Scullion also presented Gail with a gift of a special anniversary commemorative coin. Social Justice Commissioner Ms June Oscar AO, gave an outstanding Mabo lecture. Amongst many things Ms Oscar spoke of 2017 being the year of milestones. Of course the 25th anniversary of Mabo, but also 20 years since the Commission's Bringing them Home Report; 10 years since the United Nation's Declaration on the Rights of Indigenous Peoples; 30 years since the Commonwealth began to fund Indigenous women's programs and since the national consultations on Indigenous women took place; 60 years since the Palm Island strikes and 50 years since the 1967 referendum. *"These are all significant milestones in the growth of our nation. We must honour them and learn from them. But as we know all too well, we must do more than simply mark the passage of time between key events in our nations' history."* Another stand out keynote speech came from the young Murrawah Johnson, who reminded us that there will be a day where we need to hand the reigns over to the young ones.

We also heard from the descendants of the men who lead the 1957 Palm Island Strikes of which Willie Thaiday, Albert Geia, Eric Lymburner, Sonny Sibley, Bill Congoo, George Watson and Gordon Tapau led a 5-day Island-wide strike over working conditions and unpaid wages. It was my privilege to collect donations during the conference to help with the anniversary event held at Perfume Gardens on Friday 9th of June 2017.

To kick off the NAIDOC Week celebrations, the Board and I attended the NAIDOC Awards Ceremony held at the Cairns Convention Centre on Saturday 1st of June. People once again travelled to the North from all over the country to participate in the NAIDOC awards. It was a very enjoyable time wherein we got to dress up and celebrate our national achievements together. NQLC also had Information Stalls at both the Laura Dance Festival and Cairns' Friday in the Park, hopefully you saw some of our stall volunteers!

We have been very privileged in the North to have had three major events take place and for NQLC to be co-hosting two of those events. I hope to see more events of national importance happening in our footprint, giving you more information and the opportunity to have your say.

2017 is a Ward election year. As most of you will likely know, we run on a ward system here at the Land Council and have nine representative areas: Cairns, Tableland, Yarrabah, Tully/Palm Island, Hughenden/Charters Towers, Townsville/Ayr, Mackay/Proserpine, Innisfail and Mount Garnet. Toward the end of this year we will be having elections within each Ward in which you can have your say on who you would like representing your area. You will be notified as soon as a date has been locked in.

**Kaylene Malthouse**  
NQLC Chair





Participants at the Uluru National Convention group photo (credit: Referendum Council)

# ULURU STATEMENT FROM THE HEART

Coming from all over Australia, over 250 delegates gathered for the National Constitutional Convention and made a historic statement from the heart in hopes of improving the lives of future generations. Please see below the 'Statement from the Heart'.

*We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:*

*Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.*

*This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.*

*How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?*

*With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.*

*Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.*

*These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness.*

*We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our*

*destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.*

*We call for the establishment of a First Nations Voice enshrined in the Constitution.*

*Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.*

*We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.*

*In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.*

# Update from the CEO

Welcome again to the NQLC's Message Stick. July already – where has the year gone?

I know that here at the NQLC we have all been flat out this year, as the native title space has been particularly busy. We've had the McGlade decision impacting on ILUA authorisation, followed by the scramble in the Parliament to push through hastily prepared corrective legislation, a belated consultation process and finally the amendments passed into law last month. Our PLO, Martin, has prepared a follow up article on this and you'll find it at page 14 of this edition.

Possibly more exciting though was the NQLC's co-convening (with AIATSIS) of the highly successful National Native Title Conference in Townsville this year. The Conference took place from 5 to 7 June and attracted the highest number of delegates (800+) of any Native Title Conference previously. Personally, I really enjoyed a number of the presentations - and of course Townsville turned on the most glorious weather ever!

Many thanks to the Gurambilbarra Wulgurukaba people for welcoming the Conference to their country, the dance troupes who shared their wonderful dances with us, all the presenters and session Chairs for keeping the presentations informative, and last but by no means least the hard working NQLC & AIATSIS staff who made the event the roaring success that it was.

In May, the Chairlady and I attended a National Native Title Council

meeting in Melbourne where the Council agreed to amend its Constitution to allow PBCs to take membership of the Council and share in the Council's services as the country's native title peak body. I will be meeting with the PBCs in NQLC's region next month to work on developing a suitable structure for their membership of and representation on the Council.

The Queensland Representative Body Alliance (QRBA) held a very successful workshop in Mission Beach in May, where we worked on developing a state-wide schedule of fees that could be used by PBCs in recouping their costs for assessing future act notices. The proposed schedule will be submitted to a State Government working group established for this purpose for further consideration and development. The QRBA will continue to have strong input into this process to ensure that a workable and satisfactory outcome is achieved for our PBCs.

The NQLC's Engagement and Development Support (EDS) Unit has been working hard over these couple of months in their respective Units. As many of you will know, the Department of Prime Minister and Cabinet has made support funding available to PBCs over the last couple of years and in April they announced that the terms of funding will significantly change from 2017/18 financial year onwards. During April and May the PBC Support Unit worked closely with our PBCs to get in their applications for the 2017/18 period. In the last month they have



Steve Ducksbury and WYAC Chair Alwyn Lyall at the 2017 National Native Title Conference.



NQLC Staff at the 2017 National Native Title Conference (L-R): Chris Richardson, Cheryl Thomson, Solange Wethery, Sharon Charger, Jasmin Phillips, Greg Bell, Robert Saltner, Ricardo Martinez and Laura Burton.



2017 Cairns NAIDOC Day Information Stall at Fogarty Park. Di O'Rorke, Greg Bell and Luis Lopez with young readers of our Message Stick.



2017 Laura Dance Festival Information Stall. Kara Dunn and daughter Kiya Cairns, Di O'Rorke, Jules Taylor and Alicia Jamieson.





2017 National Native Title Conference - (L-R) Jasmine Clubb, Suzanne Lane, Steve Ducksbury, Annette King, Tracey Heenan, Trish Holding and Jasmin Phillips.

been designing a tentative program of capacity development activities to assist PBCs transition which will be more fully reported on at the PBC Summit, to be convened in late August. See their article on page 10 for more information.

In our last Message Stick we introduced Julia (Jules) Taylor as the new Senior Legal Officer-Coordinator of the FAME Unit. Jules has had a very busy three months settling in; meeting clients; representing clients in their negotiations with third parties; reviewing and re-negotiating the 2013 small scale mining ILUA; meeting with the FAME Reference Group and lodging submissions in respect of proposed legislative amendments and policy directions. The FAME Unit ended June with their annual Capacity Development Workshop held in Cairns, as reported in their article on page 8. Also see their article on 'Corporate Decisions vs Native Title Decisions' on page 9.

