

*The Australian National University's Centre for Native Title Anthropology
& Queensland South Native Title Services (QSNTS) present:*

THE FUTURE OF NATIVE TITLE ANTHROPOLOGY

**WOMEN'S COLLEGE
UNIVERSITY OF
QUEENSLAND**

4 & 5 February 2016



Australian
National
University



QSNTS

PARTNERS

CENTRE FOR NATIVE TITLE ANTHROPOLOGY, AUSTRALIAN NATIONAL UNIVERSITY

The Centre for Native Title Anthropology (CNTA) aims to enhance the practice of native title anthropology in Australia through a series of innovative programs and workshops for applied anthropologists. A unique collaboration between ANU and the Australian Government Attorney-General's Department (AGD), the CNTA's activities are delivered with the support of the School of Archaeology and Anthropology. The programs include an annual conference, workshops run in-house for NTRB/NTSP staff, research placements at the ANU, student fieldwork placements and a travel grant scheme. In past years CNTA has delivered a postgraduate course in native title anthropology which could also be taken for professional development. The current funding grant from AGD terminates on 30 June 2016.



Australian
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University

QUEENSLAND SOUTH NATIVE TITLE SERVICES (QSNTS) BRISBANE

On 7 July 2015, Queensland South Native Title Services (QSNTS) was established as a native title service provider funded under 203FE of the *Native Title Act 1993* (Cth).

On 1 July 2008, QSNTS's operational boundaries were extended creating one of the largest native title organisations in Australia, covering almost two-thirds of Queensland with offices in Brisbane, Mt Isa and Rockhampton. Since its inception, QSNTS has secured for its clients 15 determinations, over 200 claim-related indigenous land use agreements (ILUAs) and a range of native title and related outcomes. The organisation is governed by an independent Board of Directors which oversees the strategic direction of the company and its operations. QSNTS exists to provide native title services to the Traditional Owners of the land and waters in its statutory region. To achieve the company's vision and objective, QSNTS focuses on:

- the provision of native title services as prescribed by the Native Title Act;
 - enhancing the capacity of Traditional Owners to be autonomous in pursuing and exercising native title rights; and
 - advocating for reform and improvement of the native title system.
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WELCOME

Conference Schedule

Pages 2 – 3

Speakers & Panellists

Pages 4 – 9

Essential Information

Pages 10 – 11

CONFERENCE SCHEDULE

DAY 1. SOURCING AND PRESENTING EVIDENCE

8.00 AM - 9.00 AM	Registration
9.00 AM - 9.15 AM	Welcome to Country
9.15 AM - 9.30 AM	Introduction: Professor Nic Peterson

SESSION 1

Chair: Nic Peterson

9.30 AM - 10.15 AM	Expert Anthropological Evidence – A Judge’s Perspective <i>Justice Darryl Rangiah</i>
10.15 AM - 10.45 AM	Morning tea

SESSION 2

Chair: Julie Finlayson

10.45 AM - 11.30 AM	Sourcing Evidence: Lessons from an Indigenous-Chinese case study in the Gulf of Carpentaria <i>Hilda Maclean</i>
11.30 AM - 12.30 PM	Ethnography of Court Proceedings: Film and commentary <i>Deane Fergie, Rod Lucas & Paul Monaghan</i> <i>The film is 30 minutes</i>
12.30 PM - 1.30 PM	Lunch

SESSION 3

Chair: Kevin Smith

1.30 PM - 3.00 PM	Contested Membership (succession, incorporation and territorial boundaries) <i>Panellists: Kim De Rijke, David Trigger & Pam McGrath</i>
3.00 PM - 3.30 PM	Afternoon Tea
3.30 PM - 5.00 PM	Contested Membership Hypothetical <i>Panellists: Kim De Rijke, David Trigger & Pam McGrath</i>
5.00 PM	Close
7.00 PM	Dinner – The German Club, East Brisbane

