Native title pacts 'best'

Aboriginals told overhaul of title system not on cards

Reports by Charlie Wilson-Clark

FEDERAL Attorney-General Daryl Williams has encouraged Aboriginals to continue with their negotiations and reach agreements to ensure their access to land.

Speaking to 370 delegates at the National Native Title Conference in Geraldton yesterday, he said consent determinations and Indigenous Land Use Agreements were the best way forward.

Mr Williams' address came a day after Aboriginal and Torres Strait Islander Commission chief Geoff Clark urged Aboriginals to walk away from native title.

Mr Clark said the process of claiming rights had become so arduous, expensive and ultimately disappointing that native title experts should devise a new system.

Mr Williams said claimants' frustrations with litigation could be overcome by negotiated agreements.

He said ILUAs were a practical, faster and more cost-effective means of resolving competing land uses at a local level.

Consent determinations had to stand up to the requirements of the Native Title Act but they could be pursued alongside an ILUA. He ruled out an overhaul of the native title system.

"It would only create more uncertainty," he said. "The framework we have is a solid one."

Speaking outside the conference, Justice Robert French, the first National Native Title Tribunal president, said native title should not be abandoned.

"(Native title) still represents one of the most important shifts in dealings with indigenous people — a shift from grace and favour grants to the requirement to deal with people who have pre-existing rights," he said.

Mr Williams said the funding of prescribed body corporates, the legal entities set up to administer native title claims once a determination has been reached, was an ongoing challenge for the Government.

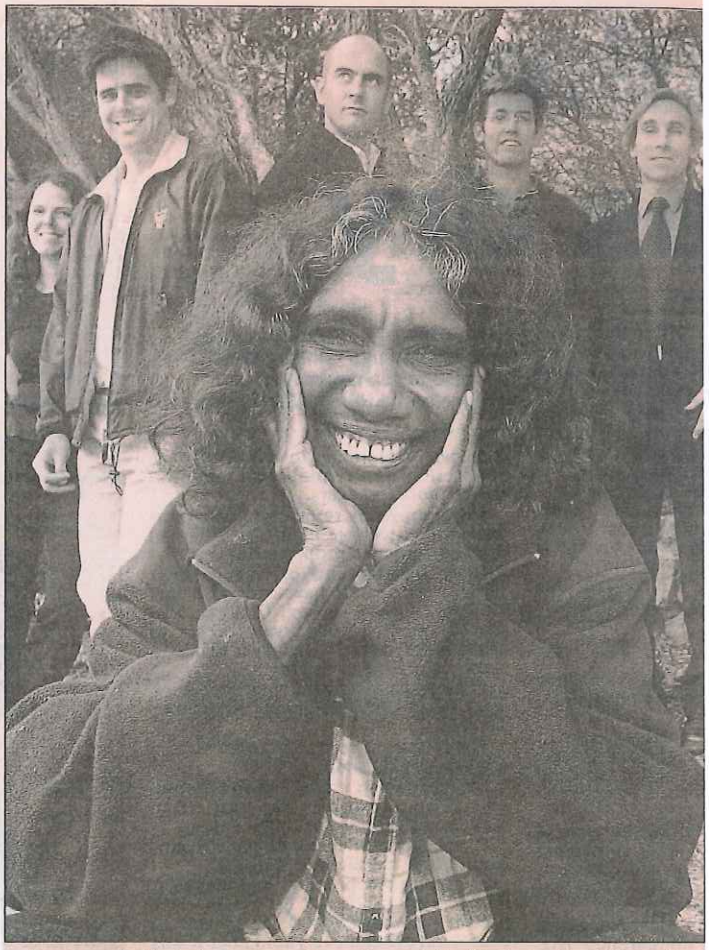
He encouraged organisations to look to other funding bodies.

Mr Williams said the Federal Government had spent $120 million funding the National Native Title Tribunal, the Federal Court, non-native title parties and native title representative bodies.

A review of funding requirements for native title would be completed shortly.

Other speakers at the conference yesterday included lawyer Greg McIntyre, who represented claimants in the Mabo and Miriuwung Gajerrong cases, as well as experts from New Zealand and Malaysia.

The conference was convened by the Yamatji Land and Sea Council and the Australian Institute of Aboriginal and Torres Strait Islander Studies.



Long road: Marjorie Brown and members of the Kimberley Land Council may return to court over their native title claim. PICTURE: SANDRA JACKSON