The NQLC's Senior Staff Anthropologist in Townsville, Sarah Thomson, who has been on study leave for the last year completing her Masters degree has decided that she is ready to go on and undertake her PhD and will not be returning to her role at the NQLC. Sarah will be

missed and we wish her all the best for her future endeavours. The NQLC is currently advertising for a Senior Anthropologist to replace Sarah on a contract basis, see our website for more details.

We are lucky to have the assistance of interns, provided through the Aurora Internship Program, to help out twice a year (summer and winter intakes). The program provides an opportunity for students and graduates to gain some exposure and experience working for a Native Title Representative Body (NTRB). Intern Kylie Dolan has been with us for three weeks already and finishes on the 14th of July. She is currently studying a Master of Anthropology, and prior to that completed an undergraduate degree in Politics and Behavioural Studies. In the last few years, whilst living in the Northern Territory, she worked in Indigenous affairs, community services, education, and health-related roles.

There are a number of research projects currently underway, including the Silver Valley area, around Chillagoe, and an area between the Mowbray and Daintree rivers. Several more research projects will commence shortly and I will be able to provide more

details on these in our September edition. It is hoped that all of our research projects will result in well-established and successful native title claims.

I'm pleased to report that the NQLC's Cairns office refurbishment project is now complete and all Cairns staff are now housed in the one building at 61 Anderson St Manunda. Accordingly we have relinquished the lease previously held on the building next door (#63), resulting in significant budget savings.

I'd also like to take this opportunity to thank those staff members who volunteered to run an information stall at the Laura Dance Festival (by all accounts a huge success) and the Cairns NAIDOC day celebrations. I never have any trouble getting staff to volunteer for these events, be they on Public Holidays or weekends, and I am very proud that our NQLC staff are so willing and eager to share with other sectors of our community their knowledge of, and passion for, native title.

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**Steve Ducksbury**  
NQLC Chief Executive Officer



## FAME WORKSHOP #5 and FAME REFERENCE GROUP

The NQLC's Future Acts Mining and Exploration (FAME) Unit held its 5th Annual ILUA Implementation Capacity Building Workshop in Cairns on the 19 to 21 June 2017. Representatives from 13 RNTBCs affected by mining attended the three day Workshop. The aim of the workshop was to understand the Current State Regime and Compliance with Native Title Agreements and Native Title Protection Conditions. In order to achieve this, the objectives of the workshop were:

- to inform native title parties of a number of legislative/policy developments relating to the mining industry, in particular which have implications for native title parties; and
- to consider best practices for managing dealings relating to compliance issues under agreements and the native title protection conditions.

Various sessions of the three day workshop were dedicated to participants having the opportunity to examine legislative/policy processes and developments of the State agencies including Department of Natural Resources and Mines (DNRM), Department of Environment and Heritage Protection (DEHP), Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) and their compliance processes for financial, cultural and environmental issues arising under agreements or the native title protection conditions.

The workshop also provided an overview of the work undertaken by the FAME Reference Group which was established at the FAME Workshop #4 in 2016. The work of the FAME Reference Group to date has included substantive outcomes including:

- review of DATSIP's Duty of Care Guidelines;
- examination of the current Native Title Protection Conditions (NTPCs) and preparation of the renegotiation of its terms;
- consideration of the Strong and Sustainable Resource Community Bill;
- consultation with DNRM in respect of the Queensland Gas Supply and Demand Action Plan;
- consideration of the Small Scale Mining ILUA terms and meetings with DNRM;
- consideration of the White Paper on the Development of Northern Australia;



Staff & FAME Reference Group (L-R): Alwyn Lyall, Sharon Prior, Jules Taylor, Graham (Cookie) Saune, Janine Gertz and Danny O'Shane



- consideration of the proposed draft Protected Area Strategy; and
- options for RNTBCs for compliance and escalation for breaches or agreements and NTPCs.

Given that many of the matters being considered by the FAME Reference Group are ongoing, their term has been extended for a further 12 months. The FAME Reference Group's Terms of Reference were also expanded from the 2016 Workshop to include specific assistance to RNTBCs in the negotiations of small scale miners ILUAs and direct engagement with a broader range of agencies including DNRM, DEHP and DATSIP. The extension of the term of the FAME Reference Group representatives and amendments to the Terms of Reference were endorsed by the participants of the 5th Annual ILUA Implementation Capacity Building Workshop. Congratulations to Janine Gertz, Alwyn Lyall, Graham (Cookie) Sauney and Sharon Prior.

The overriding message from the Workshop participants was the need for ongoing direct engagement between native title parties and the State, and for input into the government policy and legislative developments by the FAME Reference Group. Other outcomes of the workshop included:

- direction for the FAME Reference Group for the coming 12 months to:
  - assist in the development of a regional Cultural Heritage Management Plan with DATSIP and DEHP and bringing back to broader PBC forum;
  - engage with Department of Main Roads and Transport for review of their Cultural Heritage Guidelines;
  - continue to engage with DATSIP about the review of DATSIP's Duty of Care Guidelines and facilitate broader consultation by DATSIP through RNTBCs;
  - develop principles of engaging RNTBCs in submissions;
  - engage with DEHP about proposed policy developments across nine key areas of their agency;
  - develop Fee-For-Service templates and consider a regional approach to bring back to broader RNTBC forum; and
- development of a joint statement about the accumulative impacts of water on Country to be taken to the broader RNTBC forum for endorsement at a regional level.



(L-R) Terri Anning, Angie Akee, LaDeane Bultreys



(L-R) Jean Walker, Viola Davis, Marion Davis, Janine Gertz, Sharon Prior



(L-R) Paul Butterworth, Graham (Cookie) Sauney



(L-R) Ruby Clubb, Breanna Lyall, Danny O'Shane, Alwyn Lyall, Emerald Clubb



(L-R) Jasmine Clubb, Harry Gertz, Clinton Hoolihan



# PBC Support Unit Update

Written by Brad Foster, PBC Coordinator  
PBC Support Unit

The 2016/17 financial year has come to a close and will now be welcoming in the new 2017/18 financial year, and what a year this will be for PBCs. As many of you know, the Department of Prime Minister & Cabinet (“PM&C”) administers the PBC Support Funding Programme and in April they announced the new policy direction which will now see funding capped at four years. Specifically, funding for all existing PBCs will continue over the four years but any new PBCs that are determined will also be included in the four year transition from when the PBC has been established.

The PM&C policy envisages that by year four PBCs will have achieved “*operational and financial independence*”. Whilst our PBCs have a lot of common issues, each have their own capacity needs and aspirations – because each PBC is unique the transition to independence will require their own plan. To assist PBCs with the transition, the PBC Support Unit will be working closely with the individual PBCs to formulate a ‘*Development Plan*’ that meets their own circumstances. The PBC Support Unit will be contacting PBCs individually to start scheduling dates for this activity.

In order for PBCs to formulate their Development Plan, PM&C made additional funding available to support the transition. NQLC was successful in its application for additional funds to work with PBCs to formulate those Plans and will be recruiting additional staff to the PBC Support Unit for a 12 month period.