DAY 2. THE FUTURE OF NATIVE TITLE ANTHROPOLOGY

SESSION 1

Chair: Rosita Henry

9.00 AM - 9.30 AM	Nous. Review of AGD Grant Funding Program for Native title Professional Development: Key Findings and Recommendations <i>Penny Gregory</i>
9.30 AM - 10.15 AM	A community development approach to using income streams from Aboriginal lands: a case study from the CLC <i>Danielle Campbell</i>
10.15 AM - 10.45 AM	Native Title Holders and Community Development <i>Nic Peterson</i>
10.45 AM - 11.15 AM	<i>Morning tea</i>

SESSION 2

Chair: David Trigger

11.15 AM - 11.45 AM	Deloitte Access Economics: Key findings from the Review of the Role and Function of NTRBs/NTSPs (2014) – the PBC question <i>Ric Simes</i>
11.45 AM - 12.30 PM	Compensation for whom? Over what? <i>Lee Sackett</i>
12.30 PM - 1.30 PM	<i>Lunch</i>

SESSION 3

Chair: Pam McGrath

1.30 PM - 2.45 PM	Principles for the governance of native title holder corporations: what has anthropology to say? <i>Participatory small group exercises</i>
2.45 PM - 3.15 PM	<i>Afternoon Tea</i>
3.15 PM - 4.30 PM	What future for native title anthropological consultancies? <i>Panellists: Neale Draper, Olivia Norris, Sally Babidge, Paul Burke & Deane Fergie</i>
4.30 PM	<i>Close</i>

SPEAKERS & PANELLISTS

DR SALLY BABIDGE

Panellist: What future for native title anthropological consultancies?

Qualifications: Sally research interests span Aboriginal Australia as well as Chile where she is focusing on Indigenous identity and politics (Australia, Chile), Anthropology of resource extraction, Australian Aboriginal kinship, history and family, and Native Title and applied Anthropology.

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Senior Lecturer, School of Social Science, Anthropology University of Queensland

DR PAUL BURKE

Panellist: What future for native title anthropological consultancies?

Paul Burke is a Visiting Fellow at the School of Archaeology and Anthropology, The Australian National University and a consultant anthropologist working on native title claims. A former lawyer, he converted to anthropology via doctoral research on anthropologists in native title claims. The book arising out of that research, *Law's Anthropology: From ethnography to expert testimony in native title*, was published in 2011. During 2009-13 he undertook research among the Warlpiri diaspora all over Australia under an Australian Research Council Post-doctoral Fellowship. He is currently writing up that research and continuing to work on native title claims.

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Consultant Anthropologist

DR DANIELLE CAMPBELL

A community development approach to using income streams from Aboriginal lands: a case study from the CLC

Danielle Campbell joined the Central Land Council in 2005 when the Community Development Unit was established. She came to the CLC with experience in facilitating, researching and evaluating community development processes in Aboriginal Australia and Sri Lanka. Danielle has played a significant role in the design and implementation of the CLC's Community Development Framework, managed the rapid expansion of the CD Program since 2010, including establishing partnerships with a substantial number of Government and Non-Government Organisations, and works at the national, regional and local level to share lessons learned on effective development practice.

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Manager Community Development Unit, Central Land Council, Alice Springs

DR NEALE DRAPER

Panellist: What future for native title anthropological consultancies?

Associate Professor Neale Draper is the principal heritage consultant of *Neale Draper & Associates Pty Ltd* and formerly the CEO of *Australian Cultural Heritage Management Pty Ltd* (ACHM), which closed its door in 2015 after 15 years. He has more than 30 years of experience in cultural heritage management and as a researcher, academic, and expert witness/reporter in the fields of Anthropology and Archaeology, particularly with Australian Aboriginal communities. His project work includes native title connection reports, Aboriginal heritage management issues, and heritage survey and assessment reports.

