



I think on a more sober note, it also puts local shires and councils on notice that they now have to deal with us as a people. They now have to negotiate with us and come through the proper channels instead of just thinking they can just go and dig this up and dig that up and do whatever they want to do. They now have to negotiate with us at a level that we have to come to an agreement. We have to be involved at last.

Jessica Weir: What was it like putting in a native title claim and coordinating all these negotiations?

Johnny Lovett: It was a little bit hard at times and there were times when you thought that you'd just get up and walk away and not come back to the meetings any more, no more negotiations or nothing, because the frustration of it was so intense at that time. You'd go away and then you'd have a break from that and then you'd come back a few days later and think yeah I'm ready to go again, let's do it, let's start negotiating again. Of course the state governments weren't too easy to deal with either, and you're talking to us who never had a full understanding of how the white system worked legally. All of a sudden we were dealing with Acts from parliament and you don't have to do that everyday. You and I talk about something and then we agree to do it together, we may shake hands and just agree to do it and then we go and do it. But when there are things that you want to do that constitutes an Act that you have to deal with, then it gets a little bit different.

Euphemia Day: When I was growing up on the Lake Condah mission, I was born there and our grandmothers were alive then and you knew about this government that would come and take the kids away and our grandmother if we went walking around

the mission she was always with us and we only had a boundary to go, we weren't allowed to go too far because that fear was still there and they didn't want us to say things either because of the repercussions that could happen to us. On the mission they weren't allowed – you lost your song and dance, the language that was taken away from us, so we weren't allowed to speak our language and the women made baskets and stuff but they had to be copied off the old people. My grandmothers were both in their nineties and I never ever heard them speak any language because they knew the consequences of that action.

So that was just so real and still is so real today of everything we do and for us it's mind blowing sitting in a place like this today, on our ground, on our land, forced by government from us, for them to say "yes this is your land". It's mind blowing.

Johnny Lovett: That in itself, the Federal Court sitting on our land, in this area here.

Euphemia Day: Dad would be amazed at that.

Johnny Lovett: Our elders would not have believed it.

Euphemia Day: They would be shocked. It is just something they would not believe.

Johnny Lovett: It's a big story and I suppose the most simplest terms that I can think of describing it would be to say that at last we have recognition of who we are and what it means to be known as the traditional owners of Gunditjmarra country. I think that's about it, as simple as I can put it.

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NTRU Project Report

Prescribed Body Corporate Project

Project report by Toni Bauman

The NTRU is carrying out a Prescribed Bodies Corporate project over the next two years in partnership with the Minerals Council of Australia, the Office of the Registrar of Aboriginal Corporations and the University of Melbourne. The Project aims to support the growing number of Prescribed Bodies Corporate (PBCs) established after native title determinations to hold and manage native title lands and waters. This will be carried out through



Workshop delegates in Canberra

research, participatory planning and support for capacity-building in a range of governance issues such as decision making and conflict resolution processes and frameworks, strategic planning, economic development and natural resource management.

Many PBCs lack support to carry out Future Act Agreements and other native title business. There are key risks for industry if PBCs are not appropriately resourced. Failure to have functioning and effective PBCs will increase costs and lead to substantial delays in agreement-making for industry.

There are also significant issues for PBCs in relation to changes to Aboriginal corporation rules around training, compliance and the transitional arrangements and implementation processes around the replacement of the *Aboriginal Councils and Associations Act 1976* with the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* on 1 July 2007.

PBC National Meeting 11-13 April 2007

The NTRU held the first national meeting of PBCs with 23 participants from a range of PBCs from 11th to 13th April 2007 in Canberra. The meeting provided PBCs with a much needed networking opportunity and a range of critical information.

Representatives of the Attorney-Generals Department and of the Department of Family and Community Services and Indigenous Affairs informed the meeting about recent PBC reform measures and implementation issues including the recommendation that PBCs are to receive support through NTRBs.

Representatives of ORAC provided information about changes to corporation legislation and training. A range of other Government representatives provided information about funding opportunities, programs and training relevant to PBCs.

Feedback from the meeting indicates that participants derived significant benefit from the workshop and the information which was provided. Unfortunately, budgetary limitations and the costs involved in



Picture: Facilitators Tony Lee and Kerry Arabena; participants at AIATSIS

bringing people together from the remote locations where many PBCs are located meant

that not all PBCs were able to be represented. Discussions are now taking place as to how to involve more PBCs in the future.

A report on the workshop is currently being prepared for circulation for confirmation by participants and will subsequently be posted on the NTRU web site. Government representatives at the workshop will also be invited to a follow-up meeting to further discuss ways of assisting PBCs.

Staffing

The NTRU welcomes Kayeleen Brown as the new personal assistant to the Manager of the NTRU and Acting Director of Research, Lisa Strelein.

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WHAT'S NEW

Reviews and Reforms

[Senate inquiry into the Native Title Amendment \(Technical Amendments\) Bill 2007](#)

The inquiry looks into proposed amendments to provisions of the *Native Title Act 1993* (the Act) relating to:

- future acts;
- Indigenous land use agreements;
- the scope of alternative state or territory regimes to the right to negotiate established under section 43 of the Act;