As well as working with PBCs on their Development Plan, the PBC Support Unit will continue to offer its range of PBC Capacity Development activities, which will include additional Workshop training opportunities.

## PBC FUNDING 2017/18

The 2017/18 PBC Support Funding Applications have been assessed and are now with PM&C for their further assessment and approval – we will confirm with each PBC after PM&C has advised us of the outcome. Any PBC that has run out of funds to carry on with their operations and needs support to carry on until the 2017/18 Support Funding is released, please contact the PBC Support Unit.

Any PBCs that did not submit complete application or did not take up the offer from the NQLC to submit an application for support funds, we will be in contact with you about how do we best include you in our PBC Capacity Building Activities and formulating a Development Plan.

## PBC CAPACITY DEVELOPMENT ACTIVITIES

PBCs that attended our ‘*PBC Corporate Governance and Compliance*’ Workshop in February (or read the last Message Stick) may recall that the PBC Support Unit was proposing to develop a template policy and procedure manual that each PBC could then modify to suit its own circumstances and requirements.





Corporate Governance and Compliance Workshop held in February 2017.

Also at that Workshop we discussed strategies of PBC engagement with external stakeholders and representation/consultation models of the PBCs within the NQLC boundary on broader matters that affected PBCs in our region. Due to the changes in the PM&C Support Funding policies, neither of those activities have progressed in the time frames we had anticipated.

In regards to the policy and procedure manual, we are now in a position to progress the development of a template and will advise further when we have the template available for consideration by the individual PBCs.

The question of PBC representation/consultation was further addressed by some of the representatives of PBCs who attended the National Native Title Conference in Townsville in June. Specifically, those representatives sought a meeting with the CEOs of NQLC and Queensland South Native Title Services ("QSNTS") to discuss the desire of to establish a Queensland PBC representative body which could feed into the representation of PBCs on the National Native Title Council ("NNTC"). The CEOs agreed to bring the request to the other Queensland rep bodies and progress the establishment of a representative forum in their boundaries. The PBCs' request for appropriate PBC representation structures is consistent with the approach we were discussing at our February Workshop.

In addition to establishing an NQLC PBC representative group, advising more fully on the PM&C Support Funding policies and proposed capacity development activities of PBC Support Unit, there are some other State and

national matters that the FAME Reference Group and participants of the FAME Capacity Development Workshop want to be brought to a wider PBC forum (see the FAME Unit article on page 8). To address all these matters the PBC Support Unit will be convening:

### **NQLC's PBC Summit**

29-31 August 2017

(date and venue/location is to be confirmed).

Once we are able to confirm the date and venue, an invitation with draft agenda will be sent to our PBCs.

### **PBC SUPPORT UNIT CONTACT INFORMATION**

Email is the primary way the PBC Support Unit communicates with PBCs – however, we have found that using individual staff email accounts has meant that some emails to staff are either missed or have not been dealt with in a timely manner. In order to improve our communications, we have now established a 'Unit' email address that will ensure emails are not missed and can be directed to the appropriate staff member and prioritised.

In future, please send all email communication to our new email address: [pbcsupport@nqlc.com.au](mailto:pbcsupport@nqlc.com.au).

PBC Support Unit new contact email:

**[pbcsupport@nqlc.com.au](mailto:pbcsupport@nqlc.com.au)**





# Planning For Your Community

--2017 National Native Title Conference Presentation--

Hot on the heels of winning a commendation award from the Planning Institute of Australia (Queensland), in the category of 'Public Engagement and Community Planning' in November 2016, together with the Western Yalanji Aboriginal Corporation RTNBC ("WYAC"), we made a submission to present the Western Yalanji People Community Plan at the Native Title Conference. Our submission was accepted and Alwyn Lyall (Chairperson, WYAC), Breanna Lyall (Member, WYAC), Jasmine Clubb (Project Officer, FAME Unit) and myself presented at the Conference.

For my part, the 'community planning' initiative was one that I've wanted to get off the ground for a long time – I saw it as a way that the community can get engaged, voice their aspirations and determine the direction of their affairs. In doing this, it also gives clear direction to the PBC in what it negotiates and how it implements beneficial terms of their negotiated outcomes. The biggest challenge to realising any initiative like community planning is however, funding, but in 2013 our then CEO, Ian Kuch, supported developing the project and PM&C

approved delivery of the project as a component of the FAME Unit's ILUA Implementation activities. I am very proud to witness the results WYAC has attained in implementing their Community Plan.

Jasmine spoke about the professional development she experienced as the Project Officer on the matter – the opportunity to meet more members of the Western Yalanji community; hear their aspirations; be welcomed and shown around Western Yalanji country; work with WYAC on implementation on certain aspects of their Community Plan and seeing their aspirations being achieved. Jasmine also talked about the importance of including the community in the process and hoped that younger people especially would feel encouraged to participate in future planning processes - to have the aspirations of the youth heard and met.

Alwyn and Breanna spoke in detail about what their Community Plan has meant for WYAC. During the planning process they had the opportunity to engage with members of the Western Yalanji community that they otherwise have not had the chance to deal directly with, particularly their



people on Palm Island who were happy to engage in planning the process and look forward to more activities for them to participate on country. Alwyn and Breanna also talked about challenges WYAC has faced with implementing the Community Plan and also the achievements WYAC has had to date. WYAC has used their Community Plan to support funding applications and demonstrate to other stakeholders that WYAC has a roadmap for their directions and capacity to accomplish their objectives.

The presentation was well received and in addition to the questions from the floor following the presentation, a number of people approached Alwyn afterwards to find out more. We hope it has inspired others to undertake similar processes for their People.

---

**Written by Rhonda M Jacobsen**

Manager

Engagement and Development Support Team

# CORPORATION DECISIONS VS NATIVE TITLE DECISIONS

**R**NTBCs are more commonly referred to as Prescribed Bodies Corporate (PBCs). In this special role as agent, PBCs have dual responsibilities. A question that is often asked of the Future Act Mining and Exploration (FAME) Unit relates to the difference between a 'corporation' decision which enables the corporation to carry on with its day to day business and a 'native title decision' that requires consultation with the common law holders and their consent.

For the usual business of a PBC the Directors manage this through directors' meetings and will provide updates on this business at broader members' and community meetings. Some of the things they manage are the agreements that have been authorised by common law holders, the accounts, making sure they hold the meetings that are required under the Corporation's legislation, including members meetings and arranging for cultural heritage inspections with miners and other people wanting to do things on Country.

In carrying out their business the Directors of the PBC must comply with the Rule Book and the legislation. The rule books for each PBC are available on the ORIC website along with other documents of the PBCs at [www.oric.gov.au](http://www.oric.gov.au). If you are not a member of your PBC we encourage you to become one. The membership application forms are in the Rule Books. Note however that it is not compulsory for common law holders to be a member

of the PBC and there is a process for non-members to be involved in making native title decisions.