—
Principal Heritage Consultant, Neale Draper & Associates, Adelaide

SPEAKERS & PANELLISTS

DR DEANE FERGIE

Ethnography of Court Proceedings: Film and commentary

Deane Fergie founded the Locus of Social Analysis and Research (LocuSAR) in 1997, a self-funding, cross-disciplinary research team then based in the School of Social Sciences at the University of Adelaide. Deane has led the development of new methods in native title research and cultural heritage assessment and management; participated in and led interdisciplinary teams undertaking connection research in seven native title claims (including litigated cases and Consent determinations); peer reviewed the work of other experts as part of State government consent determination processes and provided on the job training for a significant number of students and graduates who have gone on to independent careers in native title practice. She is currently involved in making films on the culture of native title hearings.

Senior Lecturer, Manager of LocuSAR, University of Adelaide

DR PENNY GREGORY

Review of AGD Grant Funding Program for Native title Professional Development: Key Findings and Recommendations

Penny is a Principal with the Nous Group, a management consulting firm operating across Australia and, more recently, the UK. She has over 30 years' experience leading the development and implementation of government policy in the health and community services sector in Australia and in working with organisations and change.

Penny has been CEO of the ACT Department of Health and Community Services and, more recently, head of the Australian Institute of Health and Welfare (AIHW). Among many other assignments she has recently led a project to evaluate the Native Title Anthropology Grants Program (NTAG) and provide advice on design options for future program funding.

DR JULIE FINLAYSON

Chair

Julie has worked as an academic in anthropology with an emphasis on Aboriginal issues at La Trobe University and the ANU. Her doctoral research dealt with the impact of gender in domestic economics and welfare-based households in rural north Queensland. She has worked as a consultant in native title, cultural tourism and Indigenous organisational/governance fields, including publishing a book on successful Indigenous service providers. She has contributed to a number of papers and monographs on native title, taught professional development course for practitioners in native title, worked for the NNTT, and as a consultant to ATSIC's Native Title and Land Rights Branch.

Research Fellow, Centre for Native Title Anthropology ANU

PROFESSOR ROSITA HENRY

Chair

Rosita Henry is a Professor of Anthropology and Head of Social Sciences, at James Cook University. Her research concerns the inter-relationships between people, places and things as expressed in practices and performances of everyday life. She is author of the book *Performing Place, Practicing Memory: Indigenous Australians, Hippies and the State* (Oxford and New York: Berghahn Books, 2012) and co-editor the book *The Challenge of Indigenous Peoples: Spectacle or Politics?* (Oxford: Bardwell Press 2011). Since 2010 she has been a co-investigator and team leader of the ARC Discovery project *Objects of Possession: Artefact Transactions in the Wet Tropics of North Queensland* and in 2014 began research on the ARC Discovery Project *Planning for Later Life: An Ethnographic Analysis of Ageing among Transnational Papua New Guineans*.

DR ROD LUCAS

Ethnography of Court Proceedings: Film and commentary

Rod Lucas is a social anthropologist with a PhD in Anthropology and Psychiatry from the University of Adelaide, where he has lectured since 1999. He has worked in the field of Aboriginal cultural heritage since 1989. He has co-researched three native title claims to successful consent determination, and peer-reviewed several others. In these contexts he has worked with Aboriginal people who identify as Dieri, Arabana, Kokatha, Antakirinja, Yankunytjatjara, Wangkangurru/Yarluyandi, Barngarla, Gawler Ranges, Kurna and Ngarrindjeri.

Lecturer, Anthropology and Development Studies, University of Adelaide

DR PAM MCGRATH

Panellist: Contested Membership

Pam is currently Research Director with the National Native Title Tribunal (NNTT). Her research interests span the social impacts of native title, compliance cultural heritage management, visual culture and intercultural sociality, and historical ethnography. Pam has been involved in native title research since the early 2000s and previously worked as an in-house researcher for both Native Title Services Victoria and Yamatji Marlpa Aboriginal Corporation. She has authored expert reports for native title claims and Aboriginal cultural heritage projects, and regularly convenes and delivers lectures, workshops, seminars and conferences for native title organisations and practitioners. She was previously Research Fellow at the Centre for Native Title Anthropology.

