

ity has been particularly problematic for native title bodies whose statutory functions have prevented it from being considered 'charitable'. Statutory functions should not necessarily preclude an entity from being considered charitable and our submission suggested a specific provision in the Draft Charities Bill to this effect.

Finally, Indigenous charitable organisations should satisfy the 'public benefit test' in the Draft Charities Bill because they provide a charitable service to Indigenous people, who have been recognised as a disadvantaged section of the community.

The Central and Northern Land Council's submission discusses two main areas of concern. The first regards the characterisation of the Land Councils as a Public Benevolent Institution (PBI). The Land Council's consider it desirable that the Draft Bill does not seek to codify the definition of a PBI as this has already been clarified by the recent decision of the Northern Territory Court of Appeal. Secondly, the Land Council's share AIATSIS's concern that the specific reference to political advocacy as a disqualifying

KLC Celebrations

By Wayne Bergmann, Executive Director, Kimberley Land Council

More than 600 Kimberley traditional owners gathered at Wuggubun community in the East Kimberley in September to celebrate the 25th anniversary of the Kimberley Land Council. Many of the people who were involved in the first meeting at Noonkanbah in 1978 were there, and former chairmen spoke of their involvement in the organisation. The AGMs for the KLC and the Kimberley Law and Culture Centre were held, and there was dancing and celebrations throughout the three-day bush meeting.

The centrepiece was a full-day workshop to discuss the future of the KLC and of the land rights movement in WA. The meeting endorsed the Wuggubun Statement, which was presented to Carol Martin MLA, as the representative of the Western Australian Government. The statement called on the

purpose is unnecessary and may unintentionally restrict the common law position or lead to litigation.

The South West Aboriginal Land and Sea Council (SWALSC's) submission identifies a number of problems that could arise from inconsistent interpretations of the Draft Bill. SWALSC submit that the absence of any specific reference to Aboriginal people as a class of disadvantaged Australians places organisations that help to relieve their plight in a vulnerable position. SWALSC's submission recommends that the Draft Bill ought to be amended to include the Advancement of Aboriginal people as a charitable purpose; to include a provision that Aboriginal people (by any grouping of family or regional membership) comprise a sufficient section of the general community for recognition as a public benefit; and finally, that any attempt by Aboriginal entities to change the law or government policy is not a disqualifying purpose.

Information about the Tax Board Consultation and a copy of The Draft Charities Bill can be found at www.taxboard.gov.au

government to work with the KLC and other Kimberley organisations on a regional framework to address social, economic and land issues in the Kimberley in an holistic manner.

The call for an integrated approach to land and justice issue highlighted one of the recurring themes of the Wuggubun meeting: the tension between the KLC's current status as an NTRB, and its role as a community organisation with a history of representing Aboriginal people in the Kimberley. These functions are not always easy to reconcile, particularly given the current funding pressures on NTRBs.

The KLC was established by Kimberley traditional owners to represent them in their struggle for land against mining companies, which were supported by the state government. The organisation played a central role in the protests against mining at Noonkanbah in the late 1970s and early 1980s. It continues to represent traditional owners in relation to heritage

protection and other non-native title issues, and operates a land and sea management unit which works with traditional owners to look after country. However the bulk of the KLCs funding, and consequently the bulk of its work, is now in relation to native title, which has so far failed to deliver much to Kimberley people, despite the strength of their law and culture.

There was a general frustration at the Wuggubun meeting with the lack of progress in relation to the KLC's 25 native title claims. Despite coming to office in December 2001 with a commitment to settling native title claims, the Gallop government has signed off on only two consent determinations in the Kimberley since then, and only four state-wide. It is currently in court opposing the claims of the Rubibi claimants in Broome, and there are four other claims in litigation across the Kimberley. These include the Miriuwung Gajerrong (Ward) claim, which has run for almost ten years, been to the High Court and back to the Full Federal Court, cost more than \$10 million, and is yet to be fully resolved.

Other claims still in court include the Bardi Jawi claim over the Dampier peninsula north of Broome, which includes a significant claim to sea country, and the Wanjina Wunggurr Willinggin claim which covers a large portion of the Kimberley. A decision is due to be handed down on 8 December this year.

Aboriginal people make up half the population of the Kimberley. They have a proud history of asserting their rights to country, and of developing partnerships with industry. In calling for a regional framework to settle land, social and economic issues, Kimberley traditional owners are seeking an end to the divisive process of litigating native title claims, which puts enormous strain on communities and prevents them from focusing on issues such as economic development and the health of their communities. While the KLC will continue to pursue native title outcomes on behalf of Kimberley traditional owners, the meeting at Wuggubun confirmed the need for an integrated approach to resolving the issues that concern Aboriginal people in the Kimberley.

Mentoring Pilot Program for Junior Anthropologists in NTRBs

Background

The mentoring scheme grew from discussion amongst concerned anthropologists in the Australian Anthropological Society about the difficulties facing graduate anthropologists working in native title. The problems of recruiting suitably qualified anthropological staff for NTRBs was already known.

The National Native Title Tribunal and ATSI's Native Title and Land Rights Branch [capacity building initiative] are sponsoring the pilot mentoring program offering focused professional development and support to junior anthropologists.

Five mentee places were available in 2003-04 for the pilot program. The mentees have been matched with five senior anthropologists and because of their Australia-wide location contact between mentor/mentee is confined to telephone and e-mail. The pilot

runs for twelve months and will conclude in April 2004.

Find Out More about the program in 2004
It is anticipated that the 2004 National Native Title Conference in South Australia will have a workshop on mentoring at which those involved in the pilot project will reflect on their experiences.

The Project's objectives are:

- To explore the potential to mentor inexperienced junior staff anthropologists in identified NTRBs Australia-wide
- To boost the immediate performance of representative body employees and to assist ATSI to direct funds to obtain sustainable future benefit in this area.
- To test the relevance and suitability of a generic mentoring practice across all native title practitioners, and ideally to promote the efficacy of this approach to the