A native title decision is a decision that affects the native title of the common law holders – the affect might be an 'impact' on the ability of the common law holders to exercise their native title rights and interests or it might be a 'surrender' of native title rights and interests. Because native title is a communal title, the Board of the RNTBC must consult with and secure the consent of the whole of the native title group, not just the members of the RNTBC.

Which of the following is a native title decision?:

- Entering into an agreement with a miner? Yes, that's a native title decision.
- commenting on a proposed future act for scientific research? No, that's not a native title decision.

If you are not sure if a decision will affect native title, contact the FAME Unit and ask. If it is a native title decision the FAME Unit can also assist the RNTBC comply to with the legal requirements in the Native Title (PBC) Regulations (8 & 9) and calling Community or Authorisation (for an ILUA) Meetings.

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**Written by Julia Taylor**

Senior Legal Officer | Coordinator

Future Acts, Mining and Exploration (FAME) Unit

(Image: Noongga boojja. Noongar country. Courtesy SWALSC)

# BYE BYE BYGRAVE

MCGLADE v NATIVE TITLE REGISTRAR [2017] FCAFC 10

UPDATE

In our last edition we reported that amendments to the *Native Title Act (1993)* to in effect overrule the McGlade decision had been introduced into the Federal Parliament and that the Senate had referred the matter to a Senate Committee on 16 February 2017.

It received many submissions, both for and against the amendments.

That committee report was published on 20 March 2017.

The exact wording of the amendments bounced back and forth between the Senate and the House of representatives several times until an agreed set of words emerged.

The matter did not get to final debate and passing by the time Parliament and Senate arouse at the close of the previous sittings of Parliament and thus the matter was delayed until the next sittings, which commenced on 13th June 2017.

On the 14 June 2017 the amendment passed and it came into effect on 22 June 2017.

## WHAT DOES THE AMENDMENT DO?

- Validates ILUAs lodged for registration prior to the date of the McGlade decision relying on the Bygraves decision [ie with less than the full number of applicant signatures]
- Provides that in order to Register an ILUA you need only have the signatures of the majority of the applicants.







# OUR LAND IS OUR BIRTH RIGHT

MABO25 & Beyond

National Native Title Conference 2017

**The 2017 National Native Title Conference was hosted by the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) and us, the North Queensland Land Council. The Conference was held on the traditional lands of the Gurambilbarra Wulgurukaba people at the Townsville Entertainment and Convention Centre from the 5th to the 7th of June 2017.**

The 3rd of June 2017 marked 25 years since the High Court of Australia's momentous decision in *Mabo v Queensland (#2)*, recognising native title in Australia for the very first time. The Court overturned terra nullius and recognised the continuity of Aboriginal and Torres Strait Islander peoples' rights to lands and waters under Indigenous laws and customs. This year's conference paid homage to the landmark anniversary, reflecting on the past 25 years of the native title journey. It gave everyone a chance to honour those who fought for recognition and to learn from those who are forging new paths today. This year's conference brought together over 800 delegates and speakers, including 160 different representative groups, from across Australia to discuss a range of native title issues relating to land and sea rights, legislative reform, governance, land management and PBC capacity and support.

As our Chair mentioned in her message on page three, delegates heard many stand out key note speeches over the three day conference, including Kevin Smith's reflection on the Mabo decision and Gail Mabo's heartfelt speech, with her mother and Eddie Mabo's wife, Mrs Bonita Mabo, watching on from the front row. Gail Mabo acknowledged Minister Scullion who arranged the funding for the Mabo Day Festival held on the 3rd of June at Jezzine Barracks, and presented him with the last specially made Mabo Anniversary t-shirt. Senator Scullion also presented Gail with a gift of a special anniversary commemorative coin. Continuing on with the Mabo discussions was June Oscar AO, who gave a stand out Mabo lecture. Amongst many things she spoke of 2017 being the year of milestones. The 25th anniversary of Mabo; 20 years since the Commission's *Bringing them Home Report*; 10 years since the United Nation's Declaration on the Rights of Indigenous Peoples; 30 years since the Commonwealth began to fund Indigenous women's programs and since the national consultations on Indigenous women took place; 60 years since the Palm Island strikes and 50 years since the 1967 referendum. *"These are all significant milestones in the growth of our nation. We must honour them and learn from them. But as we know all too well, we must do more than simply mark the passage of time between key events in our nations' history."* The young Murrawah Johnson was another who wowed the audience with her passion and determination on all matter effecting the futures of Indigenous people.





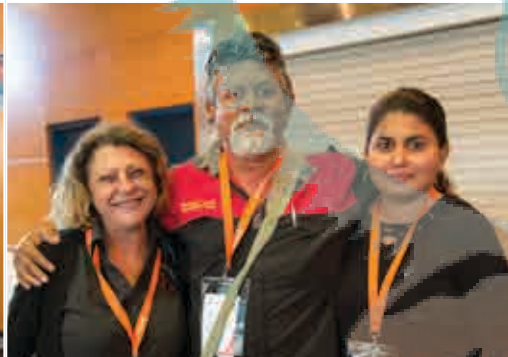
We also heard from the descendants of the men who lead the 1957 Palm Island Strikes of which Willie Thaiday, Albert Geia, Eric Lymburner, Sonny Sibley, Bill Congoo, George Watson and Gordon Tapau led a five day Island-wide strike over working conditions and unpaid wages. Our Chair Kaylene Malthouse was fortunate enough to help them collect donations during the conference to help with the anniversary event held at Perfume Gardens on Friday 9th of June.

Lighting up the faces of all the delegates were the dance performances from the Wulgurukuba and Yarrabah Dancers, as well as a special performance from the Meriam and Torres Strait Islanders. The photos captured just can't do justice to their sheer talent and I urge anyone who has the chance to go and see them perform in person. Spectacular!

With a minimum of three sessions running simultaneously three times a day across the three days, there is too much content to go through everything, but I must mention some of the PBCs of our region who keep doing deadly things for their mobs. Western Yalanji's Alwyn Lyall and Breanna Lyall, along with FAME's Rhonda Jacobsen and Jasmine Clubb, presented on the Western Yalanji Aboriginal Corporation (WYAC) Community Plan (which was awarded a Commendation in the *Public Engagement and Community Planning* category of the 2016 Planning Institute of Australia Awards). You can read more about their presentation by turning to page 12 of this Message Stick. Another PBC I'd like to mention is the Gugu Badhun people who had their official book launch of *'Gugu Badhun: People of the Valley of Lagoons'* at the Conference. Janine Gertz spoke to the audience about the process, the hard work it took from start to finish and acknowledged all those who assisted in the project, particularly those interviewees who enthusiastically recorded their stories and for their unfailing support. See page 28 for more information but a huge congratulations to them and to those who worked on the book.

As always, this year's National Native Title Conference was a fantastic event and NQLC would like to thank AIATSIS for all their hard work in pulling this conference together each year. As you would all agree, it is so important that we are given an opportunity to come together each year, and it is thanks to AIATSIS and the generous support of the sponsors that we are able to do so. We cannot wait to see what 2018's conference has to offer!