Research Director NNTT

DR DAVID MARTIN

Chair & Presenter: Principles for the governance of native title holder corporations: what has anthropology to say?

David Martin worked on the Wik native title claim amongst a number of other claims; he also has extensive experience in peer reviewing and assessing native title connection reports for both Representative Bodies and governments. He has coordinated and co-written an overview chapter in, and contributed a case study to, a chapter on anthropologists as expert witnesses in a legal volume on expert evidence. With Christos Mantziaris he co-wrote a volume on native title corporations See Mantziaris and Martin, 2000. *Native Title Corporations: A Legal and Anthropological Analysis* (Federation Press). David's long involvement in issues of Aboriginal community and economic development extends to post-determination matters, Aboriginal governance of Prescribed Bodies Corporate and agreements. His research and applied work has focussed as much on transformation as it has on continuity and tradition.

Anthropos Consulting

DR HILDA MACLEAN

Sourcing Evidence: Lessons from an Indigenous-Chinese case study in the Gulf of Carpentaria

Hilda Maclean is a professional genealogist, accredited historian and archival researcher. She has extensive experience with Queensland family and pastoral histories. Since 2012, Hilda has been engaged by the University of Queensland Culture and Heritage Unit to conduct genealogical and historical research on behalf of three Native Title Claim Groups as well as on Indigenous/Chinese families in the Gulf of Carpentaria. Hilda regularly presents workshops on genealogical and archival research methodology and has presented at international conferences on allied topics.

University of Queensland Culture and Heritage Unit

SPEAKERS & PANELLISTS

DR PAUL MONAGHAN

Ethnography of Court Proceedings: Film and commentary

Paul Monaghan is a linguistic anthropologist based at the University of Adelaide. He is the Programs Coordinator for the Mobile Language Team, which runs community-based Aboriginal language projects across South Australia, including secondment to LocuSAR for native title matters. He has experience in three native title matters, including the De Rose Hill trial, and an overlap matter in consent determination processes. Most recently he has been an Expert Linguistic Anthropologist in the Lake Torrens Overlap proceeding, which is currently before the Federal Court.

Programs Coordinator, Mobile Language Team University of Adelaide

MS OLIVIA NORRIS

Panellist: What future for native title anthropological consultancies?

Olivia Norris is the Director of Research and Heritage at Yamatji Marlpa Aboriginal Corporation (YMAC). In her role Olivia manages YMAC's research, heritage, spatial and biodiversity programs for the Pilbara, Murchison and Gascoyne regions of Western Australia. Olivia is an anthropologist and has worked extensively with Traditional Owners in the Pilbara, Gascoyne and Murchison for over 10 years.

Director of Research and Heritage, Yamatji Marlpa Aboriginal Corporation, Western Australia

PROFESSOR NICOLAS PETERSON

Native Title Holders and Community Development

Nicolas Peterson is Professor of Anthropology in the School of Archaeology and Anthropology at the Australian National University and Director of the Centre for Native Title Anthropology. His initial engagement with land rights issues was working as the Research Officer for the Royal Commission in to Aboriginal Land Rights (the Woodward Commission) which subsequently led to him to prepare a number of major land claim reports, and post Mabo the test case for native title rights in the sea (Yarmirr case) with Jeannie Devitt. Most recently he has completed the Mt Doreen native title claim and a Northern Territory short form connection report, both with Anna Kenny.

Director, Centre for Native Title Anthropology, ANU

JUSTICE RANGIAH

Expert Anthropological Evidence – A Judge's Perspective

Justice Rangiah was appointed to the Federal Court of Australia in 2013. His Honour had previously practiced at the private Bar in Queensland, and was appointed Queen's Counsel in 2008. His Honour was also Chairman of the Queensland Fisheries Tribunal and a Member of the Queensland Anti-Discrimination Tribunal. His Honour's areas of practice at the Bar and as a Judge include native title law.

