

**CNTA Annual Conference 4-5 February 2021****Venue: Women's College: University of Queensland****Day 1***Theme: The Challenges***8.30-9.00** Registration/coffee**9.15-9.30** Opening by Deputy Vice-chancellor, Professor Ian Anderson AO (ANU)**9.30-9.50** Nic Peterson, Director of CNTA: Opening Address**9.50- 10.30 Chair: Nic Peterson**

- Key note speaker **Justice Debbie Mortimer**: *Re-evaluating the role of expert reports in Native Title proceedings.*

The focus of this presentation will canvas reasons for providing expert reports, how they can be most useful to the Court, and the parties, and if there are alternative ways of providing anthropological expert evidence.

**10.30-11.00** Morning tea**11.00-12.30** Small group discussion: macro/micro-level challenges**12.30-1.30** Lunch*Theme: Opportunities for Collaboration***1.30-2.15 Chair: Richard Martin**

- **Kevin Keffe**: *Making things, right? Case studies in collaboration and conflict since the Mabo decision.*

In 1993, after the High Court Mabo decision, and before the Native Title Act was legislated, the Council for Aboriginal Reconciliation produced a policy guidance booklet called: *Making Things Right: Reconciliation After the High Court's Decision on Native Title.*

This paper reviews case studies in both conflict and collaboration in the native title landscape since that time and points to potential lessons for native title practice today.

- **Jan Bowe** (Bendelta): *The Bigger Picture - Making sense of what I do*

It can be challenging at times to see how what we do day-to-day is contributing to the bigger picture in our organisation. In this interactive workshop we will get to look at some tips and techniques for making sure that we create alignment between our purpose and the organisation's mission.

**2.15-3.30** Small group discussion**3.30- 4.00** Afternoon tea

**4.00- 5.00** Small group interviews: (speaker allocated to a group for Q & A on institutional collaboration)

Jill D' Orso  
(Mining Council)

Chris Fewings  
(NNTT)

Ophelia Rubinich  
(AIATSIS)

Belinda Burbidge  
(NNTC)

**Dinner venue:** to be confirmed

## **Day 2**

### **Theme: Compensation – Achieving impact**

**9.00-10.30 Chair: Susan Philips**

- **Kevin Smith:** *The relevance, role, and response of native title to an expanding Indigenous affairs landscape*

In 2021, Traditional Owners will have to juggle the new era of compensation, complex legislative changes introduced by the Native Title Legislation Amendment Bill 2019, new regulatory requirements under the CATSI Act as well as the response to the Juukan Gorge Inquiry, Closing the Gap Agreement and Voice to Government agenda.

What must PBCs and NTRB/SPs do to rise to this challenge and what government support is necessary to facilitate sustainable outcomes.

- **David Trigger** – *Issues and challenges in compensation research*

In relation to 'cultural loss', what is the connection to country arising from 'traditional law & custom'? Who are the right people (= 'n.t. holders') holding that connection? A legal assumption can be that this is clear arising from a determination, but particularly given the significance of now recognised 'collateral detrimental effects' [T Ck HC para 200], the dimensions of 'effect' in cultural terms arises as a research task.

Has there been 'cultural loss' among those with the connection, resulting from the 'acts' identified by lawyers for investigation, how do we understand those 'effects'? (significant tasks: effects possible on spiritually linked areas; effects across all those with 'connection', so is there a continuum of kinds of 'connection' and 'cultural loss' effects?) How do we develop a research methodology to address these questions? (feasibility of a national approach?)

- **David Evans** – *Governance Issues for Trusts*

Indigenous Land Used Agreements (ILUAs) entered by Aboriginal corporations normally leads to the establishment of trusts to receive royalty payments on behalf of Community members. These trusts can be complex in nature and are generally established with significant and onerous compliance requirements. Having sat on several Indigenous boards in the Pilbara WA as an independent director, David explores the issues and challenges for trust boards and prescribed body corporates (PBCs) in addressing the requirements contained in the trust deeds.

**10.30-11.00 Morning tea**

**11.00- 11.45 Managers' Panel**

**Chair: Sarah Bell**

- Mia McCulloch (QSNTS): *Getting up to speed*
  1. **Comprehension of the three arms** - relevant judgements, reasoning and implications of these (legal); understanding tenure types and what to look for in the Queensland context (tenure); and thinking about the concept of cultural loss and how research focus and approach may differ from connection research and reporting (anthropology)

2. **Formulating an in-house inter-disciplinary team** to work through these three arms and, share our thinking and understanding of them.
  3. **Networking with NTRBs and other relevant organisations:** Taking part in managers meetings, working with CNTA, AIATSI and NNTC: sharing ideas, concerns, experiences, building sectorial capability.
  4. **Constituents:** informing and educating (facts, risks, unknowns), dispelling rumours, encouraging patience, taking on clients
  5. **Stocktake and gap analysis:** of the material we already have that may assist in formulating a case, what more we will need, and working out how to get it.
  6. **Application:** receive instructions, commence pilot project which will be used to develop an efficient, comprehensive, and diligent process (tenure, anthropology, legal) that can be replicated, learnt from and improved as further instructions are received
- Amy Usher (YMAC): *Managing research staff in a different space (post determination) doing work for PBCs and some of the changes, and challenges around such work.*
  - Pascale Taplin (NQLC): *All that information bound up in dusty old books; Materials management in the context of high attenuation of local knowledge*

#### 11.45- 12.30 Table discussion

#### 12.30-1.30 Lunch

#### *Theme: Looking to the Future*

#### 1.30-2.00 Chair: Kim de Rijke

- **Tegen Scott** – *Thinking spatially in compensation research?*

*“Cultural geographers and anthropologists are like brothers separated in infancy and taught to speak different languages.”- Larry Grossman 1977*

How might anthropologists be able to prepare their research for future uses? Enriching field notes, reports and other outputs with geo coordinates opens possibilities for more effective use of <sup>anthropological</sup> research in the post determination phase of native title.

#### 2.30-3.00 Chair: Mary Edmunds

- **Ian Sweeney:** *Working collaboratively in Aboriginal-led community development based on income streams from Aboriginal lands – the CLC experience.*

As Aboriginal groups become land holders in receipt of income from mining agreements, lease payments, and other sources, the challenges of how to manage, invest and transform futures with the income streams have emerged. Over the past 15 years, the Central Land Council’s Community Development program has learnt much from its deeply collaborative engagement with Aboriginal groups in negotiating the challenges to achieving sustainable social and economic outcomes.

#### 3.00- 3.30 Afternoon tea

#### 3.00-4.15

A special visit to UQ Anthropology Museum in the Miche Building. The current exhibition is a historical look at Queensland Aboriginal Creations and the artists who exhibited with them. More details in the hyperlink below.

<https://anthropologymuseum.uq.edu.au/exhibitions/queensland-aboriginal-creations-agency-and-legacy>

Museum Director Michael Aird will be our guide. He will discuss the history of the museum, and time permitting, his own research project on native title in South-East Queensland developed through historical photographs.