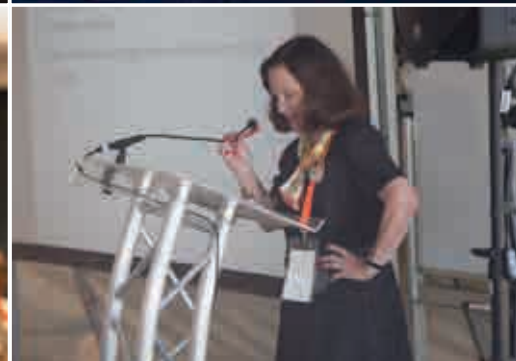


OUR LAND IS  
OUR BIRTH RIGHT  
MABO25 & Beyond  
ational Native Title on 2015









1936

**29 June 1936**

Eddie (Koiki) Mabo born on Mer (Murray) Island in t

1957

Eddie Mabo left Mer Island and move

1967

Eddie Mabo took a job a  
knowledge and made g

1974

After speaki  
Queensland

1981

**20 May 1982**

Eddie and his co-plaintiffs, Reverend David Passi, Celuia Mapoo Saee, Sam Passi and James Rice lodge a case in the High Court of Australia.

1982

**27th February 1986**

The High Court refers the case to the Queensland Supreme Court to take evidence, examine and make findings of fact

**17 November 1986**

Supreme Court proceedings adjourned to allow challenge in the High Court to the validity of the *Queensland Coast Islands Declaratory Act (1985)*.

# 25 YEARS OF MABO

25 years on from the historic Mabo decision, we all know that the High Court found that Terra Nullius was a fiction and that Native Title did exist, but few of us know of the time it took for Eddie Mabo and his supporters to run this case. The following timeline shows the extent of the struggle.



the Torres Strait.

to mainland Australia at the age of 21.

as a gardener with James Cook University (JCU) in Townsville. He had a thirst for good use of the JCU library. He spoke with many of the academic staff.

ng with JCU historians Noel Loos and Henry Reynolds, Mabo was made aware that under law he did not have ownership of his native lands.

Following a land rights conference at which Eddie spoke about the Traditional Islander ownership system, the decision to go to Court was made. Greg McIntyre who had been a solicitor in Townsville but by then was based in Perth, agreed to take the case and he proceeded to assemble a team led by Barristers Ron Castan [now deceased] and Bryan Keon-Cohen.

**1985**

In an attempt to pre-empt the case, the Bjelke-Petersen government, in one of the biggest acts of bastardry, passes the *Queensland Coast Islands Declaratory Act (1985)* to extinguish the native title rights of the Meriam people to the Murray Islands in the Torres Strait.

**1986**

**1988**

**8 December 1988**

The High Court ruled in *Mabo v Qld (No.1)* that the *Queensland Coast Islands Declaratory Act 1985 (Qld)* was incompatible with the *Racial Discrimination Act 1975 (Cth)* and therefore invalid.

**2 May 1989**

The Supreme Court hearing re-commences.

**1989**

**6 September 1989**

The Supreme Court hearing concludes.

**16 November 1990**

The Supreme Court findings are published and the matter sent back to the High Court.

**1990**

**21 January 1992**

Sadly Eddie Koiki Mabo passed away, five months before the High Court delivered its now famous judgment.

**1992**

**3 June 1992**

The High Court overturned the legal doctrine of terra nullius 'land belonging to nothing, no one' delivering a verdict in favour of the Murray Islanders in *Mabo v Qld (No. 2)*.

**1992**



# LAURA DANCE festival 2017

This year, Steve asked if any staff wanted to volunteer to go to the Laura Festival and run an information stall for the weekend, and no surprises, most of the Research Unit jumped at the opportunity. In my experience, anthropologists are endlessly fascinated by the way groups of people behave, so any kind of festival, parade or street party is a fantastic opportunity to learn, and of course, have fun along the way.

We had a crew of about nine people (all women, surprisingly). From the Research Unit there was myself (Coordinating Anthropologist), Kara (Cairns Staff Anthro) and her four year old daughter Kiya, Alicia (Anthro Records Manager) and her sixteen year old daughter Lily, Sarah (ex-Townsville staff Anthro), Kylie (Cairns Aurora intern) Judith (ex-Aurora intern) and representing the lawyers, Jules Taylor (Fame Coordinator). We were joined later by Alicia's partner Bruce White (ex-CQLC Anthro), Donna Clay (ex-CQLC Anthro), Nadja Mack (ex-NQLC lawyer) and her teenage daughter. Luis Lopez (Cairns Anthro) and Chris Richardson (Cairns Project Officer) came up separately for the weekend with their partners, and dropped by to hang out with us and have a chat.

I had not had the chance to go to Laura before, in Yalanji country, so I didn't really know what to expect, other than that we would be camping (always fun), taking all our own food, water and other supplies (excellently managed by Jules and Kara), and that we would see some outstanding Aboriginal dancing. We got all that, and more. What I didn't expect was the massive crowd (over 9,000 people I heard), the evocative location (back dropped by the cliffs that house the Quinken caves) and the really positive, fun, colourful, musical atmosphere.

I also didn't expect the number of non-Indigenous visitors.

I hadn't seen so many dreadlocked heads all together since my own travelling hippy days in the 90s. What surprised me most was the kinds of questions they asked. Some folks who stopped to ask questions were aware of native title and its issues, but most were not. What really came home to me were the number of young teachers who dropped by to ask how they could contact their own local traditional owner groups so they could bring them into their classes to teach the kids about Aboriginal customs and history. It surprised me that that this information was not provided by their schools, so at least we were able to give them some leads on how to get in contact with their local groups and Elders.

My lasting impressions are of sitting on the slope of the natural amphitheatre with the haunting notes of the digeridoo reverberating off the cliff, watching the dancers kicking up the dust and the crowds yelling, cheering and clapping as the 'shake-a-leg' dancers showed off for the crowds. I will remember the friendliness of the hosts, welcoming everyone whether they were hippies, bikers (yes, the 'Mob' Indigenous Riders Motorcycle club were there and helped with security) grey nomads, Army boys, Emergency services, stall holders, locals, neighbours and spectators from overseas.

A highlight for me was the evocative show on the Saturday night put on by the local Laura school. In the deepening evening dark, with haunting contemporary music and a light show flickering on the trees and on the ground, they told a Dreaming Story featuring a Quinken ancestor which sent shivers around the audience.

But mostly I will remember the dancers. It was their show, and they put on a fabulous weekend.

**Written By: Di O'Rorke, Coordinating Anthropologist**







### Dust meets Rain

The dust rising off the dance ground as misty rain falls over dancers silhouetted against the glow of bright lights. Gazing over heads and between branches we're drawn into a time-less place where people become birds or kangaroo. The dancers so absorbed they seem unaware of the hundreds of eager eyes around the dance ground.