Federal Court of Australia

DR KIM DE RIJKE

Panellist: Contested Membership

Kim De Rijke is a postdoctoral fellow in anthropology at the University of Queensland. His current comparative research project, funded by the School of Social Sciences, focuses on coal seam gas developments in the Darling Downs region of Queensland and the Northern Rivers region of New South Wales. This project looks at the competing visions of land use and nature among diverse societal groups in Australia. Kim has undertaken 11 years of applied native title research, initially in the resource-rich region of the Kimberley in Western Australia, more recently in the Bowen Basin of central Queensland. He is a part-time consultant anthropologist for the University of Queensland Culture and Heritage Unit.

Postdoctoral Fellow, University of Queensland Culture and Heritage Unit

DR RIC SIMES

Deloitte Access Economics. Key findings from the Review of the Role and Function of NTRBs/NTSPs (2014) - the PBC question

Ric Simes has extensive knowledge in public policy, governance, finance, econometrics, economic analysis and strategy. He has held senior positions in the Commonwealth Treasury, academia, Prime Minister Keating's Office and the private sector. Ric has led numerous projects within indigenous affairs, analysis of planning and regional development issues, financial services, climate change, energy, transport, water and the digital economy.

Deloitte Access Economics

DR LEE SACKETT

Compensation for whom? Over what?

Lee Sackett lectured in the Anthropology of Aboriginal Australia at Adelaide University for 20 years. Following this, he for three years was Manager of Land Tenure at the Central Land Council. There he researched and reported on three Aboriginal Land Claims. For the past 17 years he has worked as a Consultant Anthropologist, specialising in Native Title Claim research. He has worked on Native Title Claims in: the Pilbara, the Western Desert, Central Australia, Northwest Victoria, the Gulf Country, the Mount Isa Region and South East Queensland. He has reviewed claim materials for a number of Representative Bodies and for the states of Western Australia, South Australia, Queensland and New South Wales.

Consultant Anthropologist

PROFESSOR DAVID TRIGGER

Panellist: Contested Membership

David Trigger is Professor of Anthropology at The University of Queensland. His research interests encompass the different meanings attributed to land and nature across diverse sectors of society. His research on Australian society includes projects focused on a comparison of pro-development, environmentalist and Aboriginal perspectives on land and nature. He has extensive experience in native title and has acted as an expert witness in multiple native title claims and associated criminal matters involving Aboriginal customary law. Professor Trigger is the author of *Whitefella comin': Aboriginal responses to colonialism in northern Australia* (Cambridge University Press) and a wide range of scholarly articles.

Professor of Anthropology, School of Social Science, University of Queensland
(<http://www.socialscience.uq.edu.au/david-trigger/>)

ESSENTIAL INFORMATION

CONFERENCE VENUE

The Women's College
University of Queensland, College Road
St Lucia QLD 4067
(07) 3377 4500

CATERING

Accommodation at Women's College includes a full breakfast. Morning tea, lunch and afternoon tea will be provided free of charge. Vegetarian, gluten free and other dietary options are available.

PUBLIC TRANSPORT

Travel to UQ by the following options:

By ferry: The CityCat ferry is the most enjoyable and often the most convenient means of getting to the St Lucia campus. The campus [CityCat terminal](#) is located near the corner of Sir William MacGregor Drive and Blair Drive. The Brisbane City Council provides a [map of all CityCat stops](#) (PDF). For timetables and further information, try the [TransLink Website](#) or call TransLink on 13 12 30.

By bus: There are two bus stations located at the University of Queensland – Chancellor's Place bus station and UQ lakes bus station (near The Women's College).