We have already made our Land Council camp on the hill above the dance ground while listening to throbbing drum rhythms and exited cheers of the festival crowd gathering below us. From our camp we can see energetic and powerful dancers in long grass skirts and cassowary headdresses.

The visitors come in swathes past our stall carrying their fold-up chairs. With polite curiosity they occasionally stop to accept a Native Title leaflet. Tentative, in an unfamiliar setting, as at someone else's place, they are earnest in their desire to reconcile. With their necks in chains, the shackle dancers remind us of the horrors of our not so distant past.

Our campfire and food is shared with friends. Our trail through the crowd in search of music is splintered and we reunite in time to see the figure of the Quinkan tower over a dancing bird. Eerie waves of light rise above the dance ground. A young girl remembers her grandfather and the Quinkan story is told.

**By Alicia Jamieson, Records Manager**







Over a splendid, extended weekend, a group of us were fortunate enough to visit the biennial Laura Dance Festival. I still can't believe my luck! We held a stall to spread awareness and engage with community members about native title and the NCLQ claim area. From our stall, from morning to night, we had a hilltop view of performances by different groups and communities from around Cape York.

I didn't expect to be as moved as I was by the luminous pride of many of the dancers. They displayed captivating dress, skill, and charisma. Some were very young children, aged just four years! Relish as we did in the performances, at least equivalent attention was seized by other onlookers – as fascinating as the objects of their gaze. Some had left homes in distant parts of the country, some had brought them along, others had none. They, too, donned a host of curious accoutrements: selfie-sticks, deadlocks, bright eyes, new smells.

**By Kylie Dolan, Aurora Anthropology Intern**











## Jasmin Phillips Speaks at ATO for Mabo Day

On Friday 2 June 2017, Jasmin Phillips of our Townsville office, attended the Australian Taxation Office as guest speaker to discuss native title in recognition of the 25th Anniversary of the Mabo decision. With Mabo Day on the 3 June 2017, Jasmin represented the North Queensland Land Council (NQLC) and spoke about native title; the significance of native title to Aboriginal and Torres Strait Islander peoples and how the Mabo decision is still very valid and important to this day. This was an opportunity to present to an audience of approximately 65 people of the work we do at NQLC. The Mabo decision is still very valid and important to this day because it is the recognition that the original peoples of this country have a legitimate claim to their country through native title. It is so significant because it is representative of over two centuries of struggle and survival by Aboriginal and Torres Strait Islander people since colonisation to be recognised for their country. The staff at the Australian Taxation office responded well to the presentation which prompted many questions and a left staff knowing more about native title than just what is presented in the media.





Kayleen Malthouse and Joshua Maund



Tony Kyle, Phil Rist and Gary Mooney



Bernice Hooke and Sharon Changer



Jasmin Phillips, Sharon Changer and Laura Burton



Kayleen Malthouse, Gracielynn Smallwood and Pat Hoolihan



## RECONCILIATION WEEK

Commemorating the 25th Anniversary of the Mabo decision was celebrated widely around the country. The events in Townsville commenced on Friday 2 June 2017 at the Mabo monument in Townsville and was followed by the Commemoration Street March leading to the Reconciliation Day in the Park at the Perfume Gardens Townsville.



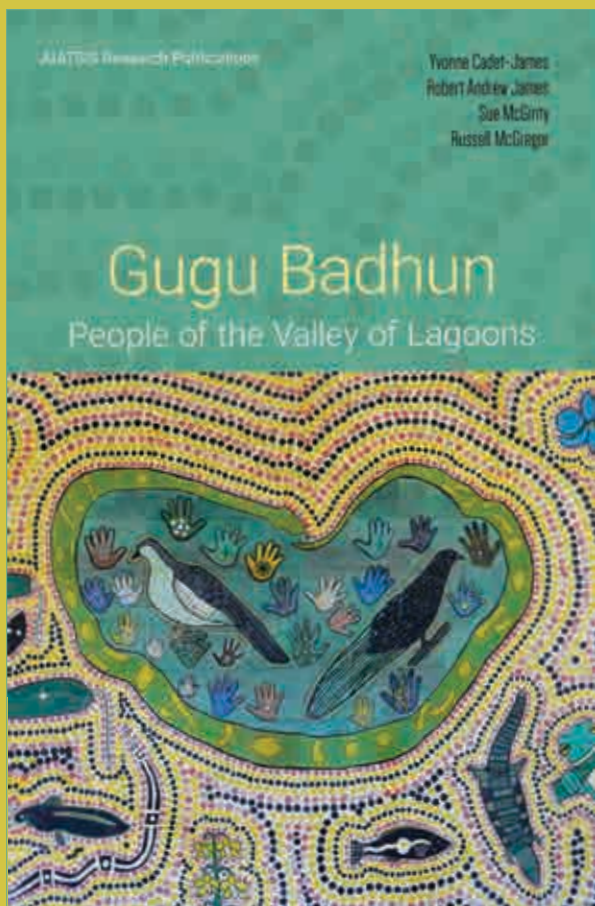
# CONGRATULATIONS GUGU BADHUN

Shout out to a deadly mob doing deadly things, the Gugu Badhun People. The Aboriginal and Torres Strait Islander Studies (AIATSIS) have just released the Research Publication: *Gugu Badhun - People of the Valley of the Lagoons*. AIATSIS describes the book as.... *“Bridging historical scholarship and Aboriginal oral tradition, this innovative book tells the story of the Gugu Badhun people of the Valley of Lagoons in North Queensland. It provides new insights into Aboriginal–European interactions, and new understandings of how Aboriginal people sustained their identities and exercised agency.*

*It lays bare violence and oppression, but also recognises the inter-racial cooperation and friendships which were equally part of Gugu Badhun experience. It tells of a people whose options were limited by state power and public racism but who remained proud and undaunted, making their own decisions for their collective and individual benefit.*

*Much of the story is told in the words of Gugu Badhun people themselves. Interviews are interspersed with commentary and analysis by the four authors, one of whom, Yvonne Cadet-James, is herself a Gugu Badhun elder.*

*This collaborative approach has produced a timely book for an Australia in which notions of Indigenous autonomy and self-determination are being re-imagined and re-configured.”*



The work on *Gugu Badhun - People of the Valley of the Lagoons* started many years ago when Gugu Badhun Elders Dick Hooligan, Harry Gertz (Snr), and others, recorded their language back in the early 1970s with anthropologist Peter Sutton and archaeologist Helen Brayshaw. Knowing of the importance of continuing this work, Gugu Badhun elders shared their life stories and recorded their histories within a digital history project funded by AIATSIS in 2004 and an Australia Research Council Linkage Grant in 2005. The work resulted in the Robert James' Masters Research Thesis: *A Modern History of the Gugu Badhun People and their Country*, in 2009.

The book was written by Gugu Badhun Elder Yvonne Cadet James, Robert Andrew James, Sue McGinty and Russell McGregor.

The book is available to purchase or download through the following AIATSIS website path: <http://aiatsis.gov.au/publications/products/gugu-badhun-people-valley-lagoons/paperback>.



# ATTENTION TRADITIONAL OWNERS: APPLICATIONS NOW OPEN!

Department of Environment and Heritage Protection

## Queensland Indigenous Land and Sea Grant program

The latest round of the Queensland Indigenous Land and Sea Grant program is now open.

Applications are invited from Indigenous communities for grants of up to \$75,000 to support projects that build their capacity to conserve and protect environmental and cultural resources. The program supports on-ground environmental and cultural heritage projects that effectively build collaborative relationships and partnerships with key stakeholders and organisations. The types of activities funded through the program include (but are not limited to):

- cultural heritage site management
- protected species monitoring and conservation
- feral animal management
- fire management
- erosion control
- habitat restoration
- weed control
- the development of plans (e.g. country or management plans) aimed at improving the effectiveness of future on-ground activities.

Application forms and funding guidelines containing terms and conditions as well as information on how to apply are available on the Queensland Government website.

Applications should be submitted online by **Thursday 17 August 2017 at 5pm.**

Organisations that receive recurrent funding for the employment of Indigenous rangers are not eligible to apply unless the application is made on behalf of Indigenous groups that are currently not engaged in the organisation's existing ranger program.

If you would like to discuss your project idea, or are unable to submit your application through the website, please contact the program officer on 07 4222 5527 or email [LandandSea@ehp.qld.gov.au](mailto:LandandSea@ehp.qld.gov.au).



Pictured: Oikola Wetland and Bird Monitoring.



Gudjuda and Girringun rangers with Girudala staff and Minister for Aboriginal and Torres Strait Partnerships Mark Furner (Image credit: Sam O'Brien)

By Sam O'Brien  
Bowen Independent

Article originally printed in  
*The Bowen Independent*,  
Wednesday 19 April 2017

# GIRRINGUN & GUDJUDA RANGERS ADMIRER FOR UNITED EFFORTS

Nothing brings together North Queensland quite like a cyclone.

Within hours of Bowen copping the brunt of Debbie's fury, offers of help were being fielded from across town.

Two of those groups to reach out were the Girringun and Gudjuda Aboriginal corporations from Cardwell and Home Hill, who called Girudala CEO Michelle Hooke to pledge their support.

By Saturday, 11 rangers from the two groups had descended on Bowen to help with the clean up.

Girringun ranger Daniel Leo said as soon as they saw their southern friends in need they were keen to assist. "We are rangers so it is our job. If anything like this comes up anywhere, we should all be going together as a team. More hands the better," Mr Leo said.

"We wanted to come earlier but

the floods meant we couldn't get through.

"We just try to put a smile on faces and give people a hand. Afterwards the appreciation you get is one really good thing about it. It is just a pity we can't do more."

Gudjuda coordinator Eddie Smallwood said the team effort was remarkable, as rangers cleared the yards of elderly residents as well as the yard of Girudala houses.

"We know what it is like to go through cyclones, so we are always there to try and help with the recovery," he said.

"It was a good team effort between Gudjuda and Girringun and it has been good to be able to offer support."

Before heading home last Monday they enjoyed a morning tea at Girudala with Minister

for Aboriginal and Torres Strait Islander Partnerships Mark Furner.

Mr Furner said he understood the town and its residents had been through a difficult time, and thanked them for their resilience.

"Make sure we are aware of anything you need," he told the group. "It is going to be a long road to recovery."

Girudala director Lyn Jones also praised the rangers for their efforts.

"Their help is invaluable," Mars Jones said. "The clean up would have taken us weeks by ourselves. It meant by having them there, SES and other services were freed up to help where they were needed."

Mr Smallwood acknowledged the clean-up process would be a long one, and said the rangers were hoping to return to town after Easter.



***“It is not acceptable for a director to use native title funds or property for their own personal benefit.”***

See recent media release from ORIC below.



**Australian Government**  
**Office of the Registrar of**  
**Indigenous Corporations**

**media release**



## FORMER NATIVE TITLE DIRECTOR CONVICTED

On 17 May 2017, Mr Trevor John Close, a former director of Githabul Nation Aboriginal Corporation RNTBC, was convicted in the Downing Centre Local Court in Sydney of three charges of dishonestly misusing his position to gain a personal advantage.

The charges were brought by the Registrar of Indigenous Corporations, Anthony Beven, in June 2016 under section 265-25(3)(a) of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*. Mr Close pleaded guilty to the charges in February 2017.

In 2013, Mr Close used the proceeds of sale of a property owned by the Githabul Nation to make three rental payments totalling \$7,279.25 on his private home in Sydney.

Magistrate Horan convicted and discharged Mr Close upon his own recognisance upon giving security of \$500.00, to be of good behaviour for 12 months. Mr Close was also ordered to repay \$7,279.25 to the Githabul Nation.

On 29 November 2007 the Federal Court made a consent determination recognising the Githabul people's native title rights and interests over 1120 square kilometres of national parks and state forests around Kyogle in northern New South Wales. Githabul Nation was also recognised by the court as the body to represent and hold the native title interests of the Githabul people. As part of the consent determination a number of freehold properties were also transferred to Githabul Nation.

‘Native title corporations and their directors are in a very special position of trust in relation to traditional owners—past, current and future’, said Anthony Beven. ‘It is not acceptable for a director to use native title funds or property for their own personal benefit.’

‘Directors of corporations, especially those looking after native title, must uphold the highest of standards and always act in the best interests of the corporation and its members,’ Mr Beven said.

The Commonwealth Director of Public Prosecutions prosecuted the matter.

### **Media contact**

Lisa Hugg  
(02) 6146 4738  
ORIC MR1617-24  
18 May 2017

# Introducing Our Newest Recruits...



## Peter Krebs

Senior Legal Officer  
Legal Unit (Cairns Office)

Mr Peter Krebs is an experienced native title practitioner and part-time tribunal member. He is currently a senior legal officer with the NQLC, and a presiding Member of the Queensland Civil and Administrative Tribunal. He previously worked as the Principal Legal Officer of the Torres Strait Regional Authority. He has advised a number of land councils in Queensland, including as Corporate Counsel to the Gidarjil Development Corporation and Principal Legal Officer of the Gurang Land Council. He was appointed as representative of the Manburra People who are the traditional owners of Palm Island in negotiations with the Queensland Government and Parliamentary Select Committee in wake of the Palm Island riots in 2004. He has also spent over 20 years as a legal practitioner in NSW and

Qld, with a general practice including criminal, corporate, native title, and environmental law. Between 2003 and 2008, he sat as an appointed Part-time Member on the Mental Health Review Tribunal in Qld and NSW.