From Brisbane's Central Business District, the Brisbane City Council bus routes which run directly to the University of Queensland are the 412 (Express from City to Chancellor's place station), the 411 (City to Chancellor's place station) and the 109 (City to UQ lakes station). Other BCC bus routes which stop here are the 402 (Toowong to Chancellor's



Place station), the 428 (Indooroopilly to Chancellor's Place station), the 427 (Chapel Hill to Chancellor's Place station), the 432 (Kenmore to Chancellor's Place station), the 414 (West Taringa to Chancellor's Place station), the 209 (Carindale Interchange to UQ Lakes station), the 169 (Eight Mile Plains busway station to UQ Lakes station) and the 139 (Calamvale to UQ Lakes Station).

The main bus stop on the St Lucia campus is located at [Chancellor's Place](#) near the J.D. Story building.

The other bus station is located at UQ Lakes ([near Field No.3 and Alumni teaching garden](#)). For timetables and further information, try the [TransLink Website](#) or call TransLink on 13 12 30.

PARKING

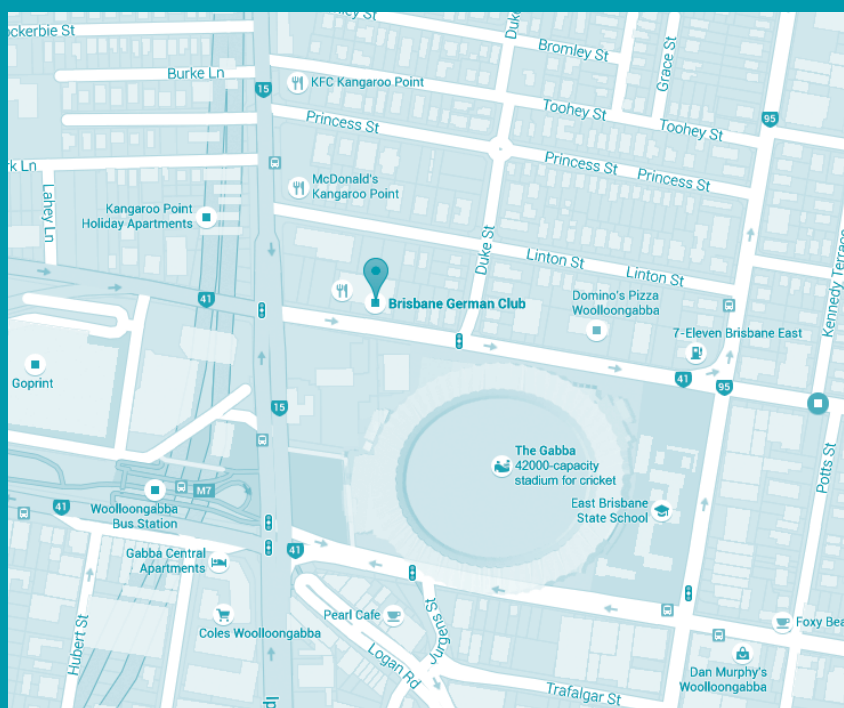
A mere 10 minute drive from Brisbane's central business district, The Women's College is accessible to a variety of public transport, parking, and scenic walking trails. On site car parking is available as the CNTA workshop is held outside of the academic year. A university bus interchange is a 5 minute walk from the college and links to bus services to South Bank and the Brisbane CBD.

CONFERENCE DINNER 7PM THURSDAY, 4 FEB

The German Club
416 Vulture Street, East Brisbane
Phone (07) 3391 2434
www.brisbanegermanclub.com

Décor is exotic, the menu offers a wide choice (in dishes and prices, including vegetarian) and a range of German beers. Attendees will be expected to cover the costs of their own meal and beverages.

Direct buses leave from UQ Lakes
(5 minute walk from The Women's College) to Woolloongabba busway station. From there it's about a 600 metre walk. Parking is also available.



CONFERENCE CONTACTS

Conference Convenors

Julie Finlayson
Nicolas Peterson
& *QSNTS*

Conference Secretariat

Elizabeth Watt
E: elizabeth.watt@anu.edu.au
Registrations close on Friday 22 January 2016

Conference Contact

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