As Principal Legal Officer of the Torres Strait Regional Authority, he oversaw the successful High Court appeal which saw the recognition of the right to trade commercially in marine resources as a native title right which was a first for Australian jurisprudence. He has provided advice to traditional owners on the impact of this decision on the fisheries in the Torres Strait and as such has knowledge of both Commonwealth and State fisheries law and the PZJA as it operates in the Torres Strait.



## Madeleine (Maddy) Smith

Legal Administration Officer  
Legal Unit (Cairns Office)

Maddy Smith recently joined the NQLC as a Legal Administration Officer and is thoroughly enjoying the role. She has been in the legal industry for approximately six years, working at a number of different law firms, in a number of different departments. Her experience ranges from Litigation to Construction & Engineering.

Maddie is originally from Brisbane and decided to make the move to Cairns this year to be with

family and to explore the Far North. Her and her partner love to go camping and sightseeing and look forward to seeing what is on offer in this beautiful part of Australia.

*"Everyone at NQLC has been very warm and welcoming and I have loved every minute of my time here so far. I am looking forward to exploring native title and developing my skills further. I look forward to meeting everyone in the near future".*

## Take Your Dog to Work Day

23 JUNE 2017

For a bit of fun, this year we celebrated 'Take your Dog to Work Day' here at NQLC. We love our fur babies here and we're glad to report that all pooches were on their best behaviours! WOOF!



JANINE FROM Corporate Services brought in LULU, a MINIATURE SCHNAUZER.



MADDIE FROM the Legal Unit brought in MILEY, a pug.



LAURA FROM the Legal Unit brought in HARLEY, a FRENCH BULLDOG.



TERRI FROM Engagement & Development Support Team brought in CHARLIE, a poodle



# Are you getting your mail from NQLC?

## Contact Database Audit

Many of you tell us you either aren't receiving letters from us letting you know about upcoming claim meetings or claim updates, while others tell us they are getting mail about claims they are not part of, and do not want to get. In order to make sure we get this right, the Research Unit has started doing an update of all claim group contact lists.

### BACKGROUND

As a result of a number of new claims having been authorised in the 2015/2016 financial year, doing an update of the NQLC in-house contact database management is considered a high priority. This project entails the overhauling of each and every claim contact list administered by the NQLC in order to ensure that:

1. only those who can be confirmed as a descendant of one or more of the registered apical ancestors are included;
2. those who do not descend from one or more of the registered apical ancestors are removed from the contact list; and
3. those who are removed from any given contact list are added to any other relevant claim contact lists, once confirmed.

In turn, this will ensure that:

1. only the correct people receive meeting invitations, letters and other notifications about claim matters;
2. that all future additions can easily be added after confirmation from the relevant in-house anthropologist; and ultimately,
3. that the contact lists represent accurate and up-to-date records of claimants' details.

A process for undertaking database management was developed in 2015 by Sarah Thomson (Townsville Staff Anthropologist) and the then Yuwibara project officer Natalie Friday, with the current formal procedure evolving from this initial work.

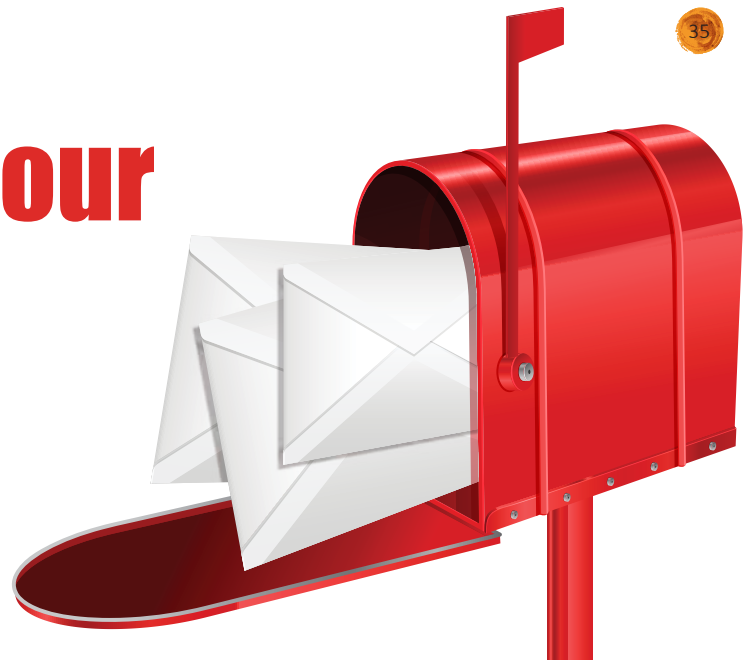
Research Unit Project Officer, Mary Wasaga-Thompson and Sarah have been working on this for the last three months, and some of you will already have received a phone call from Mary, asking you some questions like:

- Your name,
- Your parents' names
- Your date of birth
- Your address, email and phone numbers.

**Please help us stay in touch with you about your claims. You can do this by letting the NQLC know when you change your contact information, including phone numbers, postal and email addresses.**

**We can only let you know what is going on with your claims if we can contact you.**

**FREECALL NQLC ON: 1800 814 779**



Written by NQLC Research Unit

This information allows us to confirm that you are in fact, part of the claim group you are listed under, or if we need to move you to another claim contact list.

Mary and Sarah had to start somewhere, so it was decided to begin with calls to people on the Widi, Yuwibara and Wulgurukaba lists, as Sarah was more familiar with these, having recently worked with the Traditional Owners and claimants on those particular matters. Once these are completed the team will be working through all of the claim lists.

The Attendance Sheets you are asked to fill in when you come to NQLC meetings provides the basis for our claim contact lists. This is why it is really important that you provide your current details when you fill in that attendance sheet.

Unfortunately, the information we have is not always up to date, and we are often unable to get in touch with Traditional Owners when we need to. The main problems we are finding are:

- contact numbers either do not exist for a number of individuals or they are outdated and/or disconnected,
- address details either do not exist for a number of individuals or they are outdated, and
- many of those whose contact details are current either do not answer or return missed calls, or in a minority of cases, do not wish to speak with Mary and/or divulge their family history information.

If you do not wish to give the information to Mary, we encourage you to call the Research Unit's Anthropology staff.

Database Management Project Team:

- Di O'Rourke – Coordinating Anthropologist
- Mary Wasaga-Thompson – Project Officer
- Luis Arturo Aguilar Lopez – Project Officer



Yarrabah Dancers at the 2017 National Native Title Conference

**Cairns – Head Office**

61 Anderson Street Cairns Qld 4870  
PO Box 679 Cairns North Qld 4870  
Tel: 07 4042 7000 / Fax: 07 4042 7070

**Branch Office - Townsville**

Suncorp Tower, 61-73 Sturt St Townsville Qld 4810  
PO Box 5296 Townsville Qld 4810  
Tel: 07 4421 5700 / Fax: 07 4421 5717

**Branch Office - Mackay**

Suite 2 Level 1, 38 Macalister Street  
Mackay Qld 4740  
Tel: 07 4898 6700 / Fax: 07 4898 6777